

**AFTER RECORDING MAIL TO:**

Linda Fisher and Richard Fisher  
407 Ovilla Oaks Dr  
Ovilla, TX 75154



200611300144  
Skagit County Auditor

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**CHICAGO TITLE CO.**

**STATUTORY WARRANTY DEED**

Escrow No. 06110509RM

Title Order No. *IC 40898*

**THE GRANTOR(S)** Hansen & Hansen Construction, Inc., a Washington Corporation

for and in consideration of Ten Dollars and other good and valuable consideration

in hand paid, conveys, and warrants to Linda Fisher and Richard Fisher, wife and husband

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

Lot 57, NOOKACHAMP HILLS PLANNED UNIT DEVELOPMENT, PHASE 1, according to the plat thereof, recorded in Volume 17 of Plats, pages 26 through 31, records of Skagit County, Washington.

Situated in Skagit County, Washington.

Abbreviated Legal: Lot 57, NOOKACHAMP HILLS PLANNED UNIT DEVELOPMENT, PHASE 1

Tax Parcel Number(s): 4722-000-057-0000/P113898

**SUBJECT TO:** All easements, restrictions, reservations, conditions, covenants and agreements of record, if any, along with those delineated in Preliminary Title Commitment No. BE11185 issued by Chicago Title Insurance Company, and set forth in Exhibit "A", attached hereto and by this reference made a part thereof.

**Dated:** November 28, 2006

Hansen & Hansen Construction, Inc.,

BY: *Jennifer Hansen*

*6094*  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

NOV 30 2006

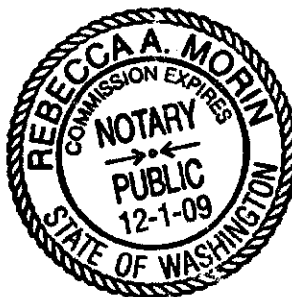
Amount Paid \$ *8193.00*  
Skagit Co. Treasurer  
By *fr* Deputy

I certify or have satisfactory evidence that *Jennifer Hansen* is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the *Vice President* of Hansen and Hansen Construction, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: *11/28/06*

*Rebecca A. Morin*

Rebecca A. Morin  
Notary Public in and for the State of Washington  
residing at Arlington  
My Commission Expires: 12/01/09



**EXHIBIT "A"**

Easement contained in Dedication of said plat;

For: All necessary slopes for cuts and fills and continued drainage of roads

Affects: Any portions of said premises which abut upon streets, avenues, alleys, and roads and where water might take a natural course

Easement, including the terms and conditions thereof, granted by instrument(s);

Recorded: July 5, 1910

Auditor's No(s).: 80143, records of Skagit County, Washington

In favor of: Duncan McKay

For: Road purposes

Affects: A portion of the subject property

**Note:** Exact location and extent of easement is undisclosed of record.

Easement, including the terms and conditions thereof, granted by instrument(s);

Recorded: September 13, 1990

Auditor's No(s).: 9009130081, records of Skagit County, Washington

In favor of: Public Utility District No. 1 of Skagit County, Washington

For: Water pipe lines, etc.

Affects: 60 foot wide strip of land in the South Half of Section 25 and in the Northeast Quarter of Section 36, all in Township 34 North, Range 4 East of the Willamette Meridian.

AMENDED by instrument(s):

Recorded: February 25, 1999

Auditor's No(s).: 9902250045, records of Skagit County, Washington

Easement delineated on the face of said plat;

For: Utility easement

Affects: 10 foot strip adjacent and parallel with road

Easement provisions contained on the face of said plat, as follows:

An easement is hereby reserved for and granted to Puget Sound Energy, Lake Cable Service, GTE Northwest, PUD No. 1 and their respective successors and assigns under and upon the exterior ten feet parallel and adjacent to the street frontage of all lots, unless shown otherwise in which to install, lay, construct, review, operate and maintain underground conduits, cables and wires with necessary facilities and other equipment for the purposes of serving the subdivision and other property with electric, television, telephone and gas service, together with the right to enter upon lots at all times for the purposes stated.

PUD Water Pipeline Easement provisions contained on the face of said plat, as follows:

Easements are 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 water line, lines, or related facilities, including the right to construct, operate, maintain, inspect, improvement, 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 lands as shown on this plat together with the right of ingress to and egress from said lands across adjacent lands of the grantor; 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.



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**EXHIBIT "A" (cont.)**

Grantor, its heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind of 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 districts use of the easement.

