



200408130113

Skagit County Auditor

8/13/2004 Page 1 of 5 10:56AM

AFTER RECORDING MAIL TO:

Great American Dream, Inc. dba Landmark Building & Development

632 Sunset Park Dr. #7006
Searo Woolley, WA 98284.

FIRST AMERICAN TITLE CO.

B81379-E

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: B81379

Statutory Warranty Deed

Grantor(s): Elk Properties LLC

Grantee(s): Great American Dream, Inc. dba Landmark Building & Development

Tract Y, "ROSEWOOD P.U.D. PHASE I"

Assessor's Tax Parcel Number(s): 4745-000-999-0400 (P116506)

THE GRANTOR Elk Properties, LLC, a Washington limited liability company for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to GREAT AMERICAN DREAM INC., DBA LANDMARK BUILDING AND DEVELOPMENT the following described real estate, situated in the County of Skagit, State of Washington.

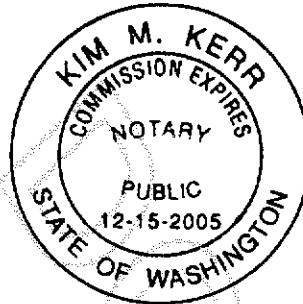
Tract Y, "ROSEWOOD P.U.D. PHASE I", as recorded February 14, 2000, under Auditor's File No. 200002140086, records of Skagit County, Washington.

Subject to Paragraphs A thru H of Schedule B-1 of First American Title Company's preliminary commitment no. B81379 attached hereto and made a part hereof by this reference.

Dated August 9, 2004

Elk Properties

James A Cook
By: James A Cook, Managing Member



State of Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence James A Cook the person(s) who appeared before me, and said person(s) acknowledged that ~~he~~~~she~~ they signed this instrument, on oath stated ~~he~~~~she~~ they are authorized to execute the instrument and is managing member of Elk Properties LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: Aug. 10, 2004

Kim M Kerr

Notary Public in and for the State of
Residing at Mount Vernon
My appointment expires: 12/15/2005

4282

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

AUG 13 2004

Amount Paid \$ 1068.00
Skagit Co. Treasurer
By [Signature] Deputy

SCHEDULE "B-1"

Exceptions:

A. RESERVATIONS CONTAINED IN DEED

Executed by: Puget Mill Company, a Corporation
Recorded: December 18, 1926
Auditor's No: Volume 142 of Deeds, Page 146
As Follows:

"The party of the first part hereby reserves unto itself and unto its successors and assigns, the full, complete and absolute right to all oils, gases, coal, minerals, metals and fossils of every name and nature which may be in or upon said land or any part thereof, with the right of entry upon said land to prospect and explore for oils, gases, coal, minerals, metals and fossils of every name and nature, however, said party of the second part, its successors and assigns, shall be reasonably compensated for all damages done to the surface and soil of said land and the improvements thereon in carrying on any such operation."

B. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN, A COPY OF WHICH IS HERETO ATTACHED:

Dated: June 1, 1998
Recorded: June 23, 1998
Auditor's No: 9806230104
Executed by: Self Help Housing, a Washington Non-Profit Corporation;
William Miller, it's Executive Director

C. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: City of Mount Vernon, a Municipal Corporation of the State of Washington
Dated: November 24, 1998
Recorded: December 31, 1998
Auditor's No: 9812310051
Purpose: Utility purposes
Area Affected: Tract A and common areas adjacent to 30th Street

D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company
Dated: July 14, 1999
Recorded: August 12, 1999
Auditor's No: 199908120018
Purpose: Right to enter said premises to operate, maintain, and repair underground electric transmission and/or distribution system, together with the right to remove brush, trees and landscaping which may constitute a danger to said lines
Area Affected: South 25' of common area Tract A



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E. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Self-Help Housing
And: City of Mount Vernon
Dated: February 8, 2000
Recorded: February 14, 2000
Auditor's No: 200002140087
Regarding: Agreement as to various terms of platting including but not limited to road improvements, signage, street lighting, etc.

F. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SUBDIVISION:

Plat/Subdivision Name: Rosewood P.U.D. Phase 1
Recorded: February 14, 2000
Auditor's No.: 200002140086

Said matters include but are not limited to the following:

1. An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting private lot owners in the areas designated as private drainage easements. The maintenance of private drainage easements established and granted herein shall be the responsibility, of and the costs thereof shall be borne equally by, the present and future owners of the abutting private lot owners and their heirs, owners personal representatives, and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

2. An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1 of Skagit County, Puget Sound Energy, G.T.E., Cascade Natural Gas Corp. and TCI Cablevision of Washington, Inc. and their respective successors and assigns under and upon the exterior front boundary lines of all lots and tracts as shown hereon and other utility easements shown on the face of the plat, in which to install, lay, construct, renew, operate, maintain and remove utility systems, lines, fixtures, and appurtenances attached thereto for the purpose of providing utility services to the subdivision and other property, together with the right to enter upon the lots and tracts at all times for the purposes stated. Property owner is prohibited from building improvements within this area unless approval has been granted by the City Engineer. Additionally said front yard easement area shall be utilized for sidewalk and driveway purposes.

