

AFTER RECORDING MAIL TO:
Mr. and Mrs. A. Ford Smith



200409270159
Skagit County Auditor

9/27/2004 Page 1 of 2 1:45PM

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: B82543

Statutory Warranty Deed

Grantor(s): Carl P. Byrne and Kalena M. Byrne
Grantee(s): A. Ford Smith and Meg E. Smith
Assessor's Tax Parcel Number(s): 4192-000-002-0009 (P77799)

FIRST AMERICAN TITLE CO.

B82543E

THE GRANTOR Carl P. Byrne and Kalena M. Byrne, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to A. Ford Smith and Meg E. Smith, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 1, "DUKE'S HILL ESTATES", as per plat recorded in Volume 10 of Plats, Page 22, records of Skagit County, Washington.

SUBJECT TO: EXCEPTIONS AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Dated: September 22, 2004

Carl P. Byrne

Kalena M. Byrne

STATE OF Washington }
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that Carl P. Byrne and Kalena M. Byrne, 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: 9/22/04

Notary Public in and for the State of Washington
Residing at FERNDLE
My appointment expires: 06/19/07

NOTARY PUBLIC
STATE OF WASHINGTON
B. ELIZABETH THOMPSON
My Appointment Expires
JUNE 19, 2007

5186
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

SEP 27 2004

Amount Paid \$ 2536.50
By [Signature] Skagit Co. Treasurer
Deputy

Exceptions:

A. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

From: Northern Pacific Railway Company
Recorded: January 11, 1965
Auditor's No.: 660690
As Follows:

"Excepting and reserving unto the Grantor, its successors and assigns, forever, all minerals of every nature whatsoever, including but not limited to uranium, coal, iron, natural gas and oil in, upon or under said land, TOGETHER WITH the right to the use of such part of the surface as may be necessary or convenient for the purpose of exploring for (by geological, geophysical or other methods), and drilling for, producing, mining, extracting, taking, storing and transporting the same, TOGETHER WITH the right to use such subsurface strata as may be necessary or convenient for the purpose of underground storage or injection of oil, gas or other hydrocarbons, water or other substances therein, whether produced from the land or elsewhere, and ALSO TOGETHER WITH the right to the use, in common with the Grantees, their heirs or assigns, of such water as may be found in, upon or produced from said premises as may be necessary or convenient for its operations, excepting water from the wells and reservoirs of the Grantees, their heirs or assigns. The Grantor, its successors and assigns, shall only be obligated to reasonably compensate the Grantees or their heirs or assigns for actual physical damage to buildings, fences or other structures upon said land, sustained as a result of the use thereof by the Grantor, its successors or assigns."

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

Plat/Subdivision Name: Dukes Hill Estates
Recorded: June 16, 1972
Auditor's No.: 769743

Said matters include but are not limited to the following:

1. Right of the public, set forth in the dedication of said plat, to make all necessary slopes for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon.

2. "An easement is hereby reserved for and granted to Puget Sound Power & Light Company, Washington Telephone Company, Nationwide Cablevision and their respective successors and assigns, under and upon the exterior seven feet parallel with and adjacent to the street frontage of all lots in which to install, lay, construct, renew, operate and maintain underground conduits, cable and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric, telephone and cablevision service. TOGETHER WITH the right to enter upon the lots at all times for the purposes stated. All other easements are shown on the face of this plat."



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