



200605040091  
Skagit County Auditor

5/4/2006 Page 1 of 19 3:41PM

WHEN RECORDED RETURN TO  
HANSELL/MITZEL LLC  
1111 CLEVELAND AVENUE  
P.O. BOX 2563  
MOUNT VERNON, WASHINGTON 98273

LAND TITLE RECORDS COUNTY

118987-S



CHICAGO TITLE INSURANCE COMPANY

1189809

STATUTORY WARRANTY DEED

Dated: APRIL 28, 2006

THE GRANTOR

SKAGIT HIGHLANDS LLC, A WASHINGTON LIMITED LIABILITY COMPANY

for and in consideration of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to

HANSELL/MITZEL LLC, A WASHINGTON LIMITED LIABILITY COMPANY

the following described real estate situated in the County of SKAGIT

State of Washington:

Tax Account Number(s): *Exhibit B* \*

LOTS 33 THROUGH 60, 66 THOROUGH73, "SKAGIT HIGHLANDS, DIVISION II" AS  
PER PLAT RECORDED ON APRIL 4, 2006 UNDER AUDITOR'S FILE NO.  
200604040052, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE  
CITY OF MOUNT VERNON, COUNTY OF SKAGIT, STATE OF WASHINGTON

SUBJECT TO: EXCEPTIONS SET FORTH ON ATTACHED EXHIBIT "A" AND BY  
THIS REFERENCE MADE A PART HEREOF AS IF FULLY INCORPORATED  
HEREIN.

\*P124253, P124254, P124255, P124256, P124257, P124258, P124259  
P124260, P124261, P124262, P124263, P124264, P124265, P124266, P124267,  
P124268, P124269, P124270, P124271, P124272, P124273, P124274, P124275,  
P124276, P124277, P124278, P124279, P124280, P124286, P124287, P124288,  
P124289, P124290, P124291, P124292, P124293,

*2164*  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAY 04 2006

Amount Paid \$ *48,777.00*  
By *JP* Skagit Co. Treasurer Deputy

SKAGIT HIGHLANDS LLC

*[Signature]*  
JAMES E. TOSTI, MANAGING MEMBER

STATE OF WASHINGTON  
KING

SS

COUNTY OF

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT JAMES E. TOSTI IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS MANAGING MEMBER OF SKAGIT HIGHLANDS LLC TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: 4/28/06

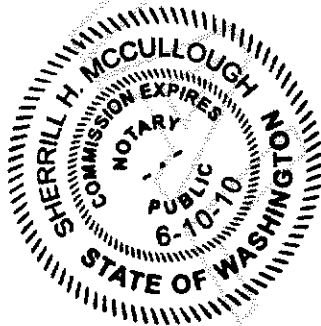
Sherill H. McCulloch  
NOTARY SIGNATURE

PRINTED NAME: Sherill H. McCulloch

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT Skagit

MY APPOINTMENT EXPIRES 6/10/10



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Skagit County Auditor

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS:

- A. Reservation of minerals and mineral rights, etc., contained in deeds from W.M. Lindsey and Emma S. Lindsey, husband and wife, recorded March 30, 1903 in Volume 49 of Deeds, page 532.  
(Affects Lots 4, ptn 5, 6 through 8, ptn 9 and 10)
- B. Terms and conditions contained in City of Mount Vernon Ordinance Nos. 2483, 2532, 2546, and 2550 as recorded March 27, 1992, March 11, 1993, August 6, 1993, and September 21, 1993, respectively, under Auditor's File Nos. 838309, 9203270092, 9303110069, 9308060022, and 9309210028, respectively.  
(Affects Lots 1 through 10)

C. PRE-ANNEXATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: City of Mount Vernon  
And: Mount Vernon Association, Inc.  
Recorded: March 27, 1992  
Auditor's No.: 9203270093  
(Affects Lots 1 through 10)

D. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company, a Washington corporation  
Purpose: For an electric line right of way together with the right to construct, maintain, replace and enlarge one or more electric lines consisting of poles, anchors, wires and/or underground cables, conduits and manholes, together with all necessary appurtenances therefore  
Area Affected: A portion of Lot 7, not specifically located on record  
Dated: September 11, 1980  
Recorded: September 23, 1980  
Auditor's No.: 8009230001

E. DEVELOPMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: The City of Mount Vernon  
And: MVA, Inc., a Washington corporation  
Recorded: June 21, 2001  
Auditor's No.: 200106210002  
(Affects Lots 1 through 10)

Modified by instrument recorded July 1, 2005, under Auditor's File No. 200507010182.