3. All lots within this subdivision are subject to impact fees payable upon issuance of a building permit.

4. Telephone: G.T.E.
Power: Puget Sound Energy
Television: TCI Cablevision
Storm: City of Mount Vernon
Sewer: City of Mount Vernon
Water: Public Utility District No. 1 of Skagit County
Gas: Cascade Natural Gas



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5. Building Set Backs: Single Family Lots
Front: 20' lots at street intersections have two front yards
Rear: 20'
Side: 7.5' (or as otherwise shown hereon)

Common Wall Lots
Front: 20': Lots at street intersections have two front yards
Rear: 20'
Side: 0' on common sides, 7.5' on non common sides (or as otherwise shown herein)

6. Wetlands areas shown hereon were delineated by Aqua-Terr Systems, Inc., Sedro Woolley, Washington, in May 1995 and April 1996.

7. Storm water facilities - operation/maintenance

Stormwater drainage/detention facilities common to the plat of Rosewood P.U.D. Phase No. 1 is dedicated to the City of Mount Vernon in Tract "A".

8. All lots and tracts shown hereon are subject to the requirements and conditions of the final P.U.D. for Rosewood P.U.D.

9. Building permits shall not be issued on lots shown hereon, 1-30, 39-49, and 51-64, until the required improvements for phase 1 are fully completed to the satisfaction of the City of Mount Vernon Engineering Department.

10. The developer/Rosewood Homeowner's Association shall be responsible for the following P.U.D. requirements on Tract "A", open space, not to be considered a building site. Installation and maintenance of landscaping and wetland signs.

11. Tract "B" is not to be considered a separate building site. Tract "B" is for open space. Playground and critical areas preservation purposes. Activities shall comply with P.U.D. requirements and City of Mount Vernon critical areas ordinance No. 2482. No clearing or removal of existing vegetation on the property is permitted without the written consent of the City of Mount Vernon. No structures shall be placed on Tract "B" without the written consent of the City of Mount Vernon. "Structures" shall mean any building, wall, driveway, walkway, patio, garage, storage shed, carport, mailboxes, swimming pools, rockery, dog run, or playground equipment. The developer/Rosewood Homeowner's Association shall be responsible for the following P.U.D. requirements on Tract "B": installation and maintenance of landscaping, wetland signs and playground equipment.

12. Tract "C" is not to be considered a separate building site. Tract "C" is for open space purposes. No structures shall be placed on Tract "C" without the written consent of the City of Mount Vernon. "Structures" shall mean any building, wall, driveway, walkway, patio, garage, storage shed, carport, mailboxes, swimming pools, rockery, dog run, or playground equipment. The developer/Rosewood Homeowner's Association shall be responsible for the following P.U.D. requirements on Tract "C": installation of landscaping and playground equipment.

13. Tract "X" is not to be considered a separate building site. Tract "X" is for phasing purposes only. Building permits shall not be issued on Tract "X" until such time as future phase approvals are received. Future phases shall meet the requirements of the approved final P.U.D. for Rosewood P.U.D.



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14. Building permits shall not be issued on Tract "Y", future daycare site, until such time as future phase approvals are received.

15. Tract "Z" is not to be considered a separate building site. Tract "Z" is for a pathway easement and is further encumbered by a 20 foot wide easement to the City of Mount Vernon for sanitary sewer purposes. The developer/Rosewood Homeowner's Association shall be responsible for the following P.U.D. requirements on Tract "Z": installation of landscaping, pathway and maintenance thereof.

16. 7 foot utility easement affecting a portion of subject property.

17. Right of the public to make necessary slopes for cuts or fills upon said premises in the reasonable original grading of streets, avenues, alleys and roads, as dedicated in the Plat.

18. Building setback lines as delineated on the face of the plat.

G. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN, A COPY OF WHICH IS HERETO ATTACHED:

Dated: May 28, 2002
Recorded: May 29, 2002
Auditor's No: 200205290098
Executed by: Self-Help Housing, a Washington Non-Profit Corporation

H. Terms and provisions of Bylaws recorded March 19, 2004, under Skagit County Auditor's File No. 200403190133



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