

AFTER RECORDING MAIL TO:
Mr. and Mrs. David A. Hertberg
2714 Washington Boulevard
Anacortes, WA 98221



200408310097
Skagit County Auditor

8/31/2004 Page 1 of 3 12:10PM

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: A82297

Statutory Warranty Deed

Grantor(s): Mitchell E. Schwabe and Teresa A. Schwabe
Grantee(s): David A. Hertberg and Diane M. Blietz-Hertberg
Assessor's Tax Parcel Number(s): P117655, 4770-000-029-0000

FIRST AMERICAN TITLE CO.

A82297E

THE GRANTOR Mitchell E. Schwabe and Teresa A. Schwabe, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to David A. Hertberg and Diane M. Blietz-Hertberg, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 29, "PLAT OF WASHINGTON PARK ESTATES", according to the plat thereof recorded under Auditor's File No. 200011290068, records of Skagit County, Washington.

SUBJECT TO the Easements, Restrictions and other Exceptions contained on Exhibit "A" attached hereto.

Dated: August 30, 2004

Mitchell E. Schwabe

Teresa A. Schwabe

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

4687

AUG 31 2004

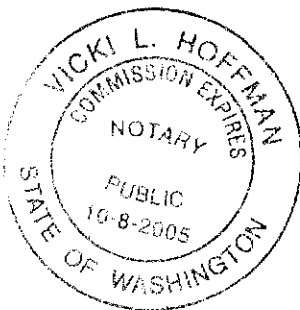
STATE OF Washington
COUNTY OF Skagit

Amount Paid \$ 6,497.00
By [Signature] Skagit Co. Treasurer
Deputy

I certify that I know or have satisfactory evidence that Mitchell E. Schwabe and Teresa A. Schwabe, the persons who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 8/31/04

Notary Public in and for the State of Washington
Residing at Anacortes
My appointment expires: 10-8-05



Exceptions:

A. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

From: Walton Lumber Company
Recorded: August 29, 1962
Auditor's No: 625661
As Follows:

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

Plat/Subdivision Name: Washington Park Estates
Recorded: November 29, 2000
Auditor's No: 200011290068

Said matters include but are not limited to the following:

1. Abandonment and relinquishment of Common Access Easements affecting Lots 15, 16, 27 and 28, recorded June 25, 2001, under Auditor's File No. 200106250150.
2. Public utility easement across the West 20 feet of Lots 25-34 is hereby granted to the City of Anacortes. Access shall not be obstructed by fencing, shrubs or other landscape or fence features that would obstruct access to manholes. Should excavation of the sewer line be required for maintenance beyond routine manhole access, the Grantee shall restore the easement area to all weather access condition only. Grantor, successor or assigns shall be responsible for restoration to prior conditions.
3. Lots 1 and 2, 5 and 6, 7 and 8, 11 and 12, 13 and 14, 15 and 16, 19 and 20, 21 and 22, 25 and 26, 27 and 28, 29 and 30, 31 and 32, and 33 and 34 are subject to common access easements over the South or North 10 feet of the East or West 105 feet of each as shown hereon. Each lot of each pair shall have the right to use that area for ingress and egress and private utilities. No parking shall occur on the common access easements unless by mutual agreement of the adjacent owners. Said area shall extend 105 feet East along the line common to Lots 7 and 8, and 105 feet West along the line common to Lots 25 and 26 from the angle point in their common line.
4. PSE Easements across Lots 4 and 30 and 31 are hereby granted to Puget Sound Energy, its successors and assigns for the purposes of electrical power transmission.
5. Easements for walkway shown hereon are pedestrian or other non motorized access easements and are hereby granted to the City of Anacortes and the Public. The easement area may not be obstructed or used for any purpose other than pedestrian or other non-motorized access with the exception of landscaping that shall not obstruct, overhang or interfere with the intended use of the easement. No driveway surfacing, parking of vehicles, boats, trailers, etc. Or any other obstruction to non-motorized use shall be permitted.
6. Tract A is not a buildable lot. It shall be attached to and become a part of the parcel adjoining it to the West by lot line adjustment. Tract A is subject to an easement for ingress, egress and utilities in favor of adjoining Lots 17 and 18.



7. Sewage Disposal - City of Anacortes

8. Water - City of Anacortes

9. An easement is hereby reserved for and granted to the City of Anacortes, Puget Sound Energy, Verizon, Cascade Natural Gas Corp., TCI Cablevision of Washington, Inc., other public franchise utilities and their respective successor and assigns under and upon the exterior ten (10) feet of the front boundary lines of all lots and tracts as shown on the face of the plat. Together with the right to enter upon the Lots and Tracts at all times for the purposes stated, with the understanding that any Grantee shall be responsible for restoring the property to conditions found prior to work within the easement.

10. Various easements affecting lots as shown on the plat.

C. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Dated: November 28, 2000
Recorded: November 29, 2000
Auditor's No: 200011290067
Executed by: Sunset Cove Development, L.L.C.

Said covenants make several references to an Exhibit "A" that was not attached to the recorded copy.

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: May 30, 2001
Recorded: May 30, 2001
Auditor's No: 200105300157



200408310097
Skagit County Auditor