

AFTER RECORDING MAIL TO:  
Frederick A. Miller and Doris G. Miller  
4214 Owen Way  
Anacortes, WA 98221

200408160131  
Skagit County Auditor  
8/16/2004 Page 1 of 3 1:48PM

Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: A81211

### Statutory Warranty Deed

FIRST AMERICAN TITLE CO.

Assessor's Tax Parcel Number(s): 4695-000-013-0000 P111751

ABOILLE

THE GRANTOR BT& D Construction, Inc., a Washington corporation for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Frederick A. Miller and Doris G. Miller, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 13, "PLAT OF MARINE HEIGHTS", according to the plat thereof recorded in Volume 16 of Plats, pages 173 through 175, records of Skagit County, Washington.

Subject to covenants, conditions, restrictions and easements as per attached Exhibit "A".  
Dated August 12, 2004

BT & D Construction, Inc.

By: Brian Hofferth, President

4325  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

AUG 16 2004

Amount Paid \$ 7066.07  
By: RP Skagit County Treasurer  
Deputy

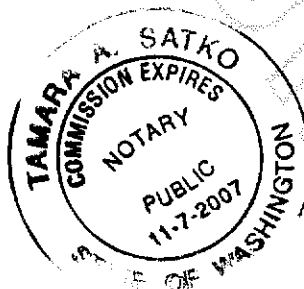
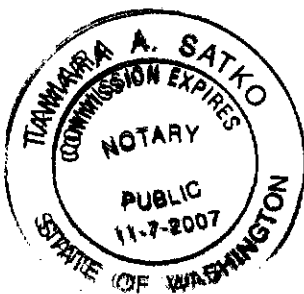
State of Washington }  
County of Skagit } SS:

I certify that I know or have satisfactory evidence BRIAN HOFFERTH 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 is authorized to execute the instrument and is PRESIDENT of B T & D CONSTRUCTION INC. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: 8/13/04

Tamara A Satko

Notary Public in and for the State of WASHINGTON  
Residing at ANACORTES  
My appointment expires: 11/7/07



**Exceptions:**

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

Plat/Subdivision Name: Marine Heights  
Recorded: July 22, 1997  
Auditor's No: 9707220058  
(Copy attached)

Said matters include but are not limited to the following:

1. An easement is hereby reserved for and granted to the City of Anacortes, Puget Power, G.T.E., Cascade Natural Gas Corp. and TCI Cablevision of Washington, Inc. and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots and tracts as shown on the face of the plat and other utility easements, if any, 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 right to enter upon the lots and tracts at all times for the purpose stated, with the understanding that any grantee shall be responsible for all unnecessary damage it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted.
2. The storm water detention ponds, Tract "A", Tract "B" and access road is hereby dedicated to the City of Anacortes for operation and maintenance by the City of Anacortes.
3. No more than 35% of any lot shall have man-made impervious surfaces. This includes, but is not limited to patios, driveways, buildings, etc.
4. No trees in this area shall be removed without the written permission of the City Parks and Recreation Director.
5. No parking is allowed in the two cul-de-sacs as shown on the Plat.
6. Lots 29, 30, 31, 32, 33, 34, 35 and 37 shall each provide two additional on-site parking spaces to make up for lost on-street parking in the cul-de-sac.
7. Prior to securing a building permit for Lots 8, 9, 10, 14 through 25, 38, 39, 41, 42, 43, 44 and 47 through 49, the property owner shall submit to the City Building Department a geotechnical engineering report providing site and plan specific recommendations for building foundation, design, construction and other site considerations as required. The Building Department reserves the right to ask for specific site geotechnical study and engineering on Lots 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 26, 27, 28, 29, 30, 36, 37, 45 and 46 that have received fill or exhibit steep slopes.
8. Ownership and maintenance of detention facility and all on-site storm water improvements shall initially be with the developer until 25 homes are completed. After the 25th home ownership and maintenance of said facilities will transfer to the city of Anacortes.
9. All lots shown with drainage or sewer easements are subject to the right of ingress, egress and for the installation, replacement and maintenance of said utility line for the benefit of the lots shown hereon.



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10. Lot 35 is subject to 20 foot storm and sanitary sewer easement for the benefit of Lot 34, with the right of ingress and egress for the installation, replacement and maintenance of said storm and sewer line.

11. Lot 12 is subject to a 10 foot sanitary sewer easement for the benefit of Lot 27, with the right of ingress - egress for the installation, replacement and maintenance of said sewer line.

12. Lot 10 is subject to a sanitary sewer easement for the benefit of Lots 28 and 29 with the right of ingress - egress for the installation, replacement and maintenance of said sewer line.

13. Lot 39 is subject to a 10' x 20' easement for the benefit of Lot 40, to be used for stairway and landscape purposes only.

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: July 30, 1997  
Recorded: July 30, 1997  
Auditor's No.: 9707300089  
Executed by: Charger, Inc.

Said covenants were amended by documents recorded under Auditor's File Nos. 9708050055, 199909130145, 200210090113 and 200312030076.

C. EASEMENT, INCLUDING TERMS AND PROVISION THEREOF:

Grantee: Edward N. Roberts, as his separate estate and Ryan E. Roberts, an unmarried man  
Dated: December 5, 2002  
Recorded: December 6, 2002  
Auditor's No.: 200212060167  
Purpose: A non-exclusive easement for the existing concrete retaining wall together with a non-exclusive easement for the ingress and egress over and across Portions of subject property  
Area Affected: Portions of subject property

D. EASEMENT, INCLUDING TERMS AND PROVISION THEREOF:

Grantee: Washington Federal Savings, their successors or assigns  
Dated: March 28, 2002  
Recorded: March 29, 2002  
Auditor's No.: 200203290221  
Purpose: Exclusive easement for an existing concrete retaining wall  
Area Affected: Portions of subject property

