

AFTER RECORDING MAIL TO:

MIKE OBRIEN and ANNIE OBRIEN
20558 CASCADE RIDGE
MT. VERNON, WA 98274



200602130186

Skagit County Auditor

2/13/2006 Page

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5 2:01PM

STATUTORY WARRANTY DEED

Escrow No. 26033

Title Order No.

Legal Description (abbreviated):

FIRST AMERICAN TITLE CO.

87354

THE GRANTOR(S) GILBERT EMORY and LOIS EMORY, husband and wife

for and in consideration of Ten Dollars and other good and valuable consideration

in hand paid, conveys and warrants to Michael A. Annette L.
~~MIKE~~ OBRIEN and ~~ANNIE~~ OBRIEN, husband and wife

the following described real estate, situated in the County of Skagit, State of Washington:

Lot 1 of Skagit County Short Plat No. 99-0034, recorded December 10, 2001, under Auditor's File No. 200112100228, records of Skagit County, Washington; and being a portion of the North 1/2 of the Northeast 1/4 of Section 31, Township 33 North, Range 4 East, W.M.; TOGETHER WITH a non-exclusive easement for access and utilities over and across a 60 foot strip and driveway easement as shown on the face of the Short Plat.

SITUATED IN THE STATE OF WASHINGTON, COUNTY OF SKAGIT

Assessor's Property Tax Parcel/Account Number(s): 33043110010300 P118728)

SUBJECT TO: SCHEDULE B-1

Dated: February 7, 2006

Gilbert Emory
GILBERT EMORY

Lois Emory
LOIS EMORY

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

FEB 13 2006

Amount Paid \$ 2230.00
Skagit County Treasurer
By: man Deputy

STATE OF Washington

) ss.

COUNTY OF Skagit

I certify that I know or have satisfactory evidence that GILBERT EMORY and LOIS EMORY is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

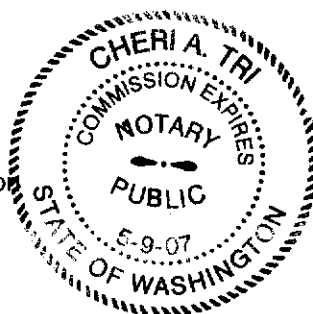
Dated: 10th day of February, 2006

Cheri A. Tri

CHERI A. TRI

Notary Public in and for the State of Washington
residing at EVERETT

My Commission Expires: 05/09/07



Schedule "B-1"

EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Dike District No. 16, Skagit County, Washington
Dated: May 22, 1950
Recorded: May 24, 1950
Auditor's No.: 446028
Purpose: Borrow pits and remove from earth, sand, rock, gravel and materials for the uses and purposes in building, repairing and maintaining its system of dikes for said District and to use the private road
Area Affected: Undisclosed portion of the Northeast ¼

B. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Howard Curtis Tronsdal and Deanne M. Tronsdal, husband and wife
Dated: May 1999
Recorded: December 9, 1999
Auditor's No.: 199912090063
Purpose: A non-exclusive easement for the construction, reconstruction, repair and maintenance of a septic drainfield over, under and across the following described tract.
Area Affected: The North 100.00 feet of the South 267.10 feet of the East 150.00 feet of the Northwest ¼ of the Northeast ¼ of Section 31, Township 33 North, Range 4 East, W.M.

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

Plat/Subdivision Name: 99-0034
Recorded: December 10, 2001
Auditor's No.: 200112100228

Said matters include but are not limited to the following:

1. A non-exclusive easement is hereby reserved for and granted to Puget Sound Energy, the GTE Systems of the Northwest, the Cascade Natural Gas Corporation, the Public Utility District No. 1 of Skagit County, and TCI Cablevision of Washington, Inc., and their respective successors or assigns, under and upon the private road located in this Short Plat and the exterior seven (7) feet parallel and adjacent to the private road frontage of all lots in which to install, lay, construct, renew, operate and maintain underground conduits, cables, and wires with necessary facilities and other equipment for the purpose of serving the subdivision 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 purpose stated.



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2. A non-exclusive ingress, egress and utilities easement is hereby reserved for and granted to Lots 1 through 3 as shown hereon. Maintenance responsibilities shall be as set forth in Declaration and Agreement recorded under Auditor's File No. 200112100230.

3. A well protection zone easement is hereby reserved for and granted to Lot 4 around the existing well on Lot 4 as shown hereon.

The proposed well locations shown hereon are not based on actual constructed wells. The well protection zones may require revision if the well cannot be located as proposed. If moved, the 100 foot radius well protection zone shall not extend beyond the subdivision exterior boundaries without written consent and recorded well protection covenant from the affected property owner(s). After installation of any water well to serve lots within this subdivision, all owner(s) and successors agree to maintain 100 foot well protection zones in compliance with current state and local well siting and construction regulations, which at a minimum, prevent installation of drainfields within the well protection zone. The revision of the well protection zone location is a private matter between the affected lot owners and does not require a plat alteration.