F. STORM DRAINAGE RELEASE EASEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: Georgia Schopf, as her separate estate  
And: MVA, Inc., a Washington corporation  
Dated: July 20, 2001  
Recorded: July 27, 2001  
Auditor's No.: 200107270065  
(Affects Lots 1 through 10)



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Skagit County Auditor

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

G. MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: Sedro-Woolley School District No. 101  
And: MVA, Inc.  
Dated: July 5, 2001  
Recorded: July 27, 2001  
Auditor's No.: 200107270077  
(Affects Lots 1 through 10)

H. DEVELOPER EXTENSION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: M.V.A., Inc., a corporation  
And: The City of Mount Vernon  
Dated: June 27, 2001  
Recorded: August 22, 2001  
Auditor's No.: 200108220046  
(Affects Lots 1 through 10)

Amended by instrument recorded July 1, 2005, under Auditor's File No. 200507010181.

- I. Shoreline Substantial Development Permit No. PL01-0560 and the terms and conditions thereof, as recorded May 23, 2002, under Auditor's File No. 200205230079 and as amended by instrument recorded June 3, 2002, under Auditor's File No. 200206030153.  
(Affects Lots 1 through 10)

J. MATTERS DISCLOSED BY RECORD OF SURVEY:

Filed: June 8, 2005  
Auditor's File No.: 200506080122

K. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company,  
a Washington corporation  
Purpose: The right to construct, operate, maintain, repair, replace and  
enlarge an underground electric transmission and/or distribution  
system  
Area Affected: Lots 1 through 4, and 10  
Dated: February 11, 2005  
Recorded: March 1, 2005  
Auditor's No.: 200503010068

L. DECLARATION OF EASEMENTS AND COVENANT TO SHARE COSTS FOR SKAGIT HIGHLANDS, AS HERETO ATTACHED:

Recorded: August 17, 2005  
Auditor's No.: 200508170113  
Executed By: Skagit Highlands, LLC, a Washington limited liability company

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CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

L. (Continued):

AMENDED BY INSTRUMENT:

Recorded: April 6, 2006  
Auditor's No.: 200604060049

M. DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SKAGIT HIGHLANDS RESIDENTIAL PROPERTY, AS HERETO ATTACHED

Recorded: August 17, 2005  
Auditor's No.: 200508170114  
Executed By: Skagit Highlands, LLC, a Washington limited liability company

PARTIAL ASSIGNMENT OF DECLARANT'S RIGHTS;

Recorded: November 2, 2005  
Auditor's No.: 200511020084

AMENDED BY INSTRUMENT:

Recorded: April 6, 2006  
Auditor's No.: 200604060049

N. SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SKAGIT HIGHLANDS RESIDENTIAL PROPERTY, SKAGIT HIGHLANDS WEST NEIGHBORHOOD, AS HERETO ATTACHED

Recorded: August 17, 2005  
Auditor's No.: 200508170115  
Executed By: Skagit Highlands, LLC, a Washington limited liability company

O. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company,  
a Washington corporation  
Purpose: The right to construct, operate, maintain, repair, replace and  
enlarge an underground electric transmission and/or distribution  
system  
Area Affected: Easement No. 1: All streets and road rights-of-way as now or  
hereafter designed, platted, and/or constructed within the above  
described property. (When said streets and road 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 open 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.

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

O. (Continued):

Dated: July 6, 2005  
Recorded: July 11, 2005  
Auditor's No.: 200507110156  
(Affects Lot 5)

P. DEVELOPMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: The City of Mount Vernon  
And: MVA, Inc., a Washington corporation  
Recorded: June 21, 2001  
Auditor's No.: 200106210002  
(Affects Lots 1 through 10)

Q. WATER SERVICE CONTRACT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: Public Utility District No. 1 of Skagit County  
And: Skagit Highlands, LLC, or its successor or assigns  
Dated: September 30, 2005  
Recorded: October 7, 2005  
Auditor's No.: 200510070093  
Regarding: Water Service Contract  
(Copy attached)

R. GENERAL EASEMENT PROVISIONS AS DEDICATED ON THE FACE OF SAID PLAT, AS FOLLOWS:

An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1, Puget Sound Energy, Verizon Northwest, Cascade Natural Gas Corporation, and Comcast Corporation and their respective successors and assigns under and upon the easements shown on the face of this plat described herein as "Dry Utility Easements" 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 this 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 this subdivision by the exercise of the rights and privileges herein granted.

S. GENERAL EASEMENT PROVISIONS AS DEDICATED ON THE FACE OF SAID PLAT, AS FOLLOWS:

An easement is hereby reserved for and granted to the City of Mount Vernon under and upon the easements shown on this plat described as "Public Storm Drainage Easements" to install, maintain, replace, repair and operate drainage systems, mains and appurtenances for this subdivision and other property together with the right to enter upon said easements at all times for the purposes stated. Structures shall not be constructed upon any area reserved for these easements. Following any use, the City shall restore the easements as near as possible to the original condition.

