

When recorded return to:

David J. Kiersky, Trustee
2211 Oregon Avenue
Anacortes, WA 98221

Recorded at the request of:
First American Title
File Number: A87645



200603310116
Skagit County Auditor

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Statutory Warranty Deed

THE GRANTOR Aialik Bay Partners for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to David J. Kiersky, Trustee of the David J. Kiersky Living Trust dated February 9, 2001 the following described real estate, situated in the County of Skagit, State of Washington.

Abbreviated Legal:

Ptn. Lots 11 through 15, Block 280, "MAP OF THE CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON" (aka Lot D)

FIRST AMERICAN TITLE CO.

Tax Parcel Number(s): P122685, 3780-009-011-0600

A87645E-2

All that part of Lots 11 through 15, Block 280, "MAP OF THE CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON", according to the plat thereof recorded in Volume 2 of Plats, page 4, records of Skagit County, Washington, and all that part of the South 1/2 of the vacated alley in said Block, which lies Westward of a line parallel to and 131.3 feet Eastward of the East line of Avenue "V". - aka Lot D of a Survey recorded under Auditor's File No. 200504060099.

SUBJECT TO the Easements, Restrictions and other Exceptions set forth on Exhibit "A" attached hereto.

ALSO TOGETHER WITH a non-exclusive easement for a beach path (also referenced as pathway to beach) across Lots A and B as established by Covenants recorded as Auditor's File No. 200509290040.

by the title company

However, said easement will not be insured because neither its location nor width has been established on the record.

The Grantors herein reserve for the benefit of Lot B of said Survey 200504060099 a non-exclusive easement for access and utilities over, across and under the East 20 feet of Lot D as delineated on said survey. The width of said easement being modified by document recorded as Auditor's File No. 2006 0381 0115.

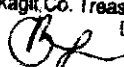
Dated March 27, 2006

Aialik Bay Partners


By: Robert Ballou

1478
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

MAR 31 2006

Amount Paid \$ 7125⁰⁰
Skagit Co. Treasurer
By  Deputy

STATE OF Alaska
COUNTY OF Anchorage } SS:

I certify that I know or have satisfactory evidence that Robert Ballow
is/are the person(s) who appeared before
me, and said person(s) acknowledge he signed this instrument, on oath stated he
is/are authorized to execute the instrument and acknowledge that as the
Managing Partner of Aialik Bay Partners
to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 3.27.06

Rowena Kehr
Notary Public in and for the State of Alaska
Residing at Anchorage
My appointment expires: 2.14.09

Notary Public
ROWENA KEHR
State of Alaska
My Commission Expires 2/14/2009



EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: City of Anacortes, a municipal corporation
Dated: April 26, 1978
Recorded: May 26, 1978
Auditor's No.: 880284
Purpose: Excavating and constructing, installing, repairing, maintaining and replacing underground trunk and/or lateral sewers, manholes, pump houses, pumps and any and all other sewer appurtenances, with full right of ingress and egress
Area Affected: A strip of land 10 feet in width on the East side and North of the existing house; together with a temporary construction easement on a strip of land 20 feet in width centered on the above easement

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

Recorded: March 14, 2003
Auditor's No.: 200303140220

Said matters include but are not limited to the following:

1. Location, and/or use of that "Path to Beach" as delineated on the face of said survey.

Affects: Parcel "B" of Survey recorded under Auditor's File No. 200504060099

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

Recorded: April 6, 2005
Auditor's No.: 200504060099

Said matters include but are not limited to the following:

1. 30-foot access and utilities easement over the South 30 feet of Lot B
2. 20-foot access and utilities easement over the East 20 feet of Lots C and D
3. Building setback lines on Lots A through D
4. Rock wall affecting the East boundary of Lots B through D



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

Dated: September 27, 2005
Recorded: September 29, 2005
Auditor's No.: 200509290040
Executed By: Aialik Bay Partners

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS FOLLOWS:

Declaration Dated: January 19, 2006
Recorded: January 20, 2006
Auditor's No.: 200601200122

E. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Andrew R. Maxwell
Dated: September 30, 2005
Recorded: October 3, 2005
Auditor's No.: 200510030148
Purpose: Access and utilities to benefit Lot "C"
Area Affected: East 20 feet of Lot "D"



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