

After Recording, Return to:

Elizabeth Newell
Tonkon Torp LLP
1600 Pioneer Tower
888 SW Fifth Avenue
Portland, OR 97204



200806300258
Skagit County Auditor

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CHICAGO TITLE CO.

1045129

(Space above line for Recorder's use only)

STATUTORY WARRANTY DEED

2055
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Grantor: Skagit Gardens, Inc.

JUN 30 2008

Grantee: Skagit RESPE LLC

Amount Paid
by Skagit Co. Treasurer
by Deputy

Abbreviated Legal
Description:

Ptn. NW NW, Sec. 32, T34N, R4EWM
Skagit County, Washington.

Complete legal description is on
Exhibit A of this document.

Assessor's Property Tax
Parcel Account Nos.:

340432-2-026-0004; 340432-0-034-0008;
340432-2-029-0001; 340432-2-025-0005;
340432-2-017-0005; 340432-2-015-0007;
340432-2-014-0008; 340432-2-011-0400;
340432-2-011-0300; 340312-0-002-0001;
340313-0-058-0003; 340312-0-004-0009;
340312-4-002-0100

STATUTORY WARRANTY DEED

The Grantor, SKAGIT GARDENS, INC., a Delaware corporation, for and in consideration for transfers where gain is not recognized by the Internal Revenue Code [WAC 458-61A-212(2)(e)], hereby conveys and warrants to SKAGIT RESPE LLC, a Washington limited liability company, the Grantee, the following-described real estate situated in the County of Skagit, State of Washington, together with any and all right, title and interest in and to any groundwater or surface water rights appurtenant to said real estate:

See Exhibit A attached hereto and incorporated herein by this reference for legal description.

SUBJECT TO those exceptions identified on Exhibit B attached hereto and incorporated herein by this reference.

DATED: June 27, 2008.

GRANTOR:

SKAGIT GARDENS, INC., a
Delaware corporation

By: 

James H. Hulbert III
Chief Executive Officer



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Skagit County Auditor

STATE OF Oregon)
COUNTY OF Washington)ss.

On this 26th day of June, 2008, before me personally appeared James H. Hulbert III, to me known to be the Chief Executive Officer of SKAGIT GARDENS, INC., the Delaware corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Signature: Heather Becker
Name: (print) Heather Becker

NOTARY PUBLIC in and for the State
of Oregon, residing at Wilsons, OR
My appointment expires: 6/16/2010



EXHIBIT A

Legal Description:

PARCEL A:

The North 165 feet of the Southwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian;

EXCEPT roads;

AND EXCEPT the South 45 feet of the West 120 feet thereof lying East of the former U.S. Highway 99;

AND ALSO EXCEPT all that portion thereof lying East of a line 295 feet West of Drainage Ditch No. 17.

Situated in Skagit County, Washington.

PARCELS B and C:

That portion of the North 165 feet of the Southwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian, lying East of the drainage ditch of Drainage District No. 17;

Also the East 60 feet of that portion of the North 165 feet of the Southwest Quarter of the Northwest Quarter of said Section 32, lying West of aforesaid drainage ditch;

AND EXCEPT that portion of said premises conveyed to the State of Washington for Primary State Highway No. 1, by deed recorded March 12, 1972, under Auditor's File No. 764259, records of Skagit County, Washington.

TOGETHER WITH a non-exclusive easement for ingress and egress over and across the North 16.5 feet of said Southwest Quarter of the Northwest Quarter lying West of a point 60 feet West of aforesaid drainage ditch and East of Old Highway 99.

Situated in Skagit County, Washington.

PARCEL D:

That portion of the Southwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian, described as follows:



Beginning at the intersection of the North line of said subdivision with a point 60 feet West of the West line of the drainage ditch of Drainage District No. 17;

Thence South 165 feet;

Thence West 235 feet;

Thence North 165 feet;

Thence East 235 feet to the point of beginning.

Situated in Skagit County, Washington.