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Skagit County Auditor

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

T. GENERAL EASEMENT PROVISIONS AS DEDICATED ON THE FACE OF SAID PLAT, AS FOLLOWS:

An easement is hereby reserved for and granted to the City of Mount Vernon under and upon the easements shown on this plat described as "Public Sanitary Sewer Easements" to install, maintain, replace, repair and operate sanitary sewer systems, mains and appurtenances for this subdivision and other property together with the right to enter upon said easements at all times for the purposes stated. Structures shall not be constructed upon any area reserved for these easements. Following any use, the City shall restore the easements as near as possible to the original condition.

U. GENERAL EASEMENT PROVISIONS AS DEDICATED ON THE FACE OF SAID PLAT, AS FOLLOWS:

An easement is hereby reserved for and granted to the City of Mount Vernon under and upon the easements shown on this plat described as "Public Water Easements" to install, maintain, replace, repair and operate water systems, mains and appurtenances for this subdivision and other property together with the right to enter upon said easements at all times for the purposes stated. Structures shall not be constructed upon any area reserved for these easements. Following any use, the City shall restore the easements as near as possible to the original condition.

V. PRIVATE DRAINAGE EASEMENT AS DEDICATED ON THE FACE OF SAID PLAT, AS FOLLOWS:

Easements for the purpose of conveying local storm water runoff are hereby granted in favor of all benefiting private lot owners in the areas designated as private drainage easements as specified in notes 22-39. The maintenance of private drainage easements established and granted herein shall be the responsibility of, and the costs thereof shall be borne proportionately by the present and future owners of the benefiting private lots and their heirs, owners, personal representatives, and assigns, as specified in Notes 22-39, except that maintenance of private drainage easements in tracts shall be the responsibility of the Skagit Highlands Homeowners' Association.

W. NATIVE GROWTH PROTECTION AREA AS DEDICATED ON THE FACE OF SAID PLAT, AS FOLLOWS:

Dedication of a Native Growth Protection Area Tract (NGPA) conveys to the public a beneficial interest in the land within the tract. This interest includes the preservation of existing vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, visual and aural buffering, and protection of plant and animal habitat. The NGPA imposes upon all present and future owners and occupiers of the NGPA the obligation, enforceable on behalf of the public of the City of Mount Vernon, to leave undisturbed all trees and other vegetation within the tract. The vegetation in the tract may not be cut, pruned, covered by fill, removed or damaged without express permission from the City of Mount Vernon, which permission must be obtained in writing. Before, beginning and during the course of any grading, building construction or other development activity on a lot or development site subject to the NGPA, the common boundary between the NGPA and the area of development activity must be monumented



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EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

X. NOTES AND DETAILED EASEMENT PROVISIONS AS DISCLOSED ON THE FACE OF SAID PLAT, AS FOLLOWS:

1.) Primary control points and accessible monument positions were field measured utilizing global positioning system (GPS) survey techniques using Leica SR 9500 equipment. Monument positions that were not directly observed using GPS survey techniques were tied into the control points utilizing Leica Electronic Total Stations for the measurement of both angles and distances. This survey meets or exceeds the standards set by WAC 332-130-090.

2.) Easements and legal description are based on the Subdivision Guarantee by Pacific Northwest Title Insurance Company, Inc., Order No. 111425-P, dated August 30, 2005, at 8:00 A.M.

3.) Property corners shall be set as follows, unless otherwise specified

A) Set lead and tacks on concrete curbs at side lot line extensions.

B) Set ½ " X 24" rebar with cap "LS No. 18924" at all lot and tract corners and angle points.

4.) Owner/Developer

Skagit Highlands LLC

7981 - 168<sup>th</sup> Ave. N.E. #118

Redmond, WA 98052

(425)702-8422 (office)

(425)497-9157 (fax)

Contact: James Tosti

5.) Utility Surveyors:

Storm drain...

City of Mount Vernon

Telephone...Verizon Northwest

Sanitary sewer...

City of Mount Vernon

Television...Comcast Corporation

Water...

P.U.D. No. 1 of Skagit County

Gas.....Cascade Natural Gas

Power...

Puget Sound Energy

6.) Garbage Collection: City of Mount Vernon

Collection for lots shall be at the edge of the public right-of-way.

7.) Zoning Designation: R-1, 13.5

8.) Building setbacks: All lots within this subdivision are subject to the development standards and additional setback and buffer requirements as set forth in the master plan conditions contained in City of Mount Vernon "Resolution 574, Exhibit "D". Setbacks are as follows:

Lots 4,500 to 8,399 sq. ft.

