

AFTER RECORDING MAIL TO:

**Bart E. Smith
6184 West Edison Lane
Bow, WA 98232**



200409300008
Skagit County Auditor

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Filed for Record at Request of
Land Title Company Of Skagit County
Escrow Number: 113678-pae

LAND TITLE OF SKAGIT COUNTY

Statutory Warranty Deed

**Grantor(s): Lynn A. Lynch and Margaret S. Lynch
Grantee(s): Bart E. Smith and Patricia Smith
Abbreviated Legal: Lot D-157, Anchor Cove Marina
Assessor's Tax Parcel Number(s): P79308/4331-000-157-0003**

THE GRANTOR Lynn A. Lynch and Margaret S. Lynch, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Bart E. Smith and Patricia Smith, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

PARCEL "A":

AS. PS.

Leasehold Estate in Unit 157, Pier "D" as shown on survey of Anchor Cove Marina, a condominium, filed under Auditor's File No. 825123, in Volume 11 of Plats, pages 29 and 30 and as identified in Declaration of Anchor Cove Marina, filed under Auditor's File No. 825125, and as identified by Elevation of Piers recorded under Auditor's File No. 825125, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington.

PARCEL "B":

An undivided 0.7855 percentage interest in the land lying within Anchor Cove Marina, as shown on Survey of Anchor Cove Marina, a condominium, filed under Auditor's File No. 825123, in Volume 11 of Plats, pages 29 and 30, and as identified in Declaration of Anchor Cove Marina, filed under Auditor's File No. 825125,

EXCEPT those portions lying within Tracts 1A and 1 through 26, inclusive, Pier A; Tracts 1B and 27 through 75, inclusive, Pier B; Tracts 76 through 125, inclusive, Pier C; and Tracts 126 through 187, inclusive, Pier D.

(Said undivided 0.7855 percentage interest being a leasehold estate in those portions delineated as Parcels C, D, E and F on the face of said survey and the fee simple estate in the remainder).

Situate in the City of Anacortes, County of Skagit, State of Washington.

SUBJECT TO: SEE ATTACHED SCHEDULE B-1.

Dated September 24, 2004

Lynn A. Lynch
Lynn A. Lynch

Margaret S. Lynch
Margaret S. Lynch

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

5278

SEP 30 2004

818.80

STATE OF Washington
COUNTY OF Skagit } SS:

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

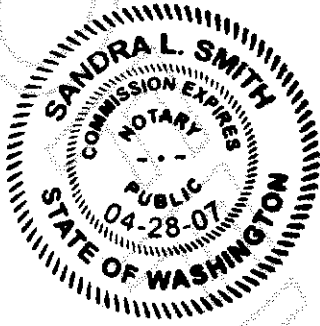
I certify that I know or have satisfactory evidence that Lynn A. Lynch and Margaret S. Lynch

the person(s) 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.

Dated: 9/27/04

Smith

Notary Public in and for the State of Iowa
Residing at DeCATur Island
My appointment expires: 4/28/07



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EXCEPTIONS:

- A. Terms, covenants and conditions contained within that certain Lease recorded April 3, 1974, under Auditor's File No. 798754.
(Affects that portion of said premises lying within Parcel F, as delineated on the face of survey.)

Terms and conditions of Assignment and Ratification dated February 23, 1981 and recorded July 15, 1981, under Auditor's File No. 8107150056.
- B. Terms, covenants and conditions contained within that certain Lease recorded May 31, 1974, under Auditor's File No. 801512.
(Affects that portion of said premises lying within Parcel C, as delineated on the face of survey.)

Said Lease being a re-recording of that certain Lease recorded April 3, 1974, under Auditor's File No. 798756.

Terms and conditions of Assignment and Ratification dated February 23, 1981 and recorded July 15, 1981, under Auditor's File No. 8107150056.
- C. Terms, covenants and conditions contained within that certain Lease recorded April 3, 1974, under Auditor's File No. 798757.
(Affects that portion of said premises lying within Parcels D and E, as delineated on the face of survey.)

Terms and conditions of Assignment and Ratification dated February 23, 1981 and recorded July 15, 1981, under Auditor's File No. 8107150056.
- D. Rights, if any, of the Great Northern Railway Company to operate and maintain spur tracks over and across said premises.
(Affects that portion of said premises lying within Parcels A, B, C, D and E, as delineated on the face of survey.)
- E. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES.

For: Right of way for the construction, maintenance and operation of a railway track or tracks over and across a strip of land 16 feet wide.
 In Favor Of: Great Northern Railway Company, a Minnesota corporation
 Recorded: August 22, 1946
 Auditor's No.: 395207
 Affects: That portion of said premises lying within the vacated 5th Street adjacent to Parcel C, as delineated on the face of survey.

- F. EASEMENTS AFFECTING A PORTION OF SAID PREMISES AS DISCLOSED BY THAT CERTAIN UNRECORDED LEASE FROM THE STATE OF WASHINGTON TO PIR CORPORATION.

For: Submarine cables
 In Favor Of: Puget Sound Power & Light Company
 Dated: July 20, 1959 and January 14, 1964
 Application Nos.: 25646 and 29205, respectively
 Affects: That portion of said premises lying within Parcel F, as delineated on the face of survey

- Continued -



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EXCEPTIONS CONTINUED:

G. Rights of City of Anacortes to construct, maintain and operate sewers in vacated streets, as reserved in ordinances of vacation.

H. Said land or a portion thereof may lie beneath navigable waters. Any portion of said land which lies or which may in the future lie beneath navigable waters is subject to right of navigation, together with incidental rights of fishing, boating, swimming, water skiing and other related recreational purposes generally regarded as corollary to the right of navigation and the use of public waters. See *Wilbour vs. Gallagher* 77 Washington Decision 2nd, page 307.
(Affects that portion of said premises lying within Parcel A, B, D and F, as delineated on the face of survey.)

I. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENT AND ASSESSMENTS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS, EASEMENT AND ASSESSMENTS, AS HERETO ATTACHED.

Declaration Dated:	October 16, 1975
Recorded:	October 21, 1975
Auditor's No.:	825125
Executed By:	P.I.R. Corporation

The above covenants were amended by instruments recorded February 23, 1981, December 14, 1983, January 18, 1990, December 17, 1992, September 6, 1996, January 20, 1999, December 14, 2000 and May 20, 2003, under Auditor's File Nos. 8102230007, 8312140008, 9001180014, 9212170011, 9212170012, 9609060052, 9901200107, 200012140052 and 200305200155, respectively, copies hereto attached.

J. Rights of ingress and egress over portions of the Plat, designated as common area or limited common and the right to use said areas for all proper purposes in favor of the other holders of undivided interests or occupants of the numbered lots.

K. Any question which may arise due to a title gap affecting a small parcel of land, 14.5 feet wide by 124.5 feet long. Said gap affects a portion of Pier C, Tracts 76, 77, 78, 79, 101, 102, and 103 therein, the ramp leading to Pier C and a small portion of vacated "J" Avenue South of the ramp leading to Pier C.

L. Any lien or liens that may arise or be created in consequence of or pursuant to an act of the legislature of the State of Washington entitled, "An act prescribing the ways in which waterways for the uses of navigation may be excavated by private contract, providing for liens upon lands belonging to the state, granting rights of way across lands belonging to the state," approved March 9, 1893. (Affects that portion of said premises lying within Parcel "A", "B", "D" and "F", as delineated on face of survey.)



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