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AFTER RECORDING MAIL TO:

Angela Marie Smith, Timothy W. Krause and Kimberly M. K

1502 Black Dr.

Mount Vernon, WA.

198273

Filed for Record at Request of

First American Title Of Skagit County

Escrow Number: B82874



200410290105

Skagit County Auditor

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FIRST AMERICAN TITLE CO.
Statutory Warranty Deed

B82874-E

Assessor's Tax Parcel Number(s): P110824, 4686-000-001-0000

THE GRANTOR Hansell Mitzel Homes, L.L.C., a Washington limited liability company for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Angela Marie Smith, a single woman and Timothy W. Krause and Kimberly M. Krause, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 1, "PLAT OF BLACKBERRY MEADOWS", as per plat recorded in Volume 16 of Plats, pages 147 and 148, records of Skagit County, Washington.

Subject to covenants, conditions, restrictions and easements as per attached Exhibit "A".

Dated Oct. 15, 2004

HANSELL MITZEL LLC

BY Jeffrey D. Hansell, Managing member

5872
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

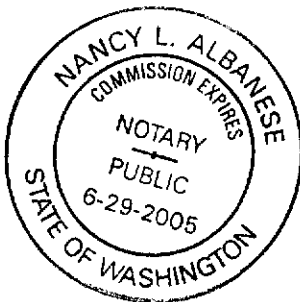
OCT 29 2004

Amount Paid \$ 2969.19
Skagit Co. Treasurer
By Deputy

State of Washington
County of Skagit } SS:

I certify that I know or have satisfactory evidence Jeffrey D. Hansell 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 HANSELL MITZEL LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: 10/15/04



Notary Public in and for the State of WA
Residing at Cracotes
My appointment expires: 6-29-05

Exhibit "A"

Exceptions:

A. Terms and conditions of Drainage Easement Agreement, dated November 14, 1994, recorded November 14, 1994, under Auditor's File No. 9411140111, between Robert H. Welch and Marilyn M. Welch, and Keith S. Johnson and Alison R. Johnson, for construction of storm drainage line.

B. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company
Dated: December 14, 1994
Recorded: December 22, 1994
Auditor's No: 9412220058
Purpose: Right to enter said premises to operate, maintain and repair underground electric transmission and/or distribution system, together with the right to remove brush, trees and landscaping which may constitute a danger to said lines

Area Affected:

Being located as constructed or to be constructed on the described property, generally described as follows:

Easement No. 1: All streets and road rights-of-ways as now or hereafter designed, platted and/or constructed within the 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 spaces located within the described property being parallel to and coincident with the boundaries of all private/pubic street and road rights-of-way.

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

Plat/Subdivision Name: Blackberry Meadows
Recorded: November 18, 1996
Auditor's No: 9611180101

Said matters include but are not limited to the following:

1. Water – Public Utility District No. 1 of Skagit County
2. Sewer – City of Mount Vernon
3. Lots 6 through 16 may require a sump pump or some other special measure for below – finish grade drainage.
4. All lots within this subdivision are subject to impact fees payable at plat approval and upon issuance of a building permit.
5. An easement for the purpose of conveying local storm water 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 present and future owners of the benefitted property and their heirs, successors and assigns. The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.
6. An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1, Puget Sound Power and Light Co., GTE of the Northwest, Cascade Natural Gas Co. and TCI Cablevision of Washington, Inc., and their respective successors and assigns under and upon the exterior seven (7) feet of the front boundary line of all lots and tracts, 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 for all unnecessary damages it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted.
7. An easement for storm sewer system maintenance and operation is hereby granted to the City of Mount Vernon, over, under and through the drainage easements on Lots 9, 10, 15 and 16 as shown.



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8. ...hereby declare this plat and dedicate to the public forever all streets, drives, and avenues 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 roads and ways shown hereon.

9. Tract A is hereby dedicated to the City of Mount Vernon and together with the right of ingress and egress to said Tract A over and across the 15 foot access easement on Lot 6 as shown.

10. Seven (7) foot utilities easement – abutting Blackberry Drive

11. Twenty (20) foot drainage easement – affects Lots 9, 10, 15 and 16

12. Fifteen (15) foot private drainage easement – affects Lots 1 – 5

13. Access easement to City of Mount Vernon – affects Lot 6

14. Location of existing fencelines



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