

AFTER RECORDING MAIL TO:
Cougar Holdings LLC
1616 N. 18th Street Suite 160
Mount Vernon, WA 98273

200508180100
Skagit County Auditor

8/18/2005 Page 1 of 4 3:26PM

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: 84905

FIRST AMERICAN TITLE CO.

84905-2

Statutory Warranty Deed

Grantor(s): First American Exchange of Skagit County
Grantee(s): Cougar Holdings LLC

Section 17, Township 34, Range 4; Ptns. NW - NW
Additional legal(s) on page: 2

Assessor's Tax Parcel Number(s): P25781, P25795, 340417-0-163-0000, 340417-0-173-0016

THE GRANTOR Patrick R. Armstrong and Dianne L. Armstrong, husband and wife, as to an undivided ¼ interest and in Dianne L. Armstrong as Trustee for Brian C. Dale Trust, as to an undivided ¼ interest for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION and as part of a 1031 Tax Deferred Exchange in hand paid, conveys and warrants to Cougar Holdings LLC, the following described real estate, situated in the County of Skagit, State of Washington.

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Subject to Paragraphs B, D., E and F of Schedule B-1 of First American Title Company's preliminary commitment no. 84905 attached hereto.

Dated August 9, 2005

Patrick R. Armstrong
Patrick R. Armstrong

Dianne L. Armstrong - Trustee
Dianne L. Armstrong, Trustee for Brian C. Dale Trust

Dianne L. Armstrong
Dianne L. Armstrong

State of Hawaii
County of maui } SS:

I certify that I know or have satisfactory evidence Patrick R. Armstrong; Dianne L. Armstrong 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 Blank PRA of Blank PRA to be the free and voluntary act of such party for the Blank PRA uses and purposes mentioned in this instrument. *8-16-05*

Blank PRA 8-16-05

Date: August 16, 2005

Loretta V. Galbraith
LORETTA V. GALBRAITH

Notary Public in and for the State of Hawaii
Residing at County of Maui
My appointment expires: 10-11-2006



AUG 16 2005

Amount Paid \$ 7659.00
Skagit Co. Treasurer
By *lp* Deputy

EXHIBIT A

PARCEL "A":

That portion of the Northwest ¼ of the Northwest ¼, Section 17, Township 34 North, Range 4 East W.M., described as follows:

Beginning at a point on the West line of said subdivision which point bears North 0 degrees 40'15" West a distance of 50 feet from the Southwest corner of said subdivision; thence South 89 degrees 38'14" East a distance of 30.00 feet to a point on the East line of Riverside Drive; thence South 0 degrees 40'15" East along the Easterly line of Riverside Drive a distance of 1.24 feet, which point is the true point of beginning; thence North 0 degrees 40'15" West a distance of 6 feet; thence North 89 degrees 24'15" East 107 feet; thence North 0 degrees 40'15" West 54 Feet; thence North 89 degrees 24'15" East 193 feet; thence South 0 degrees 40'15" East 60 feet, more or less, to the Northeast corner of that certain tract conveyed to M & P D, Inc., by deed dated August 11, 1959 and recorded under Auditor's File No. 586246; thence North 89 degrees 38'40" West along the North line of said M & P D, Inc., tract 153.71 feet to the Southeast corner of that certain tract conveyed to M & P D, Inc. by deed dated June 1, 1961, and recorded under Auditor's File No. 608723; thence North 0 degrees 35'45" West a distance of 1.21 feet; thence South 89 degrees 24'15" West a distance of 146.27 feet to the true point of beginning.

Except the West 10 feet adjacent to Riverside Drive as conveyed to the City of Mount Vernon by deed recorded August 25, 1985 under Auditor's File No. 8509250001.

PARCEL "B":

That portion of the Northwest ¼ of the Northwest ¼ of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the West line of said subdivision which bears North 0 degrees 40'15" West 50 feet from the Southwest corner of said subdivision; thence South 89 degrees 38'14" East 104.13 feet to the true point of beginning; thence continue South 89 degrees 38'14" East 72.16 feet; thence North 0 degrees 35'45" West 1.21 feet; thence South 89 degrees 24'15" West 72.15 feet to the true point of beginning.

PACEL "C":

That portion of the Northwest ¼ of the Northwest ¼ of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Southwest corner of said Northwest ¼ of the Northwest ¼ which point bears South 0 degrees 40'15" East a distance of 1,324.34 feet from the Northwest corner of said Section 17; thence South 89 degrees 38'14" East along the South line of said Northwest ¼ of the Northwest ¼ a distance of 30 feet to the true point of beginning on the East line of former State Highway No. I-A; thence North 0 degrees 40'15" West along the East line of said Highway 50 feet; thence South 89 degrees 38'40" East 300 feet; thence South 0 degrees 14'15" East 50 feet to the South line of said Northwest ¼ of the Northwest ¼; thence North 89 degrees 38'14" West along said South line 300 feet to the true point of beginning;

Except that portion of said premises, described as follows:

Beginning at a point on the West line of said Northwest ¼ of the Northwest ¼ which bears North 0 degrees 40'15" West 50 feet from the Southwest corner of said subdivision; thence South 89 degrees 38'14" East 30



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feet to a point on the East line of Riverside Drive which is the true point of beginning; thence continue South 89 degrees 38'14" East 74.13 feet; thence South 89 degrees 24'15" West 74.12 feet to a point on the East line of Riverside Drive; thence North 0 degrees 40'15" West along the East line of Riverside Drive 1.24 Feet to the true point of beginning;

Also except the West 10 feet as conveyed to the City of Mount Vernon by deed recorded August 15, 1985 under Auditor's File No. 8508150012.

