

When recorded return to:

Patricia Ann Higgins  
2503 Fir Crest Boulevard  
Anacortes, WA 98221

Recorded at the request of:  
First American Title  
File Number: A92664



200709280145

Skagit County Auditor

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**Statutory Warranty Deed**

GUARDIAN NORTHWEST TITLE CO.  
A92664E-1

THE GRANTOR Strandberg Construction, Inc., a Washington corporation for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Patricia A. Higgins, Trustee of the \*the following described real estate, situated in the County of Skagit, State of Washington. \*Patricia A. Higgins Revocable Trust Agreement dated May 9, 2007

Abbreviated Legal:

Lot 1, "FIR CREST PLANNED UNIT DEVELOPMENT"

Tax Parcel Number(s): P121954, 4843-000-001-0000

Lot 1, "FIR CREST PLANNED UNIT DEVELOPMENT" according to the plat thereof recorded August 31, 2004 under Auditor's File No. 200408310219, records of Skagit County, Washington.

SUBJECT TO the Easements, Restrictions and other Exceptions set forth on Exhibit "A" attached hereto.

Dated September 20, 2007

Strandberg Construction, Inc.

By: Nels Strandberg, President

4616  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

SEP 28 2007

Amount Paid \$ 7641.20  
By Skagit Co. Treasurer  
mam Deputy

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that Nels Strandberg is/are the person(s) who appeared before me, and said person(s) acknowledge that he signed this instrument, on oath stated he is/are authorized to execute the instrument and acknowledge that as the President of Strandberg Construction, Inc. to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 9-25-07 Cecilia L Hoffman

Notary Public in and for the State of Washington  
Residing at Anacortes  
My appointment expires: 10-8-09

# EXHIBIT A

## EXCEPTIONS:

### A. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company, a Washington corporation  
Dated: December 30, 1994  
Recorded: January 12, 1995  
Auditor's No.: 9501120049  
Purpose: Right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under the right of way;

Location:

Right-of-Way No. 1: The South 10 feet of that portion of Parcel "A" lying Westerly of Havekost Road.

Right-of-Way No. 2: The South 10 feet of the East 400 feet of Parcel "B".

### B. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation  
Dated: February 24, 2004  
Recorded: March 1, 2004  
Auditor's No.: 200403010128  
Purpose: "...utility systems for purposes of transmission, distribution and sale of gas and electricity..."  
Area Affected: "A strip of land ten (10) feet in width with five (5) feet on each side of the centerline of grantee's facilities as now constructed, to be constructed, extended or relocated..."

### C. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: City of Anacortes, a municipal corporation  
And: Nels Strandberg  
Dated: May 17, 2004  
Recorded: June 1, 2004  
Auditor's No.: 200406010217  
Regarding: Encroachment of an arbor to be placed over the city sidewalk for an entrance into Fir Crest and a bus stop waiting area

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

Plat/Subdivision Name: Fir Crest Planned Unit Development  
Recorded: August 31, 2004  
Auditor's No.: 200408310219

Said matters include but are not limited to the following:

1. Water Supply – City of Anacortes



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2. Sewer Disposal – City of Anacortes

EASEMENT RECITALS

3. An easement is hereby reserved for and conveyed to the City of Anacortes, Puget Sound Energy, Inc., Verizon Telephone Company, Cascade Natural Gas Company and Comcast Cable Television Company and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots, tracts and spaces within the plat lying parallel with and adjoining all street(s) and adjacent to "A" Avenue as shown in which to construct, operate, maintain, repair, replace an enlarge underground pipes, conduits, cables and wires all necessary or convenient underground or ground mounted appurtenances thereto the 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.

4. A 25'-0" easement is hereby granted to the City of Anacortes on and across Tract "B" and Lot 40 and a 10'-0" easement for Lot 29 and Lot 30 as shown on the plat for the same purposes as stated in Item 3. The easement shall be restored to its prior conditions after construction by those utilizing the easement.

5. All 4", 6" and 8" storm drain pipe located in the street right-of-way and within utility easements for all lots will remain private and the responsibility of the property owners.

6. The 10'-0" private storm easements on and across Lots 5, 8, 12, 16, 24, 27, 31, 35, 36, 37 and 38 as shown on the plat will remain private and shall be operated, maintained and restored to prior condition following any maintenance by the property owners which they serve.

