

AFTER RECORDING MAIL TO:  
Richard K. Gouger and Jennifer A. Gouger



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Skagit County Auditor  
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Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: B81892

**Statutory Warranty Deed**

Grantor(s): Gary McCormick Homes, Inc. FIRST AMERICAN TITLE CO.  
Grantee(s): Richard K. Gouger and Jennifer A. Gouger  
Lot 7, "SAMISH VIEW ESTATES"  
Assessor's Tax Parcel Number(s): 4831-000-007-0000, P121387 *891092E*

THE GRANTOR Gary McCormick Homes, Inc., a Washington Corporation for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Richard K. Gouger and Jennifer A. Gouger, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 7, Plat of "SAMISH VIEW ESTATES" as recorded February 6, 2004 under Skagit County Auditor's File No. 200402060126, records of Skagit County, Washington.

Subject to Paragraphs A thru D of Schedule B-1 of First American Title Company's preliminary commitment no. B81892.

Dated August 24<sup>th</sup>, 2004

Gary McCormick Homes, Inc.  
*[Signature]*  
By: Gary McCormick, President

#4735  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

SEP 01 2004  
429318

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

State of Washington }  
County of Skagit } SS:

I certify that I know or have satisfactory evidence Gary McCormick is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated he is authorized to execute the instrument and is President of Gary McCormick Homes, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: August 26, 2004

Kim M Kerr

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



Schedule "B-1"

**Exceptions:**

**A. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Grantee: Puget Sound Energy, Inc.  
Dated: October 20, 2003  
Recorded: November 3, 2003  
Auditor's No: 200311030371  
Purpose: "...utility systems for purposes of transmission, distribution and sale of gas and electricity..."  
Area Affected:

Easement No. 1: All streets, road rights-of-way and access easements as now or hereafter designed, platted, and/or constructed with the above described property. (When said streets and roads are dedicated to the public, this clause shall become null and void.)

Easement No. 2: A strip of land 10 feet in width across all lots, tracts and open spaces located with the above described property being parallel to an coincident with the boundaries of all private/public street and road rights-of-way.

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

Plat/Subdivision Name: Samish View Estates  
Recorded: February 6, 2004  
Auditor's No: 200402060126

Said matters include but are not limited to the following:

1. "...dedicate to the use of the public forever all streets, avenues, ways, boulevards, drives, places, circles, courts, lanes and loops shown thereon and the use thereof for all public purposes not inconsistent with the use thereof for public highway purposes; also the right to make all necessary slopes for cuts and fills upon the lots and blocks shown on this Plat in the original reasonable grading of the streets, avenues, ways, boulevards, drives, places, circles, courts, lanes and loops shown hereon."
2. An easement for the purpose of conveying local stormwater runoff is hereby granted in favor of all abutting 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, the cost thereof shall be borne equally by, the present and future owners of the abutting property and their heirs, personal representatives, and assigns.

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

3. A non-exclusive easement is hereby reserved for and granted to the City of Anacortes; Puget Sound Energy, Inc.; Cascade Natural Gas Corporation; Verizon, and AT&T Cablevision of Washington, Inc., and their respective successors and assigns under and upon the exterior ten (10) feet of all lots and tracts abutting public right-of-way, 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, with the understanding that any Grantee shall be responsible to all unnecessary damage it



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causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted. Property owner is prohibited from building improvements within this easement unless approval has been granted by the City Engineer.

4. All installed landscaping within this Plat including the trees in the public right-of-way, shall be maintained by the each home owners.
5. Sewage - City of Anacortes
6. Storm - City of Anacortes
7. Water - City of Anacortes
8. Power - Puget Sound Energy
9. Phone - Verizon
10. Gas - Cascade Natural Gas
11. G.E.: Pre-Developed Ground Elevation. The elevation shown for each lot shall govern the "grade" to determine the building height.

Decision to issue a Preliminary Plat Permit for the Samish View Estates Preliminary Plat Application.

Based on the foregoing Findings of Fact and Conclusion of law, the Anacortes Planning Director is hereby authorized to issue preliminary plat approval for the Samish View Estates Subdivision Preliminary Plat subject to the following conditions:

12. Preliminary plat approval authorizes the applicant to proceed with application for necessary permits to construct required improvements and to prepare a final plat in accordance with the determinations made and conditions imposed by the City Council. The scope of this plat is not to exceed that as set out in the preliminary plat application and the accompanying SEPA Checklist; approval of this application does not waive or alter any requirements of the City Code unless specifically addressed herein. In the case of any conflict between these conditions and the application these conditions control.
13. A final plat meeting all requirements of this Chapter shall be submitted to the City Council for approval within five years of the date of preliminary plat approval. An applicant who files a written request with the City Council at least thirty (30) days before the expiration of this five (5) year period shall be granted one (1) one-year extension upon a showing that the applicant has attempted in good faith to submit the final plat within said five year period.
14. If a final plat meeting the requirements of Section 16.020 of the City Subdivision Ordinance is not submitted to the Planning Director within five years, and the period of any extension granted, preliminary approval shall be null and void and any new application therefore must be in accordance with all requirements in effect at the time of reapplication.
15. All work done pursuant to the preliminary plat shall be consistent with these findings and conditions with any conflicts between these being resolved in favor of the conditions. The preliminary plat may be modified by the Planning Director if it is determined that such modification does not substantially change the density or usage or increase the bulk proposed, or otherwise increase the impact of the development. If the proposed changes are not within the scope and intent of the preliminary plat, the applicant shall apply for a new preliminary plat in the manner provided herein.



