



200709140085

Skagit County Auditor

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9 11:26AM

AFTER RECORDING MAIL TO:

Name Jonathan W. Nilsen and Heidi L. NilsenAddress 23810 Copper River CourtCity, State, Zip Mount Vernon, WA 98274

Filed for Record at Request of:

CHICAGO TITLE COMPANY
IC43481**Statutory Warranty Deed**

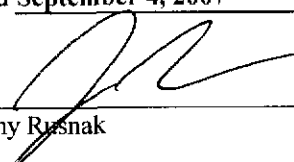
THE GRANTORS Jeremy Rusnak and Ann Rusnak, husband and wife for and in consideration of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Jonathan W. Nilsen and Heidi L. Nilsen, husband and wife the following described real estate, situated in the County of Skagit, State of Washington
Lot 83, PLAT OF NOOKACHAMP HILLS PUD PHASE 11A, according to the plat thereof, recorded on September 15, 2003, under Auditor's File No. 200309150157, records of Skagit County, Washington.
Situated in Skagit County, Washington.

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

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.

Abbreviated Legal: Lot 83, NOOKACHAMP HILLS PUD PHASE 11A

Tax Parcel Number(s): 4821-000-083-0000 (P120763)

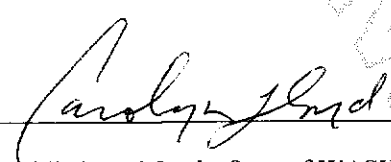
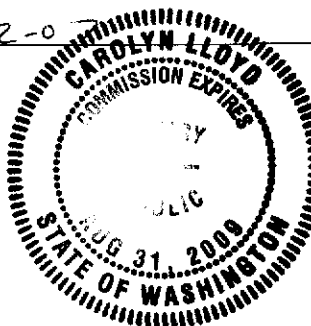
Dated September 4, 2007
Jeremy Rusnak
Ann Rusnak4377
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAXSTATE OF WASHINGTON }
COUNTY OF SKAGIT } SS:

SEP 14 2007

6,644.40
Amount Paid \$
Skagit Co. Treasurer
Deputy

I certify that I know or have satisfactory evidence that Jeremy Rusnak and Ann Rusnak

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

Dated: 9-12-07
Notary Public in and for the State of WASHINGTONResiding at Int VernonMy appointment expires: 8-31-09

Order No.: IC43481

SCHEDULE B-001

1. Easement, including the terms and conditions thereof, disclosed by instrument(s);
Recorded: September 21, 1967
Auditor's No(s): 704645, records of Skagit County, Washington
In favor of: Skagit Valley Telephone Company
For: the right, privilege and authority to construct, reconstruct or other signal or communication circuits, consisting of such underground conduits, cables, manholes, poles and other markers, fixtures and appurtenances as the grantee may from time to time require, upon, across, over and/or under the following described property and the roads, streets or highways thereto adjoining.
Affects: Southeast Quarter of 25-34-04 and other property
2. Easement, including the terms and conditions thereof, disclosed 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
For: the perpetual right, privilege and authority enabling the District to do all thins 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, 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 following described lands and premises
Affects: Strips of land 60' in width in the Southwest Half of the Southeast Quarter of Section 25 and the North Half of the Northeast Quarter of Section 36 Township 34 North, Range 4 East of the Willamette Meridian
3. 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.

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4. Stipulation contained in Deed executed by Walking Circle M., Inc., to MV Association dated July 25, 1979, recorded August 31, 1979 under Auditor's File No. 7908310024, as follows:
 - A. The right to maintain, repairs, 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; and
 - 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.
5. Easement, including the terms and conditions thereof, disclosed by instrument(s);
Recorded: December 10, 1982
Auditor's No(s): 8212100052, records of Skagit County, Washington
In favor of: Present and Future owners of the following described property:
Portions of Sections 13, 19, 24, 25, 30, 31 and 36 of Township 34 North, Range 4 East of the Willamette Meridian
For: Ingress, egress, drainage and utilities
6. Matters related to annexing a portion of the subject property onto Skagit County Sewer District No. 2, as disclosed by documents recorded under Auditor's File Nos. 8412050001 and 8411280007, records of Skagit County, Washington.
7. 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.
8. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: December 11, 1979
Auditor's No(s): 7912110003, 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: The North Half of the Northeast Quarter of Section 36, Township 34 North, Range 4 East of the Willamette Meridian, lying East of the County Road

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9. Easement, including the terms and conditions thereof, granted by instrument;
Dated: June 8, 1990
Recorded: September 13, 1990
Auditor's No.: 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
10. Agreement, including the terms and conditions thereof; entered into;
By: Nookachamp Hills L.L.C.
And Between: Skagit County Sewer District
Recorded:
Auditor's No. 9711180087, 200011290046 and 200208150099, records of Skagit County, Washington
Providing: Developer Extension Agreement
Affects: Said premises and other property
11. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: April 7, 2003, and July 15, 2003
Auditor's No.: 200304070122 and 200307150203, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Underground electric system, together with necessary appurtenances
Affects:
- Easement No. 1: All streets and road right-of-way as now or hereafter designed, platted, and/or constructed within the above described property. (When said streets and road 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 open 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
12. Agreement, including the terms and conditions thereof; entered into;
By: Dan Mitzel/Nookachamp Hills Phase 2A
And Between: Skagit County Sewer District No. 2
Recorded: February 12, 2004
Auditor's No. 200402120196, records of Skagit County, Washington

