



200710240086
Skagit County Auditor

10/24/2007 Page 1 of 6 3:24PM

When recorded return to:

Cynthia K. Nightingale
12454 Given Drive, #11
Burlington, WA 98233

Recorded at the request of:
First American Title
File Number: 92879

Statutory Warranty Deed
GUARDIAN NORTHWEST TITLE CO.
92879E-1

THE GRANTOR Kelly M. Kutchick, as her separate estate, for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Cynthia K. Nightingale, a single individual the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:
Apartment Unit 11, "ALDERCREST CONDOMINIUMS" (Parcel "A")

Tax Parcel Number(s): P82022, 4420-000-011-0001

PARCEL "A":

Apartment Unit 11, "ALDERCREST CONDOMINIUMS", a Condominium, as shown on Survey Map and Floor Plans recorded May 7, 1980, in Volume 13 of Plats, pages 3, 4, 5 and 6, under Auditor's File No. 8005070005, and as identified in Declaration recorded May 7, 1980 under Auditor's File No. 8005070004, records of Skagit County, Washington, and Amended Declaration recorded May 31, 1983 by instrument recorded under Auditor's File No. 8305310016.

Subject to easements, restrictions or other exceptions hereto attached as Exhibit A

Dated 10/19/2007

Kelly M. Kutchick

STATE OF Washington }
COUNTY OF Skagit } SS:

11975
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

OCT 24 2007

Amount Paid \$ 4453.20
By LP Skagit Co. Treasurer Deputy

I certify that I know or have satisfactory evidence that Kelly M. Kutchick, 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: 10/19/07

Cheryl A. Froehlich

Notary Public in and for the State of Washington
Residing at Burlington
My appointment expires: 11/11

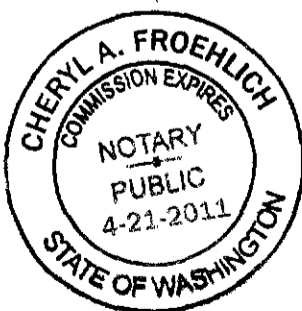


Exhibit "A"

Order No: 92879

Schedule "B-1"

EXCEPTIONS:

Paragraphs "A" through "I" affect Parcel "A" only

A. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Company
Dated: November 3, 1933
Recorded: March 6, 1936
Auditor's No.: 276867
Purpose: Electric transmission and distribution line
Area Affected: West 46 feet of the Plat of Aldercrest Condominiums

B. MINERAL RESERVATIONS CONTAINED IN DEED THROUGH WHICH TITLE IS CLAIMED:

From: United States of America
Dated: January 1, 1944
Recorded: April 25, 1944
As Follows: 370943

"Reserving to the United States of America a 3/4 interest in oil, gas, coal, and other mineral rights of whatsoever nature, upon, in or under the said lands, together with the usual mining rights, powers and privileges, including the right of access to and the use of such part of the surface as may be needed for mining and saving said minerals, except that the said grantees shall have the right to mine coal for their domestic use."

(Affects portions lying within the boundaries of Lot 19, of "COUNTRY CLUB ESTATES", as per plat recorded in Volume 11 of Plats, pages 5 and 6, records of Skagit County, Washington.)

C. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS:

Declaration Dated: December 20, 1974
Recorded: December 23, 1974
Auditor's No.: 811522
Executed By: Country Club Estates

D. Matters disclosed on the face of the Plat of Country Club Estates affecting the common areas, including, but not limited to the following:

1. Right of the public to make all necessary slopes for cuts and fills and the right to continue to drain said roads and ways over and across any lot where water might take a natural course in the reasonable original grading of the roads and ways hereon. Following reasonable original grading of the ways and roads hereon, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way, or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting thereof across any lot as may be undertaken by or for the owner of any lot shall be done by and at the expense of such owner.



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2. An easement is hereby reserved for and granted to Puget Sound Power & Light Company, Nationwide Cablevision company and Continental Telephone Company and their respective successors and assigns under and upon the exterior 7 feet parallel and adjacent to the street frontage of all lots in which to install, lay, construct, renew, operate and maintain underground conduits, cables and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric, television and telephone service, TOGETHER WITH the right to enter upon the lots at all times for the purposes stated.

E. Terms and conditions contained in Articles of Incorporation of "County Club Estates Association", a nonprofit corporation, regarding assessments to be charged lot owners in said plat for maintenance, upkeep, etc., of said plat.

