

When recorded return to:

Mr. and Mrs. Roger R. Elton  
464 Meadow Place  
Sedro Woolley, WA 98284



200605110113  
Skagit County Auditor

5/11/2006 Page 1 of 4 11:36AM

## Statutory Warranty Deed

CHICAGO TITLE CO.

1038483

THE GRANTORS Mike Nemnich and Linda Nemnich, husband and wife

for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to Roger R. Elton and Genevieve G. Elton, husband and wife

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

Abbreviated Legal:


LOT 4, SKAGIT COUNTY SHORT CARD NO. PL00-0346

Tax Parcel Number(s): 360419-0-013-0800

LOT 4, SKAGIT COUNTY SHORT CARD NO. PL00-0346, RECORDED DECEMBER 7, 2005, UNDER AUDITORS FILE NO. 200512070085, RECORDS OF SKAGIT COUNTY, WASHINGTON, AND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 36 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN.

SITUATED IN SKAGIT COUNTY, WASHINGTON.  
SUBJECT TO: Attached hereto as "Exhibit A" and made a part  
Dated May 4, 2006 hereof

  
Mike Nemnich

  
Linda Nemnich #22609

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAY 11 2006

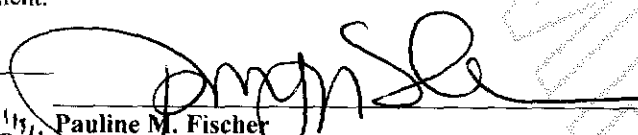
STATE OF Washington  
COUNTY OF Snohomish SS:

Amount Paid \$ 2408.00  
By [Signature] Skagit Co. Treasurer  
Deputy

I certify that I know or have satisfactory evidence that Mike Nemnich and Linda Nemnich

is/are the person(s) 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.

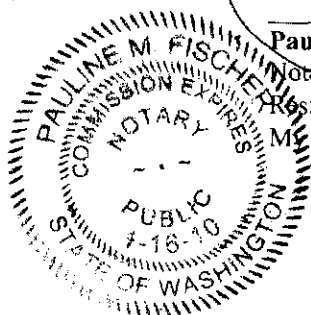
Dated: 5/4/2006

  
Pauline M. Fischer

Notary Public in and for the State of Washington

Residing at Snohomish

My appointment expires: 1/16/2010



"EXHIBIT A"

**SUBJECT TO:**

Detention Flow Spread Maintenance Requirements;

Keep bottom of flow spreader clear from Silt and Debris. Clean every three (3) years at a minimum. Silt accumulated at more than 4 inch of depth shall be removed and flow spreader bottom re-seeded.

Maintain all pipes free of debris, silt, etc. clear area around openings as necessary to maintain free flow of water. Remove all trees and saplings from area within 3 feet of any pipes that drain to the flow spreader.

Keep all weeds, trees and bushes around an in the detention flow spreader to a maximum height of 12 inches at all times. Keep course sand free of any vegetation.

Repair all eroding pond banks with rip rap or vegetative stabilized earth. inspect after each major storm event.

Inspect and repair all banks for rodent and/or other damage or leakage as necessary.

Inspect flow spreading board every year before wet weather (October) and repair misalignment. Replace broken or damaged boards. Check if boards are in level after first wet season and after every three years using a surveyor's level and adjust boards as necessary to maintain allowable level tolerance as shown on Detail A in the West Coast engineers, Inc. December 17, 2004, storm drainage plan.

Recitals on the face of Skagit County Short Plat Card No. PL00-0346, as follows:

- A. All maintenance and construction of roads shall be the responsibility of the homeowners association with the lot owners as members. See maintenance agreement filed under Auditor's File No. 200011210071, 200112210075 and 200207260058, records of Skagit County, Washington.
- B. Zoning – Rural (RU): Comprehensive plan designation – Rural reserve.
- C. Sewer – Alternative systems are proposed for Lots 1 through 4 of this short plat which may have special design, construction and maintenance requirements. Contact Health Officer for details.
- D. No building permit shall be used 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.
- E. A Skagit county address range has been applied to the road system in this subdivision. At the time of application for building and/or access, Skagit County GIS will assign individual addresses in accordance with the provisions of Skagit County Code 15.24. Change in location of access, may necessitate a change of address. Contact Skagit County planning and permit center.
- F. Water – Water will be supplied for Heriford Water System. A group B water system well Tag No. AA7012, also see public water system wellhead protection area mitigation plan filed in Auditor's File No. 200510130102, records of Skagit County, Washington.
- G. Open space within tracts or restricted under NRLE, use covenants and/or plat restrictions shall remain essentially unimproved with no building or other development allowed except that:

Recreational buildings in OS-RA and OS-NRL (Except AG-NRL) may be permitted only through a special use permit if the special use permit application demonstrates their close association to the specific type of recreation proposed and such proposal is consistent with the policies of the comprehensive plan and SCC 14.04

In natural resource zoning districts, non-residential buildings accessory to natural resource production are permitted according to the terms of the plat note and further-provided that within AG-NRL no more than five percent (5%) or as indicated in the NRLE of the land described in the NRLE shall be covered by structures and/or non-tillable structures.



200605110113  
Skagit County Auditor

- H. Only a portion of the land in open space designation shall be used for future density computations, and only then by utilizing the long subdivision ordinance, SCC 14.12 or the provisions of RCW 58.17.060 and further more, only after retaining the following percentages of open space from the original parcel (The land prior to any short card division);

Fifty percent (50%) in rural area not served by public water and/or sewer; and

Ten percent (10%) if the open space is designated OS-FD within one (1) mile of a UGA; and

Seventy-Five percent (75%) in areas served by public sewer and water; and

Ninety percent (90%) in areas designated agriculture, industrial forest, secondary forest, rural resource – NRL and mineral resource lands in the county comprehensive plan.

