



200504010168
Skagit County Auditor

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200503220085
Skagit County Auditor

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AFTER RECORDING MAIL TO:

Jerel Kratt
8295 Emmanuel Lane
Concrete, WA 98237

Filed for Record at Request of
Wells Fargo Escrow Company
Escrow Number: 04-01427-05

Statutory Warranty Deed

LAND TITLE OF SKAGIT COUNTY

Re-record to correct legal

Grantor(s): Richard Darrell Pennington and Jeanette Louise Pennington

Grantee(s): Jerel D. Kratt and Jessy H. Kratt

Abbreviated Legal: Ptn SW ¼ of NE ¼, 15-35-7 E W.M. aka Tr. 1, SP No. PL-04-0269.

Additional legal(s) on page:

Assessor's Tax Parcel Number(s): 350715-1-004-0400 (P106625)

THE GRANTOR Richard Darrell Pennington and Jeanette Louise Pennington, Husband and Wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Jerel D. Kratt and Jessy H. Kratt, Husband and Wife the following described real estate, situated in the County of Skagit, State of Washington

Lot 1, Short Plat No. PL-04-0269, approved March 14, 2005, and recorded March 15, 2005, under Skagit County Auditor's file No. 200503150072; being a portion of the ~~SE~~ ^{SW} ¼ of the NE ¼ of Section 15, Township 35 North, Range 7 East, W.M.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities as shown on the face of Short Plat No. 93-071, approved October 21, 1994, and recorded November 3, 1994, in Volume 11 of Short Plats, page 135, under Auditor's File No. 9411030038, and set forth in Declaration recorded November 3, 1994, under Auditor's File No. 9411030039.

Situate in the County of Skagit, State of Washington.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
#1551

SUBJECT TO: Exhibit "A" hereto attached and made a part hereof APR 01 2005

Dated March 18, 2005

Richard Darrell Pennington
Richard Darrell Pennington

Jeanette Louise Pennington
Jeanette Louise Pennington

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
#1293

MAR 22 2005

State of Washington
County of Skagit

Amount Paid \$ 5055.20
By [Signature] Skagit Co. Treasurer
Deputy
SS:

I certify that I know or have satisfactory evidence that **Richard Darrell Pennington and Jeanette Louise Pennington**

is/are 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: 3/21/05

Kelli A. Mayo
Notary Public in and for the State of Washington
Residing at Sedro Woolley
My appointment expires: 6/19/2005

EXCEPTIONS:

EXHIBIT "A"

A. RESERVATION CONTAINED IN INSTRUMENTS:

Recorded: August 23, 1918
Auditor's No.: 127185 and 127187
As Follows:

The said grantor for the consideration aforesaid doth also hereby grant unto the said grantee the right to construct, maintain and operate such logging or other roads or ways as may be reasonably necessary over and across any lands now owned by said grantor other than the lands this day conveyed by the grantee to the grantor in order to enable the said grantee to cut and remove the timber from the said lands hereinbefore described and hereby conveyed or from any other lands now at this date owned by said grantee and upon such roads and ways freely to pass and re-pass to himself his agents, servants or employees with terms and proper vehicles, cars or machinery for the conduct of logging operations on the lands hereinbefore described and hereby conveyed, or other lands now at this date owned by said grantee.

Provided however that if either of the parties hereto shall construct, maintain or operate any logging or other roads or ways pursuant to any right to do so hereby reserved or granted, and in doing so shall cut down or remove any timber standing or being on such land, such party shall pay to the party owning the land across which such road or way is so constructed, maintained or operated, the reasonable value of all timber so cut and removed.

B. TERMS AND CONDITIONS OF VARIANCE PERMITS AND AMENDMENT THERETO:

Recorded: December 14, 1993 and March 8, 1994
Auditor's Nos.: 9312140050, 9312140051 and 9403080042

C. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: Jemma Mathew
And: Owners of Short Plat No. 93-071
Dated: October 22, 1993
Recorded: November 3, 1994
Auditor's No.: 9411030039
Regarding: Establishment of road and utility easement and maintenance of same

D. EASEMENT SHOWN ON SHORT PLAT NO. 93-071:

For: Access and utilities
Affects: As shown on Short Plat.

E. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Tom Walker
Purpose: Ingress and egress
Area Affected: Emmanuel Lane
Dated: Not disclosed
Recorded: June 11, 1996
Auditor's No.: 9606110056



EXCEPTIONS CONTINUED:

F. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee:	Kitsap Land Corporation, a Washington corporation
Purpose:	Ingress, egress, drainage and utilities
Area Affected:	Emmanuel Lane
Dated:	Not disclosed
Recorded:	August 30, 1996
Auditor's No.:	9608300041

G. Notes contained on the face of Short Plat No. PI-04-0269, as follows:

- 1.) All maintenance and construction of private roads are the responsibility of the lot owners and the responsibility of maintenance shall be in direct relationship to usage of road. See Private Road Maintenance Declaration recorded under Auditor's File No. 9411030039.
- 2.) Short Plat Number and date of approval shall be included in all deeds and contracts.
- 3.) Comprehensive Plan/Zoning Designation = Rural Intermediate 2.5 acre minimum lot size.
- 4.) Sewage Disposal – Individual septic system. Alternative systems. Alternative on-site sewage disposal systems may have special design, construction and maintenance requirements. See Skagit County Health Officer for details.
- 5.) Water – Individual wells.
Water will be supplied from individual water systems. Contact the Skagit County Planning and Permit Center to determine if additional water quality or quantity testing will be required for building permit approvals. Skagit County code requires a 100-foot radius well protection zone for new individual water systems. The zone must be contained entirely on the lot owned in fee simple and/or be provided through appropriate covenants or easements. Present and future owners of lots with an existing well shall preserve a 100-foot radius well protection zone for existing well improvement or replacement. An aquifer demonstration well is located on Lot 1. Well No. ABP 225 is considered a pre-existing non-conforming well since the well protection zone falls outside of the ownership.
- 6.) • - indicates iron rebar set with yellow cap survey number Lissner 22960
o – indicates existing rebar or iron pipe found
- 7.) Meridian – Assumed.
- 8.) Basis of bearing – East line of the Northeast ¼ of Section 15, Township 35 North, Range 7 East, W.M., per Short Plat No. 93-071, bearing = South 0°40'36" East.
- 9.) Survey description is from Land Title Company, Subdivision Guarantee No. 112849-P, dated July 1, 2004.



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EXCEPTIONS CONTINUED:

G. (continued):

10.) For additional survey and subdivision information, see Skagit County Short Plat No. 93-071, recorded in Volume 11 of Short Plats, page 135, Short Plat No. PL-01-0297, recorded under Auditor's File No. 200108140107, Short Plat No. PL-01-0296, recorded under Auditor's File No. 200108140104 and Short Card No. PL-01-0815 recorded under Auditor's File No. 200204170070, all in records of Skagit County, Washington.

11.) Instrumentation: Leica TCR705A Theodolite distance meter.

12.) Survey Procedure: Field traverse.

13.) No building permit shall be issued for any residential and/or commercial structures, which are not, at the time of application, determined to be within an officially designated boundary of a Skagit County Fire District.

14.) A Skagit County address range has been applied to the road system in this subdivision. At the time of application for building and/or access, Skagit County GIS will assign individual addresses in accordance with the provisions of Skagit County Code 15.24. Change in location of access may necessitate a change in address, contact the Planning and Permit Center for specifics.

15.) Building setbacks are required in the rural intermediate zone as follows:

Front: 35 feet

Side: 8 feet on an interior lot, 20 feet on a street right of way

Rear: 25 feet

(See Sheet 3 of 3 for additional building envelope information)

16.) Owner/Developer: Richard and Jeanette Pennington, 8295 Emmanuel Lane, Sedro-Woolley, WA 98284.

17.) A drainage report was prepared for this property by Ravnik and Associates, Inc. See report for specific details. A copy of which is available at Skagit County Planning and Permit Center. The drainage report references specific information with respect to conditions that will be required during future property development (home and road construction). Additionally per SCC 14.32.080(O)(C). All runoff from impervious surfaces, roof drains shall be directed so as not to adversely affect adjacent properties.