PARCEL E:

That portion of the North Half of the. South Half of the Northwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian, described as follows:

Beginning at a point on the South line of said North Half of the South Half of the Northwest Quarter of the Northwest Quarter, 30 feet East of the Southwest corner thereof, said point being the East line of the State Highway "99" right of way, as said highway existed on January 7, 1954;

Thence East along the South line of said North Half of the South Half of the Northwest Quarter of the Northwest Quarter, 188 feet;

Thence North parallel with the West line of said subdivision 200 feet;

Thence West 188 feet to the East line of said State Highway right of way;

Thence South along the East line of said highway right of way, 200 feet to the point of beginning;

TOGETHER WITH that portion of the North Half of the South Half of the Northwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian, described as follows:

Beginning a point on the South line of said North Half of the South Half of said Northwest Quarter of the Northwest Quarter, 30 feet East of the Southwest corner thereof, said point being on the East line of the State Highway 99 right of way, as said highway existed on January 7, 1954;

Thence North along the East line of said State Highway right of way, 200 feet;

Thence East 144 feet to the true point of beginning;

Thence continue East 44 feet;

Thence North parallel to the West line of said Northwest Quarter, 8.0 feet;

Thence West 44 feet;

Thence South 8.0 feet to the true point of beginning;

EXCEPT the North 6.13 feet thereof;

AND ALSO TOGETHER WITH the following described parcel:

Seattle-3430032.2 0050992-00001

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The South 1.87 feet of the West 144.00 feet of that portion of the North Half of the South Half of the Northwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian, described as follows:

Beginning at a point on the East line of the State Highway, 200 feet North of the South line of said North Half of the South Half of the Northwest Quarter of the Northwest Quarter of said Section 32;

Thence East 144 feet;

Thence North parallel to the West line of said Northwest Quarter of the Northwest Quarter, 8 feet;

Thence East 44 feet, more or less, to a line which is distant 218 feet East of and parallel to the West line of said Northwest Quarter of the Northwest Quarter;

Thence North along said parallel line 122 feet, more or less, to the North line of said North Half of the South Half of the Northwest Quarter of the Northwest Quarter;

Thence West along said North line 188 feet, more or less, to the East line of said State Highway;

Thence South along said East line 130 feet to the point of beginning.

Situated in Skagit County, Washington.

PARCEL F:

The North Half of the South Half of the Northwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian;

EXCEPT the West 218 feet thereof;

AND EXCEPT that portion thereof conveyed to the State of Washington for highway purposes by deed dated January 29, 1953 and recorded February 12, 1953, under Auditor's File No. 485836, records of Skagit County, Washington and deed recorded December 21, 1971, under Auditor's File No. 762101, records of Skagit County, Washington;

Situated in Skagit County, Washington.

PARCEL G:

The South 330 feet of the Northwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian;

AND EXCEPT Old State Highway 99 along the West line thereof;

AND ALSO EXCEPT that portion conveyed to the State of Washington for Primary State Highway No. 1 along the East line thereof, by deed dated February 3, 1953,



recorded March 12, 1953, under Auditor's File No. 485839, records of Skagit County, Washington;

AND ALSO EXCEPT that portion, if any, lying within the North Half of the South Half of the Northwest Quarter of the Northwest Quarter;

AND ALSO EXCEPT that portion thereof condemned by the State of Washington for highway purposes in Skagit County Superior Court Cause No. 33040.

Situated in Skagit County, Washington.

PARCEL H and I:

Lots 2 and 3 of SKAGIT COUNTY SHORT PLAT NO. 94-033, approved September 26, 1944 and recorded September 30, 1997, in Volume 11 of Short Plats, pages 121 and 122, under Auditor's File No. 9409300084, records of Skagit County, Washington; being a portion of the North Half of the Northwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian.

Situated in Skagit County, Washington

PARCEL J and L:

Government Lot 7 of Section 12, Township 34 North, Range 3 East of the Willamette Meridian, and a tract of land in the Northeast Quarter of the Northeast Quarter of Section 13, Township 34 North, Range 3 East of the Willamette Meridian, described as follows:

Beginning at the Northeast corner of said Section 13;

Thence South 83°31' West along the North line of said Section 13, a distance of 1,273.6 feet, more or less, to the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 13;

Thence South along the West line of said Northeast Quarter of the Northeast Quarter, a distance of 160.6 feet;

Thence South 89°33' East, a distance of 1,275 feet, more or less, to the East line of said Section 13;

Thence North along the East line of said Section, a distance of 314.8 feet, more or less, to the point of beginning;

EXCEPT the East 40 feet of that portion of the subject property lying within Government Lot 7 in Section 12, Township 34 North, Range 3 East of the Willamette Meridian and as conveyed to Skagit County for road purposes by deed recorded April 5, 1911, in Volume 83 of Deeds, page 536;



AND EXCEPT the East 40 feet of that portion of the subject property lying within Section 13, Township 34 North, Range 3 East of the Willamette Meridian, as conveyed to John Krangness by deed recorded April 4, 1924, in Volume 132 of Deeds, page 576;

AND ALSO EXCEPT the North 2 acres of the West 10 acres of the remainder.