Future wells for Lots 1 and 2 shall have a 5 gal/min limiting flow valve installed. Verification must be provided to Skagit County Planning and Permit Center that the 5 gal/min limiting flow valve has been installed on new wells as they are drilled.

For all 100' radius well protection zones depicted hereon, easements are hereby granted that encompass all well protection zones represented on this map to serve the prospective wells and well owners.

4. The method of sewage disposal shall be by individual septic drainfield systems. Lots 1 through 4, of this Short Plat are vacant to date. The required soil logs for all lots have been prepared by David Mitchell of Northwest Septic, for Curt Tronsdal, and have been submitted to and remain on file with the Skagit County Permit Center. (Refer also to Note 3 of Restrictions).

5. Water of sufficient quantity and/or quality for Lot 4 is currently being provided by an existing well on Lot 4, as shown hereon.

Water for Lots 1 through 3, will be supplied from individual water systems. Contact the Skagit County Planning and Permit Center to determine if additional water quality or quantity testing will be required for building permit approvals. Skagit County requires a 100 foot radius well protection zone for new individual water systems. The 100' radius well protection zone must be located entirely on the proposed lot owned in fee simple, or the owner must have the right to exercise complete sanitary control of the land through other legal provisions, such as recorded covenants or easements. Present and future owners of lots with an existing well shall preserve a 100 foot radius well protection zone for existing well improvement or replacement.

6. The Short Plat Number and Date of Approval shall be included in all Deeds and Contracts.

7. No building permit shall be issued for any residential and/or commercial structures which are not at the time of application determined to be within an official designated boundary of a Skagit County Fire District.

8. Alternative on-site sewage disposal system may have special design, construction and maintenance requirements. See Skagit County Health Officer for details.

9. All maintenance and construction of the private road as shown hereon is the responsibility of the owner(s) of Lots 1 through 3. The responsibility of maintenance shall be in direct relationship to usage of road in accordance with that Declaration and Agreement for Road, Drainage and Utilities Maintenance recorded under Auditor's File No. 200112100230, records of Skagit County.



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10. Change in location of access may necessitate change of address. Contact Skagit County Planning & Permit Center.

11. Be hereby notified that in consideration of Skagit County Code (SCC) 14.08.118, whereby one in four lots within a Short Card Subdivision be held in open space, the owner of Lot 4 of this Short Plat shall be limited to residential development within that area described as "Lot 4 buildable area" as delineated on Sheet 2 herein. The remainder of the land within Lot 4 shall be further limited as follows:

- (a) In accordance with SCC 14.08.118(9)(b)(iii), no further platting of the open space area designated OS-FD shall be permitted until it is needed for future urban growth as determined through the comprehensive plan amendment process.
- (b) In accordance with SCC 14.08.118(9)(c)(ii)(a), the open space designated OS-FD shall remain essentially unimproved, with the exception of the private road, common well, and existing driveway as constructed or to be installed lying within said OS-FD.
- (c) In accordance with SCC 14.08.118(9)(c)(ii)(b), only a portion of the open space area designated OS-FD shall be used for future density computations.
- (d) In accordance with SCC 14.08.118(9)(b)(ii), open space area designated OS-PA are to follow the parameters set forth in SCC 14.06 for conservation and maintenance.
- (e) In accordance with SCC 14.08.118(9)(c)(ii), open space areas designated OS-PA shall remain essentially unimproved with no building or other development allowed.

12. Subject to request for Administrative Decision File No. PL99-0347 dated and approved June 6th, 1999, which allows for Lot 4 to be separated from Lots 1 through 3.

13. Subject to Protected Critical Area Agreement recorded under Auditor's File No. 200112100229.

14. This parcel lies within 300 feet of land designated resource lands by Skagit County. A variety of natural resource land activities occur in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, or from spraying, pruning, harvesting, or extraction which occasionally generate dust, smoke, noise, and odor. Skagit County has established resource uses as priority uses on designated natural resource lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary natural resource operations when performed in compliance with best management practices and local, state and federal laws.

15. All future development will be required to sign and record a natural resources waiver with the title of the property.

16. In no case shall the County accept a dedication or any obligation as to any such road, street and/or alley until the same and all roads, streets and/or alleys connecting the same to the full, current County Road system have been brought to full County Road standards and a right-of-way deed has been transferred to and accepted by the County.

17. A 7 foot utility easement adjacent to private road.

18. Access locations.

19. 30'X40' shared driveway easement affecting Lots 2 and 3.



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20. Well protection zones.

21. Locations of wetlands and critical slopes, wetland buffers, wetland boundaries.

22. Location of existing structures and existing gravel driveways.

D. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County
Dated: August 6, 2001
Recorded: December 10, 2001
Auditor's No.: 200112100229
Purpose: Protected critical area easement together with the right of ingress and egress to and from for the purpose of monitoring and enforcing proper operation and maintenance
Area Affected: Portion of the subject property

E. DECLARATION OF EASEMENTS, COVENANTS AND ROAD MAINTENANCE AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREOF:

Dated: November 13, 2001
Recorded: December 10, 2001
Auditor's No.: 200112100230
Affects: Portion of the subject property



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