

AFTER RECORDING MAIL TO:
Timothy P. O'Rourke and Noemie J. O'Rourke
PO Box 1451
Marysville, WA 98270



200508120149
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: 84628

Statutory Warranty Deed

FIRST AMERICAN TITLE CO.

84628-1

Grantor(s): Mount Vernon Masonic Building Association, Inc.
Grantee(s): Timothy P. O'Rourke and Noemie J. O'Rourke
Section 17, Township 34, Range 4; Ptn. SE NW aka Lot 1, of Skagit County Binding Site Plan No. MV-3-00
Assessor's Tax Parcel Number(s): 8030-000-001-0000, P117702

THE GRANTOR Mount Vernon Masonic Building Association, Inc., for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Timothy P. O'Rourke and Noemie J. O'Rourke, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 1, of Skagit County Binding Site Plan No. MV-3-00, approved January 8, 2001 and recorded January 11, 2001 under Auditor's File No. 200101110143, being a portion of the Southeast 1/4 of the Northwest 1/4 of Section 17, Township 34 North, Range 4 East, W.M.

Subject to Paragraphs A thru D of Schedule B-1 of First American Title Company's preliminary commitment no. 84628 attached hereto.

Dated August 10, 2005

Mount Vernon Masonic Building Association, Inc.

Clifford A. Flanary
By: Clifford A. Flanary, Treasurer

William H. Heflin
By: William Heflin, Secretary

State of Washington
County of Skagit

SS: Clifford A. Flanary & William Heflin

I certify that I know or have satisfactory evidence Clifford A. Flanary & William Heflin 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 Treasurer/Secretary of Mount Vernon Masonic Bldg. Assn. Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: August 11, 2005



Kim M. Kerr
Notary Public in and for the State of Washington
Residing at Mount Vernon
My appointment expires: 12/15/05

4373
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

AUG 12 2005

Amount Paid \$ 3,031.00
Skagit Co. Treasurer
By [Signature] Deputy

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Schedule "B-1"

EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: City of Mount Vernon, Washington, a municipal corporation of Skagit County, State of Washington
Dated: May 8, 1973
Recorded: May 9, 1973
Auditor's No.: 784742
Purpose: "... right to lay, maintain, operate, relay and remove at any time a sewer pipe or pipes, line or lines for the transportation of sewage, and if necessary to erect, maintain, operate and remove said lines, with right of ingress and egress to and from the same ..."
Area Affected: West 15 feet of subject property

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

In Favor Of: John S. Eiford and Waunda M. Eiford, husband and wife
Recorded: May 14, 1976
Auditor's No.: 834978
For: Ingress and egress and for utility purposes
Affects:

Beginning at a point on the South line of the Southeast ¼ of the Northwest ¼ of said Section 17, which point bears North 89 degrees 37'00" West, a distance of 856.60 feet from the center of said Section 17; thence North 0 degrees 08'23" East, a distance of 662.14 feet; thence South 89 degrees 37'00" East, a distance of 30.00 feet; thence South 0 degrees 08'23" West to a point on the South line of said Southeast ¼ of the Northwest ¼; thence North 89 degrees 37'00" West along said South line of said subdivision, a distance of 30.00 feet to the point of beginning; EXCEPT the South 30.00 feet thereof as that State Highway formerly known as the Clear Lake Road and now known as College Way.

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

Short Plat No.: MV-4-75
Recorded: March 14, 1975
Auditor's No.: 814649

Said matters include but are not limited to the following:

1. 30-foot road and utility easement along the Westerly boundary.
2. Sewer easements as shown on map.



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3. Water Supply: Water of sufficient quantity and quality is available to this tract of land from that 8 inch Skagit County Public Utility District No. 1 water main in College Way.

4. Sewage Disposal: Sewer service is available to this tract by that 8-inch City of Mount Vernon sanitary sewer lateral located by easement in this tract.

D. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING BINDING SITE PLAN:

Binding Site Plan	MV-3-00
Recorded:	January 11, 2001
Auditor's No.:	200101110143

Said matters include but are not limited to the following:

1. All maintenance and construction of private roads shall be the responsibility of the lot owners. Each owner shall bear equal responsibility.
2. Zoning: C-2 General Commercial District City of Mount Vernon Development Standards (Chapter 17.48).
 - A. Minimum Lot Area: No limitations
 - B. Minimum Lot Width: No limitations
 - C. Minimum Lot Depth: No limitations
 - D. Maximum Lot Coverage: No limitations
 - E. Maximum Building Height: Four stories not to exceed 50 feet.
 - F. Minimum yard setbacks:
 1. Front: 25 feet
 2. Side, Interior: None required
 3. Rear: None required
 - G. Parking shall be provided pursuant to the terms of Chapter 17.84 MVMC (Ord. 2352, 1989).
3. Sewage Disposal: City of Mount Vernon public sewer
4. Storm Sewer: No storm sewer is provided to the City storm sewer. At such time as Lot 1 of the Binding Site Plan is developed, a storm drainage plan will be required meeting the City of Mount Vernon design requirements.
5. Water: P.U.D. No. 1.
6.
 - - Indicates iron rod set with Yellow Cap Survey Number Lisser 22960.
 - ° - Indicates existing rebar or iron rod found
7. Meridian: Assumed
8. Basis of Bearing: Monumented South line of the Northwest ¼ of Section 17, Township 34 North, Range 4 East, W.M. Bearing = South 89°37'00" East (per Short Plat MV-4-75)



