

AFTER RECORDING MAIL TO:
Albert Lyon and Linda Lyon
2605 River Vista Loop
Mount Vernon, WA 98273



200512300118
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: B84452

Statutory Warranty Deed

Grantor(s): Hansell Mitzel Homes, LLC
Grantee(s): Albert Lyon and Linda Lyon
Lot 21 "North Hill"

FIRST AMERICAN TITLE CO.
B84452E-1

Assessor's Tax Parcel Number(s): 4855-000-021-0000, P122821

THE GRANTOR Hansell Mitzel Homes, LLC for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Albert Lyon and Linda J. Lyon, the following described real estate, situated in the County of Skagit, State of Washington.

husband and wife

Lot 21, Plat of "NORTH HILL PUD" recorded May 5, 2005 under Skagit County Auditor's File No. 200505050094.

SUBJECT TO covenants, conditions, restrictions and easements, as per attached Exhibit "A".

Dated December 15, 2005

Hansell Mitzel Homes, LLC

By: *[Signature]*
Jeff Hansell, Managing Member

7204
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

DEC 30 2005

Amount Paid \$ 7173.38
Skagit Co. Treasurer
By *[Signature]* Deputy

State of Washington
County of Skagit

I certify that I know or have satisfactory evidence Jeff Hansell 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 Member of Hansell Mitzel Homes, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: 12-16-05

[Signature]

Notary Public in and for the State of Wa

Residing at Burlington, WA

My appointment expires: 2-20-07

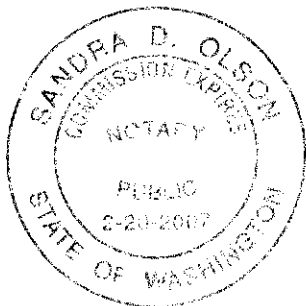


EXHIBIT "A"

EXCEPTIONS:

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

In Favor Of: Paul Hamburg and Flora Hamburg, husband and wife
Recorded: November 12, 1981
Auditor's No: 8111120001
For: Reserving from the above for storm drainage
Affects: Portion of West ½, Northeast ¼, Southwest ¼ of Section 9,
Township 34, Range 4

B. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: Gerald Hamburg, et ux, et al
Recorded: December 19, 2001
Auditor's No: 200112190136

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said notice/agreement may have changed or may in the future change without recorded notice.

C. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Energy
Dated: October 23, 2001
Recorded: November 6, 2001
Auditor's No: 200111060117
Purpose: Right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under the right-of-way
Location: Two 5-foot wide strips of land

D. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy
Dated: May 11, 2004
Recorded: May 14, 2004
Auditor's No.: 200405140159
Purpose: Underground facilities
Area Affected: A 10 foot wide portion of the subject property



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E. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Dated: February 28, 1968
Recorded: April 9, 1968
Auditor's No.: 712213
Executed By: Seattle-First National Bank as Trustee, et al
Affects: That portion obtained from Judy Pedersen via Auditor's File No. 200410050029

F. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Dated: May 5, 2005
Recorded: May 5, 2004
Auditor's No.: 200505050093
Executed By: Hansell Mitzel Homes LLC

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

Plat/Subdivision Name: North Hill PUD
Recorded: May 5, 2005
Auditor's No.: 2005050540094

Said matters include but are not limited to the following:

1. Know all men by these presents that Hansell/Mitzel, LLC, a Washington limited liability company, Horizon Bank, a United States corporation, Gerald Hamburg and Marge A. Hamburg, husband and wife, Eugene R. Marble and Joan Marie Marble, husband and wife, and Olaf A. Gildness and Gayle Gildness, husband and wife, owners in fee simple or contract purchasers and mortgage or lien holders of the land hereby platted, declared this plat and dedicate to the use of the public forever, Tract C for sewer pump station facilities and the streets and avenues, if any, shown 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.

Tracts A, B and D are hereby dedicated to the homeowners association and are subject to the Conditions, Covenants and Restrictions as recorded under Auditor's File No. 200505050093.

