

When recorded return to:

Mr. and Mrs. Robert S. McPhadon  
2811 Arbor Street  
Mount Vernon, WA 98273

Recorded at the request of:  
Guardian Northwest Title & Escrow  
File Number 94813

200806130121  
Skagit County Auditor  
6/13/2008 Page 1 of 5 11:36AM

### Statutory Warranty Deed

THE GRANTORS Kellen E. Anderson and Tristyn M. Anderson, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Robert S. McPhaden and Melissa A. McPhaden, husband and wife the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:  
Lot 55, "ROSEWOOD P.U.D. PHASE I"

94813-E1  
GUARDIAN NORTHWEST TITLE CO.

Tax Parcel Number(s): P116492, 4745-000-055-0000

Lot 55, "ROSEWOOD P.U.D. PHASE I", as recorded February 14, 2000, under Auditor's File No. 200002140086, records of Skagit County, Washington.

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

Dated

6-9-08

Kellen E. Anderson

Tristyn M. Anderson

1940  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUN 13 2008

STATE OF Washington }  
COUNTY OF Skagit } SS:

Amount Paid \$ 3743.00  
By MF Skagit Co. Treasurer  
Deputy

I certify that I know or have satisfactory evidence that Kellen E. Anderson and Tristyn M. Anderson, 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:

7-6-908

Notary Public in and for the State of Washington  
Residing at Mount Vernon  
My appointment expires: 1/07/2011

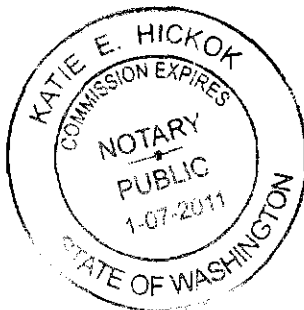


Exhibit A

**EXCEPTIONS:**

**A. RESERVATIONS CONTAINED IN DEED**

Executed by: Puget Mill Company, a Corporation  
Recorded: December 18, 1926  
Auditor's No: Volume 142 of Deeds, Page 146  
As Follows:

"The party of the first part hereby reserves unto itself and unto its successors and assigns, the full, complete and absolute right to all oils, gases, coal, minerals, metals and fossils of every name and nature which may be in or upon said land or any part thereof, with the right of entry upon said land to prospect and explore for oils, gases, coal, minerals, metals and fossils of every name and nature, however, said party of the second part, its successors and assigns, shall be reasonably compensated for all damages done to the surface and soil of said land and the improvements thereon in carrying on any such operation."

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

Dated: June 1, 1998  
Recorded: June 23, 1998  
Auditor's No: 9806230104  
Executed by: Self Help Housing, a Washington Non-Profit Corporation;  
William Miller, it's Executive Director

**C. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Grantee: City of Mount Vernon, a Municipal Corporation of the State of Washington  
Dated: November 24, 1998  
Recorded: December 31, 1998  
Auditor's No: 9812310051  
Purpose: Utility purposes  
Area Affected: Tract A and common areas adjacent to 30<sup>th</sup> Street

**D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:**

Grantee: Puget Sound Power & Light Company  
Dated: July 14, 1999  
Recorded: August 12, 1999  
Auditor's No: 199908120018  
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  
Area Affected: Common Area - Tract A



200806130121  
Skagit County Auditor

E. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Self-Help Housing  
And: City of Mount Vernon  
Dated: February 8, 2000  
Recorded: February 14, 2000  
Auditor's No.: 200002140087  
Regarding: Agreement as to various terms of platting including but not limited to road improvements, signage, street lighting, etc.

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

Plat/Subdivision Name: Rosewood P.U.D. Phase 1  
Recorded: February 14, 2000  
Auditor's No.: 200002140086

Said matters include but are not limited to the following:

1. An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting private lot owners in the areas designated as private drainage easements. The maintenance of private drainage 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, owners personal representatives, and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

2. An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1 of Skagit County, Puget Sound Energy, G.T.E., Cascade Natural Gas Corp. and TCI Cablevision of Washington, Inc. and their respective successors and assigns under and upon the exterior front boundary lines of all lots and tracts as shown hereon and other utility easements shown on the face of the plat, 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 and other property, together with the right to enter upon the lots and tracts at all times for the purposes stated. Property owner is prohibited from building improvements within this area unless approval has been granted by the City Engineer. Additionally said front yard easement area shall be utilized for sidewalk and driveway purposes.

