

AFTER RECORDING MAIL TO:



200708100110
Skagit County Auditor

8/10/2007 Page 1 of 7 11:42AM

Name Joseph & Lisa Krivanek

Address 8207 Avery Lane

City, State, Zip Sedro Woolley, WA 98284

Filed for Record at Request of: CHICAGO TITLE COMPANY IC43229

Statutory Warranty Deed

THE GRANTORS **Marc A. Titus and Keeley D. Titus**, husband and wife for and in consideration of **TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to **Joseph C. Krivanek and Lisa M. Krivanek**, husband and wife the following described real estate, situated in the County of **Skagit**, State of **Washington**

Lot 10, PLAT OF AVERY LANE, according to the Plat thereof recorded in Volume 17 of Plats, pages 62 through 64, records of Skagit County, Washington.

Situated in Skagit County, Washington.

SUBJECT TO:

Skagit County Right to Farm Ordinance, as follows: Skagit County has established a policy for unincorporated areas to protect and encourage agriculture and forestry operations. If your real property is located near an agriculture or forestry operation, you may be subject to inconvenience or discomfort arising from such operations, including but not limited to, noise, odors, fumes, dust, flies, and other associated pests, the operation of machinery of any kind during any 24-hour period, the storage and disposal of manure, and the application of fertilizers, soil amendments, and pesticides. If conducted in compliance with local, state, and federal laws, these inconveniences or discomforts are hereby deemed not to constitute a nuisance as provided in Chapter 7.48 RCW for purposes of the Skagit County Code and shall not be subject to legal action as a public nuisance.

Conditions, Restrictions, and easements as more fully described in **Schedule B-001** which is attached hereto and made a part hereof.

Abbreviated Legal: **Lot 10, PLAT OF AVERY LANE**

Tax Parcel Number(s): **4731-000-010-0000 (P114985)**

Dated 8/7/07

Marc A. Titus
Marc A. Titus

Keeley D. Titus
Keeley D. Titus

3794
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

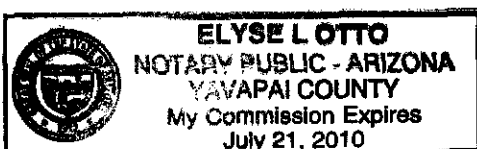
AUG 10 2007
6947.00
Amount Paid \$
By Skagit Co. Treasurer
Deputy

STATE OF Arizona
COUNTY OF Yavapai } SS:

I certify that I know or have satisfactory evidence that **Marc A. Titus** is the persons who appeared before me, and said persons acknowledged that signed this instrument and acknowledge it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 8/7/07

Elyse L. Otto
Notary Public in and for the State of AZ
Residing at Sedona
My appointment expires: 7/21/2010



STATE OF Alaska
COUNTY OF _____ } SS:

I certify that I know or have satisfactory evidence that **Keeley D. Titus**

are the persons who appeared before me, and said persons acknowledged that _____ she
signed this instrument and acknowledge it to be her _____ free and voluntary act for the
uses and purposes mentioned in this instrument.

Dated: 4th August 2007

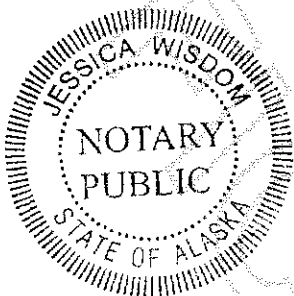
Jessica Wisdom

Notary Public in and for the State of Alaska

Residing at Eagle River

My appointment expires: _____

My Commission Expires
March 17, 2010



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SCHEDULE B-001

1. 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
2. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: September 21, 1989
Auditor's No(s): 8909210074, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Lot 5
3. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: April 4, 1990
Auditor's No.: 9004040053, records of Skagit County, Washington
In favor of: D. David McMillen
For: Sanitary sewer transmission line and/or community drainfield and appurtenances
Affects: The exterior 20 feet adjacent to Burlington Northern Railroad
4. Easement delineated on the face of said plat;
For: Trail
Affects: The Westerly portion of Lot 5 and Northerly portion of Tract E
5. Easement delineated on the face of said plat;
For: Drainage and utility
Affects: The Westerly portion of Lot 5, Northerly portion of Tract E and Southwesterly portion of Tract E
6. Easement delineated on the face of said plat;
For: Drainage and utility
Affects: The Southwesterly portion of Lot 10, the Westerly and Northerly portion of Lot 11 and the Westerly and Southerly portion of Lot 12 and Westerly portion of Lot C
7. Easement delineated on the face of said plat;
For: Wetlands
Affects: Tract E

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8. Pollution control area delineated on the face of said plat;
Affects: Tract E
9. Easement delineated on the face of said plat;
For: Access and utilities
Affects: The Easterly 60 feet of Lot 12
10. Easement provisions contained on the face of said plat, as follows:

An easement is hereby reserved for and conveyed to Puget Sound Energy, Cascade Natural Gas Corp., GTE Northwest, Northland Cable TV, and their respective successors and assigns under and upon the private street(s), if any, and the exterior ten (10) feet of all lots, tracts and spaces within the plat lying parallel with and adjoining all street(s) in which to construct, operate, maintain, repair, replace, and enlarge underground pipes, conduits, cables and wires with necessary or convenient underground or groundmounted appurtenances thereto for the purpose of serving this subdivision and other property with electric, gas, telephone and other utility service, together with the right to enter upon the streets, lots, tracts and spaces at all times for the purposes herein stated.

