

AFTER RECORDING MAIL TO:  
Brian C. Gaylord and Barbara A. Gaylord  
8014 156th St. SE  
Snohomish, WA 98296.



200512200064  
Skagit County Auditor

12/20/2005 Page 1 of 7 11:18AM

Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: 86713

**Statutory Warranty Deed**  
**FIRST AMERICAN TITLE CO.**

Grantor(s): Noretap, a Washington general partnership  
Grantee(s): Brian C. Gaylord and Barbara A. Gaylord  
Section 11, Township 35, Range 5; Ptn. SW SW and SE SW (aka Lot 3, Short Plat No. 96-048)  
Assessor's Tax Parcel Number(s): 350511-3-006-0400, P122987

86713E

Sec. 11, Twp 35, Rng 5; Ptn. SW SW aka Lot 3, SP NO. 96-048  
THE GRANTOR Noretap, a Washington general partnership, a general partnership for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Brian C. Gaylord and Barbara A. Gaylord, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

*See attached legal*

Lot 3 of Skagit County Short Plat No. 96-048, approved May 4, 2005, and recorded May 6, 2005 under Auditor's File No. 200505060139, records of Skagit County, Washington, being a portion of the Southwest 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 11, Township 35 North, Range 5 East, W.M., records of Skagit County, Washington.

Dated December 5, 2005  
Subject to Paragraphs A thru Q of Schedule B-1 of First American Title Company's preliminary commitment no. 86713 attached hereto.  
Noretap, a Washington general partnership

By: Ronald Schultz, Manager

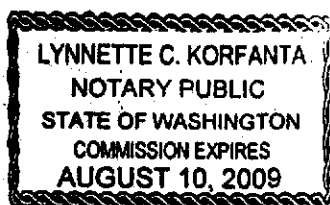
By: Peter J. Poeschel, Sr., Manager

State of Washington  
County of Skagit Snohomish } SS:

I certify that I know or have satisfactory evidence Ronald Schultz and Peter J. Poeschel ~~is~~ are 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 Managing Members of Noretap to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: 12-5-05

Lynnette C. Korfanta  
Notary Public in and for the State of Washington  
Residing at Arlington  
My appointment expires: 8-10-09



# 7029  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

DEC 20 2005

Amount Paid \$ 2141.00  
By [Signature] Skagit Co. Treasurer Deputy

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**Schedule "B-1"**

**EXCEPTIONS:**

**A. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:**

From: Skagit County  
Recorded: February 24, 1953  
As Follows: 359932

"Reserving all roads and railroad grades, if any."

(Affects the subject property and other property)

**B. EASEMENT AND PROVISIONS CONTAINED THEREIN:**

Grantee: Puget Sound Power & Light Co.  
Dated: November 17, 1986  
Recorded: November 18, 1986  
Auditor's No.: 8611180010  
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.  
Location: Various strips of land

**C. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:**

From: Noretap, a General Partnership  
Recorded: October 11, 1988  
Auditor's No.: 8810110042  
As Follows:

Reserves to itself and its heirs and assigns, forever, all minerals of every nature whatsoever, including but not limited to coal, uranium, iron, natural gas and oil upon or under the property legally described on the attached Exhibit "A" pages 1 through 9.

TOGETHER WITH the right to the use of such part of the surface as may be reasonable necessary for the purpose of exploring for (by geological, geophysical or other methods) drilling for, mining, extracting and removing the same, provided however, that the land owner shall be paid, at the time or times such mining operations are commenced, the then fair market value of such portion of the surface as may be used for such operations, including any improvements thereon.

**D. DECLARATION OF EASEMENTS, COVENANTS AND ROAD MAINTENANCE AGREEMENT:**

Dated: February 17, 1989  
Recorded: February 21, 1989  
Auditor's No.: 8902210090  
Executed By: Noretap, a Washington General Partnership, consisting of Peter J. Poeschel and Ronald Schultz

Said Easement was modified and partially rerecorded under Auditor's F



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E. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power and Light Company  
Recorded: November 2, 1956  
Auditor's No.: 543693  
Purpose: Electric transmission and/or distribution line, together with necessary appurtenances  
Area Affected: The Southeast ¼ of the Southwest ¼, EXCEPT the South 100 feet

F. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: State of Washington  
Recorded: December 10, 1975  
Auditor's No.: 827596  
Purpose: Highway slopes  
Area Affected: A portion of the Southwest ¼ of the Southwest ¼

G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: State of Washington  
Recorded: June 22, 1976  
Auditor's No.: 837474  
Purpose: General highway purposes and appurtenances  
Area Affected: Property adjacent to highway

H. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Barthe DeClements, a single woman  
Recorded: March 14, 1989  
Auditor's No.: 8903140053  
Purpose: Ingress, egress and utilities  
Area Affected: Portion of Lots 1 and 2 and other property

Said Instrument is a re-recording of instrument recorded under Auditor's File No. 8902280034.

