

WHEN RECORDED RETURN TO
F. KEMPER FREEMAN JR.
P.O. BOX 1012
BELLEVUE, WASHINGTON 98009



200512090112
Skagit County Auditor
12/9/2005 Page 1 of 5 11:36AM



CHICAGO TITLE INSURANCE COMPANY

1037125

001189558

BARGAIN AND SALE DEED

THE GRANTOR

DAVID L. FULTON AND AMY C. FULTON, HUSBAND AND WIFE

for and in consideration of TWO HUNDRED FIFTY THOUSAND AND 00/100
Dollars (\$ 250,000.00)

in hand paid, grants, bargains, sells, conveys and confirms to
F. KEMPER FREEMAN JR. AND BETTY FREEMAN, HUSBAND AND WIFE

the following described real estate situated in the County of SKAGIT State of Washington:

UNIT 51, FIDALGO MARINA CONDOMINIUM, ACCORDING TO DECLARATION THEREOF
RECORDED UNDER AUDITOR'S FILE NO. 9302250060 AND CORRECTION AND AMENDMENT
THERE TO, RECORDED UNDER AUDITOR'S FILE NOS. 9303050032 AND 9508160024,
AND SURVEY MAP AND PLANS THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGES
75,76 AND 77, RECORDS OF SKAGIT COUNTY, WASHINGTON.

SUBJECT TO: EXCEPTIONS SET FORTH ON ATTACHED EXHIBIT "B" AND BY
THIS REFERENCE MADE A PART HEREOF AS IF FULLY INCORPORATED HEREIN.

0835
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

DEC 09 2005

Amount Paid \$ 4455.00
Skagit Co. Treasurer
By Deputy

The grantor(s) for themselves and for their successors in interest do by these presents expressly limit the covenants of the deed to those herein expressed, and exclude all covenants arising or to arise by statutory or other implication, and do hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said grantor(s) and not otherwise, will forever warrant and defend the said described real estate.

Dated: NOVEMBER 23, 2005

Tax Account Number: 4599-000-051-0000

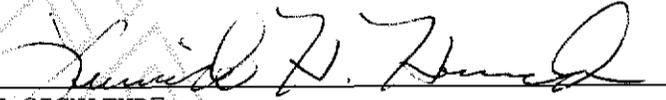
DAVID L. FULTON

AMY C. FULTON

STATE OF WASHINGTON
COUNTY OF King

SS

ON THIS 1 DAY OF ~~NOVEMBER~~ December, 2005, BEFORE ME, THE UNDERSIGNED,
A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED
AND SWORN, PERSONALLY APPEARED DAVID L. FULTON AND AMY C. FULTON KNOWN
TO ME TO BE THE INDIVIDUAL(S) DESCRIBED IN AND WHO EXECUTED THE WITHIN
INSTRUMENT AND ACKNOWLEDGED THAT THEY SIGNED AND SEALED THE SAME AS
THEIR FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES HEREIN
MENTIONED.


NOTARY SIGNATURE

PRINTED NAME: Linda H. Harada
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT Bellevue
MY COMMISSION EXPIRES ON 5-19-06



200512090112
Skagit County Auditor

12/9/2005 Page

2 of

5 11:36AM

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT B

Escrow No.: 1189558

SUBJECT TO:

1. Easement delineated on the face of Short Plat No. ANA-92-005;
For: 20 foot utility easement granted to City of Anacortes and Lots 1 and 2 of Short Plat No. ANA-92-005
2. Easement delineated on the face of Short Plat No. ANA-92-005;
For: Four parking stalls for short term visitor parking to benefit Lot 1 of Short Plat No. ANA-92-005
3. Easement delineated on the face of Short Plat No. ANA-92-005;
For: Ingress and egress to benefit Lots 1 and 2 of said Short Plat No. ANA-92-005
4. Easement delineated on the face of Short Plat No. ANA-92-005;
For: 10 foot sewer line to benefit Lot 1
5. Easement delineated on the face of Short Plat No. ANA-92-005;
For: 12.5 foot storm drainage easement granted to the City of Anacortes and Lots 1 and 2 of said Short Plat
6. Easement including the terms, covenants, and provisions thereof, granted by instrument
Recorded: November 16, 1992
Recording No.: 9211160117, records of Skagit County, WA
In favor of: Puget Sound Power & Light Company, a Washington corporation
For: Underground distribution and electric lines and appurtenances thereto

And as delineated on the face of Short Plat No. ANA-92-005.

