



200601040091
Skagit County Auditor

1/4/2006 Page 1 of 5 2:08PM

AFTER RECORDING MAIL TO:
John O. Ahrnsbrak Trustee of the John O. Ahrnsbrak Trust
1902 30th Street
Mount Vernon, WA 98273

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: 86955

FIRST AMERICAN TITLE CO.

86955

Statutory Warranty Deed

Grantor(s): Landmark Building and Development, Inc.
Grantee(s): John O. Ahrnsbrak Trustee of the John O. Ahrnsbrak Trust
Lot 22, "PLAT OF T J TOWNHOUSES"
Assessor's Tax Parcel Number(s): 4769-000-022-0000, P117609

THE GRANTOR Landmark Building and Development, Inc., for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION* in hand paid, conveys and warrants to John O. Ahrnsbrak, Trustee of the John O. Ahrnsbrak Trust the following described real estate, situated in the County of Skagit, State of Washington.

*as part of a 1031 Tax Deferree Exchange

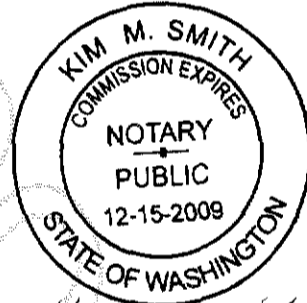
Lot 22, "PLAT OF T J TOWNHOUSES", as recorded November 30, 2000, under Skagit Auditor's File No. 200011300053, records of Skagit County, Washington.

Subject to paragraphs A thru K of Schedule B-1 of First American Title Company's preliminary commitment no. 86955 attached hereto.

Dated December 28, 2005

Landmark Building and Development, Inc.

Diane Koffhus
By: Diane Koffhus, Accounts Manager



State of Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence Diane Koffhus is 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 Account Manager of Landmark Building Dev. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: January 3, 2006

Kim M. Smith
Notary Public in and for the State of Washington
Residing at Mount Vernon
My appointment expires: 12/15/09

28
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JAN 04 2006

Amount Paid \$ 2675.00
Skagit Co. Treasurer
By [Signature] Deputy

Schedule "B-1"

EXCEPTIONS:

A. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Continental Telephone Company of the Northwest
 Dated: July 20, 1977
 Recorded: July 22, 1977
 Auditor's No: 861138
 Purpose: Construct, maintain, etc., a telephone line

B. Reservations contained in Deed from the State of Washington recorded under Auditor's File No. 67757, reserving to the Grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same and providing that such rights shall not be exercised until provision has been made for full payment of all damages sustained by reason of such entry.

C. EASEMENT AND PROVISIONS CONTAINED THEREIN:

Grantee: Puget Sound Power & Light Company
 Recorded: November 5, 1985
 Auditor's No: 8511050076
 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

Said instrument is a re-recording of instrument recorded under Auditor's File No. 8510170069.

D. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company
 Dated: May 22, 1986
 Recorded: July 2, 1986
 Auditor's No: 8607020048
 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

E. TERMS AND CONDITIONS OF ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON:

Ordinance: 2394-A
 Regarding: Land Use
 Recorded: September 13, 1990
 Auditor's No.: 9009130055

(Said Ordinance is to Amend Ordinance No. 1934, regarding re-zoning)



200601040091
 Skagit County Auditor

Order No: 86955

F. TERMS AND CONDITIONS OF ORDINANCE OF THE CITY OF MOUNT VERNON,
WASHINGTON:

Ordinance: 2934
Regarding: Land Use/Zoning
Recorded: March 2, 1999
Auditor's No.: 9903020122

G. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County, Washington, a
Municipal Corporation
Dated: January 26, 2000
Recorded: January 27, 2000
Auditor's No: 200001270030
Purpose: Water Pipeline Easement

H. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc.
Dated: September 12, 2000
Recorded: September 12, 2000
Auditor's No: 200009120116
Purpose: "...utility systems for purposes of transmission, distribution
and sale of gas and electricity. . ."
Area Affected:

The West 5 acres of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 16,
Township 34 North, Range 4 East, W.M., EXCEPT that portion thereof lying within the right-of-way for
State Highway No. 538, commonly known as College Way along the South line thereof, AND ALSO
EXCEPT that portion thereof conveyed to the State of Washington for State Route 538, by Deed recorded
under Auditor's File No. 8607080049, records of Skagit County, Washington.