Situated in Skagit County, Washington.

PARCEL K:

That portion of Government Lot 6, Section 12, Township 34 North, Range 3 East of the Willamette Meridian, described as follows:

Beginning at the Southwest corner of said Lot;

Thence North $83^{\circ}40'02''$ East 1,193.75 feet along the South line of said Section 12, to a point that is South $83^{\circ}40'02''$ West 1,285.18 feet from the Southeast corner of said Section 12 said point being the true point of beginning;

Thence North $0^{\circ}19'30''$ West 204.05 feet;

Thence South $88^{\circ}38'19''$ East 48.51 feet to the East line of said Lot;

Thence South $0^{\circ}33'18''$ West 197.86 feet along said East line to the Southeast corner thereof;

Thence South $83^{\circ}40'02''$ West 45.71 feet along said South line to the true point of beginning;

Being a portion of Lot 2, Short Plat No. 79-80, recorded in Volume 5 of Short Plats, page 125, under Skagit County Auditor's File No. 8109110008, records of Skagit County, Washington.

Situated in Skagit County, Washington



EXHIBIT B

Exceptions:

1. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.
Amount Due: \$1,210.25 on or before October 31
Total Amount: \$2,420.50 billed for 2008
Account No.: 340432-2-026-0004
Property No.: P29541
Located in: the City of Mount Vernon
Affects: Parcel A
2. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.
Amount Due: \$821.89 on or before October 31
Total Amount: \$1,643.77 billed for 2008
Account No.: 340432-0-034-0008
Property No.: P29385
Located in: the City of Mount Vernon
Affects: Parcel B
3. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.
Amount Due: \$380.28 on or before October 31
Total Amount: \$760.55 billed for 2008
Account No.: 340432-2-029-0001
Property No.: P29545
Located in: the City of Mount Vernon
Affects: Parcel C
4. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.
Amount Due: \$1,731.08 on or before October 31
Total Amount: \$3,462.16 billed for 2008
Account No.: 340432-2-025-0005
Property No.: P29539
Located in: the City of Mount Vernon
Affects: Parcel D
5. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.
Amount Due: \$3,306.22 on or before October 31
Total Amount: \$6,612.43 billed for 2008



Account No.: 340432-2-017-0005
Property No.: P29527
Located in: the City of Mount Vernon
Affects: Parcel E

6. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.

Amount Due: \$190.27 on or before October 31
Total Amount: \$380.54 billed for 2008
Account No.: 340432-2-015-0007
Property No.: P29524
Located in: the City of Mount Vernon
Affects: Parcel F

7. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.

Amount Due: \$2,423.49 on or before October 31
Total Amount: \$4,846.98 billed for 2008
Account No.: 340432-2-014-0008
Property No.: P29522
Located in: the City of Mount Vernon
Affects: Parcel G

8. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.

Amount Due: \$1,397.93 on or before October 31
Total Amount: \$2,795.85 billed for 2008
Account No.: 340312-0-002-0001
Property No.: P21493
Located in: Unincorporated Skagit County
Affects: Parcel J

9. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.

Amount Due: \$54.84 on or before October 31
Total Amount: \$109.67 billed for 2008
Account No.: 340313-0-058-0003
Property No.: P21740
Located in: Unincorporated Skagit County
Affects: Parcel L

10. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.

