



200509230152  
Skagit County Auditor

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AFTER RECORDING MAIL TO:  
Thomas R. Fischer and Leslie J. Fischer  
P.O. Box 1989  
Mariposa, CA 95338

Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: A86005

FIRST AMERICAN TITLE CO.

A86005-1

## Statutory Warranty Deed

**Grantor(s):** The Great American Dream, Inc. dba Landmark Building & Development  
**Grantee(s):** Thomas R. Fischer and Leslie J. Fischer  
Lot 95, Plat of "ROSEWOOD P.U.D., PHASE 2, DIVISION II"  
**Assessor's Tax Parcel Number(s):** 4842-000-095-0000, P121939

**THE GRANTOR** The Great American Dream, Inc. dba Landmark Building & Development, for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to **Thomas R. Fischer and Leslie J. Fischer, husband and wife** the following described real estate, situated in the County of Skagit, State of Washington.

Lot 95, Plat of "ROSEWOOD P.U.D., PHASE 2, DIVISION II", recorded August 17, 2004, under Skagit County Auditor's File No. 200408170112, records of Skagit County, Washington.

SUBJECT TO the Easements, Restrictions and other Exceptions set forth on Exhibit "A" attached hereto.

Dated **September 16, 2005**

The Great American Dream, Inc. dba Landmark Building & Development

*Diane Korthius*  
By: Diane Korthius, Manager



State of Washington }  
County of Skagit } SS:

I certify that I know or have satisfactory evidence Diane Korthius 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 Manager of The Great American Dream dba Landmark Building & Development to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: September 21, 2005

*Kim M. Kerr*

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

5294  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

SEP 23 2005

Amount Paid \$ 3,458.00  
Skagit County Treasurer  
By: *MC* Deputy

**EXCEPTIONS:**

**A. RESERVATIONS CONTAINED IN DEED**

Executed by: Puget Mill Company, a Corporation  
Recorded: December 18, 1926  
Auditor's No: Volume 142 of Deeds, Page 146  
As Follows:

"The party of the first part hereby reserves unto itself and unto its successors and assigns, the full, complete and absolute right to all oils, gases, coal, minerals, metals and fossils of every name and nature which may be in or upon said land or any part thereof, with the right of entry upon said land to prospect and explore for oils, gases, coal, minerals, metals and fossils of every name and nature, however, said party of the second part, its successors and assigns, shall be reasonably compensated for all damages done to the surface and soil of said land and the improvements thereon in carrying on any such operation."

**B. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:**

Dated: June 1, 1998  
Recorded: June 23, 1998  
Auditor's No: 9806230104  
Executed by: Self Help Housing, a Washington Non-Profit Corporation;  
William Miller, it's Executive Director

**C. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Grantee: City of Mount Vernon, a Municipal Corporation of the State  
of Washington  
Dated: November 24, 1998  
Recorded: December 31, 1998  
Auditor's No: 9812310051  
Purpose: Utility purposes  
Area Affected: Tract K adjacent to 30<sup>th</sup> Street

**D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Grantee: Puget Sound Power & Light Company  
Dated: July 14, 1999  
Recorded: August 12, 1999  
Auditor's No: 199908120018  
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: South 25 feet of common area Tract A



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E. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Self-Help Housing  
And: City of Mount Vernon  
Dated: February 8, 2000  
Recorded: February 14, 2000  
Auditor's No: 200002140087  
Regarding: Agreement as to various terms of platting including but not limited to road improvements, signage, street lighting, etc.

F. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Dated: May 28, 2002  
Recorded: May 29, 2002  
Auditor's No: 200205290098  
Executed by: Self-Help Housing, a Washington Non-Profit Corporation

G. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc.  
Dated: June 11, 2003  
Recorded: June 16, 2003  
Auditor's No: 200306160285  
Purpose: "... utility systems for purposes of transmission, distribution and sale of gas and electricity. . . "  
Area Affected: All streets and road rights-of-way; a strip of land 10 feet in width across all lots; all areas located within 5 (five) feet perimeter of the exterior surface of all ground mounted vaults and transformers.

H. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SUBDIVISION:

Plat/Subdivision Name: Rosewood P.U.D., Phase 2, Division 1  
Recorded: December 3, 2003  
Auditor's No: 200312030041

I. Terms and Provision contained in the Bylaws of Rosewood Homeowner's Association as recorded March 19, 2004 under Auditor's File No. 200403190133.



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J. MATTERS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SUBDIVISION:

Plat/Subdivision Name: Rosewood P.U.D., Phase 2, Division II  
Recorded: August 17, 2004  
Auditor's No.: 200408170112

Said matters include but are not limited to the following:

1. Know all men by these presents that Rosewood Estates, LLC and Whidbey Island Bank, a Washington Corporation, Owners in the fee simple or Contract Purchasers and Mortgage Holders or Lien Holders of the land hereby platted, declare this Plat and dedicate to the use of public forever, the streets, avenues, shown hereon and the use thereof for all public purposes consistent with the use thereof for public highway purposes together with the right to make all necessary slope for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon.

2. Building set backs:

Single Family Lots (SF)

Front: 20' (corner lots have two front yards)  
Rear: 20'  
Side: 7.5' (or otherwise shown hereon)

Common Wall Lots (D)

Front: 20' (corner lots have two front yards)  
Rear: 20'  
Side: 0' on common sides 7.5' on non-common sides  
(or as otherwise shown hereon)

3. Sewage disposal – City of Mount Vernon

4. Storm drainage – City of Mount Vernon. Storm water detention facilities for this Plat were previously constructed within Tract "A", Plat of Rosewood P.U.D., Phase I and are owned and maintained by the City of Mount Vernon.

5. Street standard – City of Mount Vernon

6. Water – Skagit County P.U.D. No. 1

7. Power – Puget Sound Energy

8. Telephone – Verizon Northwest

9. Gas – Cascade Natural Gas

10. Television Cable – Comcast Corporation

11. Garbage collection – City of Mount Vernon, solid waste collection for Lots shall be at the edge of the public right-of-way.

12. This Plat has been laid out and constructed per the approved Rosewood P.U.D. available at the City of Mount Vernon Planning Department. The Rosewood P.U.D. allowed for a mix of single family lots (SF) and duplex or common wall construction lots (CW).



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13. All Lots within this subdivision are subject to impact fees for schools, fire, parks and any other city impact fees payable upon issuance of a building permit.

14. Siltation control devices may be required for each lot during home construction or subsequent soil disturbances. See city of Mount Vernon Engineering Department for details.

15. Homes shall be built on site per the designs approved in the Rosewood P.U.D. or an alternative design approved by the City of Mount Vernon.

16. The Plat of Rosewood P.U.D., Phase 2, Division 2, shall have the same rights and access to the previously platted open spaces shown on Plat of Rosewood P.U.D. Phase 2 (Tracts "L" and "M") and as shown on the Plat of Rosewood P.U.D. Phase I including Tract "B", Tract "C" and Tract "Z". Same reciprocal rights and access shall apply for all owners. All previously recorded documents with respect to the homeowners association and maintenance responsibilities shall apply to this division.

17. Utilities Easement - An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1, Puget Sound Energy, Verizon Northwest, Cascade Natural Gas Corp., and Comcast Corporation and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots and tracts as shown on the face of this Plat and other utility easements, if any, shown on the face of this Plat in which to install, lay, construct, renew, operate, maintain and remove utility systems, lines fixtures, 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 owner in the subdivision by the exercise of rights and privileges herein granted.

18. Water Pipeline Easement - An easement over Lots 90 and 91, is granted to Public Utility District No. 1 of Skagit County, Washington, a municipal corporation, its successors and assigns, the perpetual right, privilege and authority enabling the P.U.D. 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 shown on the 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, 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.

19. 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 Grantors 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 Districts use of the easement.



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20. Private Drainage Easement - Easements for the purpose of conveying local storm water runoff are hereby granted in favor of all abutting private lot owners in the areas designated as private drainage easements. The maintenance of private easements established and granted herein shall be the responsibility of and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

21. Ten (10) foot utility easement – Affects portion abutting Arbor Street and Rosewood Street

22. Easement to Public Utility District No. 1 – Affects Lots 90 and 91

23. Typical building envelope, as delineated



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