

When recorded return to:

Mr. and Mrs. Mark Depew

820 S. 30 St
Mt Vernon WA 98274

Recorded at the request of:

First American Title

File Number: B89275



200609290216

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Statutory Warranty Deed

THE GRANTOR Gary McCormick Homes, Inc., a Washington corporation for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to Mark Depew and Jennifer Depew, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Abbreviated Legal:

Lot 17, "PLAT OF EASTGATE SOUTH"

FIRST AMERICAN TITLE CO.

B89275E-1

Tax Parcel Number(s): P123923, 4881-000-017-0000

Lot 17, "PLAT OF EASTGATE SOUTH", as per plat recorded January 6, 2006, under Auditor's File No. 200601060119, records of Skagit County, Washington.

Subject to easements, restrictions, or other exceptions hereto attached as Exhibit A

Dated September 15, 2006

Gary McCormick Homes, Inc.

By: Gary McCormick, President

5064
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

SEP 29 2006

Amount Paid \$ 4979.92
Skagit County Treasurer
By: *man* Deputy

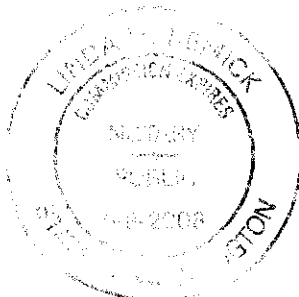
STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that Gary McCormick
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 Gary McCormick Homes, Inc.
to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 9-18-06

Linda N. Remedick

Notary Public in and for the State of Washington
Residing at Hamlet
My appointment expires: 6-8-08



Schedule "B-1"

EXCEPTIONS:

A. RESERVATION CONTAINED IN DEED

Executed by: W.M. Lindsey and Emma S. Lindsey, husband
and wife
Recorded: April 17, 1902
Auditor's No.: 39602, Volume 44 of Deeds, page 499
As Follows:

Excepting and reserving all petroleum, gas, coal and other valuable minerals with right of entry to take and remove the same.

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

Short Plat No.: 8-80
Recorded: May 30, 1980
Auditor's No.: 8005300116

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

Recorded: May 10, 1991
Auditor's No.: 9105100035

D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation
Dated: November 17, 2005
Recorded: December 5, 2005
Auditor's No.: 200512050116
Purpose: "...utility systems for purposes of transmission, distribution
and sale of gas and electricity..."

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.



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

Plat/Subdivision Name: Eastgate South
Recorded: January 6, 2006
Auditor's No.: 200601060119

Said matters include but are not limited to the following:

1. Easements for the purpose of conveying local storm water runoff and sanitary sewer are hereby granted in favor of all abutting private lot owners in the areas designated as private drainage or private sewer easements. The maintenance of private 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 private lot owners and their heirs, owners 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.

Storm pond and drainage easements, as shown hereon, are hereby granted to the City of Mount Vernon, to construct, maintain, replace, reconstruct and remove drainage and detention facilities with all appurtenances incident thereto or necessary therewith, in, under and across the said premises, and to cut and remove from said easement any trees, fences and other obstructions which may endanger the safety or interfere with the use of said drainage and detention facilities, or appurtenances attached or connected therewith; and the right of ingress and egress to and over said premises at any and all times for the purpose of doing anything necessary for the easement hereby granted. Adjoining property owners are prohibited from constructing fences, buildings or other objects within the easement area. Adjoining property owners are prohibited from placing fill, or other debris within easement area, or otherwise altering the detention facility side slope areas, or access road. Vehicular access in the easement area is restricted specifically to public maintenance vehicles.

2. The right to make all necessary slope for cuts and fills upon the Lots and Blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon. Tract "X" and storm pond tract are additionally dedicated to the City of Mount Vernon for City open space and storm drainage.

3. 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 Corp., and Comcast Corporation and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all Lots and tracts as shown on the face of this plat and other utility easement, if any, shown on the face of this plat, for sidewalk purposes and in which to install, lay, construct, renew, operate, maintain and remove utility systems, lines fixtures, appurtenances attached thereto, for the purpose of providing utility services and pedestrian access 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.

4. This development is utilizing the City of Mount Vernon Cluster Ordinance. Based upon the existence of Critical Areas and the City of Mount Vernon's desire to create developments utilizing a net density of four units per acre. The City Planning is allowing a 20% reduction from the minimum allowable lots size of 9,600 square feet to a minimum of 7,680 square feet.



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5. Lots 4, 5 and 6 share a common access area. The shared driveway within this area must be constructed per civil plans submitted by Ravnik & Associates, Inc. and approved by the City on May 10, 2005 prior to occupancy being permitted for the first residence built on any of these Lots.

Lots 16, 17 and 18 share a common access area. The shared driveway within this area must be constructed per civil plans submitted by Ravnik & Associates, Inc. and approved by the City on May 10, 2005 prior to occupancy being permitted for the first residence built on any of the three lots.

6. Sewage Disposal – City of Mount Vernon.

7. Storm Drainage – City of Mount Vernon.

8. Water – Skagit County P.U.D. No. 1.

9. Power – Puget Sound Energy.

10. Telephone – Verizon Northwest.

11. Gas – Cascade Natural Gas.

12. Television Cable – Comcast Corporation.

13. Garbage Collection – City of Mount Vernon. Solid waste collection for lots shall be at the edge of the public right-of-way.

14. Wetland boundary line shown hereon is based upon field delineation by Skagit Wetlands and Critical Areas in October 2003.

15. All lots within this subdivision are subject to impact fees for schools, fire, parks and any other City Impact Fees, payable upon issuance of a building permit.

16. All homes shall be built on site and no modular or manufactured homes are permitted.

17. Siltation control devices may be required for each lot during home construction or subsequent soil disturbances. See City of Mount Vernon Engineering Department for details.

18. The delineated on-site wetlands together with the buffer area shown as Tract "X" are dedicated to the City of Mount Vernon.

19. In order to prevent ground water from flowing to adjacent lots, perforated drainage pipe must be installed along the West property lines of Lots 13, 19, 21, 22, 23, 25, 26 and 27. The drain lines must be connected to the storm drainage system located in either Dakota Drive or South 30th Street. The installation shall happen concurrently with the home construction on these lots. All lots located on Dakota Drive are encouraged to install perimeter drain lines to divert ground water into the public stormwater system.

20. Easement for private drainage affecting Lots 1, 5, 6, 11, 13-17, 19, and 23-27.

21. Easement for public storm drainage affecting Lot 10.

22. Shared access easement affecting Lots 4-6, 11, 13 and 16-18.

23. Easement for ingress, egress and utilities affecting Lot 18.

24. Storm easement affecting Lots 1 and 2.



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25. Temporary turnaround easement affecting Lots 23 and 27.

26. Thirty (30) foot wide shared ingress, egress, utilities and temporary emergency vehicle turnaround easement affecting Lots 11 and 13. (Easement is hereby additionally granted to Lot B, Short Plat No. 8-80)



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