When recorded return to:

Mr. and Mrs. Kyle R. Brown

40200 SR 20 98237

Recorded at the request of:
Guardian Northwest Title & Escrow

File Number93698

GUARDIAN NORTHWEST TITLE CO.

**Statutory Warranty Deed** 

200806030073 Skagit County Auditor

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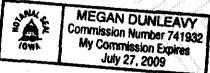
THE GRANTOR Wells Fargo Bank, NA for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Kyle R. Brown and Tiffance Mishel Brown, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

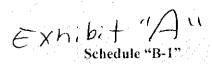
Abbreviated Legal:

Lot 24, Block O. "CAPE HORN ON THE SKAGIT DIVISION NO. 2",

Tax Parcel Number(s): P63465, 3869-015-024-0004

	rictions or other exce	clusive, records of Skagit County, reptions hereto attached as Exhibit A	SKAGIT COUNTY V REAL ESTATE E)	7
Dated 5-29	-08	<u> </u>	COLATEE	CISETON
Wells Fargo Bank NA		JOSEPH BARRY Vice President Loan Docum	entation JUN 032	008
			Skagit Co. Treasum By Mam Dep	10 28.50
STATE OF Washingt	for	ss:	~~	
I certify that I know or ha	ve satisfactory evider	nce that is/are the person(s) wh	6 Saxy o appeared before	
me, and said person(s) acl	MIOWICUSE GIGE	signed this instrument, on oath	stated <u>he</u>	
Sure authorized to execu	te the instrument and of We	l acknowledge that as the ells Fargo Bank, NA		
to be the free and volunta		es) for the uses and purposes mentioned	l in this instrument.	
Dated: 5/2	9/08	- / kiga	Mars	lau
		Notary Public in and for the State of	Tlows _	
		Residing at		- //\





## **EXCEPTIONS:**

- A. CONDITIONS AND RESTRICTIONS CONTAINED IN AN INSTRUMENT, FILED JULY 13. 1965: AS AUDITOR'S FILE NO. 668869 READING AS FOLLOWS:
- "I. Lot owners to be advised that those areas indicated on the plat as being below elevation 140.0 feet, are subject to infrequent periodic inundation and buildings constructed therein should maintain a floor elevation above 140.0 feet.
- 2. The exterior of all buildings to have a completed appearance within one year from date of starting.
- 3. Lot owners shall be responsible for placing wells and septic tank drainfields in accordance with the master plan as on file with the Cape Horn Maintenance Company. A minimum of 100 feet shall be maintained between all drainfields and wells. All work to be in accordance with Skagit County Regulations.
- 4. All lots shall be subject to the Articles and By-Laws of the Cape Horn Maintenance Company,"

An Amendment to By-Laws was recorded January 16, 2003 under Auditor's File No. 200301160063.

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

Plat/Subdivision Name:

Cape Horn on the Skagit

Recorded:

July 13, 1965

Auditor's No.:

668870

Said matters include but are not limited to the following:

- The Plattors do hereby declare this plat and dedicate to the public forever all roads and ways and that 40 foot easement along the river shown hereon with the right 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 or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon, following original reasonable grading of the roads and ways shown hereon, 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."
- 2. "Skagit County shall not be responsible for any flood control improvements."
- C. EASEMENT, INCLUDING TERMS & PROVISIONS THEREOF:

Grantee:

Puget Sound Power & Light Company, a corporation

Purpose:

Transmission line with appurtenances

Dated:

July 7, 1965

Recorded:

August 17, 1965

Auditor's No.:

670429

Affects:

As constructed and extended in the future at the consent

of Grantee and Grantor

D. RESTRICTIONS ON OTHER LOTS IN SAID PLAT IMPOSED BY VARIOUS INSTRUMENTS OF RECORD WHICH MAY BE NOTICE OF A GENERAL PLAN AS FOLLOWS:

"Grantees covenant and agree that the above described real estate shall be subject to the charges and assessments as provided for in and for the purposes set forth in the Articles of Incorporation and the By-Laws of the Cape Horn Maintenance Co., a nonprofit, non-stock Washington corporation and that said corporation shall have a valid first lien against the above described real estate for said charges and assessments; and, in addition to the remedies set forth in said Articles of Incorporation and By-Laws, that if said charges and assessments levied by said corporation shall not be paid within four (4) months after they shall become due and payable, then said corporation may proceed by appropriate action to foreclose its lien together with such sum as the court may adjudge reasonable attorneys fees in such action. The grantee hereby acknowledges receipt of copies of said Articles of Incorporation and By-Laws of the Cape Horn Maintenance Co. This provision is a covenant running with the land and is binding on the grantees, their heirs, successors and assigns

## SUBJECT TO:

- (a) Restrictions, reservations, agreements and easements of record and as shown on the face of said recorded plat.
- (b) Use of said property for residential purposes only.
- (c) Questions that may arise due to shifting of Skagit River."
- E. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS:

Declaration Dated:

September 20, 1976

Recorded:

December 14, 1976

Auditor's No.:

847451

Executed By:

Cape Horn Maintenance Company

Terms and Provisions of document recorded as Auditor's File No. 200611200088 which may pertain thereto.

- F. Any question that may arise due to shifting or changing in course of the Skagit River. (Affects those lots abutting the River)
- G. Declaration of Covenant recorded June 21, 1993 under Auditor's File No. 9306210022 regarding well and waterworks located on the "Community Park" area.
- H. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Dated:

June 10, 1965

Recorded:

November 20, 2006

Auditor's No.:

200611200088

Executed By:

Cape Horn Maintenance Co.

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