



200510110157
Skagit County Auditor

10/11/2005 Page 1 of 2 3:55PM

AFTER RECORDING MAIL TO :

Name JAY GORHAM
Address 1101 E. 35TH ST.
City/State TACOMA, WA 98404

FIRST AMERICAN TITLE CO.

Statutory Warranty Deed

THE GRANTOR DIANNA L. VICK, a single woman as her sole and separate property for and in consideration of ten dollars and other valuable consideration in hand paid, conveys and warrants to JAY GORHAM, a single man the following described real estate, situated in the County of Skagit, State of Washington:

LOT 32, BLOCK B, "CAPE HORN ON THE SKAGIT DIVISION NO. 2", AS PER PLAT RECORDED IN VOLUME 9 OF PLATS, PAGES 14 THROUGH 19, INCLUSIVE, RECORDS OF SKAGIT COUNTY, WASHINGTON.

SUBJECT TO PARAGRAPHS A - G OF PRELIMINARY REPORT FROM FIRST AMERICAN TITLE CO. OF SKAGIT COUNTY NO. 86103, COPY ATTACHED.

Assessor's Property Tax Parcel/Account Number(s): 3869-002-032-0002 (P63171)

DATED this 7th day of OCTOBER 2005

5681
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Dianna L. Vick
DIANNA L. VICK

OCT 11 2005

5840

STATE OF Washington

}

SS.

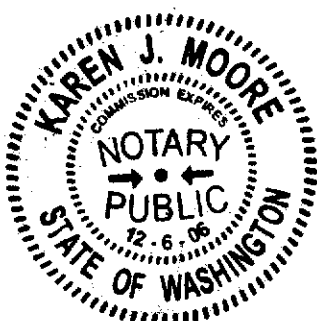
County of Pierce

}

Amount Paid to
Skagit Co. Treasurer
By [Signature] Deputy

I certify that I know or have satisfactory evidence that DIANNA L. VICK (is/are) the person(s) who appeared before me, and said person(s) acknowledged that (he/she/they) signed this instrument and acknowledged it to be (his/her/their) free and voluntary act for the uses and purposes mentioned in this instrument.

DATED: October 11th, 2005



Karen J. Moore

Name (typed or printed): KAREN J. MOORE

NOTARY PUBLIC in and for the State of WA.

Residing at Bonney Lake

My appointment expires: 12-06-06

EXCEPTIONS:

A. CONDITIONS AND RESTRICTIONS CONTAINED IN AN INSTRUMENT, FILED JULY 13, 1965, AS AUDITOR'S FILE NO. 668869 READING AS FOLLOWS:

"1. Lot owners to be advised that those areas indicated on the plat as being below elevation 140.0 feet, are subject to infrequent periodic inundation and buildings constructed therein should maintain a floor elevation above 140.0 feet.

2. The exterior of all buildings to have a completed appearance within one year from date of starting.

3. Lot owners shall be responsible for placing wells and septic tank drainfields in accordance with the master plan as on file with the Cape Horn Maintenance Company. A minimum of 100 feet shall be maintained between all drainfields and wells. All work to be in accordance with Skagit County Regulations.

4. All lots shall be subject to the Articles and By-Laws of the Cape Horn Maintenance Company."

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

Plat/Subdivision Name: Cape Horn on the Skagit
Recorded: July 13, 1965
Auditor's No.: 668870

Said matters include but are not limited to the following:

1. "The Platters do hereby declare this plat and dedicate to the public forever all roads and ways and that 40 foot easement along the river shown hereon with the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon, following original reasonable grading of the roads and ways hereon, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner."

2. "Skagit County shall not be responsible for any flood control improvements."

C. EASEMENT, INCLUDING TERMS & PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company, a corporation
Purpose: Transmission line with appurtenances
Dated: July 7, 1965
Recorded: August 17, 1965
Auditor's No.: 670429
Affects: As constructed and extended in the future at the consent of Grantee and Grantor

D. RESTRICTIONS ON OTHER LOTS IN SAID PLAT IMPOSED BY VARIOUS INSTRUMENTS OF RECORD WHICH MAY BE NOTICE OF A GENERAL PLAN AS FOLLOWS:

"Grantees covenant and agree that the above described real estate shall be subject to the charges and assessments as provided for in and for the purposes set forth in the Articles of Incorporation and the By-Laws of the Cape Horn Maintenance Co., a nonprofit, non-stock Washington corporation and that said corporation shall have a valid first lien against the above described real estate for said charges and assessments; and, in addition to the remedies set forth in said Articles of Incorporation and By-Laws, that if said charges and assessments levied by said corporation shall not be paid within four (4) months after they shall become due and payable, then said corporation may proceed by appropriate action to foreclose its lien together with such sum as the court may adjudge reasonable attorneys fees in such action. The grantee hereby acknowledges receipt of copies of said Articles of Incorporation and By-Laws of the Cape Horn Maintenance Co. This provision is a covenant running with the land and is binding on the grantees, their heirs, successors and assigns.

SUBJECT TO:

(a) Restrictions, reservations, agreements and easements of record and as shown on the face of said recorded plat.

(b) Use of said property for residential purposes only.

(c) Questions that may arise due to shifting of Skagit River."

E. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS:

Declaration Dated: September 20, 1976
Recorded: December 14, 1976
Auditor's No.: 847451
Executed By: Cape Horn Maintenance Company

F. Any question that may arise due to shifting or changing in course of the Skagit River.
(Affects those lots abutting the River)

G. Declaration of Covenant recorded June 21, 1993 under Auditor's File No. 9306210022 regarding well and waterworks located on the "Community Park" area.



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