

AFTER RECORDING MAIL TO:

Gerald E. Schwafel, Trustee and Patricia M. Schwafel, Trus
9535 N. Cloverleaf Road
Hauser, ID 83854



200409170144
Skagit County Auditor

9/17/2004 Page 1 of 4 3:22PM

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: A82563

Statutory Warranty Deed

Grantor(s): John R. Cox & Associates LLC

Grantee(s): Gerald E. Schwafel, Trustee and Patricia M. Schwafel, Trustee

FIRST AMERICAN TITLE CO.

Lot 15E, "PLAT OF MARINE HEIGHTS"

Additional legal(s) on page: 2

Assessor's Tax Parcel Number(s): 4695-000-015-0000 P111753

A82563E

THE GRANTOR John R. Cox & Associates LLC, a Limited Liability Company, for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Gerald E. Schwafel and Patricia M. Schwafel, Trustees of the Schwafel Family Trust U/A dated 9/05/1996, the following described real estate, situated in the County of Skagit, State of Washington.

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

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

Dated September 10, 2004

5635
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

John R. Cox & Associates LLC

SEP 17 2004

Amount Paid \$ 3,310.80
By Skagit Co. Treasurer Deputy

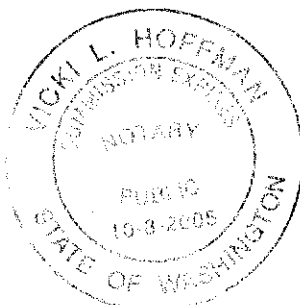
By: John R. Cox, Member

State of Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence John R. Cox 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 John R. Cox & Associates LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: 9-17-04

Wicki L. Hoffman



Notary Public in and for the State of Washington

Residing at Anacortes

My appointment expires: 10-8-05

EXHIBIT A

Lot 15E, "PLAT OF MARINE HEIGHTS", according to the plat thereof, recorded in Volume 16 of Plats, pages 173 through 175, records of Skagit County, Washington; and set forth on the boundary line adjustment recorded July 11, 2001 under Auditor's File No. 200107110195, being more particularly described as follows:

Beginning at the Northeast corner of Lot 15; thence South 78 degrees 54'00" West 103.58 feet; thence through a curve to the right having a radius of 380 feet, an arc length of 63.07 feet and a delta of 9 degrees 30'35"; thence South 5 degrees 59'35" East 36.78 feet; thence South 83 degrees 38'00" East 89.50 feet; thence North 0 degrees 43'57" West 74.70 feet; thence South 85 degrees 45'00" East 5.39 feet; thence North 07 degrees 42'01" West 54.54 feet to the point of beginning.

(Being a portion of Lots 15, 16 and 20, of the original PLAT OF MARINE HEIGHTS.)



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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

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.



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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.

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.

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 PROVISIONS THEREOF:

Grantee: John R. Cox and Associates, LLC
Dated: June 10, 2004
Recorded: June 24, 2003
Auditor's No.: 200306240132
Purpose: Easements are intended to create a common driveway over both Parcels for the use and benefit of the owners of each parcel

D. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING RECORDED SURVEY:

Recorded: July 11, 2001
Auditor's No.: 200107110195

Said matters include but are not limited to the following:

1. This Boundary Line Adjustment is for the purpose of reconfiguring six (6) existing lots into five (5) new lots.

E. DECLARATION OF EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Recorded: April 1, 2004
Auditor's No.: 200404010069
Purpose: Pedestrian and vehicular ingress and egress
Area Affected: Driveway on Lots 15E and 16D



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