PARCEL "D":

That portion of the West 300.00 feet (as measured perpendicular to the West line) of Tract 1, "Plat of Mount Vernon Acreage, Skagit County, Wash.," as per plat recorded in Volume 3 Plats, Page 102, records of Skagit County, Washington, being more particularly described as follows:

Beginning at the Northwest corner of said Tract 1; thence South 89 degrees 38'14" East along the North line of said Tract 1, also being the South line of the Northwest ¼ of the Northwest ¼ of Section 17, Township 34 North, Range 4 East, W.M., for a distance of 300.05 feet, more or less, to the East line of said West 300.00 feet of Tract 1; thence South 0 degrees 40'15" East along said East line 20.74 feet, more or less, to a point 134.52 feet South (as measured perpendicular to the North line) of the North line of that certain parcel described on Real Estate Contract to Max W. Dale and Pauline Dale, husband and wife, recorded under Skagit County Auditor's File No. 661495; thence South 89 degrees 24'15" West parallel with said North line for a distance of 300 feet, more or less, to the West line of said Tract 1 at a point bearing South 0 degrees 40'15" East from the point of beginning; thence North 0 degrees 40'15" West along said West line 25.76 feet to the point beginning.

Except the West 10 feet as conveyed to the City of Mount Vernon by deed recorded August 15, 1985, under Auditor's File No. 8508150012;

Subject to and together with a right-of-way for road purposes over the West 25 feet of the South 70.5 feet of said Tract 1 and over the West 25 feet of Tract 2 of said plat;

Also subject to and together with an easement for road purposes over the North 30 feet of the South 70.5 feet of the West 400 feet of said Tract 1.

And also subject to and together with an 89.5 foot wide parking and unobstructed view easement to the restaurant building "Max Dale's" as it now exists, over and across those portions of the Northwest ¼ of the Northwest ¼ of Section 17, Township 34 North, Range 4 East, W.M. and of Tract 1, "Plat of Mount Vernon Acreage, Skagit County, Wash.," as per plat recorded in Volume 3 of Plats, Page 102, records of Skagit County, Washington, described as follows:

Commencing at the Southwest corner of said Northwest ¼ of the Northwest ¼; thence South 89 degrees 38'14" East along said South line for a distance of 30.00 feet to the East margin of State Highway No. 1-A, also known as Riverside Drive, and also being the Northwest corner of said Tract 1, "Plat of Mount Vernon Acreage, Skagit County, Wash.," and also being the true point of beginning; thence South 0 degrees 40'15" East along the West line of said Tract 1 for a distance of 89.45 feet to the North line of the South 40.50 feet of said Tract 1; thence North 89 degrees 19'45" East along said North line for a distance of 300.00 feet, more or less, to the East line of the West 300.00 feet (as measured perpendicular to the West line of said Tract 1); thence North 0 degrees 40'15" West along said East line, or East line extended, for a distance of 89.50 feet; thence South 89 degrees 19'45" West for a distance of 300.00 feet, more or less, to said East margin of State Highway No. 1-A, also known as Riverside Drive, at a point bearing North 0 degrees 40'15" West from the true point of beginning; thence South 0 degrees 40'15" East along said East line 0.05 feet, more or less, to the true point of beginning.

Parcel "E":

A non-exclusive easement for ingress, egress and utilities over and across the South 60 feet of the West 300.05 feet of Parcel "A" of those properties conveyed to Anthony B. Pickering by Deed recorded February 20, 2003 as Auditor's File No. 200302200147, as reserved in Paragraph 4 of Exhibit "B" of said Auditor's File No. 200302200147. (See Note #7)



Order No: 84905

Schedule "B-1"

EXCEPTIONS:

B. PROVISION CONTAINED IN DEED:

Executed by: Phil Anderson and Dorothea Anderson, husband and wife
Recorded: May 13, 1955
Auditor's No.: 517868
As Follows:

"Providing however, that the grantees, nor their heirs and assigns, may not at any time, build any buildings, structure or improvement of any kind upon said real property West of a line running North and South and 30 feet East of the West line of said tract."

D. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company
Dated: November 30, 1983
Recorded: December 6, 1983
Auditor's No.: 8312060025
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: North 5 feet

E. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Patrick R. Armstrong, et ux
And: Anthony B. Pickering, et ux
Dated: February 17, 2003
Recorded: February 22, 2003
Auditor's No.: 200302200147 – Specifically Exhibit "B"
Regarding: Restrictive covenants, billboard sign, parking rights, reserved easements and other matters
Affects: Subject property

F. Question of the validity of a 60-foot wide easement reserved as Paragraph 4 on "Exhibit B" of document recorded as Auditor's File No. 200302200147 as to any property not lying within Parcel "A" on "Exhibit A" of said document. (See Note #7)



200508180100
Skagit County Auditor