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Skagit County Auditor

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7 11:28AM

WHEN RECORDED RETURN TO  
WILLIAM J. POSTL

27104 McMurray Shore Dr  
MT Vernon, WA 98774

CHICAGO TITLE CO.

1032089



CHICAGO TITLE INSURANCE COMPANY

5110399

STATUTORY WARRANTY DEED

Dated: AUGUST 25, 2004

THE GRANTOR

GEORGE A. PEPELNJAK AND PATTI M. PEPELNJAK, HUSBAND AND WIFE

for and in consideration of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to

WILLIAM J. POSTL AND LINDA Y. POSTL, HUSBAND AND WIFE

the following described real estate situated in the County of SKAGIT

State of Washington:

Tax Account Number(s):

4655-000-007-0000 P102065

LOT 7, PLAT OF LAKE MCMURRAY ESTATES, ACCORDING TO THE PLAT THEREOF,  
RECORDED IN VOLUME 16 OF PLATS, PAGES 55 THROUGH 59, RECORDS OF SKAGIT  
COUNTY, WASHINGTON.

SITUATED IN SKAGIT COUNTY, WASHINGTON.

SUBJECT TO: EXCEPTIONS SET FORTH ON ATTACHED EXHIBIT "A" AND BY  
THIS REFERENCE MADE A PART HEREOF AS IF FULLY INCORPORATED  
HEREIN.

# 4631

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

AUG 30 2004

Amount Paid \$ 7209.00  
By Skagit Co. Treasurer  
Deputy

George A. Pepelnjak  
GEORGE A. PEPELNJAK

Patti M. Pepelnjak  
PATTI M. PEPELNJAK

SWD/RDA/0899

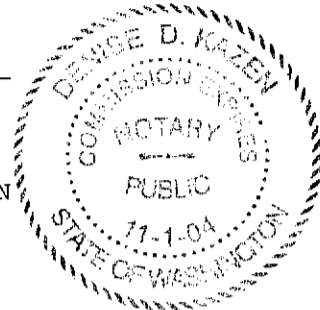
STATE OF WASHINGTON  
COUNTY OF SNOHOMISH

SS

ON THIS 27 DAY OF AUGUST, 2004 BEFORE ME, THE UNDERSIGNED, A  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND  
SWORN, PERSONALLY APPEARED GEORGE A. PEPELNJAK AND PATTI M. PEPELNJAK  
KNOWN TO ME TO BE THE INDIVIDUAL(S) DESCRIBED IN AND WHO EXECUTED THE  
WITHIN INSTRUMENT AND ACKNOWLEDGED THAT THEY SIGNED AND SEALED THE SAME  
AS THEIR FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES  
HEREIN MENTIONED.

Denise D. Kazen  
NOTARY SIGNATURE

PRINTED NAME: DENISE D. KAZEN  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON  
RESIDING AT ARLINGTON  
MY COMMISSION EXPIRES ON 11/01/04



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NOTARY/KDA/092100

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 5110399

SUBJECT TO:

1. Easement delineated on the face of said plat;  
For: Driveway and slopes  
Affects: Easterly portion of said premises
2. Easement delineated on the face of said plat;  
For: Drainage  
Affects: Easterly portion of said premises
3. Easement delineated on the face of said plat;  
For: Wetland protection buffer  
Affects: 50 foot area in the Westerly portion of said premises
4. Easement delineated on the face of said plat;  
For: Community access  
Affects: The Southerly 30 feet of said premises
5. Wetland boundary as delineated on the face of said plat.
6. Easement delineated on the face of said plat;  
For: Road, Slopes and drainage  
Affects: McMurray Shores Drive
7. Buildable areas limits as delineated on the face of said plat.

8. Easement provisions contained on the face of said plat, as follows:

Utility Easement:

An easement is hereby reserved and granted to Puget Sound Power and Light Company and GTE Northwest, and their respective successors and assigns under and upon Tract A (corporate roads easement), and the exterior 10 feet parallel with and adjacent to the street (Tract A) frontage of all lots in which to install, lay, construct, renew, operate, and maintain underground conduits, cables, and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric and telephone, together with the right to enter upon the lots at all times for the purpose stated, recorded under Auditor's File No. 9210260015, records of Skagit County, Washington.

Drainage Easement:

Easements are hereby reserved and granted to the homeowners association under declaration of covenants, conditions, and restrictions for Lake McMurray Estates contained in instruments recorded under Auditor's File No. 9409190112 and their respective successors and assigns for the areas shown on this plat established for drainage purposes, for installation, construction, operation, and maintenance drainage ditches, pipes, swales, and channels, together with rights to enter upon the lots at all times for the purposes stated.

EXHIBIT/RDA/0999



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CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 5110399

continued.....

SUBJECT TO:

9. Easement provisions contained on the face of said plat, as follows:

Known all men by these presents that Coast Pacific Trading Incorporated do hereby declare this plat and declare all roads and ways as shown hereon as Tract A to be corporate roads. Tract A without acreage is to be held in individual ownership by the owners of the lots served by corporate roads with the rights to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots where water might take a natural course in the original reasonable grading of the roads and ways shown hereon. No drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way, or the hamper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting shall be done by and at the expense of such owner.

The cost of construction and maintaining all roads not herein dedicated as county roads and all access roads to the plat, unless the same are dedicated as county roads, shall be the obligation of all the owners of the lots in the plat and/or of any additional plats that may be served by said roads, streets, and/or alleys, and that the obligation to maintain shall be concurrently the obligation of the corporation under the declaration of covenants, conditions, and restrictions for Lake McMurray Estates contained in the instrument recorded under Auditor's File No. 9409190112, records of Skagit County, Washington, in whom title of said roads, streets, and/or alleys be held. In the event that the owners of any of these lots or the corporate owners of any of the roads, streets, and/or alleys of this plat or any additional plats served by these roads, streets, and/or alleys shall petition to the Board of County Commissioners to include these roads, streets, and/or alleys in the road system. Said petitioner shall be obligated to bring the same to the county road standards in all respects prior to acceptance by the county.