Front - 15 feet, 20 feet for garages,

Side - 5 feet, total of 10 feet,

Rear - 15 feet;

Lots 8,400 sq. ft. and larger:

Front - 20 feet, 15 feet for porches,

Side - 5 feet, total of 10 feet,

Rear - 20 feet.

9.) All lots within this subdivision are subject to impact fees for schools payable upon the issuance of a building permit, as set forth in City of Mount Vernon Resolution No. 574, Exhibit D, master plan conditions.

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Skagit County Auditor



CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

X. (Continued):

10.) Homes shall be built on site per the designs approved in the Skagit Highlands P.U.D. or an alternative design approved by the City of Mount Vernon.

11.) Tract 900 is a storm drainage detention tract and is hereby granted and conveyed upon the recording of this plat to the City of Mount Vernon. A portion of Tract 900 is subject to a sanitary sewer easement as shown on Sheets 3 and 5 of this plat (see General Easement Provisions note 3 above). The City of Mount Vernon shall be responsible for the maintenance of said tract.

12.) Tract 901 is a park and open space tract and is hereby granted and conveyed upon the recording of this Plat to the Skagit Highlands Homeowners' Association. The Homeowners' Association shall be responsible for the maintenance of any park and private drainage improvements except public drainage and access easements. The private drainage easement crossing Tract 901 is hereby granted and conveyed to the Owners of Lot 30.

13.) Tract 902 is a landscape tract and is hereby granted and conveyed upon the recording of this Plat to the Skagit Highlands Homeowners' Association. The Association shall be responsible for the maintenance of said tract.

14.) Tract 903 is a landscape tract and is hereby granted and conveyed upon the recording of this plat.

15.) Tract 904 is a Native Growth Protection Area and is hereby granted and conveyed upon the recording of this plat to the Skagit Highlands Homeowners' Association. A portion of Tract 904 is subject to public storm drain and sanitary sewer easements as shown on Sheets 3 and 4 of this Plat (See General Easement Provisions Notes 2 and 3 above). Tract 904 is also subject to individual private storm drainage easements for the purposes of conveying roof and footing drainage water to as-constructed level spreaders allowing drainage dispersal into the surrounding ground. These private drainage easements are hereby granted and conveyed to the owners of the adjacent lots. The benefiting lots are Lots 10 through 29. The Skagit Highlands Homeowners' Association shall be responsible for the maintenance of that portion of the drainage conveyances and the level spreaders located within Tract 904.

16.) Tract 905 is a park area and is hereby granted and conveyed upon the recording of this plat to the Skagit Highlands Homeowners' Association. The Homeowners' Association shall be responsible for the maintenance of any park improvements.

17.) Tract 906 is a park and open space tract and is hereby granted and conveyed upon the recording of this plat to the Skagit Highlands Homeowners' Association. The Association shall be responsible for the maintenance of said tract.

18.) Tract 907 is a park and open space tract and is hereby granted and conveyed upon the recording of this plat to the Skagit Highlands Homeowners' Association. The Association shall be responsible for the maintenance of said tract.

19.) Tract 908 is a public utility tract and is hereby granted and conveyed upon the recording of this plat of the Skagit Highlands Homeowners' Association. Tract 908 is subject to a public storm drainage and sanitary sewer easement. (See General Easement provisions Notes 2 and 3). The Association shall be responsible for the maintenance of said tract except for maintenance of public storm drainage and sanitary sewer facilities.

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EXHIBIT/RDA /0999



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Skagit County Auditor

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

X. (Continued):

20.) This note has been intentionally left blank.

21.) This note has been intentionally left blank.

22.) The private storm drainage easement along the West line of Lot 3 is for the benefit of Lot 2. The owners of Lots 2 and 3 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

23.) The private storm drain easement along the West line of Lot 6 and a portion of Tract 911 is for the benefit of Lots 5 and 6 of this plat and future Lots 7 and 8 proposed to be between Lot 6 and Tract 908. The owners of Lots 5 and 6 and and future Lots 7 and 8 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

24.) This note has been intentionally left blank.

25.) The private storm drain easement along the East and Westerly lines of Lot 31 and the North, East, and Westerly lines of Tract 902 is for the benefit of Lots 31 and 32. The owners of Lots 31 and 32 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use on Lot 31 and shall equally share in the maintenance of that portion of the storm drainage facilities used in common. The Skagit Highlands Homeowners' Association shall be responsible for maintenance of private storm drainage facilities in Tract 902.