I. RESERVATION CONTAINED IN DEED

Executed by: Lyman Lumber & Shingle Co., a corporation  
Recorded: May 22, 1929  
Auditor's No.: 223306  
As Follows: First party reserves the right to divert or dam water from creek now flowing over the land hereby conveyed and further reserves all coal and other mineral rights, together with the right of entry and removal thereof  
Affects: A portion of all lots and other property



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J. RESERVATION CONTAINED IN DEED

Executed by: Lyman Lumber & Shingle Co., a corporation  
Recorded: November 9, 1938  
Auditor's No.: 307327  
As Follows: Reserving and excepting for a county road across the said premises a strip of land 60 feet in width at such place as the county commissioners of said county may at any time hereafter establish a county road across said premises  
Affects: A portion of all lots and other property

K. RESERVATION CONTAINED IN DEED

Executed by: John E. Minkler and Sarah Elizabeth Minkler, his wife  
Recorded: May 13, 1952  
Auditor's No.: 475091  
As Follows: Excepting and reserving unto the Grantors, their sellers, heirs, and assigns forever, all minerals of any nature whatsoever, including, but not limited to, coal, iron, natural gas, and oil, upon or in any of said lands, together with the use of such of the surface of such lands as may be necessary for exploring and mining minerals, or otherwise extracting and carrying away the same  
Affects: A portion of all lots and other property

L. 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, or its banks, or which may result from such change in the future.

River/Creek: Wiseman Creek

M. 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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N. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County, Washington, a municipal corporation  
Dated: September 11, 1963  
Recorded: September 19, 1963  
Auditor's No.: 640982  
Purpose: Permanent right to enter, use and excavate gravel from a 100-foot strip adjacent to and parallel with the West bank of Wiseman Creek; also to install a dam 2 feet in height across Wiseman Creek  
Area Affected: Property adjacent to Wiseman Creek

O. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Noretap, a General Partnership, its successors, agents, licensees and assignees  
Dated: June 14, 1990  
Recorded: June 14, 1990  
Auditor's No.: 9006140064  
Purpose: A non-exclusive easement for the installation, maintenance, repair and replacement of a waterline, including any and all appurtenances thereto, over, under and across the subject property  
Area Affected: Access easement over adjacent property

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

Short Plat No.: 96-048  
Recorded: May 6, 2005  
Auditor's No.: 200505060139

Said matters include but are not limited to the following:

1. Short Plat number and date of approval shall be included in all deeds and contracts.
2. Water – Water will be supplied by Bacus Rd. No. 1.
3. Sewage Disposal – Individual on-site septic systems.
4. All maintenance and construction of private roads is the responsibility of the homeowners association with the lot owners as members. Also see Auditor's File Nos. 8902210090, 8910230016 and 200505060140 for exceptions, reservations and maintenance provisions.
5. Change in location of access may necessitate change of address. Contact Skagit County Planning and Permit Center.
6. No building permit for any residential and/or commercial structures which are not, at the time of application, determined to be within an official designated boundary of a Skagit County Fire District.



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7. A Skagit County address Range has been applied to the road system in this subdivision. At the time of application for building and/or access, Skagit County GIS will assign individual addresses in accordance with the provisions of Skagit County Code 15.24.
8. Areas of Lots 1 and 4 are shown as approximate due to inherent inaccuracies in determination and location of water boundaries.
9. SR 20 alignment is from Sheets 8 and 9 for right-of-way, SR 20, Sedro Woolley Easterly, as shown on that certain map of definite location now of record and on file in the office of the Director of Highways at Olympia and bearing date of approval December 2, 1947, revised May 7, 1976.
10. Short Plat is subject to a 20 foot right-of-way easement in favor of Puget Sound Power and Light Company as noted in instrument dated October 31, 1956 and recorded November 2, 1956, under Auditor's File No. 543693. Location and extent not disclosed by instrument and not located by this survey.
11. Easement recorded under Auditor's File No. 8611180008 as shown hereon also includes as constructed and as to be constructed, extended or relocated facilities. Said facilities, if any, are not shown hereon.
12. See instruments recorded under Auditor's File Nos. 475091 and 8810110042 for exceptions and reservations of mineral rights and access thereto.
13. Potential buyers should recognize that Wiseman Creek meanders through this short subdivision and may be subject to periodic channel changes and intermittent flooding. Building sites may be limited based upon Creek channel location.
14. Roof runoff from houses and other outbuildings should be diverted to individual infiltration systems to minimize storm water runoff from this short plat.
15. A 60 foot easement is hereby established across Lot 3 and a portion of Lot 2 for the use of Lots 1 through 4. It is to be used for ingress, egress and utilities.
16. The existing non-useable well on Lot 3 was completed on September 14, 1995 by:  
  
S.R. Staley Well Drilling  
P.O. Box 687  
Stanwood, WA
17. A 60 foot easement shown as Ranae Lane as delineated on Short Plat.
18. A 60 foot easement over Lots 1 and 2 for the benefit of Tracts 47, 48 and 49 and for Lots 1 and 2.

Q. TERMS AND PROVISIONS OF JOINT USE AND MAINTENANCE AGREEMENT:

|                |                  |
|----------------|------------------|
| Recorded:      | May 6, 2005      |
| Auditor's No.: | 200505060140     |
| Affects:       | Lots 1 through 4 |



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### Legal description

The land referred to in this report/policy is situated in the State of Washington, County of Skagit, and is described as follows:

Lot 3 of Skagit County Short Plat No. 96-048, approved May 4, 2005, and recorded May 6, 2005 under Auditor's File No. 200505060139, records of Skagit County, Washington, being a portion of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 11, Township 35 North, Range 5 East, W.M., records of Skagit County, Washington.



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