

When recorded return to:

Mr. and Mrs. David D. Berry  
1217 N. 16th Street  
Mount Vernon, WA 98273

Recorded at the request of:  
First American Title  
File Number: B91552



200705250237  
Skagit County Auditor

5/25/2007 Page 1 of 3 4:00PM

Statutory Warranty Deed

B91552E-1  
FIRST AMERICAN TITLE CO.

THE GRANTORS Garrett O'Brien, a single man, as his separate estate, and James M. O'Brien, who acquired title as James K. O'Brien, a married man, as his separate estate for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to David D. Berry and Sheila A. Berry, husband and wife the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:

Section 17, Township 34, Range 4; Ptn. SW SE Lot 4 Short Plat No. MV-05-089

Tax Parcel Number(s): P124692, 340417-4-106-0400

Lot 4 of Mount Vernon Short Plat No. LU-05-089, recorded June 15, 2006 under Auditor's File No. 200606150118, records of Skagit County, Washington; being a portion of the Southwest 1/4 of the Southeast 1/4 of Section 17, Township 34 North, Range 4 East W.M.

SUBJECT TO: Covenants, conditions, restrictions and easements per attached Schedule B-1 and by this reference made a part hereof.

Dated 5/21/07

Garrett O'Brien

James M. O'Brien

2496  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

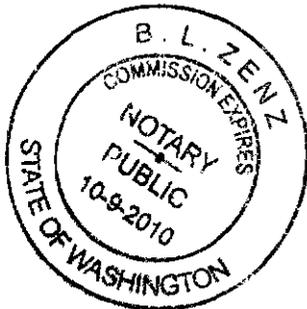
MAY 25 2007

STATE OF Washington  
COUNTY OF Skagit } SS:

Amount Paid \$ 4773.62  
By man Skagit Co. Treasurer Deputy

I certify that I know or have satisfactory evidence that Garrett O'Brien and James M. O'Brien, 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: 5-21-07



Notary Public in and for the State of Washington  
Residing at Skagit County, Burlington  
My appointment expires: 10-9-10

Schedule "B-1"

EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: City of Mount Vernon, Washington, a municipal corporation of Skagit County, State of Washington  
 Dated: February 7, 1959  
 Recorded: February 27, 1959  
 Auditor's No.: 577083  
 Purpose: Sewer pipe or pipes, line or lines for the transportation of sewage  
 Area Affected: The West 20 feet of said premises

B. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Carl L. Hayes  
 Dated: March 23, 1976  
 Recorded: April 7, 1976  
 Auditor's No.: 832922  
 Purpose: Water line  
 Area Affected: Approximately due East and West with point of beginning to the present P.U.D. meter base installation as provided by the P.U.D. for meter service to the Hayes property

C. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Energy, Inc.  
 Dated: May 4, 2006  
 Recorded: May 8, 2006  
 Auditor's No.: 20060508162  
 Purpose: Transmission, distribution and sale of electricity and underground facilities

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

Short Plat Name: Emerald Isle Short Plat  
 Recorded: June 15, 2006  
 Auditor's No.: 200606150118

Said matters include but are not limited to the following:

1. All roof and footing drains for Lots 1, 2 and 3 shall be tight lined to the provided on the site storm drainage system. Roof and footing drains for Lots 4 and 5 shall discharge directly and independently to the wetland buffer in the North portion of each Lot.



200705250237  
 Skagit County Auditor

2. Maintenance of the access road and drainage facilities within this plat shall be the responsibility of, and the costs of said maintenance, repair and/or reconstruction, of the respective beneficiary owners as stated on this plat. Their heirs, successors and assigns borne in equal shares thereof, of the respective lots in need of maintenance or repair.
3. Lots 4 and 5 are encumbered by a wetland and its associated buffer. These areas shall be preserved as a Native Growth Protection Area.
4. The address for Lot 3 is changed from 1219 N. 16<sup>th</sup> Street to 1218 N. 15<sup>th</sup> Street.
5. Sewage – City of Mount Vernon.
6. Storm – City of Mount Vernon.
7. Water – Skagit P.U.D. No. 1.
8. Power – Puget Sound Energy.
9. Phone – Verizon.
10. Gas – Cascade Natural Gas.
11. A non-exclusive easement is hereby reserved for and granted to the City of Mount Vernon; Public Utility District No. 1 of Skagit County; Puget Sound Energy, Inc.; Cascade Natural Gas Corporation; Verizon; and AT&T Cablevision of Washington, Inc. and their respective successors and assigns under and upon the 30' access and utility easement and the 10' utility easements as shown on the face of this 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 service 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 to all unnecessary damage it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted. Property owner is prohibited from building improvements within this easement unless approval has been granted by the city engineer.
12. Any lot within this subdivision will be subject to impact fees payable on issuance of a building permit as outlined in the City of Mount Vernon ordinance No. 2552 and 2596.
13. Dedication of a Native Growth Protection Area conveys to the public a beneficial interest in the land within this area. This interest includes the preservation of existing vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, visual and aural buffering, and protection of plant and animal habitat. The NGPA imposes upon all present and future owners and occupiers of the NGPA the obligation enforceable on behalf of the public or the City of Mount Vernon, to leave undisturbed all trees and other vegetation within this area. The vegetation within the NGPA may not be cut, pruned covered by fill, removed or damaged without express permission from the City of Mount Vernon, which permission must be obtained in writing.
14. Thirty (30) foot access and utility easement.
15. Ten (10) foot drainage and utility easement.
16. Wetland area and wetland buffer.
17. Vehicle turn around easement for Lots 1, 2 and 5 on Lot 3.
18. Thirty (30) foot access and utility easement across Lot 1 for benefit of Lot 2.



200705250237  
Skagit County Auditor