7. A private 10' water easement is hereby granted to Rich Johnson and respective successors across Tract C for the purposes of extending a water service to his property. The easement is for the purpose in which to construct, operate, maintain, repair, replace and enlarge underground pipes for the purpose of serving the property owned. The easement shall be restored to its prior condition after construction by those utilizing the easement.

8. SIDEWALK AND PEDESTRIAN EASEMENT - A 10' road, sidewalk and pedestrian easement is hereby conveyed to the City of Anacortes across the South side of Lot 37 for the purpose of pedestrian access and sidewalk and road encroachment. In addition a 10' road easement is hereby conveyed to the City of Anacortes across the West side of Lots 32, 33, 34 and 39 for the purpose of a road encroachment. In the event of road or sidewalk replacement the home owners are responsible for the replacement of lost property corners.

9. TRACT A - Tract A is dedicated to the homeowners for which they serve for the purposes of access and utility services. The common access driveway shall be maintained as stated in the Home Owners CC&R's. Utilities easement shall be granted to the utility companies as stated in Easement Recitals (#3).

10. POND AND OPEN SPACE TRACT B – Tract B will remain in the common ownership of the Fir Crest Homeowners Association for common open space, water quality swale and infiltration pond is the responsibility of Homeowners Association for maintenance of the storm drainage system and pond located on said tract.

11. TRACT C – Tract C is hereby conveyed to the City of Anacortes for construction, access and maintenance of a sanitary sewer pump station in addition to a public access parking and trail to the forest lands.



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12. NATIVE GROWTH PROTECTION EASEMENT TRACT D – Condition #38. The Eastern side of the wetland shall be protected by a minimum 50 foot NGPE buffer administered by the City of Anacortes according to the standard specifications, subject to the following exceptions:

- (a) Minimal easements for the necessary storm drainage facilities as shown on the approved site plan
- (b) Trail easements as approved by the City.
- (c) The property lines and lot areas of Lots 18, 35 and 38 as shown on the approved site plan.
- (d) During construction disturbed areas in the buffer may be re-contoured, graded and seeded with grass to reduce erosion.

Given the above exceptions the Native Growth Protection Easement shall be left untouched with the following restrictions:

- 1. Hand removal of non-native exotic or adventitious plants.
- 2. Hazard trees shall be identified with concurrence of the City Forest Lands Manager. Hazard trees removed or blown down may be replaced by the City or the homeowner with 3' minimum appropriate native stock, which shall be maintained until able to survive without care.
- 3. If the buffer has been degraded by previous site disturbances, the Forest Advisory Board may approve a replanting plan using appropriate native stock.

Before and during the course of any grading, building construction, or other development activity on a lot subject to the NGPE, the common boundary between the easement and the area of development activity must be fenced or otherwise marked to the satisfaction of the City of Anacortes.

13. "...the right to make all necessary slope for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon."

14. Setbacks shall be as follows: a 10-foot setback from Fir Crest and a 10-foot setback from the property line abutting the private access roads; a 20-foot setback from the property line in what may be considered the side yard abutting other 4-lot clusters; a 5-foot setback in the back yards and side yards abutting other homes in the same cluster.

15. The lot coverage may be increased to 50% for single story residences.

16. A 6-foot fence is allowed in the yards facing Fir Crest Way with a minimum setback of 10-feet from the property line along Fir Crest Way as shown in the application drawings.

17. Private water easement affecting Tract D.

18. Private storm drain easement affecting Tracts C, D and Lots 35 and 38.

19. A 25' utility easement affecting Tract B and Lot 40.

20. Bridal Trail easement affecting Lot 40.

Amendment to the Plat of Fir Crest Planned Unit Development, recorded under Skagit County Auditor's File No. 200409270154.



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

Dated: September 3, 2004  
Recorded: September 3, 2004  
Auditor's No.: 200409030133  
Executed By: Fir Crest Development NW, LLC, a limited liability company

F. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Fircrest Homeowner's Association  
Dated: May 9, 2006  
Recorded: May 23, 2006  
Auditor's No.: 200605230081  
Purpose: Maintenance of Landscaping, sprinkler system, power meter and a sign identifying the Fir Crest Community  
Area Affected: Portion of subject property and other property



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