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13. Easement, including the terms and conditions thereof, disclosed by instrument(s);
Recorded: February 12, 2004
Auditor's No(s): 200402120195, records of Skagit County, Washington
In favor of: Sewer main with necessary appurtenances
For: Various portion of said plat
14. Easement contained in Dedication of said plat;
For: All necessary slopes for cuts and fills
Affects: Any portions of said premises which abut upon streets, avenues, alleys and roads
15. Easement provisions contained on the face of said plat, as follows:

Utility Easement

An Easement is hereby reserved for and granted to Skagit County, Skagit County Public Utility District No. 1 Skagit County Sewer District No. 2, Puget Sound Energy, GTE, Cascade Natural Gas Corporation, and Lake Cable Service and their respective successors and assigns under and upon the exterior 15 feet of all lots and tracts abutting all public roads and rights of way 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 subdivision. 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 caused to any real property owner in the subdivision by the exercise of rights and privileges herein granted.

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

Private Drainage and Sewer Easements

Easements for the purpose of conveying local storm water runoff and sanitary sewer are hereby granted in favor of all abutting private lot owners in all areas designated as private drainage or private sewer easements. The maintenance of private easements established and granted herein shall be the responsibility of and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owner's personal representatives and assigns.

Skagit Sewer District No. 2 is hereby granted an easement in all areas designated as private sewer easement.

Skagit County is hereby granted the right to enter said easements for emergency purposes at its own discretion.

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17. Note and restriction on the face of said plat.

- A. Zoning Rural Village, Residential
- B. No building permit shall be issued for any residential and/or commercial structure, which are not at the time of application determined to be within an official designated boundary of a Skagit County Fire District.
- C. Change in Location of access may necessitate a change of address, contact Skagit County Planning and permit center.
- D. Sewage Disposal – Skagit County Sewer District No. 2
Water – Skagit County PUD
Power – Puget Sound Energy
Telephone – GTE
Gas – Cascade Natural Gas
Cable – Lake Cable Service
- E. The purchaser or seller of each lot shall deposit \$350.00 into the Skagit County impact fund in the Skagit County treasurer's office at the time of closing of said sale. This is a one-time fee to mitigate impacts on parks and recreation.
- F. The owners hereby amend the declaration of covenants, conditions and restriction as recorded under Auditor's File No. 9811020155 records of Skagit County, Washington to include Lots 60 to 111. Inclusive, as shown hereon, this plat of Phase IIA is meant to create an addendum to the CCR'S as recorded under Auditor's File No. 9811020155 without recording a separate document.
- G. The plat of Noockachamp Hills planned unit development Phase IIA is adjacent to property used for agricultural operations. Owners may be subject to inconveniences or discomforts arising from such operation, 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 be considered to be a nuisance of such operations are consistent with commonly accepted best management practices and complies with local, state and federal laws

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- H. Tract "E" is designated for open space and detention pond, the ownership and maintenance of said tract is further defined in the CCR'S as referenced under Note 8 above Tract "F" is designated as an open space/buffer area.
- I. The 20 foot access easement as shown on sht 2 of 3 at the end of Kamloop Court is for pedestrian traffic only for the benefit of all lots within this plat and the plat of Nookachamp Hills PUD Phase 1. The maintenance and ownership of said 20' is further defined in the CCR'S as referenced under Note 8 above.
- J. Setbacks: Front – 35', 25' on minor access and dead end streets.
Side – 8' on interior lot
Rear – 25'
Accessory: Front 35'. Side 8'. However a 3' setback is permitted when the accessory building is minimum of 75' from the front property line providing that the structure is less than 1,000 sq. ft. in size and 16' or less in height.
- K. The plat name, number and date of approval shall be included in all deeds and contracts.
- L. The Homeowners Association is responsible for the maintenance of the storm water system, Skagit County public works has on file the " Storm Water System Maintenance Plan for Nookachamp Hills Plat, Phase II". Which outlines said maintenance.
18. 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.

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19. 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.
20. 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.
21. Covenants, conditions, restrictions and easements contained in declaration of restriction, 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;
Recorded: November 2, 1998
Auditor's No.: 9811020155, records of Skagit County, Washington
Executed By: Nookachamp Hills LLC, a Washington Limited Liability Company
22. Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument;
Recorded: November 2, 1998
Auditor's No.: 9811020155, records of Skagit County, Washington
Imposed By: Nookachamp Hills LLC, a Washington Limited Liability Company
23. Easement delineated on the face of said plat;
For: Utilities
Affects: Exterior 15 feet adjacent to street
24. Terms, conditions, and restrictions of that instrument entitled Title Notification: Development Activities on or Adjacent to Designated Natural Resource Lands;
Recorded: November 26, 2003
Auditor's No(s): 200311260020, records of Skagit County, Washington

- END OF SCHEDULE B-001 -



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