26.) The private storm drain easement along the Northeasterly lines of Lots 33 and 34 is for the benefit of Lots 34 and 35. The owners of Lots 33 through 35 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

27.) The private storm drain easement along the North lines of Lots 36 through 38 is for the benefit of Lots 37 through 39. The owners of Lots 36 through 39 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

28.) The private storm drain easement along the Northerly lines of Lots 40 and 41 is for the benefit of Lots 41 and 42. The owners of Lots 40 through 42 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

29.) The private storm drain easement along the Northerly lines of Lots 44 and 45 is for the benefit of Lots 43 and 44. The owners of Lots 43 through 45 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

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CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

X. (Continued):

30.)The private storm drain easement along the Northwesterly lines of Lots 47 and 48 and the Northwesterly line of Tract 906 is for the benefit of Lots 46 through 48. The owners of Lots 46 through 48 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use on Lots 47 and 48 and shall equally share in the maintenance of that portion of the storm drainage facilities used in common. The Skagit Highlands Homeowners' Association shall be responsible for maintenance of private storm drainage facilities in Tract 906.

31.)The private storm drain easement along the Southerly lines of Lot 49 and Tract 905 is for the benefit of Lots 49 and 50. The owners of Lots 49 and 50 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use on Lot 49 and shall equally share in the maintenance of that portion of the storm drainage facilities used in common. The Skagit Highlands Homeowners' Association shall be responsible for maintenance of private storm drainage facilities in Tract 905.

32.)The private storm drain easement along the Southerly lines of Lots 51 and 52 is for the benefit of Lots 53 and 52. The owners of Lots 51 through 53 shall be responsible for the maintenance of the storm drainage facilities they have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

33.)The private storm drain easement along the South lines of Lots 55 and 56 is for the benefit of Lots 54 and 55. The owners of Lots 54 through 56 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

34.)The private storm drain easement along the South lines of Lots 58 through 60 is for the benefit of Lots 57 through 59. The owners of Lots 57 through 60 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

35.)The private storm drain easements along the Northerly lines of Lots 52 through 60 and portions of Tract 903 and the North lines of 61 and 62 is for the benefit of Lots 51 through 60 and Lots 62 and 63. The owners of Lots 51 through 63 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use on said Lots and shall equally share in the maintenance of that portion of the storm drainage facilities used in common. The Skagit Highlands Homeowners' Association shall be responsible for maintenance of private storm drainage facilities in Tract 903.

36.)The private storm drain easement along the North lines of Lots 63 and 64 is for the benefit of Lots 64 and 65. The owners of Lots 63 through 65 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

37.)The private storm drain easement along the North lines of Lots 66 through 68 is for the benefit of Lots 67 through 69. The owners of Lots 66 through 69 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

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Skagit County Auditor

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

X. (Continued):

38.)The private storm drain easement along the North lines of Lots 69 and 70 is for the benefit of Lots 70 and 71. The owners of Lots 69 through 71 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

39.)The private storm drain easement along the Northerly line of Lot 72 is for the benefit of Lot 73. The owners of Lots 72 and 73 shall be responsible for the maintenance of the storm drainage facilities. They have benefit of use and shall equally share in the maintenance of that portion of the storm drainage facilities used in common.

40.)This plat is subject to reservation of minerals and mineral rights, etc., contained in deeds in Volume 44 of Deeds, page 609, Volume 49 of Deeds, page 532 and Volume 159 of Deeds, page 183.

41.)This plat is subject to terms and conditions contained in City of Mount Vernon Ordinance Nos. 1837, 2483, 2532, 2546 and 2550 as recorded under Auditor's File Nos. 838309, 9203270092, 9303110069, 9308060022, and 9309210028.

42.)This plat is subject to a pre-annexation agreement and the terms and conditions thereof between the City of Mount Vernon and Mount Vernon Association, Inc., as recorded under Auditor's File No. 9203270093.

43.)This plat is subject to a Development Agreement and the terms and conditions thereof between the City of Mount Vernon and MVA, Inc., a Washington corporation, as recorded under Auditor's No. 200106210002.

44.)This plat is subject to a storm drainage release easement agreement and the terms and conditions thereof between Georgia Schofp, as her separate estate and MVA, Inc., a Washington corporation, as recorded under Auditor's File No. 200107270065.

45.)This plat is subject to a mitigation agreement and the terms and conditions thereof between Sedro-Woolley School District No. 101 and MVA, Inc., as recorded under Auditor's File No. 200107270077, and as amended per Auditor's File No. 200507010181.

46.)This plat is subject to a Developer Extension Agreement and the terms and conditions thereof between MVA, Inc. and the City of Mount Vernon, as recorded under Auditor's File No. 200108220046 amended per 200507010181.

47.)This plat is subject to a Shoreline Substantial Development Permit No. PL01-0560 and the terms and conditions thereof, as recorded under Auditor's File No. 200205230079 and as amended by instrument recorded under Auditor's File No. 200206030153.

