

**AFTER RECORDING MAIL TO:**

Business Bank of Skagit County  
1888 S. Burlington Blvd  
Burlington, Wa. 98233



200601130146  
Skagit County Auditor

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Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: B87127

**Statutory Warranty Deed**

Grantor(s): BDM Properties LLC

FIRST AMERICAN TITLE CO.

Grantee(s): Business Bank of Skagit County  
Parcel B, "B-D-M BINDING SITE PLAN"

Assessor's Tax Parcel Number(s): 8057-000-002-0000, P122960

B87127E-3

THE GRANTOR BDM Properties LLC, a Washington limited liability company for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Business Bank of Skagit County the following described real estate, situated in the County of Skagit, State of Washington.

Parcel B, "City of Burlington Binding Site Plan labeled "B-D-M BINDING SITE PLAN", approved May 23, 2005 and recorded May 26, 2005, as Skagit County Auditor's File No. 200505260114.

Subject to covenants, conditions, restrictions and easements, if any, as per attached Exhibit "A"

Dated : January 12, 2006

BDM Properties LLC

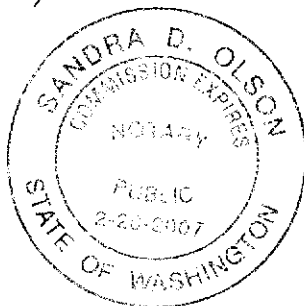
DAN R. MITZEL by AS Duble POA  
By: Dan R. Mitzel, Managing Member

Colonel F. Betz  
By: Colonel F. Betz, Managing Member

State of Washington }  
County of Skagit } SS:

I certify that I know or have satisfactory evidence Colonel F. Betz 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 BDM Properties LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: 1-12-06



Sandra D. Olson  
Notary Public in and for the State of Washington  
Residing at Burlington WA  
My appointment expires: 2-20-07

# 201  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JAN 13 2006

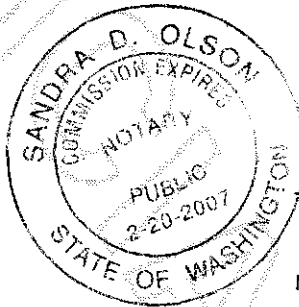
Amount Paid \$ 3,294.45  
By PR Skagit Co. Treasurer  
Dep'ty

STATE OF WASHINGTON, }  
County of Skagit } ss.

ACKNOWLEDGMENT - Attorney in Fact

On this 12<sup>th</sup> day of January, 2006, before me personally appeared Donald DeBode to me known to be the individual who executed the foregoing instrument as Attorney in Fact for Dan & Mitzi as Marrying Members and acknowledged that (he/she) signed the same as (his/her) free and voluntary act and deed as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that said principal is now living and is not insane.

GIVEN under my hand and official seal the day and year last above written.



Sandra Olson  
Notary Public in and for the State of Washington,  
residing at Burlington WA  
My appointment expires 2-20-07

STATE OF WASHINGTON, }  
County of \_\_\_\_\_ } ss.

ACKNOWLEDGMENT - Attorney in Fact

On this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, before me personally appeared \_\_\_\_\_ to me known to be the individual who executed the foregoing instrument as Attorney in Fact for \_\_\_\_\_ and acknowledged that (he/she) signed the same as (his/her) free and voluntary act and deed as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that said principal is now living and is not insane.

GIVEN under my hand and official seal the day and year last above written.

\_\_\_\_\_  
Notary Public in and for the State of Washington,  
residing at \_\_\_\_\_

My appointment expires \_\_\_\_\_



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**EXCEPTIONS:**

**A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:**

Grantee: The Pacific Telephone and Telegraph Company  
Dated: April 8, 1927  
Recorded: May 13, 1927  
Auditor's No.: 203675  
Purpose: The right to place and maintain one anchor with the necessary wires and fixtures thereon, and to keep same free from foliage  
Area Affected: Not disclosed

**B. EASEMENT AND PROVISIONS THEREIN:**

Grantee: Puget Sound Power & Light Company  
Dated: June 14, 1988  
Recorded: June 20, 1988  
Auditor's No.: 8806200041  
Purpose: Right to enter said premises to operate, maintain, 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: Parcels B, D and E of Binding Site Plan

**C. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:**

Grantee: City of Burlington, a Municipal Corporation  
Dated: July 6, 2000  
Recorded: January 19, 2001  
Auditor's No.: 200101190085  
Purpose: Slope and Road Improvement  
Area Affected: Parcels A, B and F of Binding Site Plan

Said instrument is a re-recording of instrument recorded under Auditor's File No. 200011210097.

**D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Grantee: Puget Sound Energy, Inc.  
Dated: March 16, 2005  
Recorded: March 21, 2005  
Auditor's No.: 200503210116  
Purpose: "...utility systems for purposes of transmission, distribution and sale of electricity..."  
Area Affected: Ten (10) foot wide portions of the subject property



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E. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING  
BINDING SITE PLAN:

Binding Site Plan

B-D-M Binding Site Plan

Recorded:

May 26, 2005

Auditor's No.:

200505260114

Said matters include but are not limited to the following:

1. Ten (10) foot wide utility easement on the West line of Parcels A, B and F.
2. Existing gravel driveway on Parcels A, C, D and E.
3. Mislocated fence line on South line of Parcels D and E.
4. Existing utility lines and implied easements shown on page 3 of Binding Site Plan.
5. Provisions contained in the Dedication of the Binding Site Plan as follows: "...dedicate to the use of the public forever, 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."
6. Utility Easement shown on page 1 of the Binding Site Plan, as follows: "An easement is hereby reserved for and granted to the City of Burlington, 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."
7. Private Drainage and Sewer Easements shown on page 1 of the Binding Site Plan, as follows: "Easements for the purpose of conveying local storm water runoff and sanitary sewer are hereby granted and conveyed in favor of all lot owners, over, under and across all lots shown hereon. The maintenance of private 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 all lot owners and their heirs, owners personal representatives and assigns. The City of Burlington is hereby granted the right to enter said easements for emergency purposes at its own discretion."
8. Note regarding existing VFW building, as follows: "Existing VFW building to be removed prior to any new construction." (Affects Parcels B and E)
9. Notes as shown on page 1 of the Binding Site Plan, as follows:

--All lots within this Binding Site Plan are subject to impact fees for schools, fire, parks and roads, payable upon issuance of a building permit.



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--This survey has depicted existing fence lines and other occupational indicators in accordance with W.A.C. Ch. 332.130. These occupational indicators may indicate a potential for claims of unwritten title ownership. The legal resolution of ownership based upon unwritten title claims has not been resolved by this boundary survey.

--Buyer should be aware that this Binding Site Plan is located in the flood plain of the Skagit River and significant elevation may be necessary for the first floor of construction. Contact the City of Burlington Building Department for finished floor elevations.

F. DECLARATION OF EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Recorded: October 18, 2005  
Auditor's No.: 200510180088  
Purpose: Temporary ingress, egress, parking and utilities  
Area Affected: Not disclosed

G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County,  
Washington, a Municipal Corporation  
Dated: November 22, 2005  
Recorded: December 8, 2005  
Auditor's No.: 200512080035  
Purpose: Construction and maintenance of a water and  
communication, lines or other similar public services  
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 and  
control of water and electronic information  
Area Affected: A portion of the subject property

H. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, BUT OMITTING  
RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL  
ORIGIN:

Recorded: January 13, 2006  
Auditor's No.: 200601130144



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