

When recorded return to:

Lybar Development, LLC,
401 South First St.
Mount Vernon, WA 98273

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



200606300068
Skagit County Auditor

6/30/2006 Page 1 of 4 10:06AM

Statutory Warranty Deed

THE GRANTORS Robert E. Emmons and Eula O. Emmons, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Lybar Development LLC the following described real estate, situated in the County of Skagit, State of Washington

FIRST AMERICAN TITLE CO.
88521E

Abbreviated Legal:
Lot 9, "PLAT OF SPINNAKER COVE DIVISION 2"

Tax Parcel Number(s): 4859-000-009-0000, P122905

Lot 9, "PLAT OF SPINNAKER COVE DIVISION 2", as per plat recorded as Auditor's File No. 200505180106, records of Skagit County, Washington.

SUBJECT TO: Covenants, Conditions, Restrictions and Easements as indicated in the Attached Schedule "B-1" and by this reference made a part hereof.

Dated 6-29-06

Robert E. Emmons

Eula O. Emmons

3399
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 30 2006

STATE OF Washington }
COUNTY OF SKAGIT } SS:

Amount Paid \$ 1268.50
By Skagit Co. Treasurer
Deputy

I certify that I know or have satisfactory evidence that Robert E. Emmons and Eula O. Emmons, the persons 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.

Date: 6-29-06

Sherley Rose Larson

Notary Public in and for the State of Washington
Residing at Darlington
My appointment expires: 10-19-2008



Order No: 88521

Schedule "B-1"

EXCEPTIONS:

A. Question of the true North line of Parcel "A" caused by the ambiguity as set forth therein.

NOTE: The South line of Parcel "A" could be the South line of Auditor's File No. 664712 and its extensions or it could be the South line of Auditor's File No. 663818 and its extensions, or it could be fence line existing since January 31, 1966 on a line approximately 370 feet North of the South line of said subject division, or it could be same combination thereof. Hence, the Company is unwilling to state the location of the true North line of the subject property.

B. Provisions in the nature of covenants pertaining to wetlands contained in Deed recorded September 10, 1991 under Auditor's File No. 9109100095 particulars.

C. EASEMENT AND PROVISIONS CONTAINED THEREIN:

Grantee:	Puget Sound Power & Light Company
Dated:	September 30, 1991
Recorded:	October 11, 1991
Auditor's No:	9110110103
Purpose:	Right to enter said premises to operate, maintain and repair underground electric transmission and/or distribution system, together with the right to remove brush, trees and landscaping which may constitute a danger to said lines
Affects:	Parcel "B"

D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee:	Public Utility District No. 1 of Skagit County
Dated:	May 31, 1961
Recorded:	June 7, 1961
Auditor's No:	608565
Purpose:	Water pipeline
Area Affected:	The easement portion of the subject property

E. EASEMENT AND PROVISIONS CONTAINED THEREIN AS CREATED OR DISCLOSED IN INSTRUMENT:

In Favor Of:	Richard D. Cejka, et ux
Recorded:	December 10, 1992
Auditor's No:	9212100100
For:	Ingress, egress and utilities
Affects:	East 60 feet over and across Parcels 1 and 2 for the benefit of subject property

F. Matters disclosed by the three (3) unrecorded WJA, P.S., Everett Job #89-1914, Surveys submitted with the application for title insurance under prior Order No. 58626. Said matters include, but are not limited to, the following:

1. Mislocated fencelines;



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2. An "Area of Boundary Confusion" along the West line of Parcel "A"; said Surveys show two (2) possible locations of said line, plus a mislocated fenceline;

3. Utility lines and existing 20 foot wide driveway located within the easement.

G. Implied easement, if any, for private ditch as disclosed by Deeds recorded under Auditor's File Nos. 554570 and 664712 on properties to the West of the subject property.

H. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy
Dated: January 3, 2005
Recorded: January 10, 2005
Auditor's No.: 200501100130
Purpose: "to construct operate, maintain . . . utility systems . . . sale of electricity;
Area Affected: 10 foot wide portions of the subject property

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

Plat/Subdivision Name: Spinnaker Cove Division 2
Recorded: May 18, 2005
Auditor's No.: 200505180106

Said matters include but are not limited to the following:

1. All rights to the easement in favor Richard D. Cejka, et ux, recorded December 10, 1992, under Auditor's File No. 9212100100, records of Skagit County, Washington, is now held by the declarant and will be extinguished by this Plat.

2. Building Set Backs:

Front - Lots 1-10 = 20', Lots 11-14 = 25'

Rear - 20'

Sideyards - Be minimum of 5', total both side of 15' minimum

3. Any lot within this subdivision will be subject to impact fees payable upon issuance of a building permit. Fees will be due in the event such fees are hereafter imposed by ordinance of the City of Mount Vernon on either an interim or permanent basis.

4. Utility Sources:

Telephone - Verizon
Power - Puget Sound Energy
Television - Comcast
Storm - City of Mount Vernon

Sewer - City of Mount Vernon
Water - Public Utilities District No. 1
Gas - Cascade Natural Gas

5. The wetland buffers shown were established using buffer averaging. The boundary lines of Tracts "A" and "B" shall be used as the wetland buffers.

6. Wetlands as delineated (Affects Tracts A and B only)



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7. Typical lot set-back lines as delineated

8. A 10 foot utility easement affecting the exterior 10 feet of all lots abutting North 43rd Place

9. Dedication of Native Growth Protection Area (NGPA) establishes, on all present and future owners and users of the land, an obligation to leave undisturbed all trees and other vegetation within the area, for the purposes of preventing harm to property and the environment, including but not limited to controlling surface water runoff and erosion, maintaining slope stability, buffering and protecting plants and animal habitat, except for the removal of diseased, or dying vegetation, is subject to permit requirements of City of Mount Vernon codes. The City of Mount Vernon shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this restriction by any method available under law. The obligation to ensure that all terms of the NGPA are met is the responsibility of the underlying owners.

10. 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 Broadband, and their respective successors and assigns under and upon the road and utility easements as shown hereon and other utility easements shown on the face of the Plat, 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.

11. An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designated as private drainage easements. The maintenance of private drainage easements established and granted herein shall be the responsibility of the lot owners 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.

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

Dated:	May 2, 2005
Recorded:	May 18, 2005
Auditor's No.:	200505180107
Executed By:	Robert E. Emmons and Eula O. Emmons



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