48.)A sidewalk access easement is hereby reserved for and conveyed to the public and to the City of Mount Vernon, over and across a 2.00 foot wide strip of land lying parallel with and adjacent to Mt. Baker Loop along the road frontage of Lots 33 and 34 and over and across a 0.5 foot wide strip of land parallel with and adjoining the road frontage of Lots 1-4, 19-32 and 35-73 and also over and across those irregular portions of Lot 19, Tract 908, and Tract 911 described herein as a "Public Sidewalk Easement".

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CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

X. (Continued):

49.)The private storm drainage easements in Tract 904 and adjacent to the Southerly and Easterly line of said Tract are for the benefit of the lots adjoining the easements and each easement is hereby granted and conveyed, together with all maintenance obligations to the owner of the adjoining lot.

50.)This plat is subject to an easement and the terms and conditions thereof granted to Puget Sound Power & Light Company, a Washington corporation, with the right to construct, operate, maintain, repair, replace and enlarge an underground electric transmission and/or distribution system as recorded under Auditor's File No. 200507110156.

51.)All lots within this plat are exempt from paying transportation, parks and fire impact fees as a result of fully mitigating its impacts through the construction of regional transportation improvements, construction, and dedication of Regional Parks improvements, and dedication of land for a fire station.

52.)There are no affordable housing lots in this plat.

53.)All lots must be landscaped per approved landscape plans designed by Lane & Associates.

54.)All lots in this subdivision are subject to the Declaration of Covenants, Conditions, and Restrictions for Skagit Highlands Residential as recorded under Skagit County AF#

55.)A 10' building set back line (BSBL) is shown over and across that portion as shown on Lots 18, 19, 22, 25-28 and Tract 911.

56.)The public utility easement over, under, across and through the Southeasterly 79 feet of Tract 911 is hereby reserved for future public road.

57.)Tract 911 is a future development tract, upon recording of this plat. The developer retains ownership of Tract 911. The developer has the right to sell, transfer, or convey ownership of said Tract, subject to conformance with rules and restrictions of the City of Mount Vernon. Said Tract 911 is subject to public access and public utility easements. The City of Mount Vernon shall be responsible for the maintenance of said public easements.

58.)All playground equipment installed in Tract 901 and 905 must meet the consumer product safety commission guidelines for public playgrounds and ASTM Standards.

NOTE: Paragraphs 59 through 68 affect that portion of this plat formerly known as Lot 154, Thunderbird East Fifth Addition, AF No. 8706260006 and that portion formerly known as Tract C of Short Plat No. MV-9-86, AF No. 8612310108.

59.)This plat is subject to notes contained on the face of the Short Plat, as follows:

1. Short Plat Number and date of approval shall be included in all deeds and contracts.
2. Sewage disposal be Mount Vernon City Sewer;
3. Water by Skagit County Public Utility District No. 1

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Skagit County Auditor

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

X. (Continued):

60.) This plat is subject to rights of the public to make necessary slopes for cuts or fills upon property herein described in the reasonable original grading of streets, avenues, alleys and roads, as dedicated in the Short Plat.

61.) This plat is subject to an easement and the terms and conditions thereof for ingress, egress and utilities affecting the Westerly 65 feet of Tract C, recorded under AF No. 8812290064.

62.) This plat is subject to a water development agreement and the terms and conditions thereof between Public Utility District No. 1 of Skagit County and Keith Johnson for \$1,00.00 per former Lot 154 and Tract C as recorded under AF No. 8612160042.

63.) This plat is subject to Easement provisions contained on the face of the plat, affecting former Lot 154.

64.) This plat is subject to dedication contained on the face of the Plat of Thunderbird East Fifth Addition, AF No. 8706260006 affecting former Lot 154.

65.) This plat is subject to any change in the boundary or legal description of the real property or title that may arise due to shifting or change in course of the unnamed creek shown on the Plat of Thunderbird East, Fifth Addition as running along the Southerly boundary of former Lot 154.

66.) This plat is subject to Covenants, Conditions, Restrictions, and Easement contained in Declaration of Protective Restrictions and Easement, per instrument recorded under AF No. 8707080023.

67.) This plat is subject to Covenants, Conditions, Restrictions, and Easement contained in Declaration of Protective Restrictions and Easement, per instrument recorded under AF No. 8711060038.

68.) This plat is subject to easement and the terms and conditions thereof for easement for ingress, egress and utilities affecting a 30 foot wide portion of said Lot 154, per instrument recorded under AF No. 8711060038.

69.) This plat is subject to Declaration of Easements and Covenant to share costs for Skagit Highlands, per instrument recorded under AF No. 200508170113.