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16. The project shall comply with the City of Anacortes Construction Standards as modified herein, as required by the Director of Public Works for water, sewer, street access, and storm drainage. All work performed within public rights-of-way shall comply with City Construction Standards and all utilities shall be constructed to City Standards.

17. Engineering and inspection fees in the amount of \$500 plus 2% of the total construction cost shall be due at or before the mandatory pre-construction conference. No construction activity is allowed until construction plans are approved, fees have been paid and the pre-construction conference completed.

18. This project is subject to applicable water, sewer, and stormwater general facility and hookup fees and transportation, fire, school and park impact fees. These fees are payable at levels in effect at the time of building permit issuance and may differ from those fee levels currently in effect: sewer and water latecomer charges may be payable.

19. A temporary Erosion Sedimentation Control Plan shall be prepared and submitted with the Grading Plan for approval by the City Director of Public works. The plan shall identify the potential for erosion and downstream sedimentation during construction and describe the measures that will be used to mitigate impacts of erosion. Measures that will likely be employed include sedimentation ponds, silt fences, hay bale filters, and restricting the amount of excavation until conditions are favorable.

20. Prior to clearing or fill and grade beginning, both a Large Parcel Stormwater Plan and a Water Quality Control Plan, as spelled out in the City's Storm Drainage Ordinance #2441, shall be prepared by the applicant, approved by the City Department of Public Works, and implemented. The Water Quality Control Plan shall address permanent best management practices to be incorporated in the project to control pollution of stormwater runoff after construction and/or land clearing activities are completed. All on-site detention facilities and all off-site stormwater improvements shall be made before construction or vegetation removal begins.

21. Fire hydrants are to be located as approved by the City Fire Chief. Fire flow shall be addressed in a manner acceptable to the Fire Chief and to the Public Works Department. Fire sprinklers for structure protection may be required by the Fire Department.

22. In keeping with the City's street grid street name system, the Public Works Director shall approve street names.

23. The City Engineer shall approve all street pavement thickness.

24. School bus waiting area(s) and mailbox location shall be as determined by the Public Works Department. The Anacortes Post Office will also approve mailbox locations.

25. Street and sidewalk design shall meet ADA Standards.

26. The developer shall purchase and install all street signs.

27. A minimum of two off-street parking spaces shall be provided for each dwelling unit, as required by City Ordinances. Required off-street parking locations shall not interrupt or block in any way the required cul-de-sac diameter or sidewalks.

28. "No Parking" signs shall be posed in the cul-de-sac. Lots 3 through 7 shall/must have two off-street parking spaces per unit.

29. Street lighting shall be energy efficient and installed as per PSE Schedule 52, Option "B", and shall be installed as approved by the City Engineer.



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30. The Public Works Director shall approve proposed underground storm water detention.
31. City Water Quality Standards shall be met as required by the City Engineer.
32. Structural alteration necessary to develop this Plat shall not encroach into adjacent land parcels without recorded easements for such encroachment. All easements, including the 20' utility/access easement to the West end of the project shall be shown on the face of the Plat.
33. No modifications beyond those set forth in Section 7.3.9.1 are authorized.
34. The project shall comply with the City of Anacortes Construction Standards as required by the Director of Public Works for water, sewer, street access, and storm drainage.
35. Construction in the 20' sewer and storm sewer easement shall be as approved by the Public Works Director.
36. The Landscaping Plan shall be approved by the Planning Commission.
37. No construction of the plat shall occur between May 1 and July 15, 2003.
38. The duplex on Lot 5 must be on the R3 side of the zoning line.
39. There shall be a 15-foot setback on the South side of Lot 6
40. Setback on Lots 3, 4 and 7 shall be a minimum of 10 feet from the sidewalk with a 15-foot rear setback on Lot 7.

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

Short Plat No.: ANA-99-001  
Recorded: October 4, 1999  
Auditor's No: 199910040096

Said matters include but are not limited to the following:

1. The land described by this short subdivision has not been previously short platted within the preceding five years, and may not be further subdivided within five years from the date of approval of this Short Plat without the filing of a final plat. Also, the undersigned subdividers hereby dedicate to the public forever for street purposes their interest, if any, in the property between the West right-of-way margin for "M" Avenue and adjacent to the Short Plat property as shown hereon, and hereby waive all claims for damages against any Governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of streets therein.
2. Sewage Disposal - City of Anacortes
3. Water - City of Anacortes
4. Short Plat number and date of approval shall be included in all Deeds and Contracts.
5. All maintenance and construction or private roads are the responsibility of the lot owners, and the responsibility of maintenance shall be in direct relationship to usage of road.
6. Any question regarding mislocated fence lines delineated on the face of said Short Plat.

  
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D. RESERVATIONS CONTAINED IN DEED

Executed by: Margaret J. Larsson, as her separate estate  
Recorded: August 1, 2003  
Auditor's No: 200308010175  
As Follows:

"The herein described property will be combined or aggregated with contiguous property owned by the purchaser. This boundary adjustment is not for the purposes of creating an additional building lot."



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