

When recorded return to:

Gust Rosenfeld, P.L.C.
201 East Washington
Suite 800
Phoenix, Arizona 85004-2327
Attention: Renée E. Tetreault



200412300143
Skagit County Auditor

12/30/2004 Page 1 of 4 2:25PM

Grantor: Jones Washington I, L.L.C., a Missouri limited liability company

Grantee: Bay Ridge Park LLC, a Delaware limited liability company

Abbreviated Legal Description: Portion of East 1/2 of the Southeast 1/4 of Section 34, Township 35 North, Range 3 East, W.M.

Assessor's Parcel Number(s): P121434 and P121435

FIRST AMERICAN TITLE CO.

82623

STATUTORY WARRANTY DEED

JONES WASHINGTON I, L.L.C., a Missouri limited liability company, whose address is 4600 Madison Avenue, Suite 725, Kansas City, MO 64112 ("**Grantor**"), for and in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, conveys and warrants to **BAY RIDGE PARK LLC**, a Delaware limited liability company, whose address is 1900 Avenue of the Stars, Suite 2475, Los Angeles, California 90067 ("**Grantee**"), the property situated in Skagit County, State of Washington, more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference; together with all improvements thereto and all rights and interests associated therewith and appurtenances thereto, including all water rights appurtenant thereto; **SUBJECT ONLY** TO those matters set forth on **Exhibit "B"** attached hereto and incorporated herein by this reference.

Dated this 27 day of December, 2004.

7015
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JONES WASHINGTON I, L.L.C., a Missouri limited liability company

DEC 30 2004

By:

Kevin R. Jones, Manager

Amount Paid \$ 89,506.44
By [Signature] Skagit Co. Treasurer
Deputy

State of Missouri)
County of Jackson) ss

The foregoing instrument was acknowledged before me this 27th day of December, 2004, by Kevin R. Jones, the Manager of **JONES WASHINGTON I, L.L.C.**, a Missouri limited liability company, on behalf of the company.

(Seal and Expiration Date)

[Signature]
Notary Public

BEVERLY D. SOEHLIG
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
PLATTE COUNTY
MY COMMISSION EXP: JAN. 6, 2008

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel "A":

All that portion of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 34, Township 35 North, Range 3 East, W.M., being more particularly described as follows:

Commencing at the Southeast corner of Section 34, Township 35 North, Range 3 East, W.M.; thence North 88 degrees 20'14" West along the South line of said Section 34, a distance of 645.76 feet, more or less, to the Northerly extension of the centerline of a 60.00 foot easement as shown on Skagit County Short Plat No. 96-012, approved October 2, 1996 and recorded in Auditor's File No. 9610110054, records of Skagit County, Washington, in Book 12 of Short Plats, at page 155, records of Skagit County, Washington; thence North 1 degree 27'22" East, a distance of 1,041.74 feet; thence North 88 degrees 20'48" West, a distance of 30.00 feet to the true point of beginning; thence continue North 88 degrees 20'48" West, a distance of 645.96 feet to the West line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 34; thence North 1 degree 27'22" East along said line a distance of 500.00 feet; thence South 88 degrees 20'48" East a distance of 645.96 feet; thence South 1 degree 27'22" West a distance of 500.00 feet to the true point of beginning.

Parcel "B":

A non-exclusive easement for ingress, egress and utilities over, under and across the following described parcel and land:

Commencing at the Southeast corner of Section 34, Township 35 North, Range 3 East, W.M.; thence North 88 degrees 20'14" West along the South line of said Section 34, a distance of 645.76 feet, more or less, to the Northerly extension of the centerline of a 60.00 foot easement as shown on Skagit County Short Plat No. 96-012, approved October 2, 1996, and recorded in Auditor's File No. 9610110054, records of Skagit County, Washington, in Book 12 of Short Plats, at page 155, records of Skagit County, Washington; thence North 1 degree 27'22" East, a distance of 1,041.74 feet; thence North 88 degrees 20'48" West, a distance of 30.00 feet to the true point of beginning; thence South 1 degree 27'22" West a distance of 986.65 feet to the beginning of a tangent curve to the right having a radius of 25.00 feet; thence along the arc of said curve, passing through a central angle of 90 degrees 12'24", an arc distance of 39.36 feet to the point which lies 30.00 feet, when measured at a right angle, from the South line of said Section 34; thence South 88 degrees 20'14" East parallel to the South line of said Section 34, a distance of 110.00 feet to the beginning of a tangent curve having a radius of 25.00 feet, the center of which bears North 1 degree 39'46" East; thence Northwesterly along the arc of said curve, passing through a central angle of 89 degrees 47'36", a distance of 39.18 feet; thence North 1 degree 27'22" East a distance of 1,078.60 feet to the beginning of a non-tangent curve having a radius of 48.00 feet, the center of which bears South 51 degrees 10'51" East; thence Northeasterly along the arc of said curve, passing through a central angle of 31 degrees 37'02", a distance of 26.49 feet to a point of reverse curvature; thence Northerly along the arc of said curve, passing through a central angle of 161 degrees 29'44", a distance of 146.57 feet to the end of said curve; thence North 88 degrees 20'48" West a distance of 60.00 feet to a point lying North 1 degree 27'22" East from the true point of beginning; thence South 1 degree 27'22" West a distance of 207.93 feet to the true point of beginning.



EXHIBIT B

PERMITTED EXCEPTIONS

A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County,
Washington
Recorded: March 29, 2001
Auditor's No.: 200103290005

B. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: JBK Investments, L.L.C., a Washington limited liability company and Bouslog Investments L.L.C., a Washington limited liability company, in indeterminate interests
Recorded: June 15, 2001
Auditor's Nos.: 200106150011 and 200106150013
As Follows: This boundary line adjustment is not for the purposes of creating an additional building lot
Regarding: Boundary Line Adjustment

C. EASEMENT AND PROVISIONS CONTAINED THEREIN AS CREATED OR DISCLOSED INSTRUMENT:

In Favor Of Bouslog Investments LLC and JBK Investments, LLC
Recorded: February 19, 2004
Auditor's No.: 200402190088
For: Utilities and stormwater
Affects: West 20 feet of said premises

D. RESERVATION IN DEED/AS ATTACHED

Executed by: Bouslog Investments, LLC and JBK Investments, LLC
Recorded: February 19, 2004
Auditor's No.: 200402190088

E. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: Bouslog Investments LLC and JBK Investments LLC
Recorded: February 19, 2004
Auditor's No.: 200402190088
As Follows: The above described property will be combined or aggregated as a single lot owned by the purchaser. This boundary adjustment is not for the purpose of creating an additional building lot
Regarding: Boundary Line Adjustment

560387.2



200412300143
Skagit County Auditor

F. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Recorded: December 8, 1997
Auditor's No.: 9712080099
Executed By: John Bouslog, et al

G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Port of Skagit County
Dated: April 8, 2004
Recorded: April 13, 2004
Auditor's No.: 200404130099
Purpose: Avigation easement
Area Affected: Subject property

H. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Pugit Sound Energy, Inc.
Dated: April 14, 2004
Recorded: April 26, 2004
Auditor's No.: 200404260131
Purpose: "to construct, operate, maintain, repair...one or more utility systems...of electricity."
Area Affected: A 10-foot wide strip of the subject property

