

AFTER RECORDING MAIL TO:  
Mr. Russell J. Pinard  
42006 CEDAR ST.  
CONCRETE, WA 98237



200601130161  
Skagit County Auditor

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200601050070  
Skagit County Auditor

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Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: B86439

### Statutory Warranty Deed

This document is being re recorded to correct Grantor's name

Grantor(s): Harry R. Goodrich Jr.  
Grantee(s): Russell J. Pinard  
Assessor's Tax Parcel Number(s): P63423, 3869-014-004-0001

FIRST AMERICAN TITLE CO.  
B86439E-2

Harry  
THE GRANTOR ~~Henry R. Goodrich, Jr.~~, an unmarried man for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Russell J. Pinard and Melodey Pinard, / the following described real estate, situated in the County of Skagit, State of Washington. husband and wife

Lot 4, Block N, "CAPE HORN ON THE SKAGIT DIVISION NO. 2", as per plat recorded in Volume 9 of Plats, pages 14 through 19, inclusive, records of Skagit County, Washington.

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

Dated: 12/23/05

Harry R. Goodrich Jr.  
Harry R. Goodrich Jr.

# 52  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JAN 05 2006

Amount Paid \$ 1903.00  
By Skagit Co. Treasurer Deputy

STATE OF Washington }  
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that Harry R. Goodrich Jr., the persons who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 12-27-05

B. Elizabeth Thompson

Notary Public in and for the State of Washington  
Residing at Ferndale  
My appointment expires: 06/19/07

NOTARY PUBLIC  
STATE OF WASHINGTON  
B. ELIZABETH THOMPSON  
My Appointment Expires  
JUNE 19, 2007

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

# 204  
JAN 13 2006

Amount Paid \$  
By Skagit Co. Treasurer Deputy

EXHIBIT "A"

**EXCEPTIONS:**

A. CONDITIONS AND RESTRICTIONS CONTAINED IN AN INSTRUMENT, FILED JULY 13, 1965, AS AUDITOR'S FILE NO. 668869 READING AS FOLLOWS:

- "1. Lot owners to be advised that those areas indicated on the plat as being below elevation 140.0 feet, are subject to infrequent periodic inundation and buildings constructed therein should maintain a floor elevation above 140.0 feet.
2. The exterior of all buildings to have a completed appearance within one year from date of starting.
3. Lot owners shall be responsible for placing wells and septic tank drainfields in accordance with the master plan as on file with the Cape Horn Maintenance Company. A minimum of 100 feet shall be maintained between all drainfields and wells. All work to be in accordance with Skagit County Regulations.
4. All lots shall be subject to the Articles and By-Laws of the Cape Horn Maintenance Company."

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

Plat/Subdivision Name: Cape Horn on the Skagit  
Recorded: July 13, 1965  
Auditor's No.: 668870

Said matters include but are not limited to the following:

1. "The Platters do hereby declare this plat and dedicate to the public forever all roads and ways and that 40 foot easement along the river shown hereon with the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon, following original reasonable grading of the roads and ways hereon, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner."
2. "Skagit County shall not be responsible for any flood control improvements."

C. EASEMENT, INCLUDING TERMS & PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company, a corporation  
Purpose: Transmission line with appurtenances  
Dated: July 7, 1965  
Recorded: August 17, 1965  
Auditor's No.: 670429  
Affects: As constructed and extended in the future at the consent of Grantee and Grantor

D. RESTRICTIONS ON OTHER LOTS IN SAID PLAT IMPOSED BY VARIOUS INSTRUMENTS OF RECORD WHICH MAY BE NOTICE OF A GENERAL PLAN AS FOLLOWS:

"Grantees covenant and agree that the above described real estate shall be subject to the charges and assessments as provided for in and for the purposes set forth in the Articles of Incorporation and the By-Laws of the Cape Horn Maintenance Co., a nonprofit, non-stock Washington corporation and that said corporation shall have a valid first lien against the above described real estate for said charges and assessments; and, in addition to the remedies set forth in said Articles of Incorporation and By-Laws, that if said charges and assessments levied by said corporation shall not be paid within four (4) months after they shall become due and payable, then said corporation may proceed by appropriate action to foreclose its lien together with such sum as the court may adjudge reasonable attorneys fees in such action. The grantee hereby acknowledges receipt of copies of said Articles of Incorporation and By-Laws of the Cape Horn Maintenance Co. This provision is a covenant running with the land and is binding on the grantees, their heirs, successors and assigns.



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SUBJECT TO:

- (a) Restrictions, reservations, agreements and easements of record and as shown on the face of said recorded plat.
- (b) Use of said property for residential purposes only.
- (c) Questions that may arise due to shifting of Skagit River."

E. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS:

Declaration Dated: September 20, 1976  
Recorded: December 14, 1976  
Auditor's No.: 847451  
Executed By: Cape Horn Maintenance Company

F. Any question that may arise due to shifting or changing in course of the Skagit River.  
(Affects those lots abutting the River)

G. Declaration of Covenant recorded June 21, 1993 under Auditor's File No. 9306210022 regarding well and waterworks located on the "Community Park" area.

H. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

From: John W. Smith and Joyce E. Smith, husband and wife  
Recorded: April 21, 1994  
Auditor's No.: 9404210062  
As Follows:

Optional Provision -- If Seller herein decides to sell this Contract, Buyer herein shall first right of refusal to buy the Contract at a price a disinterested third party would pay for a like real estate contract located in Skagit Valley, Skagit County.

I. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING RECORDED SURVEY:

Recorded: May 16, 2003  
Auditor's No.: 200305160132

Said matters include but are not limited to the following:

1. Location of "Aborvitae"

Note # 1.: We note the following recorded documents which may affect building or land use. Governmental regulations are not a matter of title insurance and said documents are shown as a courtesy only. Reference is made to the record for the full particulars. Matters set forth in said notice/agreement (s) may have expired, changed or may change in the future without recorded notice.

Auditor's File No.: 200212170068  
Document Title: Mitigation Plan  
Regarding: Public water system wellhead protection area



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