

When recorded return to:

Mr. and Mrs. Daniel R. Mitzel
1639 Pacific Drive
Burlington, Wa. 98233

Recorded at the request of:
Guradian Northwest Title & Escrow
File Number: B92615

GUARDIAN NORTHWEST TITLE CO.

1392615E-1

Statutory Warranty Deed



200802080097
Skagit County Auditor

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THE GRANTOR Hansell Mitzel LLC, for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, as part of an IRS 1031 Tax Deferred Exchange in hand paid, conveys and warrants to Daniel R. Mitzel and Patricia R. Burklund, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Abbreviated Legal:

Section 6, Township 34, Range 4; Ptn. Gov. Lot 3 (aka Tract 2, Short Plat No. BU-3-92)

For Full Legal See Attached Exhibit "A"

Subject to Covenants, conditions, restrictions and easements as per Schedule B-1 attached hereto and made a part hereof

Tax Parcel Number(s): P102593, 340406-0-019-0100

Dated 1-28-08

Hansell Mitzel, LLC

By: Jeff Hansell, Managing Member

398
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

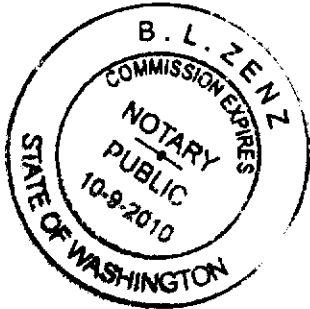
FEB 08 2008

Amount Paid \$ 8976.20
By Skagit Co. Treasurer Deputy

STATE OF WA }
COUNTY OF Skagit } SS:

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

Dated: 1-28-08



B. L. ZENZ
Notary Public in and for the State of WA
Residing at Sedro Woolley, WA
My appointment expires: 10-9-10

EXHIBIT A

Tract 2 of Burlington Short Plat No. BU-3-92, approved January 15, 1993 and recorded January 27, 1993 under Auditor's File No. 9301270076, in Volume 10 of Short Plats, page 168, records of Skagit County, Washington, being a portion of Government Lot 3 of Section 6, Township 34 North, Range 4 East, W.M.;

EXCEPT all that portion of said Tract 2, Burlington Short Plat No. BU-3-92 lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES), P 11+49+/- on the P line Survey of SR 20, Exhibit Map: Pulver Road to SR 5 Interchange, and 90 feet Southwesterly therefrom, said point being on the Southeasterly boundary of said Tract 2; thence Northwesterly to a point opposite HES P 12+50 on said line Survey and 95 feet Southwesterly therefrom; thence Northerly to a point opposite HES P 14+00 on said line Survey and 70 feet Westerly therefrom; thence Northeasterly to a point opposite HES P 17+08 +/- on said line Survey and 46.28 feet Westerly therefrom, said point being on the Westerly boundary of said Tract 2; thence Northerly to a point opposite HES P 18+91 +/- on said line Survey and 51.56 feet Westerly therefrom, said point being on the Westerly boundary of said Tract 2; thence Northerly to a point opposite HES P 20+00 on said line Survey and 45 feet Westerly therefrom; thence Northwesterly to a point opposite HES P 20+46 +/- on said line Survey and 60 feet Westerly therefrom, said point being on the Northerly boundary of said Tract 2; thence Easterly along said Northerly boundary to a point opposite said HES P 20+46 +/- and 65 feet Easterly therefrom; thence Southwesterly to a point opposite HES P 20+00 on said line Survey and 50 feet Easterly therefrom; thence Southerly to a point opposite HES P 16+30 on said line Survey and 60 feet Easterly therefrom; thence Southerly to a point opposite HES P 14+00 on said line Survey and 55 feet Easterly therefrom; thence Southeasterly to a point opposite HES P 11+51 +/- on said line Survey and 60 feet Northeasterly therefrom, said point being on the Southeasterly boundary of said Tract 2; thence Southwesterly along said Southeasterly boundary of said Tract 2 to the point of beginning.



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Schedule "B-1"

EXCEPTIONS:

A. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: City of Burlington
And: Laurence G. Fladebo, et ux
Dated: March 19, 1984
Recorded: April 5, 1984
Auditor's No: 8404050068
Regarding: Zoning, setback requirements, height restrictions, drainage provisions, etc.

B. RESERVATIONS CONTAINED IN DEED

Executed by: Laurence G. Fladebo and Delores L. Fladebo
Recorded: April 2, 1993
Auditor's No: 9304020113
As Follows:

It is understood by all parties hereto that Tract 2, of said Short Plat No. BU-3-92, adjacent, will be further developed in the future. In that connection, it is hereby stipulated, covenanted and agreed that the most Northerly 155 feet of Lot 1, as measured along the West line thereof, shall revert to the owner of Tract 2, and shall become a portion of the development of Tract 2. Said reversion shall occur upon the owner/developer of Tract 2, providing a paved access to the remainder of Tract 1, along the East side of Tract 1, by means of a dedicated public road. It is further agreed that the 10 foot wide utility easement running from Peterson Road to a North line of said Tract 1, shall terminate and expire upon the owner/developer of Tract 2, providing for utility access to Tract 1, over the developed portions of Tract 2. It is further agreed that the owner/developer of Tract 2, shall bear the cost of re-connecting any existing utility serving the Tract 1 that is moved so as to accommodate the owner/developer of Tract 2. It is further understood that the owner/developer of Tract 2, shall be responsible for any costs in connection with obtaining any governmental permits, deeds, etc., that may be required to accomplish said reversion. The owner of Tract 1 shall cooperate with the owner/developer of Tract 2, in this regard including but not limited to executing a Quit Claim Deed for said properties, which are to revert.

C. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING SHORT PLAT:

Short Plat No.: BU-3-92
Recorded: January 27, 1993
Auditor's No: 9301270076


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D. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: City of Burlington, a Washington municipal corporation
And: Westside Meadows, LLC, a Washington limited liability corporation; David Allegre; Daniel Mitzel and Hansell Mitzel LLC
Dated: October 31, 2002
Recorded: December 9, 2002
Auditor's No: 200212090231
Regarding: Reconsideration and Contingent Settlement Agreement

E. Relinquishment of rights of access to State Highway and of light, view, and air under terms of Deed to the State of Washington:

Recorded: September 10, 2002
Auditor's No.: 200209100097


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