

AFTER RECORDING MAIL TO:
Hansell Mitzel Homes, LLC
1111 Cleveland Avenue, Suite 201
Mount Vernon, Wa. 98273

200510120148
Skagit County Auditor
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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: ~~B85609~~ B85670

Statutory Warranty Deed

Grantor(s): Hansell Mitzel, LLC
Grantee(s): Dan R. Mitzel and Patricia R. Burklund
Section 9, Township 34, Range 4 - Ptn NW
Assessor's Tax Parcel Number(s): 340409-2-006-0007, P24349

FIRST AMERICAN TITLE CO.
B85670

THE GRANTOR Hansell Mitzel, LLC for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Dan R. Mitzel and Patricia R. Burklund, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 1 of Short Plat No. PL-03-0689, approved February 4, 2004 and recorded February 10, 2004 under Skagit County Auditor's File No. 200402100118; being a portion of the Northwest 1/4 of Section 9, in Township 34 North, Range 4 East, W.M. TOGETHER WITH a non-exclusive 20 foot easement for access and utilities over, under and across Lot 2 of said Short plat.

Dated 08/04/05

Subject to covenants, conditions, restrictions and easements, if any, as per attached Exhibit B-1.

Hansell Mitzel, LLC

Jeff Hansell, Managing Member

5707

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

OCT 12 2005

2230⁰⁰
ARTICLE 100
SKAGIT COUNTY
By

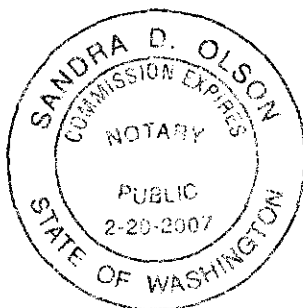
State of Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence tha Jeff Hansell, the person(s) who appeared before me, and said person(s) acknowledged that he signed this instrument, on oath stated he is authorized to execute the instrument and is Managing Member of Hansell Mitzel, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date:

9-8-05

Sandra D. Olson



Notary Public in and for the State of
Residing at Burlington, Wa
My appointment expires: 2-20-05

Schedule "B-1"

EXCEPTIONS:

A. EASEMENT AND PROVISIONS CONTAINED THEREIN:

Grantee: Puget Sound Power & Light Company
Dated: October 22, 1948
Recorded: October 26, 1948
Auditor's No: 424261
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
Affects: One anchor 20 feet North of South line of property, 15 feet in on property

B. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Dyking District No. 20
Dated: December 15, 1919
Recorded: April 5, 1920
Auditor's No: 140939
Purpose: "right-of-way for ditch"
Area Affected: 20 foot wide strips of the subject property

C. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING SHORT PLAT:

Short Plat No.: PL-03-0689
Recorded: February 20, 2004
Auditor's No: 200402100118

Said matters include but are not limited to the following:

1. All maintenance and construction of private roads are the responsibility of the Lot owners and the responsibility of maintenance shall be in the direct relationship to usage of road.

2. Short Plat number and Date of Approval shall be included in all Deeds and Contracts.

3. Utilities:

| | |
|------------------|--|
| Sewage Disposal: | Lot 3 Individual septic system |
| Storm Sewer: | City of Mount Vernon |
| Water Purveyor: | P.U.D. No. 1 |
| Power Source: | Puget Sound Energy |
| Communication: | GTE Northwest, Cable TV, AT&T Broad Band |
| Gas: | Cascade Natural Gas Corporation |



4. Proposed Lot 1 lies within flood zone A-1 as shown on firm map 530151-0250-C with a base flood elevation of 37, dated January 3, 1985. Proposed Lot 2 lies partially within this same flood zone. Lot 3 lies outside the flood zone.

5. Building Setback Requirements:

| | |
|--------|---------|
| Front: | 35 feet |
| Side: | 8 feet |
| Back: | 25 feet |

6. Change in location of access may necessitate a change of address. Contact Skagit County Planning and Permit Center.

7. Lot 2 is subject to a 20.00' easement, over, under and across for access and utilities to serve Lot 1. The location of said easement shall be the best and most direct route to be determined at a future date when Lot 2 is further subdivided.

8. 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 the official designated boundary of a Skagit County Fire District.

9. This parcel lies within an area or within 500 feet of an area designated as a Natural Resource Land (Agricultural, Forest and Mineral Resource Lands of long-term commercial significance) in Skagit County. A variety of Natural Resource Land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents; this may arise from the use of chemicals; or from spraying pruning, harvesting or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise and odor. Skagit County has established Natural Resource Management operations as a priority use on designated Natural Resource Lands and area residents should be prepared to accept such incompatibilities, inconveniences or discomfort from normal necessary Natural Resource land operations when performed in compliance with best management practices and Local, State and Federal law. In the case of Mineral Lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. In addition, greater setbacks than typical may be required from the resource area, consistent with SCC 14.16.810. Contact the Skagit County Planning and Permit Center for details.

10. Lot 2 is to be reserved for future development; no building permit will be issued until all infrastructure is in place to appropriate standards.

11. Lot 2 is subject to a sanitary sewer easement in favor of the City of Mount Vernon as shown on sheet 3 of 3. The exact location may be revised for a best fit location to service a future subdivision on said Lot 2. If Lot 2 is not further subdivided the City is hereby granted and conveyed the right to use the 30-foot easement to serve future expansion and the cities services, the location of which will be negotiated between the City and the Owner of Lot 2.

12. Lot 2 hereby grants and conveys a temporary drain field easement to Lot 3. The 65' x 35' drain field area will be relinquished when Lot 3 is connected to the City sewer system. Said connection shall be provided by the Developer of Lot 2.



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13. Lot 1 is hereby designated as a nonresidential lot, no building permit for residential purposes will be granted to this lot.

14. Lot 1 is hereby designated as an Open Space - Protected Area, all existing ongoing agricultural activities with the OS-PA shall be in compliance with SCC 14.24

15. Critical Areas shown hereon within the boundaries of Lot 2 will not be altered until such time as the parcel is annexed by the City of Mount Vernon and a subdivision is approved by the City. See PCA recorded under Auditor's File No. 200402100119.

16. Know all men by these presents that the undersigned owners of the land included within this Short Plat do hereby certify that the decision to make this Short Plat was our free and voluntary act and deed and dedicate to the use of the Public forever the East 5.00 feet as shown on sheet 3 of 3 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 slopes for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such Streets and Avenues shown hereon.

17. An easement is hereby reserved for and granted to the City of Mount Vernon, Skagit County Public Utility District No. 1, Puget Sound Energy, Verizon Northwest, Cascade Natural Gas Corporation and AT&T Broad Band and their respective successors and assigns under and upon the East 10 feet of Lots 2 and 3 as shown hereon. In which to install, lay, construct, renew, operate, maintain and remove utility systems, lines, fixtures and 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. The service provider shall restore the surface of the easement area to the condition that existed prior to the work being done. Property owner is prohibited from building improvement within this easement unless approval has been granted by the City Engineer.

18. Location of Dike District right of way.

19. Location of wetlands, ordinary high waterline and urban growth boundary

20. Location of existing buildings and fencelines.

21. 50' set back line along Easterly line of Lot 2.

D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

| | |
|----------------|---|
| Grantee: | Skagit County |
| Dated: | January 16, 2004 |
| Recorded: | February 10, 2004 |
| Auditor's No: | 200402100119 |
| Purpose: | ...a non-exclusive perpetual easement establishing a protected critical area over, along and across those portions of the project...of monitoring and enforcing proper operation and maintenance of the protected critical area described herein. |
| Area Affected: | Subject property |



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