Amount Due: \$67.89 on or before October 31



Total Amount: \$135.78 billed for 2008
Account No.: 340312-0-004-0009
Property No.: P21495
Located In: Unincorporated Skagit County
Affects: Parcel K

11. General taxes for the second half of 2008. The 2nd half becomes delinquent November 1st, if unpaid.

Amount Due: \$426.55 on or before October 31
Total Amount: \$853.09 billed for 2008
Account No.: 340312-4-002-0100
Property No.: P114457
Located in: Unincorporated Skagit County
Affects: Parcel J

12. Liability to future assessments, if any, levied by City of Mount Vernon.

13. Terms and conditions contained in Application for Current Use Classification (entered into pursuant to RCW 84.33 4); Notice of Approval

Auditor's No.: 763776, records of Skagit County, Washington
Classification: Farm and Agricultural Land
Affects: Parcel H

The property described herein may be subject to additional taxes, assessments, interest, and penalties upon withdrawal from said classification or change in use.

14. Terms and conditions contained in Application for Current Use Classification (entered into pursuant to RCW 84.33 4); Notice of Approval

Auditor's No.: 762869, records of Skagit County, Washington
Classification: Farm and Agricultural Land
Affects: Parcel F

The property described herein may be subject to additional taxes, assessments, interest, and penalties upon withdrawal from said classification or change in use.

15. Terms and conditions contained in Application for Current Use Classification (entered into pursuant to RCW 84.33 4); Notice of Approval

Auditor's No.: 750824, records of Skagit County, Washington
Classification: Farm and Agricultural Land
Affects: Parcel G

16. Sewage Disposal Note contained on the face of said short plat No. 94-033, as follows:



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The method of sewage disposal shall be by an individual septic drainfield system. The existing house and business are currently utilizing separate pre-existing septic drainfield systems, exact location uncertain. The required soil logs for Lots 1, 2 and 3 of this Short Plat have been recently submitted to an approved by the Skagit County Permit Center and are currently on file therewith. This on-site sewage system application was submitted to the Skagit County Permit Center on July 12, 1994 by Rich Anderson of Anderson Contracting for Marjorie E. Cleave, under the name of David B. Cleave.
Affects: Parcels H and

17. Ground Elevation Information contained on the face of the Short Plat No. 94-033, as follows:

This site lies within the Skagit River Flood Plain. Benchmark elevations and ground elevations (USGS Datus) have been annotated upon the face of this Short Plat. Affects: Parcels H and I

18. Water Supply contained on the face of the Short Plat No. 94-033, as follows:

Water of sufficient quantity and/or quality for normal domestic purposes is currently being provided to Lot 1 of this Short Plat by that existing Public Utility District No. 1 (P.U.D. No. 1) 6" water main in Old Highway 99 South. Water of sufficient quantity and/or quality for normal domestic purposes is currently available to Lots 2 and 3 of this Short Plat by that existing P.U.D. No. 1, 6" water main in Hollydale Road. Existing fire flow to this site is approximately 700 gpm. Note that future building improvements of any of the lots within this Short Plat may necessitate the replacement of existing water mains to meet the requirement fire flow demands. All design and construction expenses shall be the responsibility of the individual lot owner/developer to the standards of P.U.D. No. 1 as established P.U.D. No. 1 Resolution No. 1626-94 and prior to the issuance thereby of additional water service.
Affects: Parcels H and I

19. Note contained on the face of the Short Plat No. 94-033, as follows:

Change in location of lot access may necessitate a change of address. Contact Skagit County Public Works.
Affects: Parcels H and I

20. Easement, including the terms and conditions thereof, established by instrument(s);
Recorded: March 1, 1929
Auditor's No(s).: 220639, records of Skagit County, Washington
In favor of: Pacific Telephone & Telegraph Company
For: Anchor, wires and fixtures, together with rights of ingress and egress
Affects: Parcels F and G



21. Relinquishment of all existing, future, or potential easements for access, light, view, and air and of all rights of ingress, egress and regress to, from, and between said premises and the highway (or highways) constructed on lands conveyed by Deed
Recorded: March 12, 1953
Auditor's No.: 485536, records of Skagit County, Washington
To: State of Washington
Affects: Parcel G
22. Relinquishment of access to State Highway No. 5 and of light, view and air:
Recorded: December 21, 1971
Auditor's No.: 762101, records of Skagit County, Washington
To: State of Washington
Affects: Parcel G
23. Easement, including the terms and conditions thereof, established by instrument(s);
Recorded: October 17, 1974
Auditor's No(s).: 808955, records of Skagit County, Washington
In favor of: Skagit County
For: Constructing, maintaining, operating, etc., a storm drain pipe
Affects: A strip of land in the North Half of the South Half of the Northwest Quarter of the Northwest Quarter of Section 32, Township 34 North, Range 4 East of the Willamette Meridian, being 25 feet in width and lying 12.5 feet on each side of the following described centerline:

Beginning at a point on the South line of the above described subdivision, which point is East 630 feet from the Southwest corner of said subdivision;
Thence North 280 feet, more or less, to a point on the South right of way line of Hollydale Acres Road No. 7123.