2. Easements are granted to Public Utility District No. 1 of Skagit County, Washington, a municipal corporation, its successors or assigns, the perpetual right, privilege and authority enabling the District to do all things necessary or proper in the construction and maintenance of a water and communication line, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with necessary appurtenances for the transportation of water and communication lines or other similar public services over, across, along, in and under the lands as shown on this Plat together with the right of



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ingress to and egress from said lands across adjacent lands of the Grantor; also, the right to cut and/or trim all brush, or other growth standing or growing upon the lands of the grantor which, in the opinion of the District, constitutes a menace or danger to said line(s) or to persons or property by reason of proximity to the line(s). The Grantor agrees that title to all brush, other vegetation or debris trimmed, cut and removed from the easement pursuant to this agreement is vested in the District.

Grantor, its heirs, successors or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the General Manager of the District. Grantor shall conduct its activities and all other activities on Grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easement or in any way interfere with, obstruct or endanger the District's use of the easement.

3. Easements for the purpose of conveying local storm water runoff and sanitary sewer are hereby granted in favor of all abutting private lot owners in the areas designated as private drainage or private sewer easements. The maintenance of private easement established and granted herein shall be the responsibility of and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners, personal representatives and assigns.

Tract A is hereby dedicated as open space and drainage tract. The City of Mount Vernon is hereby granted the right to enter said easements and Tract A for emergency purposes at its own discretion.

4. Setbacks Front Yard – 25' on arterial streets and 20' on all others, corner lots and through lots shall observe the minimum setback on both streets.

Side Yard – 5', the total of the two side yards shall be a minimum of 15'.

Rear Yard – 20'. Building envelopes are shown on Sheet 4 of 4.

5. Sewage Disposal – City of Mount Vernon
Water – Skagit County PUD
Power – Puget Sound Energy
Telephone – Verizon
Gas – Cascade Natural Gas
Cable – Comcast
Storm – City of Mount Vernon
Garbage Collection – City of Mount Vernon. Solid waste collection for lots shall be at the edge of the public right of way.

6. All lots within the subdivision are subject to impact fees for schools, fire, parks and roads, payable upon issuance of a building permit.

7. All lots within this subdivision will access the internal road system. Direct access to Francis Road will not be allowed.

8. Lot 14 is subject to an easement, as shown, for ingress – egress, drainage and utilities over under and across for the benefit of all lots within the plat and the City of Mount Vernon for access to the sewer pump station located on Tract C. No structures or fences may be built in this easement. Said easement is shown and dimensioned on Sheet 3 of 4.



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9. Subject to the Declaration of Covenants, Conditions and Restrictions as recorded under AFN 200505050093, which establishes ownership and maintenance responsibilities for the private drainage and sewer facilities, Tracts A, B and D, trails, landscaping and other common amenities that lie within the Plat of "North Hill".
10. A portion of this plat lies within Flood Zone A-1 as shown on FEMA Map 530158-001-8, dated January 3, 1985. The base flood elevation appears to be 37 feet, NGVD 29. The contour as shown hereon reflects ground conditions in September 2003. Contact the lead agency for finished floor elevations within the flood plain.
11. The City of Mount Vernon is hereby granted and conveyed access over and across Tract A for access to the drainage facilities and sewer pump station (Tract C). Said Tract A is also for the mutual use of the homeowners association for ingress, egress and utilities over, under and across for present and any future amenities or improvements.
12. Tract A is subject to an easement for ingress, egress and utilities over, under and across for the benefit of Lot 28.
13. At this time the sanitary sewer pump station that serves this plat has not been completed. Only the developer of this plat may apply for building permits at this time. No certificate of occupancy will be issued for any homes built in this plat until the sanitary sewer pump station has been completed and accepted by the City Council.
14. No building permits shall be issued on Lots 26, 27 or 28 until all utilities, private roads and access areas have been constructed.
15. Tracts A, B and D and the trail easement area located on Lot 26 shall be maintained by the homeowners association.
16. 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 exterior 10 feet of all lots and tracts abutting all public roads and rights of way 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, together with the right to enter upon the lots and tracts at all times for the purposes stated, with the understanding that any grantee shall be responsible for all unnecessary damage it caused to any real property owner in the subdivision by the exercise of rights and privileges herein granted.
17. The maintenance of private landscape easements established and granted herein shall be the responsibility of and the costs thereof shall be borne equally by the present and future owners of Lots 1 – 28 and their heirs, owners personal representatives and assigns.
18. Delineation of building envelope areas.
19. Delineation of utility, drainage, sewer and landscape easements affecting various lots and portions of subject plat. Said plat should be reviewed for full particulars pertaining to such matters.



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