

AFTER RECORDING MAIL TO:  
Mr. and Mrs. Steven M. Summers  
18947 Milltown Road  
Mount Vernon, WA 98273



200510070105  
Skagit County Auditor

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Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: B86317

**Statutory Warranty Deed**

Grantor(s): **Geraldine J. Testone**  
Grantee(s): **Steven M. Summers and Chris M. Summers**

FIRST AMERICAN TITLE CO.  
B 86317-2

Section 1, Township 33, Range 3, ptn. Government Lot 5

Additional legal(s) on page: **2**

Assessor's Tax Parcel Number(s): **330301-0-009-0206, P15241**

THE GRANTOR **Geraldine J. Testone**, an unmarried woman for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to **Steven M. Summers and Chris M. Summers, husband and wife** the following described real estate, situated in the County of **Skagit**, State of **Washington**

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Subject to covenants, conditions, restrictions as per attached Exhibit "B"

Dated **10/04/05**

Geraldine J. Testone  
Geraldine J. Testone

# 5027  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

OCT 07 2005

Amount Paid \$ 272.00  
By [Signature] Skagit Co. Treasurer  
Deputy

STATE OF Washington }  
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that **Geraldine J. Testone**, the persons who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 10-5-05

[Signature]



Notary Public in and for the State of Washington  
Residing at Burlington Wa  
My appointment expires: 9-20-07

## EXHIBIT A

That portion of the North 20 acres of Government Lot 5, Section 1, Township 33 North, Range 3 East, W.M., lying outside the dike and within the following described tract:

Commencing at the East  $\frac{1}{4}$  corner of said Section 1; thence North  $0^{\circ}28'11''$  West, along the East line of said Section 1, 1314.91 feet to the Northeast corner of Government Lot 10 said Section 1; thence South  $89^{\circ}40'05''$  West, along the North line of said Lot 10 and Line extended, 1513.80 feet to a point on the dike and on the North line of said Government Lot 5, said point being North  $89^{\circ}40'05''$  East 1107.00 feet from the Northwest corner of said Government Lot 5; thence South  $17^{\circ}52'21''$  West, along said dike, 161.09 feet to the true point of beginning; thence continue South  $17^{\circ}52'21''$  West, along said dike, 161.09 feet; thence South  $78^{\circ}48'$  East 370 feet, more or less, to the Skagit River; thence Northeasterly along said River 177 feet, more or less, to a point that is South  $78^{\circ}48'$  East from the true point of beginning; thence North  $78^{\circ}48'$  West 430 feet, more or less, to the true point of beginning.

EXCEPT any portion thereof lying within the South  $\frac{1}{2}$  of said Government Lot 5 and EXCEPT dike and ditch rights-of-way and EXCEPT a strip of land 24 feet wide West from the base of the dike conveyed to Skagit County for road purposes by deeds dated April 2, 1912, and recorded under Auditor's File Nos. 90689 and 90883, and ALSO EXCEPT the following described tract:

Beginning at a point 246 feet South of the Southeast corner of Lot 1, Block "D", "Town of Plat of Skagit City", according to the plat recorded in Volume 2 of plats, page 111, records of Skagit County, Washington; thence West 57 feet; thence North 56 feet; thence West 159 feet; thence South 114 feet; thence East  $253 \frac{1}{2}$  feet; thence North 58 feet; thence West  $37 \frac{1}{2}$  feet to the place of beginning; and ALSO EXCEPT the following described tract:

Beginning at a point 303 feet South and 4 feet East of the said Southeast corner of Lot 1, Block "D", "Plat of Skagit City", above referred to; thence West 220 feet; thence South 60 feet; thence East 220 feet; thence North 60 feet to the place of beginning; and ALSO EXCEPT the following tract:

Beginning at a point 190 feet South and 43 feet East of the Southeast corner of Lot 1, Block "D", "Plat of Skagit City"; thence West 100 feet; thence South 56 feet; thence East 100 feet; thence North to the point of beginning.

SUBJECT TO AND TOGETHER WITH a non-exclusive easement for ingress and egress, road and utilities, over, under, and upon the Westerly 60 feet of that portion of the North 20 acres of said Governmental Lot 5, lying outside the dike.



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EXHIBIT "B"

**EXCEPTIONS:**

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

In Favor Of: Undisclosed  
Recorded: November 7, 1974  
Auditor's No.: 809792  
For: Ingress, egress and utilities  
Affects: Westerly 60 feet of the subject property

**B. RESERVATION CONTAINED IN INSTRUMENT**

Executed by: Donald Wesley Smith, et ux  
Recorded: November 7, 1974  
Auditor's No.: 809792  
As Follows: "NOTE: Above described Tract not to be used for building site"

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

Grantee: Dike District No. 2  
Dated: October 1, 1934  
Recorded: April 3, 1935  
Auditor's No.: 268645  
Purpose: Ingress, egress and dirt taking  
Area Affected: Subject property

**D.** Any adverse claim by reason of any change in the location of the boundaries of said premises, which may have resulted from, any change in the location of the River/Creek herein named since the date herein set forth.

River/Creek: Skagit River  
Date: November 1, 1974

**E.** Right of the State of Washington in and to that portion, if any, of the property herein described which lies below the line ordinary high water of Skagit River.

**F.** Right of the general public to the unrestricted use of all the waters of a navigable body of water, not only for the primary purposes of navigation, but also for corollary purposes, including (but not limited to) fishing, boating, bathing, swimming, water skiing and other related recreational purposes, as those waters may affect the tidelands, shorelands, or adjoining uplands, and whether the level of the water has been raised naturally or artificially to a maintained or fluctuating level, all as further defined by the decisional law of this state. (Affects all of the premises subject to such submergence.)



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