

When recorded return to:

Mr. and Mrs. Marc S. Weiss
2513 Tequesta Avenue
Tustin, CA 92782-1156



200706130098
Skagit County Auditor

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Recorded at the request of:
First American Title
File Number: 91809

Statutory Warranty Deed

THE GRANTOR Sea-Van Investments Associates, a Washington general partnership for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Marc S. Weiss and Catherine J. Weiss, husband and wife the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:

Lot 171, "PLAT OF EAGLEMONT PHASE IB, DIVISION NOS. 5 AND 6"

Tax Parcel Number(s): P124080, 4883-000-171-0000

FIRST AMERICAN TITLE CO.

91809E

Lot 171, "PLAT OF EAGLEMONT PHASE IB, DIVISION NOS. 5 AND 6", according to the plat thereof recorded January 10, 2006, under Auditor's File No. 200601100170, Skagit County, Washington.

Subject to covenants, conditions, restrictions and easements, if any, as per attached Exhibit "A"

Dated 6-7-07

2766
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Sea-Van Investments Associates

[Signature]
By: Edward Young, General Partner

JUN 13 2007

Amount Paid \$ 2,621.⁰⁰
Skagit Co. Treasurer
By *[Signature]* Deputy

STATE OF Washington }
COUNTY OF Skagit } SS:

Edward Young, General Partner of

I certify that I know or have satisfactory evidence that Sea-Van Investments Associates, 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: 6-7-07

[Signature]



Notary Public in and for the State of Washington
Residing at Mt Vernon
My appointment expires: 1-7-11

Schedule "B-1"

EXCEPTIONS:

A. RESERVATIONS CONTAINED IN DEED

Executed by: James E. Moore and Myrtle Moore, his wife
Recorded: February 4, 1942
Auditor's No: 348986
As Follows:

Reserving unto English Lumber Company, its successors and assigns, all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same.

Affects Northeast 1/4 of the Southwest 1/4; EXCEPT the Northwest 1/4 thereof, all in Section 27, Township 34 North, Range 4 East, W.M.

B. RESERVATIONS CONTAINED IN DEED

Executed by: Marie Fleitz Dwyer, Frances Fleitz Rucker and Lola Hartnett Fleitz
Recorded: October 22, 1918
Auditor's No: 128138
As Follows:

Undivided 1/2 in all oil, gases, coals, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same.

Affects Southwest 1/4 of Section 27, Township 34 North, Range 4 East, W.M.

C. RESERVATIONS CONTAINED IN DEED

Executed by: Atlas Lumber Company
Recorded: April 18, 1914
Auditor's No: 102029
As Follows:

Reserving to the Grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same and providing that such rights shall not be exercised until provision has been made for full payment of all changes substantial by reason of such entry.

Affects Southeast 1/4 of Section 27, Township 34 North, Range 4 East, W.M., and other property.

**D. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SURVEY,
RECORDED UNDER AUDITOR'S FILE NO. 9211250027:**

Purpose: Sanitary sewer, access and utility
Affects: Various strips as delineated on the face of said Survey



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E. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company
Dated: August 8, 1993
Recorded: August 25, 1993
Auditor's No: 9308250085
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

Area Affected:

A right-of-way 10 feet in width having 5 feet of such width on each side of a centerline described as follows:

The North 230 feet of the South 420 feet of the West 130 feet of the East 210 feet of the Southeast 1/4 of Section 27, Township 34 North, Range 4 East, W.M. (This easement may be superseded at a later date by a document with a more specific easement description based on an as built Survey furnished by Grantor at no cost to Grantee.)

F. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Cascade Natural Gas Corporation
Dated: September 28, 1993
Recorded: October 11, 1993
Auditor's No: 9310110127
Purpose: Natural gas pipeline or pipelines
Area Affected: 10 feet in width per mutual agreement

G. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company
Dated: August 8, 1993
Recorded: November 2, 1993
Auditor's No: 9311020145
Purpose: Right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under

Area Affected:

Easement No. 1: All streets, road rights-of-way, green belts, open spaces and utility easements as now or hereafter designed, platted and/or constructed within the above described property. (When said streets and roads 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 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.

Easement No. 3: A strip of land 20 feet in width parallel to and coincident with the boundaries of Waugh Road as designed, platted and/or constructed within the above described property.



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

Dated: January 11, 1994
Recorded: January 25, 1994
Auditor's No: 9401250030
Executed by: Sea-Van Investments Associates, a Washington General Partnership

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: December 11, 1995
Recorded: December 11, 1995
Auditor's No: 9512110030

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: March 13, 1996
Recorded: March 18, 1996
Auditor's No: 9603180110

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: January 31, 2000
Recorded: February 1, 2000
Auditor's No: 200002010099

I. Easement and set-back requirements as set forth in the covenants to Eaglemont, recorded under Auditor's File No. 9401250030.

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

Plat/Subdivision Name: Eaglemont, Phase IIB, Divisions 5 and 6
Recorded: January 10, 2006
Auditor's No.: 200601100170

Said matters include but are not limited to the following:

1. 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 P.U.D. to do all things necessary or proper in the construction and maintenance of a waterline, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, 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 waterline easements and private drive shown hereon; also, the right to cut and/or trim 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 of the easement area without written approval of the General Manager of the District, grantor shall conduct its activities and all other activities on the 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 District's use of the easement.