11. Notes on the face of Short Plat No. 93-020, as follows:
 - A. Ownership of a lot in this Short Plat requires membership in the Avery Lane Community Association, said membership to run with the land. The benefits and responsibilities of such membership are defined in the Articles of Incorporation, Bylaws, Restrictive and Protective Covenants, easements, etc., of record.
 - B. The lots in this short plat may connect to the Avery Lane Community Drainfield and/or Community Water System through membership in the Avery Lane Community Association. If members elect to connect to the Avery Lane Community Drainfield, individual septic tank permits are still required from the Skagit County Health Department.

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12. Notes on the face of Plat of Avery Lane, as follows:

- A. Road maintenance agreement is recorded under Auditor's File No. 9905110006.
- B. Zoning – Residential ®.
- C. Basis of bearings – assumed South 01°24'52" East on the West line of the Northwest Quarter of Section 14.
- D. Water – Avery Lane Community Association.
- E. Sewer – Avery Lane Community Association.
- F. The subject property may be affected by easements or restrictions in instruments filed in: AF#8510220041, AF#8510220044; AF#8510220045; AF#8510220046; AF#8508160062; AF#9511060001; AF#9601200034; AF#8909210074; AF#9004040053; AF#9307130013; AF#9404040156; AF#9308130052.
- G. No building permit shall be issued for any residential and/or commercial structures which are not, at the time of application, determined to be within an official designated boundary of a Skagit County Fire District;
- H. Change in location of access, may necessitate a change of address, contact Skagit County Permit Center.
- I. Reserve land Tracts C, D, and F are set aside for future development as permitted by local, county, and state laws, ordinances and regulations.
- J. Voluntary park impact fees of \$100.00 per lot shall be paid to the Skagit County Parks Department upon sale of each lot, except Lot 3.
- K. For additional information regarding protected critical area easement affecting designated wetlands and geologically hazardous area – steep.
- L. The 20 foot drainage easement between Lots 5 and 6, the 20 foot drainage easement between Lots 8 and 9, and the portion of the 30 foot drainage easement connecting the above described easements is intended to be used for a recreational trail system.

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13. Exceptions and reservations as contained in instrument;
Recorded: June 22, 1946
Auditor's No.: 393184, records of Skagit County, Washington
Executed By: Pope & Talbot, Inc.
As Follows: Subject, however, to reservations, if any, in Government grants and subject further to all easements, rights of way and privileges which have been heretofore sold or granted to or condemned or acquired by any municipality, person, firm, corporation or the public
14. Exceptions and reservations as contained in instrument;
Recorded: November 30, 1943
Auditor's No.: 367486, records of Skagit County, Washington
Executed By: Pope & Talbot, Inc.
As Follows: Subject, however, to reservations, if any, in government grants and subject further to all easements, rights of way and privileges which have been heretofore sold, or granted to or condemned or acquired by any municipality, person, firm, corporation or the public
15. 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: October 22, 1985
Auditor's No(s): 8510220045, records of Skagit County, Washington
16. Covenants, conditions, and restrictions contained in instrument(s), 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: May 11, 1999
Auditor's No(s): 9905110005, records of Skagit County, Washington
Executed By: Avery Lane P.U.D. Community Association

AMENDED by instrument(s):

Recorded: May 12, 1999 and March 14, 2000
Auditor's No(s): 9905120057 and 200003140042, records of Skagit County, Washington

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17. 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: May 11, 1999
Auditor's No(s): 9905110006, records of Skagit County, Washington
Executed By: Avery Lane P.U.D. Community Association
18. Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument(s);
Recorded: May 11, 1999
Auditor's No(s): 9905110006, records of Skagit County, Washington
Imposed By: Avery Lane P.U.D. Community Association
19. Terms, conditions, and restrictions of that instrument entitled Notice to Future Property Owners;
Recorded: April 30, 2001
Auditor's No(s): 200104300084, records of Skagit County, Washington
- AMENDED by instrument(s):
Recorded: December 9, 2005
Auditor's No(s): 200512090129, records of Skagit County, Washington
20. Agreement, including the terms and conditions thereof; entered into;
By: The developer of the Plat of Avery Lane
And Between: Each lot owner within the service area of Avery lane Division No. II
Recorded: June 11, 2001
Auditor's No. 200106110144, records of Skagit County, Washington
Providing: Avery Lane Division II Water Users Agreement

- END OF SCHEDULE B-001 -



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