Stipulation contained in deed executed by Walking Circle M., Inc., to MV Associates, dated July 25, 1979, recorded August 31, 1979, under Auditor's File No. 7908310024, as follows:

This transfer is subject to that perpetual easement which exists, and has existed, in favor of David G. McIntyre for:

- A. The right to maintain, repair, inspect and otherwise use his existing septic tank on the subject property and, if necessary, to replace said septic tank by installing a new septic tank on the subject property.
- B. The right to use the existing well and waterlines on the subject property, and to take water from the existing well as needed.
- C. The right to use any and all roadways on the subject property for ingress and egress to the property owned by David G. McIntyre, which is located in Skagit County, Washington, in Section 30, Township 34 North, Range 5 East of the Willamette Meridian.

Matters related to annexing a portion of the subject property into Skagit County Sewer District No. 2, as disclosed by document recorded under Auditor's File Nos. 8412050001 and 8411280007, records of Skagit County, Washington.

Matters relating to the possible formation of an association for the common areas of the Otter Pond and Association for horse arena and stable areas as disclosed by document recorded under Auditor's File No. 8310310059, records of Skagit County, Washington.

Notes on the face of said plat, as follows:

- A. Zoning – Residential.
- B. Sewage Disposal – Skagit County Sewer District No. 2.
- C. Water – Skagit County P.U.D.
- D. The Plat of Nookachamp Hills Planned Unit Development is adjacent to property used for agricultural operations. Owners may be subject to inconveniences or discomforts arising from such operations, including but not limited to noise, odors, flies, fumes, dust, the operation of machinery of any kind during any 24 hour period, (including aircraft). The storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil, amendments, herbicides, and pesticides and will not consider to be a nuisance if such operations are consistent with commonly accepted best management practices and complies with local, state and federal laws.
- E. That portion of Public Utility District No. 1 of Skagit County Water Pipeline Easement, as recorded under Skagit County Auditor's File No. 9009130081, which lies within the boundaries of Nookachamp Hills Planned Unit Development, Phase 1 is to be relinquished following acceptance of the constructed water line by said Public Utility District and recording of said planned unit development.



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**EXHIBIT "A" (cont.)**

- F. Refer to Article 2 of Declaration and Covenant, Conditions, Restrictions, Easements and Reservations as recorded under Auditor's File No. \_\_\_\_\_, records of Skagit County, Washington.
- G. Per instrument recorded September 21, 1967, under Auditor's File No. 704645, a "blanket" easement is granted to Skagit Valley Telephone Company for buried telephone cable in the S.E. ¼ of Section 25, Township 34 North, Range 4 East W.M. and the W. ½ of Section 30, Township 34 North, Range 5 East, W.M.
- H. Sanitary Sewer Easements "A" through "S" shown hereon are granted to Skagit County Sewer District No. 2.
- I. Deed recorded August 31, 1979, under Auditors' File No. 7908310024 stipulates this transfer is subject to that perpetual easement which exists, and has existed in favor of David G. McIntyre for the right to maintain, repair, inspect and otherwise use his existing septic tank... The right to use existing well and waterlines... The right to use any and all roadways on the subject property for ingress and egress to the property owned by David G. McIntyre, which is located in Skagit County, Washington, in Section 30, Township 34 North, Range 5 East, W.M.
- J. The purchaser or seller of each lot shall deposit \$350 into the Skagit County Park Impact Fund at the Skagit County Treasurer's office at the time of closing of said sale. This one-time fee to mitigate impacts on Parks and Recreation.

Covenants, conditions, and restrictions contained in instrument(s), but omitting any covenants 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 applicable law;

Recorded: November 11, 1909  
Auditor's No(s): 76334, records of Skagit County, Washington  
Executed By: Union Lumber Company  
As Follows: Minerals and rights of entry. Said mineral rights are now vested of record in Skagit County.

Restrictions contained on the face of said plat, but omitting any covenant, condition, or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons, as follows:

No drainage water on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way, or to hamper property road drainage. Any enclosing of drainage waters in culverts or drains, or rerouting thereof across any lots as may be undertaken by, or for, the owner of any lots, shall be done by and at the expense of such owner.

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 2, 1998  
Auditor's No(s): 9811020155, records of Skagit County, Washington  
Executed By: Nookachamp Hills LLC, a Washington Limited Liability Company

AMENDED by instrument(s):

Recorded: April 28, 2004  
Auditor's No(s): 200404280064, records of Skagit County, Washington



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**EXHIBIT "A" (cont.)**

Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument(s);

Recorded: November 2, 1998

Auditor's No(s).: 9811020155, records of Skagit County, Washington

Imposed By: Nookachamp Hills LLC, a Washington Limited Liability Company

Terms, conditions, and restrictions of that instrument entitled Title Notification - Development Activities on or Adjacent to Designated Natural Resource Lands;

Recorded: July 22, 2005

Auditor's No(s).: 200507220052, records of Skagit County, Washington

Easement delineated on the face of said plat;

For: Sanitary Sewer Easement

Affects: Southeasterly 10 feet of said premises



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