Affects: Parcels F and G
24. Easement, including the terms and conditions thereof, established by instrument(s);
Grantee: Cascade Natural Gas Corporation
Recorded: April 18, 1984
Auditor's No(s).: 8404180025, records of Skagit County, Washington
For: A pipeline or pipelines for the transportation of oil, gas and the products thereof.
Affects: Parcels "F" and "G" described as follows: The East 10 feet of the West 20 feet lying East and adjacent to the Southerly prolongation of the centerline of Hollydale Acres Road extended to the South line of the above described property AND the South



6 feet of the West 400 feet of said property; together with the right during temporary periods grantee may use such portions of said property along and adjacent to said right of way as may be reasonably necessary in connection with construction of its facilities. The North 4 feet of the West 620 feet, as measured from the East right of way line of Highway "99", of the above described property;' together with the right during temporary periods Grantee may use such portions of said property along, and adjacent to said right of way as may be reasonably necessary in connection with construction of its facilities.

25. Easement, including the terms and conditions thereof, established by instrument(s);
Recorded: December 26, 1984
Auditor's No(s).: 8412260041; records of Skagit County, Washington
In favor of: Cascade Natural Gas Corporation, its successors and assigns
For: To construct, maintain, inspect, operate, protect, repair, replace, alter and remove a pipeline or pipelines for the transportation of oil, gas, and the products thereof.
Affects: Portions of E, F, G
26. Relinquishment of all existing, future, or potential easements for access, light, view, and air and of all rights of ingress, egress and regress to, from, and between said premises and the highway (or highways) constructed on lands conveyed by Deed
Recorded: March 12, 1953
Auditor's No.: 485839, records of Skagit County, Washington
To: State of Washington
Affects: Parcel F
27. Covenants, conditions, and restrictions contained in instrument(s), but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons;
Recorded: August 14, 1992
Auditor's No(s).: 9208140042, records of Skagit County, Washington
As Follows: "The above described property will be combined or aggregated with contiguous property owned by the purchase. This boundary adjustment is not for the purpose of creating an additional building lot."
Affects: A portion of Parcel E
28. Any question that may arise due to shifting or change in the course of the Skagit River or due to said river having shifted or changed its course.
Affects: Parcel "J"



29. Right of the State of Washington in and to that portion of the property described herein, if any, lying in the bed or former bed of the Skagit River, if navigable.
Affects: Parcel "J"
30. Right of use, control, or regulation by the United States of America in the exercise of power over commerce and navigation.
Affects: Parcel "J"
31. Easement, including the terms and conditions thereof, established by instrument(s);
Recorded: October 28, 1954
Auditor's No(s): 508476, records of Skagit County, Washington
In favor of: The State of Washington, Department of Game
For: To permit and allow the free and unrestricted passage over and use of said stream bank property by sport fishermen in order to fish in the Skagit River.
Affects: A strip of land 20 feet in width ordering and extending along the South side of the Skagit River. (Affects Parcel "J")
32. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: May 24, 1955
Auditor's No(s): 518281, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: A portion of Parcel "J" described as follows:

Beginning at a point on the East boundary of the above described property which point is 292.5 feet North of the Southeast corner of said property;
Thence in a Westerly direction across said property, a distance of 1,258 feet, more or less, to a point on the West boundary of said property which point is 62 feet North of the Southwest corner of said property, all in Section 13, Township 34 North, Range 3 East of the Willamette Meridian.
33. Agreement, including the terms and conditions thereof; entered into;
By: James E. Youngman, dba Skagit Gardens
And Between: Public Utility District No. 1 of Skagit County
Recorded: October 7, 1993
Auditor's No. 9310070034, records of Skagit County, Washington
Providing: Conditions for providing water service
Affects: Parcel "J"



34. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: October 3, 1994
Auditor's No(s): 9410030096, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Parcel "J"
35. Title Notification, Property Designated as Natural Resource Lands;
Recorded: November 10, 1997
Auditor's No.: 9711100109, records of Skagit County, Washington
Claimant: Skagit Gardens LLC
As Follows: Property designated Agriculture Resource Lands
Affects: Parcel "J"
36. Agreement, including the terms and conditions thereof; entered into;
By: P.U.D. No. 1
And Between: Skagit Gardens Inc.
Recorded: September 26, 2000
Auditor's No. 200009260024, records of Skagit County, Washington
Providing: Water Service
Affects: Parcel "J"
37. Agreement, including the terms and conditions thereof; entered into;
By: P.U.D. No. 1
And Between: Skagit Gardens Inc.
Recorded: September 26, 2000
Auditor's No. 200009260025, records of Skagit County, Washington
Providing: Water Service
Affects: Parcel "G"
38. Record of Survey;
Recorded: October 26, 1998
Auditor's File No.: 9810260095, records of Skagit County, Washington
Affects: Parcels I, J and K
39. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: March 14, 1951
Auditor's No.: 459747, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Underground electric system, together with necessary appurtenances
Affects: Parcels A, B and C



40. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: March 15, 1951
Auditor's No.: 459739, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Underground electric system, together with necessary appurtenances
Affects: Parcels A, B and C
41. Relinquishment of all existing, future, or potential easements for access, light, view, and air and of all rights of ingress, egress and regress to, from, and between said premises and the highway (or highways) constructed on lands conveyed by Deed
Recorded: February 5, 1972
Auditor's No.: 764259, records of Skagit County, Washington
To: State of Washington
Affects: Parcels A, B and C
42. Easement in favor of C.E. McFarland et ux, to enter and repair drainage ditch, recorded April 29, 1949, under Auditor's File No. 431104, records of Skagit County, Washington. Affects: Parcels A, B and C
43. Easement, including the terms and conditions thereof, disclosed by instrument(s);
Recorded: October 1, 2001
Auditor's No(s).: 200110010202, records of Skagit County, Washington
In favor of: Skagit Gardens, Inc., a Delaware corporation
For: The City of Mount Vernon
Affects: Parcels H and I
44. Easement, including the terms and conditions thereof, disclosed by instrument(s);
Recorded: May 5, 1949
Auditor's No(s).: 431104, records of Skagit County, Washington
In favor of: Albert Brandt or assigns
For: Road easement
Affects: Parcels A, B, C and D
45. Reservation in favor of C.E. McFarland or assigns to enter property to repair drainage line, as disclosed by instrument recorded April 29, 1949, under Auditor's File No. 431104, records of Skagit County, Washington.
46. Easements and rights of way in favor of Skagit County Drainage District No. 17 as set forth in Skagit County Superior Court Cause No. 5271, suit for condemnation.
47. Restrictions contained on the face of the Short Plat, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or nation origin unless and only to the extent that said covenant (a) is exempt under



Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons, as follows:

- A. Short Plat Number and date of approval shall be included in all deeds and contracts.
- B. All maintenance and construction of private roads are the responsibility of the lot owners and the responsibility of maintenance shall be in direct relationship to usage of road;
- C. Buyer should be aware that this short subdivision is located in the flood plain and significant elevation may be required for the first living floor of residential and/or first floor of commercial/industrial construction;
- D. Alternative on-site sewage disposal system may have special design, construction and maintenance requirements. See Skagit County Health Officer for details;
- E. Any modification of existing structure and/or new construction will be required on-site storm water control system prior to building permit approval from County/City;
- F. In accordance with Short Subdivision Ordinance No. 14.08.090(1)(o): "No building permit shall be issued for any residential and/or commercial structures which are not, at the time of application, determined to be within an official designated boundary of a Skagit County Fire District";
- G. Subject property is currently in the Interim Growth Boundaries and will most likely be in the Permanent Urban Growth Boundaries. Per Skagit County's agreement with the City of Mount Vernon - any development of these lots will be subject to joint review by City and County.

Affects: Parcel H and I

48. Any conveyance of water rights herein is made without warranty of any kind.



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Skagit County Auditor

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