70.) This plat is subject to Declaration of Covenants, Conditions and Restrictions for Skagit Highlands Residential property per instrument recorded under AF No. 200508170114.

71.) This plat is subject to supplemental Declaration of Covenants, Conditions, and Restrictions for Skagit Highlands residential property, Skagit Highlands West neighborhood, as per instrument recorded under AF No. 200508170115, executed by Skagit Highlands, LLC, a Washington limited liability company.

72.) This plat is subject to Development Agreement and the terms and conditions thereof between the City of Mount Vernon and MVA, Inc., a Washington corporation, recorded under AF No. 200106210002.



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EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

Y. LANDSCAPE NOTES AS DISCLOSED ON THE FACE OF SAID PLAT, AS FOLLOWS:

- 1.) Contractor shall be responsible for familiarizing themselves with all other site improvements and conditions prior to starting landscape work.
- 2.) Contractor shall use caution while excavating to avoid disturbing any utilities encountered. Contractor is to promptly advise owner of any disturbed utilities. (Location Service Phone: 1-800-424-5555)
- 3.) Contrator shall maintain and water all plant material for 1 year or until final inspection and acceptance by owner.

Contractor shall be responsible for computing specific quantities of ground covers and plant materials utilizing on-center spacing for plants as stated on the landscape plan and minimum planting distances as specified below in these notes.

- 5.) Ground covers shall be planted in an equilateral triangular spacing pattern at the on-center distances shown on the plan or in the plan schedule, where ground cover abuts curbing, sidewalks, signs or poles, minimum planting distances shall be 12" from center of plant to curb, sidewalk, etc., minimum planting distance shall be 24" from center of trees and shrubs.
- 6.) Contractor shall be responsible for providing the quantities of plants that are represented by symbols on the drawings.
- 7.) Subgrade is to be within 1/10<sup>th</sup> of one foot as provided by others. All planting areas to be cleared of all construction material and rocks and sticks larger than 2" in diameter.
- 8.) New bed and lawn areas, as shown on the plans, shall receive a minimum of 2" depth "3-way" topsoil then rototilled to a depth of 6". Then an additional 4" minimum of topsoil in all new bed areas and 2" in lawn areas.
- 9.) All beds to receive a minimum of 3" fine fir bark.
- 10.) All plant material shall be fertilized with Agro transplant fertilizer 4-2-2 per manufacturer's recommendations.
- 11.) All plant material shall conform to AAN Standards for nursery stock, latest edition. Any replacements made at once.

A. General: All plant materials furnished shall be healthy representatives, typical of their species of variety and shall have a normal habit of growth. They shall be full, well-branched, well-proportioned, and have a vigorous, well-developed root system. All plants shall be hardy under climatic conditions similar to those in the locality of the project.

B. Trees, shrubs, and groundcovers: Quantities, species, and varieties, sizes and conditions as shown on the planting plan. Plants to be healthy, vigorous, well-foliated when in leaf, free of disease, injury, insects, decay, harmful defects, and all weeds. No substitutions shall be made without written approval from landscape architect or owner.

- 12.) Contractor to provide a one-year warranty on all plant material.



CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

Z. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By:	Plat of said addition
Purpose:	Utilities, drainage, storm drainage and access

AA.EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By:	Plat of said addition
Purpose:	Slopes, cuts and fills

BB.EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By:	Plat of said addition
Purpose:	Sidewalks
Area Affected:	Exterior 10 feet of said premises

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EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS:

(Affects that portion of said Plat formerly known as Lot 154, Thunderbird East Fifth Addition)

A. Notes contained on the face of the Short Plat, as follows:

1. Short Plat Number and date of approval shall be included in all deeds and contracts;
2. Sewage Disposal by Mount Vernon City Sewer;
3. Water by Skagit County Public Utility District No. 1.

B. Rights of the public to make necessary slopes for cuts or fills upon property herein described in the reasonable original grading of streets, avenues, alleys and roads, as dedicated in the plat.

C. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Keith S. Johnson and Alison R. Johnson, husband and wife  
Purpose: For ingress, egress and utilities  
Area Affected: The Westerly 65 feet of Tract C  
Dated: December 20, 1988  
Recorded: December 29, 1988  
Auditor's No.: 8812290064

D. WATER DEVELOPMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: Public Utility District No. 1 of Skagit County  
And: Keith Johnson  
For: \$1,000.00 per lot  
Dated: December 16, 1986  
Recorded: December 16, 1986  
Auditor's No.: 8612160042

E. The charge in lieu of assessment for each lot in this subdivision shall be \$700.00. (This charge includes a credit of \$-0- for installed sewer lines.) A Standard Participation Contract must be executed and the said amount paid prior to the issuance of a sewer permit.