18.) This Short Plat shows protected critical areas (PCAE) per requirements of Skagit County Code (SCC) Chapter 14.24.170 critical areas ordinance. A PCAE document was recorded under Skagit County Auditor's File No. 200503150071.

19.) This property is subject to and together with easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record including but not limited to those instruments described in the title report mentioned in Note Number 9 above and being recorded under Skagit County Auditor's File Numbers 127185, 127187, 9312140050, 9312140051, 9403080042, 9411030038, 9411030039, 9606110056, 9608300041, 200301070070, 200302210193, 200406110087.



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EXCEPTIONS CONTINUED:

G. (continued):

20.) A Hydro-Geological Report was prepared for this site by Northwest Hydrogeo consultants and is available at Skagit County Planning.

21.) In no case shall the County accept a dedication or any obligation as to any such road, street, and/or alley until the same and all roads, streets and/or alleys connecting the same to the full current County road system have been brought to full County road standards and a right of way deed has been transferred to and accepted by the County.

22.) This Short Plat is located within an area identified as a low flow area per SCC 14.24.310(I)(A) and is subject to the following code requirements SCC 14.24.350(5)(A)(III) impervious surfaces, the total impervious surface of the proposal shall be limited to 5% of the total lot area, unless the proposed development provides mitigation that will collect runoff from the proposed development, will treat that runoff, if necessary to protect groundwater quality and discharge that collected runoff into a groundwater infiltration system on site. If a project is outside of the watershed and if the project uses an approved septic system for sewage disposal the County may approve an increase in the impervious surface limits of this subsection if it is determined that the septic system is providing acceptable compensating recharge to the aquifer.

23.) This parcel lies within an area or within 500 feet of area designated a natural resource lands (agricultural, forest and mineral resource lands of long-term commercial significance in Skagit County. A variety of natural resource land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, or from spraying, pruning, harvesting, or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise and odor. Skagit County has established natural resource management operations as a priority use on designated natural resource lands, and area residents should be prepared to accept such incompatibilities, inconveniences, or discomfort from normal, necessary natural resource land operations when performed in compliance with best management practices and local, state, and federal law. In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. In addition, greater setbacks than typical may be required from the resource area, consistent with SCC 14.16.810. Contact the Skagit County Planning and Permit Center for details.

24.) Buyer should be aware that a portion of this Short Subdivision is located in the flood plain as identified by FEMA on Flood Insurance Rate Map Panel Number 530151 0280 C with the effective date of January 3, 1985. Significant elevation may be required for the first floor elevation of construction.

25.) All development located within 200 horizontal feet of the ordinary high water mark on the Grandy Creek shall be subject to the provisions of the Skagit County Shoreline Management Master Program and the Shoreline Management Act.



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EXCEPTIONS CONTINUED:

G. (continued):

26.) This Short Plat is located within ½ mile of a designated "Low Flow Stream" (Grandy Creek) as mentioned in Note 20 above. A hydrogeologic report was prepared for this project. The report identifies two distinct aquifers below the site. The well drilled for Lot 2 must be screened within the deeper confined aquifer and documented as such by a hydrogeologist prior to the issuance of a building permit. The hydrogeologist report must include the following certification language "The Well on Lot 2 Short Plat No. PL04-0269, in my professional opinion, has been drilled into and screened within the deeper confined aquifer as identified by Northwest Hydrogeo Report dated July 28, 2004 for Short Plat No. 04-0268 and is not considered to be in hydrologic continuity with Grandy Creek". If the well does not meet the above statement the requirements of SCC 14.24.350(5)(A)(II)(III) and (IV) shall apply.

27.) No expansion to the existing shed will be allowed as it falls within the protected critical area for Grandy Creek.

H. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By: Short Plat
Purpose: Well protection zone
Area Affected: 100 foot radius around well head

I. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By: Short Plat
Purpose: Drainfield
Area Affected: As shown

J. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By: Short Plat
Purpose: Building envelope
Area Affected: As shown

K. PROTECTED CRITICAL AREA SITE PLAN AND/OR EASEMENT, AND THE TERMS AND CONDITIONS THEREOF

Executed By: Richard D. Pennington and Jeanette L. Pennington, husband and wife
Recorded: March 15, 2005
Auditor's File No.: 200503150071



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