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9. For additional meridian and survey information see City of Mount Vernon Short Plats No. MV-4-75 recorded in Volume 1 of Short Plats, page 23, No. MV-12-75 recorded in Volume 1 of Short Plats, page 68, No. MV-12-81 recorded in Volume 5 of Short Plats, page 114, No. MV-3-91 recorded in Volume 9 of Short Plats, pages 329,330, all in records of Skagit County, Washington.
10. Survey description is from Land Title Company Subdivision Guarantee Order No. S-94644, dated September 15, 2000.
11. The property is subject to and together with easements, reservations, restrictions, covenants, leases, court causes and other instruments of record as disclosed in the above referenced title report including those instruments recorded under Auditor's File Numbers: 784742, 834978 and 814649.
12. Instrumentation: Lietz set 4A Theodolite distance meter .
13. Survey Procedure: Field Traverse.
14. Owner/Developer: Olson College Way Property, LLC
P.O. Box 366
Mount Vernon, WA 98273
Phone: (360) 428-5636
15. A. Wetland boundary line shown hereon is based upon field delineation by Washington Wetlands and Mitigation Company, incorporated in September 2000.
B. Lot 1 of this Binding Site Plan will be subject to impact fees payable prior to issuance of a building permit.
16. Buyers should be aware that this Binding Site Plan is located in the flood plain of the Skagit River and significant elevation may be required for the first floor of construction. Contact the City of Mount Vernon Department of Community and Economic Development for further information.
17. Flood Zone Designation: A-21 per National Flood Insurance Firm Map No. 530158-0001-B dated January 3, 1985. The City of Mount Vernon requires an additional 1.0-foot of elevation above the minimum FEMA requirements. Minimum elevation is determined at the time of building permit application. The FEMA map shows a minimum of 30.0 feet, therefore City requirements will be 31.0



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18. Approximate locations of existing utilities have been obtained from the land owner and/or available records and are shown for convenience. The utility companies do not locate their utilities outside of public rights of way. Underground on site utilities and the utility locations are not known or were not available to us at this time except as shown. Underground utility information may be requested from the following sources:

Gas	(-G-) Cascade Natural Gas Co. 1520 S. Second Street, Mount Vernon, WA 98273 (360) 336-6155
Water	(-W-) Public Utility District No. 1 1415 Freeway Drive, Mount Vernon, WA 98273 (360) 424-7104
Sanitary Sewer	(-S-) City of Mount Vernon Engineering Department (360) 336-6204
Storm Sewer	(-D-) City of Mount Vernon Engineering Department (360) 336-6204
Buried Telephone	(-Buried Tel-) G.T.E. Pease Rd., Burlington, WA 98233 (360) 757-1620
Electrical	(-P-) Puget Sound Energy 1700 E. College Way, Mount Vernon, WA 98273 (360) 336-9604
Television	(-Cable-) AT & T Cable 717 Bennett Rd., Burlington, WA 98233 (360) 757-2877

19. At such time as development occurs on Lot 1, an emergency turn-around must be constructed within the easement area shown (or as otherwise approved) to the satisfaction of the City of Mount Vernon Fire Department.
20. A fire line is to be constructed within the 20-foot wide easement to PUD shown across the South 20 feet of Lot 1 at the time of development of Lot 1 or at such time as any additional development takes place on Lot 2. A fire hydrant will be required at the West end of the line and the location will be approved by the City of Mount Fire Department.
21. EASEMENTS: An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1, Puget Sound Energy, G.T.E., Cascade Natural Gas Corp., and TCI Cablevision of Washington, Inc., and their respective successors and assigns under and upon the exterior thirty (30) feet of front boundary lines, as shown, of all lots and tracts and other utility easements as shown on the face of the Binding Site Plan, 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 damage it causes to any real property owned in the subdivision by the exercise of rights and privileges herein granted.



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22. **WATER PIPELINE EASEMENT:** An easement is granted to Public Utility District No. 1 of Skagit County, Washington, a municipal corporation, its successors or assigns, the perpetual right, privilege and authority enabling the PUD to do all things necessary or proper in the construction and maintenance of a water line, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with necessary appurtenances for the transportation of water over, across, along, in and under the lands as shown on this Plat, together with the right of ingress to and egress from said lands across adjacent lands of the grantor. Also the right to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of the grantor which, in the opinion of the District, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line. The grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut and removed from the easement pursuant to this agreement is vested in the District.

Grantor, its heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the General Manager of the District. Grantor shall conduct its activities and all other activities on grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easement or in any way interfere with, obstruct or endanger the District's use of the easement.

23. Location of as built fences.
24. 30-foot road and utilities easement along the West boundary of Lots 1 and 2.
25. 25-foot buffer from wetland affects Lot 1.
26. Prior to development of Lot 1, a split rail fence shall be constructed along wetland buffer with signage as approved by the City of Mount Vernon.

