

When recorded return to:

Mr. and Mrs. Pedro Cisneros  
743 West Point Place  
Burlington, WA 98233

Recorded at the request of:  
First American Title  
File Number: 90130



200701020115  
Skagit County Auditor

1/2/2007 Page 1 of 4 1:42PM

### Statutory Warranty Deed

THE GRANTORS Andrew C. Aguilar, as his separate property for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Pedro Cisneros and Ana D Cisneros, husband and wife the following described real estate, situated in the County of Skagit, State of Washington

FIRST AMERICAN TITLE CO.

90130E-1

Abbreviated Legal:

Unit 34, "AMENDMENT TO WESTPOINT, A CONDOMINIUM"

Tax Parcel Number(s): P116742, 4751-000-034-0000

Unit 34, "AMENDMENT TO WESTPOINT, A CONDOMINIUM", as recorded September 7, 2000 under Skagit County Auditor's File No. 200009070034, an Amendment to "WESTPOINT CONDOMINIUM", as recorded April 20, 2000 under Auditor's File No. 200004200062.

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

Dated December 26, 2006

Andrew C. Aguilar  
Andrew C. Aguilar

Dolores M. Aguilar  
Dolores M. Aguilar

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JAN 02 2007

Amount paid to  
Skagit Co. Treasurer  
By LP Deputy

3440.40

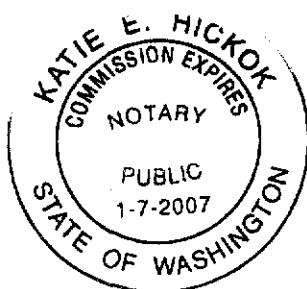
STATE OF Washington }  
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that Andrew C. Aguilar and Dolores M. Aguilar, 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: 12-27-06

Katie E. Hickok

Notary Public in and for the State of Washington  
Residing at mt vernon  
My appointment expires: 1-7-07



Order No: 90130

**Schedule "B-1"**

**EXCEPTIONS:**

**A. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:**

Between: City of Burlington, a municipal corporation  
And: Kingsgate Development Corporation  
Recorded: December 19, 1978  
Auditor's No: 893351  
Regarding: Sewer facilities

**B. TERMS AND CONDITIONS CONTAINED IN DECLARATION OF EASEMENTS, COVENANTS AND ROAD MAINTENANCE AGREEMENT:**

Dated: March 10, 1983  
Recorded: March 10, 1983  
Auditor's No: 8303100034  
Executed By: P.M.P. Development Corporation, a Washington Corporation; and Milton C. Pauli, as his separate property and Lowell B. Pauli, as his separate property

**C. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Grantee: Seattle & Northern Railway Company  
Recorded: May 4, 1891  
Auditor's No: 2350  
Purpose: Right to cut down dangerous trees  
Area Affected: Portion within 200 feet of railroad right of way

**D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Recorded: October 4, 1938  
Auditor's No: 306366  
Purpose: Ditch right of way

**E. COVENANTS AND RESTRICTIONS CONTAINED IN AGREEMENT FOR REZONE:**

Recorded: April 5, 1984  
Auditor's No: 8404050068  
Affects: Subject property and other property

As of May 2, 2002, certain units of the condominium appear to have heights exceeding 16 feet. An unrecorded document from the Burlington City Council dated April 25, 2002 approved the excess height for units 9 and 11. The excess heights for the remaining units were denied. This information is subject to change without further notice.

Affects Units 2, 3, 4, 5, 6, 8, 9, 10 and 11.



200701020115  
Skagit County Auditor

Order No: 90130

**F. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Grantee: Puget Sound Energy, Inc.  
Dated: November 22, 1999  
Recorded: December 3, 1999  
Auditor's No: 199912030123  
Purpose: "... utility systems for purposes of transmission, distribution and sale of gas and electricity. . . "

**G. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SUBDIVISION:**

Plat/Subdivision Name: Westpoint, A Condominium  
Recorded: April 20, 2000  
Auditor's No: 200004200062

Said Plat/Subdivision was amended and/or revised by instrument recorded September 7, 2000 under Auditor's File No. 200009070034.

Said matters include but are not limited to the following:

1. Common areas and fence line locations.
2. Know all persons by these presents that we, the undersigned owners of "Westpoint Condominium" in fee simple and/or mortgage holders of the property herein described, hereby declare this survey map and plans and dedicate the same for condominium purposes. This survey map and plans and any portion thereof shall be restricted by the terms of the condominium declaration filed contemporaneously herewith. This dedication is not for any other use than to meet the requirements of the Washington Condominium Act (RCW 64.34) for a survey and plans, and to submit the property to the act as provided in the declaration.
3. That portion of waterline easement set forth by instrument recorded under Auditor's File No. 8305180038 lying within the boundaries of the subject parcel was relinquished by instrument recorded under Auditor's File No. 199909090051.
4. Puget Sound Power & Light Co. easement set forth by instrument recorded under Auditor's File No. 8305060039 includes "a strip of land 7 feet in width lying parallel and adjacent to" the 50-foot wide private road (Pauli Drive) shown hereon and as shown on survey recorded in Book 4 of Surveys Page 85. Those portions of said easement lying within the boundaries of the subject parcel were relinquished by instrument recorded under Auditor's File No. 200004100078.
5. That portion of access and utility easement set forth by instrument recorded under Auditor's File No. 8303100034 lying within the boundaries of the subject parcel is hereby relinquished.
6. An easement is hereby reserved for and granted to the City of Burlington, Public Utility District No. 1, Puget Sound Energy, AT&T Cable Services, GTE Northwest, Inc., Cascade Natural Gas, and their respective successors and assigns under and upon strips of land, varying in width, within unit and common element boundaries as shown hereon, 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 condominium and other property, together with the right to enter upon the units and common elements 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 condominium by the exercise of rights and privileges herein granted.

Easements are hereby reserved for and granted to Puget Sound Energy, GTE Northwest, Inc. and their respective successors and assigns under and parcels about existing vaults and risers, as depicted hereon, for the purposes mentioned above.



200701020115

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Order No: 90130

7. 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, improve, remove, restore, alter, replace, 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 map and plans together with the right of ingress to and egress from said 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.

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

8. Unit Elevation Limits

35.0 feet above ground level  
10.0 feet below ground level

9. An easement is hereby granted to all units for common element dumpster pads and use of garbage dumpsters located within Units 22 and 33, as shown.

H. Terms, provisions, requirements and limitations contained in the Horizontal Property Regimes Act, Chapter 156, Laws of 1963, (R.C.W. 64.32) as now amended or as may hereafter be amended.

I. Terms, provisions, requirements and limitations contained in the Washington Condominium Act, Chapters 43 and 428, Laws of 1989, (R.C.W. 64.34) and as may be hereafter amended.

J. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions contained in the Condominium Declaration and as may be contained in the bylaws adopted pursuant to said Declaration:

Recorded: April 20, 2000  
Auditor's No: 200004200063

Including the right of the declarant to withdraw portions of the common elements and/or to encumber any portion of said common elements.

Any assessment now or hereafter levied under the provisions of the Condominium Declaration of Westpoint Condominium, or any amendment thereto or under the bylaws adopted pursuant to said Declaration.

Any assessment now or hereafter levied under the provisions of the Condominium Declaration of Skyline No. 24, a Condominium, or any amendment thereto or under the bylaws adopted pursuant to said declaration to the extent provided for by R.C.W. 64.34.

Said instrument was modified by instruments recorded under Auditor's File Nos. 200009070035, 200010060069, and 200202260116.



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