F. Easement provisions contained on the face of the Plat, as follows:

"An easement is hereby reserved for and granted to Puget Sound Power and Light Company, the Continental Telephone Company of the Northwest, the Cascade Natural Gas Corporation, the Public Utility District No. 1 of Skagit County, and Nationwide Cablevision, Inc., and their respective successors or assigns, under and upon the exterior seven (7) feet parallel and adjacent to the street frontage of all lots, in which to install, 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 services, together with the right to enter upon the lots at all times for the purposes stated."

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CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1189809

EXCEPTIONS CONTINUED:

(Affects that portion of said Plat formerly known as Lot 154, Thunderbird East Fifth Addition)

G. Dedication contained on the face of the Plat, as follows:

"...do hereby dedicate to the use of the public, forever, all roads and easements shown hereon for the purposes indicated as public highways and easements, with the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads shown hereon."

H. Any change in the boundary or legal description of the real property, or title to the estate insured, that may arise due to shifting or change in course of the unnamed creek.

I. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENT CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS AND EASEMENT, AS HERETO ATTACHED:

Declaration Dated: July 8, 1987  
Recorded: July 8, 1987  
Auditor's No.: 8707080023  
Executed By: Keith S. Johnson and Alison R. Johnson, husband and wife

J. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENT CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS AND EASEMENT, AS HERETO ATTACHED:

Declaration Dated: November 6, 1987  
Recorded: November 6, 1987  
Auditor's No.: 8711060038  
Executed By: Keith S. Johnson and Alison R. Johnson, husband and wife

K. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By: Plat of said addition  
Purpose: Ingress, egress and utilities  
Area Affected: Southerly 115.71 feet as shown on the face of the plat

L. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Keith S. Johnson  
Purpose: Easement for ingress, egress and utilities  
Area Affected: 30 foot wide portion of said Lot 154  
Dated: November 6, 1987  
Recorded: November 6, 1987  
Auditor's No.: 8711060038

EXHIBIT/RDA/0999



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## CHICAGO TITLE INSURANCE COMPANY

## EXHIBIT B

Escrow No.: 1189809

## TAX ACCOUNT NUMBERS

<u>Account No.</u>	<u>Year</u>
4887-000-033-0000	2006
Property I.D. No.: P124253	
4887-000-034-0000	2006
Property I.D. No.: P124254	
4887-000-035-0000	2006
Property I.D. No.: P124255	
4887-000-036-0000	2006
Property I.D. No.: P124256	
4887-000-037-0000	2006
Property I.D. No.: P124257	
4887-000-038-0000	2006
Property I.D. No.: P124258	
4887-000-039-0000	2006
Property I.D. No.: P124259	
4887-000-040-0000	2006
Property I.D. No.: P124260	
4887-000-041-0000	2006
Property I.D. No.: P124261	
4887-000-042-0000	2006
Property I.D. No.: P124262	
4887-000-043-0000	2006
Property I.D. No.: P124263	
4887-000-044-0000	2006
Property I.D. No.: P124264	
4887-000-045-0000	2006
Property I.D. No.: P124265	
4887-000-046-0000	2006
Property I.D. No.: P124266	
4887-000-047-0000	2006
Property I.D. No.: P124267	
4887-000-048-0000	2006
Property I.D. No.: P124268	
4887-000-049-0000	2006
Property I.D. No.: P124269	
4887-000-050-0000	2006
Property I.D. No.: P124270	
4887-000-051-0000	2006
Property I.D. No.: P124271	
4887-000-052-0000	2006
Property I.D. No.: P124272	
4887-000-053-0000	2006
Property I.D. No.: P124273	

<u>Account No.</u>	<u>Year</u>
4887-000-054-0000	2006
Property I.D. No.: P124274	
4887-000-055-0000	2006
Property I.D. No.: P124275	
4887-000-056-0000	2006
Property I.D. No.: P124276	
4887-000-057-0000	2006
Property I.D. No.: P124277	
4887-000-058-0000	2006
Property I.D. No.: P124278	
4887-000-059-0000	2006
Property I.D. No.: P124279	
4887-000-060-0000	2006
Property I.D. No.: P124280	
4887-000-066-0000	2006
Property I.D. No.: P124286	
4887-000-067-0000	2006
Property I.D. No.: P124287	
4887-000-068-0000	2006
Property I.D. No.: P124288	
4887-000-069-0000	2006
Property I.D. No.: P124289	
4887-000-070-0000	2006
Property I.D. No.: P124290	
4887-000-071-0000	2006
Property I.D. No.: P124291	
4887-000-072-0000	2006
Property I.D. No.: P124292	
4887-000-073-0000	2006
Property I.D. No.: P124293	

EXHIBIT/RDA/0999



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