

AFTER RECORDING MAIL TO:
Mr. and Mrs. James D. Ellis
826 Metcalf #142
Sedro Woolley, WA 98284



200505310218

Skagit County Auditor

5/31/2005 Page

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2 3:34PM

Filed for Record at Request of
Land Title Company of Skagit
Escrow Number: 116584-SE

LAND TITLE OF SKAGIT COUNTY

Statutory Warranty Deed

Grantor(s): Dennis W. Gilmer
Grantee(s): James D. Ellis and Pamela Catherine Rowe
Abbreviated Legal: Lot 21, Heart O'The Skagit
Assessor's Tax Parcel Number(s): 3923-000-021-0003, P65642

THE GRANTOR DENNIS W. GILMER, an *unmarried man* for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to JAMES D. ELLIS and PAMELA CATHERINE ROWE, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

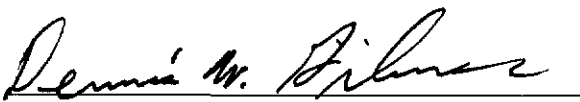
Lot 21, "HEART O' THE SKAGIT - RIVER TRACTS," as per plat recorded in Volume 9 of Plats, pages 1, 2 and 3, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Subject to: Schedule "B-1" attached hereto and made a part thereof.

2719
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Dated May 26, 2005


Dennis W. Gilmer

MAY 31 2005

Amount Paid \$ 302.60
Skagit Co. Treasurer
By Deputy

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that **Dennis W. Gilmer**
the person(s) who appeared before me, and said person(s) acknowledged that he
signed this instrument and acknowledge it to be his free and voluntary act for the
uses and purposes mentioned in this instrument.

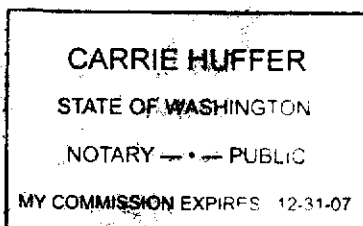
Dated: May 31, 2005


Carrie Huffer

Notary Public in and for the State of Washington

Residing at Burlington

My appointment expires: 12/31/2007



EXCEPTIONS:

- A. Right granted to the public in the dedication of the plat to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon.

Following original reasonable grading of roads and ways hereon, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right of way, or to hamper proper road drainage. Any enclosing of drainage water in culverts or drains or re-routing thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner.

B. RESTRICTIONS CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

1. Platlor shall bear the cost of such Flood Control Improvement as he desires as long as he retains possessory right. After possessory rights pass to the individual lot purchasers, they shall be responsible.
2. Platlor shall provide to Skagit County a forty foot easement beginning on the West side of the Lyman Ferry Road and extending Northwesterly along the remainder of the river front of the Plats. Easement granted to County for purpose of Flood Control only. No permanent structures in easement.

The cost of constructing and maintaining all roads not herein dedicated as county roads and all access roads to the plat, unless the same are dedicated as county roads shall be the obligation of all of the owners of the lots in the plat and/or of any additional plats that may be served by said roads, streets, and/or alleys, and that the obligation to maintain shall be concurrently the obligation of any corporation in whom title of said roads, streets, and/or alleys be held. In the event that the owners of any of these lots or the corporate or private owners of any of the roads, streets, and/or alleys of this plat or any additional plats served by these roads, streets, and/or alleys shall petition the Board of County Commissioners to include these roads, streets, and/or alleys in the road system, said petitioner shall be obligated to bring the same to the county road standards in all respects prior to acceptance by the county.

C. Restrictions imposed by instrument recorded on August 15, 1966 under Auditor's File No. 686890, as follows:

1. Any home constructed on any of said tracts shall be constructed on an elevation above the 14-year flood frequency line as shown on said plat.
2. No trees shall be felled or damaged on said platted property which are South of the North line of the easement granted to Skagit County for flood control access which lays along the Southerly side of this platted property;
3. No depressions or cuts shall be made in the bank leading from the lots to the Skagit River.

D. Any question that may arise due to shifting or changing in course of the Skagit River.

NOTE: The face of the Plat discloses the following as to Tract 33:

"Community recreation area for Heart O' The Skagit Plat owners only."

- E. Any prohibition of or limitation of use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any portion which is now, or has formerly been, covered by water.
- F. Right of the State of Washington to that portion of the subject property, if any, lying in the bed of or the former bed of the Skagit River.



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