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2. An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1, Puget Sound Energy, Verizon, Cascade Natural Gas Corp, Comcast 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 hereon and other utility easements, if any, 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 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.

3. Know all men by these presents that we, the undersigned owners in fee simple or contract purchaser and mortgage holder of the land hereby subdivided, declare this plat as our free and voluntary act for the purposes shown herein and dedicate to the use of the public forever the public drives and courts shown hereon and the use thereof for all public purposes not inconsistent with the use thereof for public highway purposes together with the right to make all necessary slopes for cuts and fills upon the Lots and blocks, shown hereon in the original reasonable grading of the drives and courts shown hereon.

4. Plat number and date of approval shall be included in all deeds and contracts.

5. Sewage Disposal – City of Mount Vernon.

6. Water – PUD No. 1 of Skagit County.

7. Power – Puget Sound Energy.

8. Gas – Cascade Natural Gas Corporation.

9. Telephone – Verizon.

10. Cable – Comcast.

11. All Lots within this subdivision are subject to impact fees payable upon issuance of building permit.

12. For section subdivision information refer to the Plat of Eaglemont, Phase 1A, recorded under Auditor's File No. 9401250031, within which this plat is totally encompassed. Section subdivision shown on Section Map below is from the aforementioned plat filed under the same Auditor's File Number, Sheet 3 of 17.

13. Basis of bearing: Between monuments on centerline of Beaver Pond Drive South at PC and PT in front of Lot 94 as shown on Sheet 7 of this plat. Bears South 10°12'49" West.

14. Building setbacks:

Front yard - 20 feet

Side yard - 5 feet

Rear yard - one of the following shall apply:

10 feet where the rear yard abuts wetland or open space areas.

Wetland buffer - 10 feet, except where as noted on the plans or

Covered under the rear yard setback provisions.

25 feet where the rear yard abuts the golf course.

No building setbacks may encroach into utility easement



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15. An easement for the purpose of providing storm sewer service is hereby granted in favor of the public in the 20' storm drain easement crossing Lot 147 as shown on sheet 6 of 8. The city of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

16. A public sanitary sewer easement is hereby granted to the City of Mount Vernon across Lots 170 through 172, 164, 165, 156, 157, Tract Y and Tract Z in those areas designated as sanitary sewer and maintenance easements for the purpose of providing sanitary sewer service to this plat.

17. There is hereby granted to the City of Mount Vernon an easement over and across the areas designated on the plat as non-exclusive slope easements with the right to enter upon said premises for the purpose of maintaining, reconstructing, or replacing existing constructed cut and fill slopes and structural walls and all appurtenances necessary thereto. The present and future lot owners shall refrain from placing or constructing or allowing others to place or construct any buildings or other improvements of any kind upon said premise. The City shall under no circumstance be held responsible for the restoration of any buildings or improvements if they are disturbed during the exercise of this easement. The Eaglemont Homeowner's Association is hereby granted the right to enter said easement for emergency purposes at its own discretion.

18. Tract M will be owned by the City of Mount Vernon. The maintenance of this area shall be the responsibility of the City of Mount Vernon.

19. Tracts K and L shall be designated as open space and dedicated to the Homeowner's Association. The maintenance of this area shall be the sole responsibility of the Homeowner's Association.

20. Tract Z will be owned by the City of Mount Vernon. Tract Z contains a sanitary sewer easement. Tract Z shall be maintained by the City of Mount Vernon.

21. Tracts AA, AB, and Y will be owned and maintained by the Homeowner's Association.

22. In order to ensure adequate fall for side sewers, minimum finished floor elevations have been determined for Lots 166-168, 147, 149-152, and 153-162. Please see construction record drawings dated June 2005 by David Evans and Associates, Inc.

23. Landscaping within street right of ways shall conform to prior Eaglemont P.U.D. approvals. The golf course and Homeowner's Association shall be responsible for the installation and maintenance of all landscaping within the public street right of ways. Landscape plans for each lot must be submitted with the building permit application and conform to prior Eaglemont P.U.D. approvals.

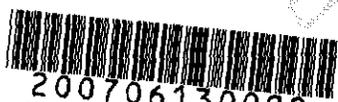
24. Tract K and Lots 149 and 150 are subject to a public pedestrian easement as shown on Sheet 6. The Homeowner's Association shall be responsible for maintenance of the trail located within the easement.

25. A shared driveway must be built within Tract AA to serve Lots 146, 162 and 163. The entire driveway must be constructed with the first house built on these lots. The driveway plan must be submitted with the first building permit application. The developer of this plat may construct the driveway prior to selling these lots for development.

26. A shared driveway must be built within Tract AB to serve Lots 164 and 165. The entire driveway must be constructed with the first house built on these lots. The driveway plan must be submitted with the first building permit application. The developer of this plat may construct the driveway prior to selling these lots for development.

27. Thirty (30) foot sewer easement over South portion of Lot 166

28. Ten (10) foot SD easement over South portion of Lot 167.



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