200601040091
Skagit County Auditor

1/4/2006 Page

3 of 5 2:08PM

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

Plat/Subdivision Name: Plat of TJ Townhouses
Recorded: November 30, 2000
Auditor's No: 200011300053

Said matters include but are not limited to the following:

1. An easement is hereby reserved for and granted to Public Utility District No. 1 of Skagit County, Puget Sound Energy, Inc., TCI Cablevision of Washington, Inc., GTE Northwest, Inc., Cascade Natural Gas Corp. and the City of Mount Vernon and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots and other easements AND upon the exterior twenty (20) feet of front boundary lines of all lots and other easements fronting the street bubbles (Lots 11 - 34), all as shown on the face of the plat, in which to install, lay, construct, renew, operate, maintain and remove utility systems, drainage 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 at all times for the purposes stated, with the understanding that any grantee shall be responsible for all unnecessary damage it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted.

2. Those areas designated "Category III Stream & Wetland Buffer" are for landscaping, maintained in its natural state by the property owners and preserved free of buildings or structures in accordance with the NGPA Easement restrictions hereinabove.

3. No clearing, grading or filling of any kind, building construction or placement, or road construction shall occur within any Native Growth Protection Area, (NGPA designated as "Wetland Buffer and Drainage Easement" area upon the face of the plat) without first obtaining a permit from the Army Corps of Engineers. Removal of trees by the owner shall be limited to those which are dead, diseased or hazardous.

Upon satisfaction of Note 11 herein by the developer, each individual lot owner shall hereafter be responsible for maintaining and repairing those Native Growth Protection Areas situated upon their lot or lots and are hereby required to leave said areas undisturbed in a natural state.

By acceptance of the easement for the purposes described, the plat developer and the City of Mount Vernon do not accept or assume any liability of acts or omissions of the fee owners, his or her invitees, licensees or other third parties within the easement area. Lot owners shall hold the developer and the City of Mount Vernon harmless from any damage or injury to any property or person by any person entering the easement area not expressly authorized to do so by the provisions of this plat.

4. An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designated as "Private Drainage Easements" and/or "Wetland Buffer and Drainage Easements". The maintenance of private drainage easements established and granted herein shall be the responsibility of, the costs thereof shall be borne equally by, the present and future owners of the abutting property and their heirs, personal representatives and assigns.

Those private drainage easements lying within the boundaries of the wetland areas shown upon the face of the plat, shall be subject to the conditions as stipulated within the Native Growth Protection Area Easement hereinabove.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.



200601040091
Skagit County Auditor

- 5. Sanitary sewer easement
- 6. Utility easement
- 7. Pond access easement
- 8. Wetland Buffer and drainage Easement
- 9. Curve segment area dedicated to City for sidewalk purposes
- 10. Any lot within this subdivision will be subject to impact fees payable upon issuance of a building permit to a non-senior or payable upon transfer of title to a non-senior. Auditor's File No. 200009120118.
- 11. This plat has been approved by the City of Mount Vernon subject to the following conditions: (A) All future purchase agreements, contracts and or deeds involving properties contained within this plat. EXCEPT Lot 35, shall contain language that requires purchasers to contact appropriate agencies and to ensure that all necessary critical areas permits have been obtained. (B) No building permits will be issued on Lots 1 through 34, inclusive, of this subdivision until such time that all wetland mitigation plans, wetland mitigation sites, and wetland mitigation permits have been approved by all appropriate agencies.
- 12. Building set back lines
- 13. Retaining pond easement affecting Lots 33-35.

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

Dated: October 30, 2001
 Recorded: October 30, 2001
 Auditor's No: 200110300103
 Executed by: Pasquale J. Senatore; SFG Income Fund IV, L.L.C.; Larry Canaan Profit Sharing and Retirement Trust; and Frontier Bank

Said instrument was modified by instrument recorded May 8, 2003 under Auditor's File No. 200305080235.

K. TERMS AND CONDITIONS OF LETTER:

Dated: April 18, 2002
 Recorded: April 25, 2002
 Auditor's No.: 200204250057



200601040091
Skagit County Auditor