7. Easement delineated on the face of said plat;
For: 10 foot unrecorded easement to Puget Sound Power & Light Company
8. Declaration of Easements, including the terms, covenants, and provisions thereof, granted by instrument
Recorded: February 25, 1993
Auditor's No.: 9302250058, records of Skagit County, WA
9. Terms, covenants, conditions, easements, and restrictions and liability for assessments contained in Declaration of Condominium for said condominium;
Recorded: February 25, 1993
Auditor's No.: 9302250060, records of Skagit County, WA

Correction thereto;
Recorded: March 5, 1993
Auditor's No.: 9303050032, records of Skagit County, WA

And amendment thereto
Recorded: August 16, 1995
Auditor's No.: 9508160024, records of Skagit County, WA

10. Notes contained on the face of Short Plat No. ANA-92-005 as follows:
 - a. All maintenance and construction of private roads are the responsibility of the lot owners and the responsibility of maintenance shall be in direct relationship to usage of road.
11. Exceptions and reservations contained in Deed whereby the Grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working mines, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of such entry; TOGETHER WITH the right, upon paying reasonable compensation, to acquire rights of way for transporting and moving products from other lands, contained in Deed
From: The State of Washington
Recorded: November 24, 1909
Auditor's No.: 76533 and 96389, records of Skagit County, WA
12. Right of the State of Washington or any grantee or lessee thereof, upon paying reasonable compensation, to acquire rights of way for private railroads, skid roads, flumes, canals, water courses, or other easements for transporting and moving timber, stone, minerals or other products from other lands, contained in Deed
From: The State of Washington
Auditor's No.: 76533, records of Skagit County, WA

EXHIBIT/RDA/0999



200512090112
Skagit County Auditor
12/9/2005 Page 3 of 5 11:36AM

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Escrow No.: 1189558

SUBJECT TO:

13. Assessments levied pursuant to Declaration of Condominium and/or Bylaws for said condominium and any amendments thereto, to the extent provided for by RCW 64.34
14. Any lien or liens that may arise or be created in consequence of or pursuant to an Act of the Legislature of the State of Washington entitled "An Act prescribing the ways in which waterways for the uses of navigation may be excavated by private contract, providing for liens upon lands belonging to the State, granting rights of way across lands belonging to the State: Approved March 9, 1893
15. Any prohibition or limitation on the use, occupancy, or improvement of the land resulting from the rights of the public or riparian owners to use any waters which may cover the land OR to use any portion of the land which is now or may formerly have been covered by water.
16. Right of use, control, or regulation by the United States of America in the exercise of power over navigation.
17. Lease, including the terms, covenants, conditions, and easements and provisions thereof, and any failure to comply with the terms, covenants, conditions and provisions:
 - Dated: August 10, 1987
 - Recorded: July 24, 1992
 - Auditor's No.: 9207240213, records of Skagit County, Washington
 - Lessor: State of Washington, Department of Natural Resources
 - Lessee: City of Anacortes
 - For a term of: 28 years, beginning December 31, 1987, and ending October 1, 2016
 - Affects: Parcel B and other property
18. Lease, including the terms and conditions thereof, and any failure to comply with the terms, covenants, conditions, and provisions;
 - Dated: May 6, 1990
 - Recorded: July 24, 1992
 - Auditor's No.: 9207240214, records of Skagit County, WA
 - Lessor: City of Anacortes
 - Lessee: Development Ventures, Inc.
 - For a term of: 27 years, beginning February 3, 1989 and ending October 1, 2016
 - Affects: Parcel B and other property

Lessee's interest is now held of record by Fidalgo Marina Partnership, a Washington general partnership
19. Terms, covenants, conditions and provisions of the lease referred to in Schedule A hereof, and the effect of any failure to comply with the terms, covenants, conditions and provisions thereof.
 - Affects: Parcel B
20. Any adverse claim or other boundary dispute which may exist or arise by reason of the failure of the sublease referred to in Schedule A as to Parcel B to locate with certainty the boundaries of the subleased premises as defined in said sublease. No insurance is given as to the dimensions or location of said subleased premises within the property described in the lease from the State of Washington, Department of Natural Resources, as lessor, to the City of Anacortes, as lessee, recorded under Recording No. 9207240213 or in the sublease from the City of Anacortes, as sublessor, to Fidalgo Marina Partnership, as sublessee, recorded under Recording Nos. 9207240214 and 9207310172, records of Skagit County, Washington.
21. Lessor's Consent, including the terms, covenants, conditions and provisions thereof:
 - Dated: July 27, 1992
 - Recorded: July 31, 1992
 - Auditor's No.: 9207310170, records of Skagit County, WA
 - Affects: Parcel B
23. Covenants contained in Decision to Approve Short Plat
 - Recorded: January 25, 1994
 - Auditor's No.: 9401250108, records of Skagit County, Washington
23. Any question that may arise due to shifting or change of the line of high water of Fidalgo Bay OR due to said bay having shifted or changed its line of high water.

EXHIBIT/RDA/0999



200512090112
Skagit County Auditor

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24. Affect, if any, of survey
Recorded: November 10, 2003
Auditor's No.: 200311100222, records of Skagit County, Washington
25. Dues, charges and assessments, if any, levied by Fidalgo Marina Owners Association.
26. Liability to future assessments, if any, levied by City of Anacortes.



200512090112
Skagit County Auditor

12/9/2005 Page

5 of

5 11:36AM