



200509010082
Skagit County Auditor

9/1/2005 Page 1 of 5 11:30AM

AFTER RECORDING MAIL TO:

Name: Wayne S. Johnston and Karen J. Johnston
Address: 8104 Emmanuel Ln.
City, State, Zip: Concrete, Washington 98237

Filed for Record at Request of:
RedWood Escrow
Escrow Number: 2005480
CHICAGO TITLE IC36209 ✓

STATUTORY WARRANTY DEED

Grantor(s): Rodney A. Overholt and Elisabeth Overholt
Grantee(s): Wayne S. Johnston and Karen J. Johnston
Abbreviated Legal: Lot 4, Skagit county SP NO. 96-098
Additional Legal(s) on page:
Assessor's Tax Parcel Number(s): 350715-2-001-0000

THE GRANTOR(S) Rodney A. Overholt and Elisabeth Overholt, also known as Elisabeth M. Overholt, husband and wife
For and in consideration of Ten Dollars and Other Good and Valuable Consideration
In hand paid, conveys, and warrants to Wayne S. Johnston and Karen J. Johnston, husband and wife
The following described real estate, situated in the County of Skagit, State of Washington:

SEE ATTACHED EXHIBIT A

4817
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

SUBJECT TO:

SEE ATTACHED EXHIBIT B

SEP 01 2005

Dated this the 23rd day of August, 2005

Amount Paid \$ 5790.00
By Skagit Co. Treasurer Deputy

Rodney A. Overholt

Elisabeth Overholt

Notary Acknowledgment

State of Washington }
County of King }

On this day personally appeared before me Rodney A. Overholt and Elisabeth Overholt to me known to be the individual (s) described in and who executed the within and foregoing instrument, and acknowledged that he/ she/ they signed the same as his/ her/ their free and voluntary act and deed, for the uses and purposes therein mentioned.

Dated: 08/26/05



Curtis D. Covington
Notary Public in and for the State of Washington
Residing at: Woodinville, WA
My appointment expires: 11/29/06

EXHIBIT "A"

Lot 4, SKAGIT COUNTY SHORT PLAT NO. 96-098, approved April 4, 1997, and recorded April 22, 1997, in Volume 12 of Short Plats, page 193 and 194, under Auditor's File No. 9704220123, records of Skagit County, Washington; being a portion of the Southeast Quarter of the Southwest Quarter, Section 10; and the Northeast Quarter of the Northwest Quarter, Section 15, Township 35 North, Range 7 East of the Willamette Meridian.

Situated in Skagit County, Washington.

- END OF EXHIBIT "A" -



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EXHIBIT B

1. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: March 30, 1935
Auditor's No.: Volume 171 of Deeds, pages 460 and 462, records of Skagit County, Washington
In favor of: State Division of Forestry
For: Construction and maintain road for forest protection purposes
Affects: A portion in Section 10, Township 35 North, Range 7 East of the Willamette Meridian, exact width and location of said road not disclosed on the record

2. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: November 9, 1912; and May 23, 1912
Auditor's No.: Volume 90 of Deeds, page 467; and Volume 92 of Deeds, page 117, records of Skagit County, Washington
In favor of: Pacific Northwest Traction Company
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: A 60-foot side strip of land lying Southerly of (and adjacent to) the Great Northern Railway right-of-way, and in Section 10, Township 35 North, Range 7 East of the Willamette Meridian

3. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: October 6, 1993
Auditor's No.: 9310060041, records of Skagit County, Washington
In favor of: Riverview Farms, a Washington Partnership composed of A.W. Dynes and Charles G. Dynes
For: Ingress, egress, and utilities
Affects: The West 60 feet of the East 100 feet of that portion of the Southeast Quarter of the Southwest Quarter lying Southerly of the Great Northern Railroad right-of-way;

EXCEPT state and county road right-of-way in Section 10, +- Township 35 North, Range 7 East of the Willamette Meridian. The West 60 feet of the East 100 feet of the North 80 feet of the Northeast Quarter of the Northwest Quarter of Section 15, Township 35 North, Range 7 East of the Willamette Meridian.

4. Easement and Agreement, including the terms and conditions thereof, disclosed by instrument;
Recorded: April 22, 1997
Auditor's No.: 9704220124, records of Skagit County, Washington
In favor of: Future owners of Lots 1 through 4 of said Short Plat Drainage over a 15-foot strip in the Northeasterly portion of Lot 4 with provisions for cost of maintenance by all future owners of said Short Plat

5. Covenants, conditions, and restrictions contained in declaration(s) of restriction, but omitting any covenant or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by law;
Recorded: April 22, 1997
Auditor's No(s): 9704220125, records of Skagit County, Washington
Executed By: Kitsap Land Corp.; and John W. Smith and Joyce E. Smith



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EXHIBIT B

6. Notes on the face of said Short Plat, as follows:

- A. Short plat number and date of approval shall be included in all deeds and contracts.
- B. Sewage Disposal – Individual on-site sewage systems.
- C. Water – Individual wells. Water will be supplied from individual water systems. Contact the Health Department to determine if additional water quality or quantity testing will be required for building permit approvals. Skagit County 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. Activities within the well protection zone shall conform to Skagit County Code Chapter 12.48.
- D. 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 official designated boundary of a Skagit County Fire District (SCC 14.04.190{14}).
- E. All maintenance and construction of roads is the responsibility of the homeowners association with the lot owners as members.
- F. Lot 4 is subject to a well protection zone for Lot 3 as shown, and as outlined under Skagit County Code, Section 12.48.
- G. Alternative on-site sewage disposal system may have special design, construction, and maintenance requirements. See Skagit County Health Officer for details.
- H. This property lies within an area designated rural resource by Skagit County. A variety of commercial forestry and agricultural activities occur in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, including spraying, pruning, and harvesting, which occasionally generate dust, smoke, noise, and odor. Skagit County has established agriculture and forestry as a priority use on designated rural resource lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary agricultural and forestry operations when performed in compliance with best management practices and local, state, and federal law.
- I. The total impervious surface of a fully developed lot shall be limited to 5 percent of the total lot area unless runoff is collected, treated if necessary, and discharged into an on-site groundwater infiltration system.
- J. No lawn watering shall be permitted between June 1 and September 30 unless connection to an existing approved public water system has been made.
- K. Warning: This development may be affected by the terms of the Western Washington Growth Management Hearings Board's Invalidity Order in Case No. 95-2-0065. That Invalidity Order and its effect on this development is the subject of a pending court appeal before the Washington State Court of Appeals Case No. 38585-2-1. If the county is unsuccessful in the appeal, it may affect your ability to proceed with the development, and may result in your having to restore the property to its prior condition.



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7. Terms and conditions of Title Notification;
Recorded: December 22, 1998
Auditor's File No.: 9812220112, records of Skagit County, Washington
Affects: Property adjacent to designated natural resource land
8. Terms and conditions of Low Floor Mitigation;
Recorded: December 22, 1998
Auditor's File No.: 9812220110, records of Skagit County, Washington
Affects: Aquifer Recharge Mitigation Summary
9. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: December 8, 1998
Auditor's No(s): 9812080034, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Electric transmission and/or distribution line, together with necessary appurtenances
- Note:** Exact location and extent of easement is undisclosed of record.
10. Pollution control area delineated on the face of said short plat.
11. Terms, conditions, and restrictions of that instrument entitled Order on Shoreline Permit SL 03 0365 and Special Use Permit SU 03 0664;
Recorded: December 8, 2003
Auditor's No(s): 200312080132, records of Skagit County, Washington
Affects: Said premises and other property



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