

AFTER RECORDING MAIL TO:

**Mr. and Mrs. Michael P. Aiken, Diana Berge, Vice President
2204 Riverside Drive, Suite 120
Mount Vernon, WA 98273**



200601250122
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: b87004

FIRST AMERICAN TITLE CO.

Statutory Warranty Deed B87004E-1

**Grantor(s): Kenneth L. Frye, Brett R. Bessner and Jennifer E. Bessner
Grantee(s): Michael P. Aiken, Cherri Aiken
Assessor's Tax Parcel Number(s): 340418-0-39-0200, P107829**

THE GRANTOR Kenneth L. Frye, as his separate estate, Brett R. Bessner and Jennifer E. Bessner, formerly husband and wife, as Tenants in Common for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION and as Part of an IRS 1031 Tax Deferred Exchange in hand paid, conveys and warrants to Michael P. Aiken and Cherri Aiken, husband and wife, the following described real estate, situated in the County of Skagit, State of Washington.

Lot 3 of City of Mount Vernon Short Plat No. MV-2-95, approved June 27, 1995, recorded June 27, 1995, in Volume 11, pages 224 – 226 of Short Plats, under Auditor's File No. 9506270067, being a portion of Government Lot 8, and a portion of the Northeast ¼ of the Southeast ¼ of Section 18, Township 34 North, Range 4 East, W.M., Skagit County, Washington.

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

Dated: 01/10/06

Kenneth L. Frye

Jennifer E. Bessner

Brett R. Bessner

#382
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

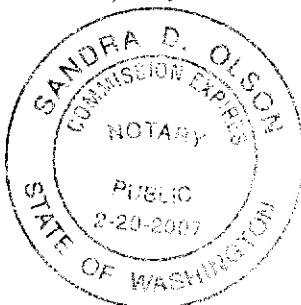
JAN 25 2006

Amount Paid \$ 3120⁰⁰
By Skagit Co. Treasurer
Deputy

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that Kenneth L. Frye, Brett R. Bessner and Jennifer E. Bessner, 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: 1-24-06



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

EXHIBIT "A"

EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Co.
Dated: January 7, 1930
Recorded: January 11, 1930
Auditor's No.: 230044
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
Area Affected: A portion of the subject property

B. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: State of Washington
Dated: August 27, 1947
Recorded: October 25, 1947
Auditor's No.: 410380
Purpose: Easement for Highway Slopes and Sidewalk Areas
Area Affected: A strip of land 7 feet wide situated parallel with, adjacent to and adjoining the Westerly right-of-way line of said Highway

C. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: City of Mount Vernon, a Municipal Corporation of the State of Washington
And: Scott Colglazier and Tammy Colglazier, husband and wife, et al
Dated: June 16, 1995
Recorded: June 27, 1995
Auditor's No.: 9506270068
Regarding: Formation of Local Improvement District

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

Short Plat No.: MV-2-95
Recorded: June 27, 1995
Auditor's No.: 9506270067

Said matters include but are not limited to the following:

1. The maintenance of the private drainage systems as existing or re-established shall be the responsibility of, the cost thereof shall be borne proportionately upon usage by, the present and future owners of the abutting property and their heirs, personal representatives and assigns.
2. The City of Mount Vernon is hereby granted the right to access to said systems for emergency purposes at its own discretion.
3. Lot 3 shall be allowed continued service by those existing utilities across Lot 2 until such time that future development upon said Lot 2 prohibits same, at which time the 15 foot wide utility easement to Lot 3 depicted hereon across Lots 1 and 2, may be utilized. Said utility replacement costs shall be borne by Lot 3.
4. Let it hereby be known that the required dedication of an additional 10 feet of property along Willow Lane for right-of-way purposes referred to hereon as Tract "B" of the Short Plat, will create non-conforming setbacks of existing buildings. The City of Mount Vernon will not require the alteration of any existing building in any way to correct this situation until such future time that these existing buildings are demolished or significantly altered in some way. Any such demolition or significant alteration will require conformance with the newly established right-of-way line.
5. Street and Storm Drainage improvements including appurtenances to Riverside Drive and Willow Lane may be required prior to issuance of Building Permits on Lots 1, 2 and 3.



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6. Short Plat Number and Date of Approval shall be included Deeds and Contracts.
7. Sewage Disposal by Mount Vernon City Sewer.
8. Water by Skagit County Public Utility District No. 1.
9. The Meridian for this survey is based upon existing monumentation on the East line of the Southeast $\frac{1}{4}$ of Section 18, Township 34 North, Range 4 East, W.M., as being North 0 degrees 30" East.
10. Buyer should be aware that this Short Plat is located in the floodplain and significant elevation may be required for new building construction.
11. No buildings exist upon Tract "A" of this Short Plat to date. Said Tract "A" is to be combined or aggregated with contiguous property.
12. Tract "B" of this Short Plat is a 10 foot wide strip of land dedicated herein to the City of Mount Vernon as additional street right-of-way. See DEDICATION and SPECIAL PROVISIONS hereon.
13. Tract "A" is not to be considered a separate building Lot.
14. An easement is hereby reserved for and granted to the Puget Sound Power & Light Company, GTE Northwest, the Cascade Natural Gas Corporation, the Public Utility District No. 1 of Skagit County, TCI Cablevision of Washington, Inc., and their respective successors or assigns, under and upon the exterior 7 feet parallel and adjacent to the street frontage of Lots 1, 2 and 3 of this Short Plat, 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 this Short Plat and other property with electric, telephone, gas, water and television service 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 causes to any real property owner in the Short Plat by the exercise of rights and privileges herein granted.
15. Impact fee notice as stipulated on face of Short Plat indicate that all lots within said subdivision are subject to impact fees payable on issuance of building permits.
16. Utility easement affecting the Easterly 7 feet of Lot 3.
17. Right of the public to make necessary slopes for cuts or fills upon said premises in the reasonable original grading of streets, alleys and roads, as dedicated in the plat.



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