Dated: December 20, 1974
Filed: December 27, 1974
Auditor's No.: 811690

F. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES:

For: Access to Golf Course for present and future owners of Lot 2, Short Plat 87-79
In Favor Of: Gene Sargent and Charlotte Sargent, husband and wife, their successors or assigns
Recorded: November 9, 1979
Auditor's No.: 7911090034
Affects: A portion of the common areas

Said Easement being modified by instrument recorded May 21, 1980 under Auditor's File No. 8005210032.

G. Terms, provisions, definitions, covenants, reservations, opinions, obligations, easements, assessments, limitations and restrictions contained in Declaration recorded May 7, 1980, under Auditor's File No. 8005070004.

H. Terms, provisions, and limitations contained in the Horizontal Property Regimes Act, Chapter 156, Laws of 1963, "R.C.W. 64.3211, as amended.

I. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Comcast of Washington, Inc.
Dated: January 1, 2003
Recorded: July 9, 2003
Auditor's No.: 200307090011
Purpose: Installation, maintenance, service, use, removal and operation of facilities
Area Affected: All buildings



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Paragraphs "J" through "N" affect Parcel "B" only

J. RESERVATIONS CONTAINED IN DEED

Executed by: S.C. Scott
Recorded: June 6, 1924
Auditor's No: 174856
As Follows:

"There is reserved...an undivided 1/4 interest in all oil, gas, coal, or other minerals of every kind upon all of said lands, together with the right to go upon and remove same."

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

Recorded: July 5, 1991
Auditor's No: 9107050005
Executed by: Brown & McMillen, Div. No. 2

L. EASEMENT AND PROVISIONS CONTAINED THEREIN:

Grantee: Puget Sound Power & Light Company
Recorded: March 12, 1991
Auditor's No: 9103120116
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

Affects:

Right of Way #1: All streets and road rights of way 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 full and void.

Right of Way #2: A strip of land 10 feet in width across all lots, tracts and spaces located within the above described property being parallel and coincident with the boundaries of all private/public streets and road rights of way, as delineated on the final approved plat of Brown and McMillen Plat.



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M. EASEMENT AND PROVISIONS CONTAINED THEREIN:

Grantee: Puget Sound Power & Light Company
Recorded: January 21, 1992
Auditor's No: 9201210120
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

Affects:

Location: An easement area 10 feet in width having 5 feet of such width on each side of a centerline described as follows:

Right of Way #1: As constructed or to be constructed on the above described property more particularly described as follows:

Beginning at a point on the West line of said property that is the intersection of said West line and the South line of Gages Road extended terminus.

Right of Way #2: As constructed or to be constructed on the above described property, on the West 5 feet of the above described property.

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

Plat/Subdivision Name: Brown & McMillen Division No. 2
Recorded: July 5, 1991
Auditor's No: 9107050004

1. Right of the public to make all necessary slopes for cuts and fills and the right to continue to drain said roads and ways over and across any lot where water might take a natural course in the reasonable original grading of the roads and ways hereon. Following reasonable original grading of the ways and roads hereon, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right of way, or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or re-routing thereof across any lot as may be undertaken by or for the owner of any lot shall be done by and at the expense of such owner.

2. An easement is hereby reserved for and granted to Puget Sound Power and Light Company, Nationwide Cablevision Co., Continental Telephone Co., Cascade Natural Gas Corporation and Skagit Public Utility District No. 1 and their respective successors and assigns under and upon the exterior 7 feet parallel and adjacent to the street frontage of all lots in which to install, lay, construct, review, operate, and maintain underground conduits, cable and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric, television, and telephone service, TOGETHER WITH the right to enter upon the lots at all times for the purposes stated.

3. The Plat of Brown and McMillen Division No. 2 is adjacent to property used for agricultural operations. Owners may be subject to inconveniences or discomforts arising from such operations, 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 or spraying of chemical fertilizers or, herbicides and pesticides and will not consider to be a nuisance if such operations are consistent with commonly accepted best management practices and complies with applicable state and federal laws



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4. Buyer should beware that this subdivision is located in the floodplain and significant elevation may be required for the first living floor of residential construction.
5. Front yard residential setback line is shown hereon for details of remaining setback requirements. See Skagit County Zoning Ordinance Chapter 14.04 Skagit Co. Code.
6. There shall be no fill or new construction within the channel of Gages Slough.
7. Drainage easement affecting the West 5 feet of Lots 23, 34, 40 and 47, the East 5 feet of Lots 24, 33, 41, and 48; and the North 15 feet of Lots 5, 6 and 7.

A "Buffer Zone No construction permitted or modification of existing conditions also drainage easement to Skagit County" as shown on the face of said plat. Affects Lots 36 through 50, inclusive.



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