- I. No further subdivisions can allow density credits on any newly created parcel in excess of that allowed by the comprehensive plan on the original parcel.
- J. This property may be affected by easements or encumbrances contained in documents filed in Auditor's File Nos. 505361, 506573, 510690, 781712, 807790, 200008110094, 200009150022, 200009150023, 200009150024, 200011210071, 200011210075, 200011210076, 200011210077, 200107020130, 200112210075, 200207260058, 200212020308, 200212020309, records of Skagit County, Washington.
- K. The county shall not accept dedication of any short subdivision rural private road until said roadway and right of way has been brought up to full, current county road standards as per section 3.03.
- L. All runoff from impervious surfaces and roof drains shall be directed to the detention flow spreaders located on Lots 1 and 4. See also West Coast Engineers, Inc. December 17, 2004, Storm Drainage Plan.
- M. A lot of record certification has been issued for all lots included in this land division. By virtue of recording this land division and issuance of the lot certification. All lots herein shall be considered lots of record for conveyance and development purposes unless otherwise restricted. See Auditor's File No. 200512070084, records of Skagit County, Washington.

Terms, conditions, and restrictions of that instrument entitled Protected Critical Area Agreement;

Recorded: December 7, 2005

Auditor's No(s): 200512070082, records of Skagit County, Washington

Open Space Agreement applicable to all lot owners as to an understanding as to Lot 1;

Recorded: December 7, 2005

Auditor's File No.: 200512070083, records of Skagit County, Washington

A copy of which is hereto attached.

Agreement for Easement and Restrictions, including the terms and conditions thereof; entered into;

By and Between: James Darin Jensen; Amy Louise Jensen; Jones Company, LLC and John Peth & Sons, Inc.

Recorded: September 15, 2000

Auditor's No.: 200009150024, records of Skagit County, Washington

Agreement for Easement and Restrictions, including the terms and conditions thereof; entered into;

By: James Darin Jensen; Amy Louise Jensen; and Jones Company, LLC

And Between: James Darin Jensen; Amy Louise Jensen; Jones Company, LLC and John Peth & Sons, Inc.

Recorded: November 21, 2000

Auditor's No.: 200011210075, records of Skagit County, Washington

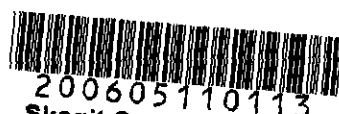
Agreement for Easement and Restrictions, including the terms and conditions thereof; entered into;

By: James Darin Jensen and Amy Louise Jensen

And Between: James Darin Jensen; Amy Louise Jensen; Jones Company, LLC and John Peth & Sons, Inc.

Recorded: September 15, 2000

Auditor's No.: 200009150022, records of Skagit County, Washington



200605110113  
Skagit County Auditor

Agreement for Easement and Restrictions, including the terms and conditions thereof;  
entered into;

By: Allan E. Countryman  
And Between: John Peth & Sons, Inc.  
Recorded: August 11, 2000  
Auditor's No.: 200008110094, records of Skagit County, Washington

Modification of easement agreement among adjacent property owners;  
Recorded: December 2, 2002  
Auditor's File No.: 200212020308, records of Skagit County, Washington

AMENDED by instrument(s):  
Recorded: November 21, 2000 and August 11, 2000  
Auditor's No(s): 200011210077 and 200008110094, records of Skagit County,  
Washington

Modification of easement agreement among adjacent property owners;  
Recorded: December 2, 2002  
Auditor's File No.: 200212020309, records of Skagit County, Washington

AMENDED by instrument(s):  
Recorded: November 21, 2000 and September 15, 2000  
Auditor's No(s): 200011210076 and 200009150023, records of Skagit County,  
Washington

Covenants, conditions, and restrictions contained in declaration(s) of restriction, but omitting  
any covenant or restrictions, if any, based upon race, color, religion, sex, sexual orientation,  
familial status, marital status, disability, handicap, national origin, ancestry, or source of  
income, as set forth in applicable state or federal laws, except to the extent that said  
covenant or restriction is permitted by law;

Recorded: November 21, 2000  
Auditor's No(s): 200011210071, records of Skagit County, Washington

AMENDED by instrument(s):  
Recorded: December 21, 2001 and July 26, 2002  
Auditor's No(s): 200112210075 and 200207260058, records of Skagit County,  
Washington

Terms, conditions, and restrictions of that instrument entitled Protected Critical Area Site  
Plan;

Recorded: July 2, 2001  
Auditor's No(s): 200107020130, records of Skagit County, Washington

Right of way for pipe line granted to Trans Mountain Oil Pipe Line Corporation, a  
corporation, by Dale W. Vague, in an instrument dated August 13, 1954, recorded  
September 16, 1954, in Volume 265 of Deeds, page 335, under Auditor's File No.  
506573, records of Skagit County, Washington, reference to the record hereby being  
made for full particulars.

Affect, if any, of the well protection zones shown on the Skagit County Assessors Map.  
Affects: The very Southeasterly portion

Drainage easement over the North ten feet as shown on the recorded short plat.

Drainage easement over the East 33 feet as shown on recorded plat.

Easement area for drainfield as shown on the recorded plat.



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