10. Utility notes on the face of said plat, as follows:

- A. Lot 1 will require an alternative on-site sewage system which may have special design, construction, and maintenance requirements. See Skagit County Health Officer for details.
- B. Water will be from individual water systems. Contact the Health Department to determine if additional water quality or quantity testing will be required for building permit approval.

11. Notes on the face of said plat, as follows:

- A. All construction of the driveways, single family residences and accessory structures shall maintain a minimum setback of 50 feet from any wetland identified on this plat. The natural vegetation within said setback shall be maintained in an undisturbed and undeveloped state.
- B. All construction of driveways, single family residences, and accessory structures shall maintain a minimum setback of 50 feet from any wetland identified on this plat. The natural vegetation within said setback areas and within the delineated/surveyed wetlands shall be maintained in an undisturbed and undeveloped state.
- C. No construction on slopes exceeding 30% (outside of "buildable area limits" as shown further on), unless the proposal is accompanied by a slope stability report specifying methods of construction.
- D. Addresses correspond to the location of driveways as shown on this map. Relocation of a driveway requires review by Skagit County Public Works for potential address revision.



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12. Minimum setback requirements set forth on the face of said plat, as follows:

Primary structures:

Front: 35 feet  
Side: 8 feet on interior lot  
20 feet on street right-of-way  
Rear: 25 feet

Accessory structures:

Front: 35 feet  
Side: 8 feet, 3 feet setback is permitted from the side and rear lot lines when accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line, 20 feet from street right-of-way.  
Rear: 25 feet, 3 feet setback is permitted from the side and rear lot lines when accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line.

All setbacks are from property/lot lines and/or from road easements declared by this plat.

13. Any prohibition or limitation on the use, occupancy, or improvement of the land resulting from the rights of the public or riparian owners to use any waters which may cover the land or to use any portion of the land which is now or may formerly have been covered by water.
14. Right of use, control, or regulation by the United States of America in the exercise of power over navigation.
15. Any question that may arise due to shifting or change in the course of Lake McMurray or due to said lake having shifted or changed its course.
16. Right of the State of Washington in and to that portion of the property described herein, if any, lying in the bed or former bed of Lake McMurray, if navigable.
17. Terms and conditions of Skagit County Final Plat Approval No. FPT 91-007.ORD;  
Recorded: May 31, 1995  
Auditor's No.: 9505310031, records of Skagit County, Washington
18. Covenants, conditions, restrictions, and easements contained in declaration(s) of restriction, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons;  
Recorded: September 19, 1994  
Auditor's No(s).: 9409190112, records of Skagit County, Washington
19. Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument(s);  
Recorded: September 19, 1994  
Auditor's No(s).: 9409190112, records of Skagit County, Washington  
Imposed By: Lake McMurray Estates Homeowner's Association

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EXHIBIT A

Escrow No.: 5110399

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20. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: December 19, 1932  
Auditor's No(s): 254015, records of Skagit County, Washington  
In favor of: Puget Sound Power & Light Company  
For: Electric transmission and/or distribution line, together with necessary appurtenances

NOTE: Exact location and extent of easement is undisclosed of record

21. Easement, including the terms and conditions thereof, reserved by instrument(s);  
Recorded: June 27, 1947  
Auditor's No(s): 406071, records of Skagit County, Washington  
For: Ingress and egress

NOTE: Exact location and extent of easement is undisclosed of record

22. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: October 26, 1992  
Auditor's No(s): 9210260015, records of Skagit County, Washington  
In favor of: Puget Sound Power & Light Company  
For: Electric transmission and/or distribution line, together with necessary appurtenances

NOTE: Exact location and extent of easement is undisclosed of record

23. Exceptions and reservations contained in Deed whereby the Grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working mines, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of such entry;  
**Together With** the right, upon paying reasonable compensation, to acquire rights of way for transporting and moving products from other lands, contained in Deed  
From: The State of Washington  
Recorded: October 18, 1990  
Auditor's No.: 9010180030, records of Skagit County, Washington  
Executed By: Burlington Northern Railroad Company, a Delaware Corporation  
As Follows: All of the coal, oil, gas, casinghead gas and all ores and minerals of every kind and nature, underlying the surface of the premises herein conveyed, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of the premises herein conveyed, together with the right of access at all times to exercise said rights.

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continued.....

24. Exceptions and reservations contained in Deed whereby the Grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working mines, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of such entry; **Together With** the right, upon paying reasonable compensation, to acquire rights of way for transporting and moving products from other lands, contained in Deed
- From: The State of Washington  
Recorded: March 5, 1993  
Auditor's No.: 9303050095, records of Skagit County, Washington  
Executed By: Burlington Northern Railroad Company, a Delaware Corporation  
As Follows: All of the coal, oil, gas, casinghead gas and all ores and minerals of every kind and nature, underlying the surface of the premises herein conveyed, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of the premises herein conveyed, together with the right of access at all times to exercise said rights.
25. Terms and conditions contained in instrument
- Recorded: March 13, 1998  
Auditor's No.: 9803130018, records of Skagit County, Washington  
For: Preventing contamination of water supply  
Affects: Any portion of said premises lying within 100 feet of well  
Located: On said premises, the exact location of said well in undisclosed of record
26. Terms, conditions, and restrictions of that instrument entitled Title Notification: Property Adjacent to Designated Natural Resource Lands;
- Recorded: April 27, 1998  
Auditor's No(s): 9804270103, records of Skagit County, Washington

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