

When recorded return to:

Mr. and Mrs. Phil Sivo
5136 Sand Road
Bellingham, WA 98226

Recorded at the request of:
Guardian Northwest Title & Escrow
File Number B95663



200810030127
Skagit County Auditor

10/3/2008 Page 1 of 3 3:46PM

Statutory Warranty Deed

B95663E
GUARDIAN NORTHWEST TITLE CO.

THE GRANTORS Brian W. VanKeulen and Sherri L. VanKeulen, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Phil Sivo and Cindy Sivo, husband and wife the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:
Lot 25, "HEART O' THE SKAGIT RIVER TRACTS"

Tax Parcel Number(s): P65646, 3923-000-025-0009

Lot 25, "HEART O' THE SKAGIT RIVER TRACTS", according to the plat thereof recorded in Volume 9 of Plats, pages 1, 2 and 3, records of Skagit County, Washington.

TOGETHER WITH a 1/36 interest in Lot 33, "HEART O' THE SKAGIT RIVER TRACTS", according to the plat thereof recorded in Volume 9 of Plats, pages 1, 2 and 3, records of Skagit County, Washington.

SUBJECT TO: Schedule "B-1" attached hereto and made a part thereof

Dated 10/02/2008

Brian W. VanKeulen

Sherri L. VanKeulen

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

3278
OCT 03 2008

Amount Paid \$ 450.00
By Skagit Co. Treasurer
Deputy

STATE OF Washington }
COUNTY OF Whatcom } SS:

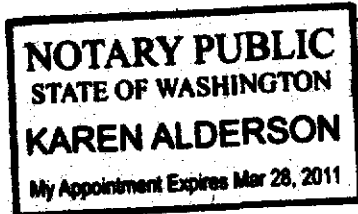
I certify that I know or have satisfactory evidence that Brian W. VanKeulen and Sherri L. VanKeulen, the persons who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 10-3-08

Karen Alderson

Notary Public in and for the State of
Residing at Bellingham
My appointment expires: 3/28/2011

Washington



Schedule "B-1"

EXCEPTIONS:

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

Plat/Subdivision Name: Heart O' the Skagit-River Tracts
Recorded: October 20, 1965
Auditor's No.: 673293

Said matters include but are not limited to the following:

1. Right granted to the public in the dedication of the plat 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 roads and ways 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 water 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. RESTRICTIONS CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

a. Plator shall bear the cost of such Flood Control Improvement as he desires as long as he retains possessory right. After possessory rights pass to the individual lot purchasers, they shall be responsible.

b. Plator shall provide to Skagit County a forty foot easement beginning on the West side of the Lyman Ferry Road and extending Northwesterly along the remainder of the river front of the Plats. Easement granted to County for purpose of Flood Control only. No permanent structures in easement.

The cost of constructing and maintaining all roads not herein dedicated as county roads and all access roads to the plat, unless the same are dedicated as county roads, shall be the obligation of all of the owners of the lots in the plat and/or of any additional plats that may be served by said roads, streets, and/or alleys, and that the obligation to maintain shall be concurrently the obligation of any corporation in whom title of said roads, streets, and/or alleys be held. In the event that the owners of any of these lots or the corporate or private owners of any of the roads, streets, and/or alleys of this plat or any additional plats served by these roads, streets, and/or alleys shall petition the Board of County Commissioners to include these roads, streets, and/or alleys in the road system, said petitioner shall be obligated to bring the same to the county road standards in all respects prior to acceptance by the county.

- c. A 40 foot flood control easement as delineated on the face of the plat.
- d. "Community recreation area for Heart O'The Skagit Plat Owners only." (affects Lot 33)



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

Dated: July 16, 1965
Recorded: August 15, 1965
Auditor's No.: 686890
Executed By: Ralph James

C. Any adverse claim by reason of any change in the location of the boundaries of said premises which may have resulted from any change in the location of the River/Creek herein named, or its banks, or which may result from such change in the future.

River/Creek: Skagit River

D. Right of the general public to the unrestricted use of all the waters of a navigable body of water, not only for the primary purposes of navigation, but also for corollary purposes, including (but not limited to) fishing, boating, bathing, swimming, water skiing and other related recreational purposes, as those waters may affect the tidelands, shorelands, or adjoining uplands, and whether the level of the water has been raised naturally or artificially to a maintained or fluctuating level, all as further defined by the decisional law of this state. (Affects all of the premises subject to such submergence.)



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