

When recorded return to:

Mr. and Mrs. Trent L. Vogel
1409 Northview Court
Mount Vernon, WA 98274

Recorded at the request of:
First American Title
File Number: A87663



200603310144
Skagit County Auditor

3/31/2006 Page 1 of 6 11:19AM

Statutory Warranty Deed

THE GRANTOR Irving Construction Corporation, a Washington corporation for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Trent L. Vogel and Lisa A. McCarthy, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

FIRST AMERICAN TITLE CO.

Abbreviated Legal:

Lot 79, "PLAT OF EAGLEMONT, PHASE 1B, DIVISION 2"

A87663E-1

Tax Parcel Number(s): P120281, 4814-000-079-0000

Lot 79, "PLAT OF EAGLEMONT, PHASE 1B, DIVISION 2", as per plat recorded on May 1, 2003 under Auditor's File No. 200305010087, records of Skagit County, Washington.

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

Dated March 29, 2006

#1485
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Irving Construction Corporation

By: W. Scott Irving, President

MAR 31 2006

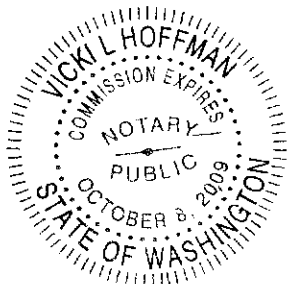
Amount Paid \$ 7107.20
By [Signature] Skagit Co. Treasurer Deputy

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that W. Scott Irving 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 President of Irving Construction Corporation to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 3-30-06

[Signature]
Notary Public in and for the State of Washington
Residing at Anacortes
My appointment expires: 10-8-09



EXCEPTIONS:

A. RESERVATIONS CONTAINED IN DEED

Executed by: James E. Moore and Myrtle Moore, his wife
Recorded: February 4, 1942
Auditor's No: 348986
As Follows:

Reserving unto English Lumber Company, its successors and assigns, all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same.

Affects Northeast 1/4 of the Southwest 1/4; EXCEPT the Northwest 1/4 thereof, all in Section 27, Township 34 North, Range 4 East, W.M.

B. RESERVATIONS CONTAINED IN DEED

Executed by: Marie Fleitz Dwyer; Frances Fleitz Rucker and Lola
Hartnett Fleitz
Recorded: October 22, 1918
Auditor's No: 128138
As Follows:

Undivided 1/2 in all oil, gases, coals, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same.

Affects Southwest 1/4 of Section 27, Township 34 North, Range 4 East, W.M.

C. RESERVATIONS CONTAINED IN DEED

Executed by: Atlas Lumber Company
Recorded: April 18, 1914
Auditor's No: 102029
As Follows:

Reserving to the Grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same and providing that such rights shall not be exercised until provision has been made for full payment of all changes substantial by reason of such entry.

Affects Southeast 1/4 of Section 27, Township 34 North, Range 4 East, W.M., and other property.

**D. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SURVEY,
RECORDED UNDER AUDITOR'S FILE NO. 9211250027:**

Purpose: Sanitary sewer, access and utility
Affects: Various strips as delineated on the face of said Survey



200603310144
Skagit County Auditor

E. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Cascade Natural Gas Corporation
Dated: September 28, 1993
Recorded: October 11, 1993
Auditor's No: 9310110127
Purpose: Natural gas pipeline or pipelines
Area Affected: 10 feet in width per mutual agreement

F. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company
Dated: August 8, 1993
Recorded: November 2, 1993
Auditor's No: 9311020145
Purpose: Right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under

Area Affected:

Easement No. 1: All streets, road rights-of-way, green belts, open spaces and utility easements as now or hereafter designed, platted and/or constructed within the above described property. (When said streets and roads are dedicated to the public, this clause shall become null and void.)

Easement No. 2: A strip of land 10 feet in width, across all lots, tracts and spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of-way.

Easement No. 3: A strip of land 20 feet in width parallel to and coincident with the boundaries of Waugh Road as designed, platted and/or constructed within the above described property.

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

Dated: January 11, 1994
Recorded: January 25, 1994
Auditor's No: 9401250030
Executed by: Sea-Van Investments Associates, a Washington General Partnership

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: December 11, 1995
Recorded: December 11, 1995
Auditor's No: 9512110030

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: March 13, 1996
Recorded: March 18, 1996
Auditor's No: 9603180110



200603310144
Skagit County Auditor

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: January 31, 2000
Recorded: February 1, 2000
Auditor's No: 200002010099

Terms and conditions (including, but not limited to easements and set-back requirements) as set forth in said instrument recorded under Auditor's File No. 9401250030.

H. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Sea-Van Investments Assoc.
And: John and Sandra Thomas
Dated: October 15, 1991
Recorded: May 3, 2000
Auditor's No: 200005030063
Regarding: Proposed road

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

Short Plat No.: Eaglemont, Phase 1B, Division 2
Recorded: May 1, 2003
Auditor's No: 200305010087

Said matters include but are not limited to the following:

1. An easement is granted to Public Utility District No. 1 of Skagit County, Washington, a Municipal Corporation, its successors or assigns, the perpetual right, privilege and authority enabling the PUD to do all things necessary or proper in the construction and maintenance of a waterline, lines or 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 of water over, across, along, in and under the waterline easement shown hereon; also the right to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of the Grantor which, in the opinion of the District, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line. The Grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut and removed from the easement pursuant to this agreement is vested in the District.

Grantor, its heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed, structures of any kind on the easement area without written approval of the General Manager of the District. Grantor shall conduct its activities and all other activities on Grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements, or other facilities, now or hereafter maintained upon the easement, or in any way interfere with, obstruct or endanger the District's use of the easement.



200603310144
Skagit County Auditor

2. An easement is hereby reserved for and granted to City of Mount Vernon; Public Utility District No. 1; Puget Sound Energy; Verizon; Cascade Natural Gas Corp. and AT&T, and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of lots and tracts as shown hereon, and other utility easements, if any, 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 and other property, 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 causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted.

3. An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designed as private storm drainage easements. The maintenance of private storm drainage 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 the abutting property and their heirs, personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

4. Right to make all necessary slopes for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of the drives and courts shown hereon. The undersigned hereby dedicate to the City of Mount Vernon Tract H.

5. Plat Number and Date of Approval shall be included in all Deeds and Contracts.

6. Sewage Disposal - City of Mount Vernon

7. Water - PUD No. 1 of Skagit County

8. The detention pond located on Lots 119, 120 and 121, for the benefit of lots within this subdivision, is temporary. This pond to be removed at such time that a permanent pond is constructed in a future division of Phase 1B, Lots 119, 120 and 121 will not be buildable until this temporary pond is removed. At such time of removal, the use of these lots for storm drainage purposes by other lots will be limited only to the areas designated hereon as storm drain easements.

9. All lots within this subdivision are subject to impact fees payable upon issuance of building permit.

10. The storm water collection and detention system within the boundaries of the golf course shall be maintained by the golf course operator to the points of discharge into the City maintained system or into streams. Stormwater collection and detention systems within common areas, not within the public rights-of-way, are to be maintained by the Homeowners' Association.



200603310144

Skagit County Auditor

11. Building Setbacks:

Front Yard - 20 feet

Side Yard - One of the following shall apply:

5 feet minimum, total 20 feet side yard separation between buildings on Lots 77 - 92 and Lot 177

5 feet minimum, total 15 feet side yard separation between buildings on Lots 116 - 121 and Lots 173 - 176.

Rear Yard - One of the following shall apply:

10 feet where the rear yard abuts wetland or open space areas.

25 feet where the rear yard abuts the golf course fairway.

Wetland Buffer - 10 feet, except where as noted on the plans or covered under the rear yard setback provisions.

No building setbacks may encroach into utility easements.

12. 30' private access tract and utility easement shown on Sheet 4 of 4 is to be owned and maintained by the Eaglemont Homeowners' Association. It is for the benefit of the owners of Lots 173 through 176, and is subject to easement for ingress and egress for said lot owners and for the City of Mount Vernon and other public utilities for utility installation and maintenance.

13. An easement for the purpose of providing sanitary sewer service is hereby granted in favor of the owners of Lots 82, 177 and 84 in the 20' private storm drain and sanitary sewer easement crossing said lots as shown above. The maintenance of private sanitary sewer 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 the abutting property and their heirs, personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

NOTE: In order to ensure adequate fall for side sewers, minimum finished floor elevations have been determined for each lot. Please see Construction Record Drawing submitted April 2003 by Leonard, Boudinot & Skodje, Inc.

14. All easements delineated on the face of said plat, including but not limited to, future roads, sewer, construction, maintenance, bicycle trails, slopes, utilities, etc., all as said easements are set forth and delineated on the face of said plat.



200603310144

Skagit County Auditor

3/31/2006 Page

6 of

6 11:19AM