3. All lots within this subdivision are subject to impact fees payable upon issuance of a building permit.

4. Telephone: G.T.E.  
Power: Puget Sound Energy  
Television: TCI Cablevision  
Storm: City of Mount Vernon  
Sewer: City of Mount Vernon  
Water: Public Utility District No. 1 of Skagit County  
Gas: Cascade Natural Gas



200806130121  
Skagit County Auditor

5. Building Set Backs: Single Family Lots

Front: 20' lots at street intersections have two front yards

Rear: 20'

Side: 7.5' (or as otherwise shown hereon)

Common Wall Lots

Front: 20': Lots at street intersections have two front yards

Rear: 20'

Side: 0' on common sides, 7.5' on non common sides (or as otherwise shown herein)

6. Wetlands areas shown hereon were delineated by Aqua-Terr Systems, Inc., Sedro Woolley, Washington, in May 1995 and April 1996.

7. Storm water facilities - operation/maintenance

Stormwater drainage/detention facilities common to the plat of Rosewood P.U.D. Phase No. 1 is dedicated to the City of Mount Vernon in Tract "A".

8. All lots and tracts shown hereon are subject to the requirements and conditions of the final P.U.D. for Rosewood P.U.D.

9. Building permits shall not be issued on lots shown hereon, 1-30, 39-49, and 51-64, until the required improvements for phase 1 are fully completed to the satisfaction of the City of Mount Vernon Engineering Department.

10. The developer/Rosewood Homeowner's Association shall be responsible for the following P.U.D. requirements on Tract "A", open space, not to be considered a building site. Installation and maintenance of landscaping and wetland signs.

11. Tract "B" is not to be considered a separate building site. Tract "B" is for open space. Playground and critical areas preservation purposes. Activities shall comply with P.U.D. requirements and City of Mount Vernon critical areas ordinance No. 2482. No clearing or removal of existing vegetation on the property is permitted without the written consent of the City of Mount Vernon. No structures shall be placed on Tract "B" without the written consent of the City of Mount Vernon. "Structures" shall mean any building, wall, driveway, walkway, patio, garage, storage shed, carport, mailboxes, swimming pools, rockery, dog run, or playground equipment. The developer/Rosewood Homeowner's Association shall be responsible for the following P.U.D. requirements on Tract "B": installation and maintenance of landscaping, wetland signs and playground equipment.

12. Tract "C" is not to be considered a separate building site. Tract "C" is for open space purposes. No structures shall be placed on Tract "C" without the written consent of the City of Mount Vernon. "Structures" shall mean any building, wall, driveway, walkway, patio, garage, storage shed, carport, mailboxes, swimming pools, rockery, dog run, or playground equipment. The developer/Rosewood Homeowner's Association shall be responsible for the following P.U.D. requirements on Tract "C": installation of landscaping and playground equipment.

13. Tract "X" is not to be considered a separate building site. Tract "X" is for phasing purposes only. Building permits shall not be issued on Tract "X" until such time as future phase approvals are received. Future phases shall meet the requirements of the approved final P.U.D. for Rosewood P.U.D.

14. Building permits shall not be issued on Tract "Y", future daycare site, until such time as future phase approvals are received.



200806130121  
Skagit County Auditor

15. Tract "Z" is not to be considered a separate building site. Tract "Z" is for a pathway easement and is further encumbered by a 20 foot wide easement to the City of Mount Vernon for sanitary sewer purposes. The developer/Rosewood Homeowner's Association shall be responsible for the following P.U.D. requirements on Tract "Z": installation of landscaping, pathway and maintenance thereof.

16. 7 foot utility easement affecting a portion of subject property.

17. Right of the public to make necessary slopes for cuts or fills upon said premises in the reasonable original grading of streets, avenues, alleys and roads, as dedicated in the Plat.

18. Building setback lines as delineated on the face of the plat.

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

Dated: May 28, 2002  
Recorded: May 29, 2002  
Auditor's No: 200205290098  
Executed by: Self-Help Housing, a Washington Non-Profit Corporation

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS FOLLOWS:

Declaration Dated: February 17, 2006  
Recorded: February 22, 2006  
Auditor's No.: 200602220048

H. Terms and provisions of Bylaws recorded March 19, 2004, under Skagit County Auditor's File No. 200403190133.



200806130121  
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