



200904150087
Skagit County Auditor

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After Recording Return to:

Konstantinos E. Tsimouris
318 Highland Drive
Bellingham, WA 98225

LAND TITLE OF SKAGIT COUNTY

132552-S

(Space above line for Recorder's use only)

SPECIAL WARRANTY DEED

GRANTOR:

GULL BURLINGTON CROSSING LLC, a
Washington limited liability company

GRANTEE:

TSIMOURIS, KONSTANTINOS E., a single man as his
sole and separate property

ABBREVIATED
LEGAL
DESCRIPTION:

Lots B & C, SP 65-78; Ptn SE 1/4 of NE 1/4, 7-34-4
E.W.M., Skagit County, Washington

Complete legal description is on Exhibit A attached to
this document

ASSESSOR'S PROPERTY
PARCEL ACCOUNT NO.:

340407-0-054-0111/P23976

SPECIAL WARRANTY DEED

The Grantor, GULL BURLINGTON CROSSING LLC, a Washington limited liability company, for and in consideration of Ten Dollars (\$10) and other good and valuable considerations, in hand paid, grants and conveys to KONSTANTINOS E. TSIMOURIS, a single man as his sole and separate property, the Grantee, that certain real property situated in the County of Skagit, State of Washington, and more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

This conveyance is subject to the items set forth on Exhibit B attached hereto and incorporated herein by this reference.

The Grantor, for itself and for its successors in interest, does by these presents expressly limit the covenants of this Deed to those herein expressed, excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under the Grantor, and not otherwise, it will warrant and defend the title to the above-described real property.

DATED: April 13, 2009.

GRANTOR:

GULL BURLINGTON CROSSING LLC, a
Washington limited liability company

By: Gull Industries, Inc., a
Washington corporation
Its sole Member and Manager

By: William Low
William Low
Senior Vice President Real Estate

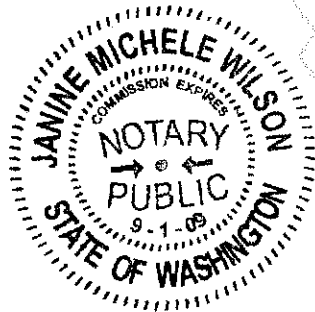
1030
SKAGIT COUNTY WASHINGTON
REAL ESTATE AUDITOR
APR 13 2009
Amount Due
Skagit Co
CD
29,325.00



STATE OF WASHINGTON)
)ss.
COUNTY OF KING)

On this 13 day of April, 2009, before me personally appeared William Low, to me known to be the Senior Vice President Real Estate of Gull Industries, Inc., a Washington corporation and the sole Member and Manager of GULL BURLINGTON CROSSING LLC, the Washington limited liability company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation and company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation and said corporation was authorized to do so on behalf of said company.

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



Signature: Janine Michele Wilson

Name (Print): Janine Michele Wilson

NOTARY PUBLIC in and for the State of Washington, residing at Kent

My appointment expires: 9/1/09



EXHIBIT A

Legal Description

Lots "B" and "C" of Skagit County Short Plat No. 65-78, approved August 17, 1978 and recorded August 18, 1978 in Volume 2 of Short Plats, page 251, under Auditor's File No. 885815; being a portion of the Southeast 1/4 of the Northeast 1/4 of Section 7, Township 34 North, Range 4 East, W.M.

TOGETHER WITH those certain non-exclusive easements for reasonable access, ingress and egress as set forth in that certain Reciprocal Easement Agreement With Covenants, Conditions and Restrictions recorded May 23, 2006, under Skagit County Auditor's File No. 200605230090, records of Skagit County, Washington.

Situate in the City of Burlington, County of Skagit, State of Washington.



EXHIBIT B

Exceptions:

1. 2nd half 2009 general and special property taxes.
2. Municipal assessments and impact fees, if any, levied by the City of Burlington.
3. Assessments and/or charges by the City of Burlington Sewer District.
4. **UNRECORDED LEASE:**
Lessor: Gull Burlington Crossing LLC
Lessee: Starbucks Corporation
For A Term Of: Undisclosed
From: Undisclosed
Disclosed By: Auditor's File No. 200606070073
5. **MEMORANDUM OF EXCLUSIVE USE, INCLUDING TERMS & CONDITIONS THEREOF:**
Grantors: Gull Burlington Crossing LLC, a Washington limited liability company, Market Place Drive Associates, L.L.C., a Washington limited liability company
Grantee: Starbucks Corporation, a Washington corporation
Dated: May 25, 2006
Recorded: June 7, 2006
Auditor's No.: 200606070073
6. **MEMORANDUM OF LEASE, INCLUDING TERMS & CONDITIONS THEREOF:**
Lessor: Gull Burlington Crossing LLC, a Washington limited liability company
Lessee: Jamba Juice Company, a California corporation
For A Term Of: For an initial term which is to expire on the expiration of one hundred twenty (120) months following the "Commencement Date" (as defined in the Lease), together with options to extend the term of the Lease for two (2) separate, consecutive five (5) year periods.
Dated: July 31, 2006
Recorded: October 17, 2006
Auditor's No.: 200610170064



7. **MEMORANDUM OF EXCLUSIVE USE, INCLUDING TERMS & CONDITIONS THEREOF:**

By & Between: Gull Burlington Crossing LLC, a Washington limited liability company ("Parcel A Owner"), Market Place Drive Associates, L.L.C., a Washington limited liability company ("Parcel B Owner") and Jamba Juice Company, a California corporation ("Tenant")

Dated: July 31, 2006
Recorded: October 17, 2006
Auditor's No.: 200610170065

8. **AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES.**

For: Anchor and appurtenances, depending upon the location
In Favor Of: Pacific Telephone & Telegraph Company, a corporation
Recorded: May 13, 1927
Volume/Page: Volume 143 of Deeds, page 266
Affects: Exact location undisclosed

9. **The face of the Short Plat sets forth the following:**

- a. 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;
- b. Short Plat Number and date of approval shall be included in all deeds and contracts;
- c. Zoning - Commercial;
- d. Sewage Disposal - Individual septic tanks;
- e. Water - P.U.D No. 1.

10. **Terms and conditions of Reciprocal Easement Agreement with Covenants, Conditions and Restrictions, dated May 22, 2006, recorded May 23, 2006, under Skagit County Auditor's File No. 200605230090.**

"The right of first refusal as set forth in 12.1 and 12.3 of said document was waived by letter of March 4, 2009."

11. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

Grantee: Puget Sound Energy, Inc., a Washington Corporation
Purpose: The right to construct, operate, maintain, repair, replace and enlarge an underground electric transmission and/or distribution system



Area Affected:

Ten foot wide power easement 5 feet left and right of the following described easement centerline: Beginning at the Northwest property corner of Lot C of Short Plat #65-78; thence South 12°29'54" East 27.10 feet to the point of beginning; thence South 1°46'58" East 10.28 feet; thence South 4°32'22" East 4.59 feet; thence South 8°59'17" East 47.52 feet; thence South 3°54'28" East 44.89 feet; thence South 1°17'43" West 2.29 feet to terminus of said line, the lines of said 10 foot power easement to be extended or shortened to meet at the angle points and South property line.

Dated: November 3, 2006
Recorded: November 14, 2006
Auditor's No.: 200611140123

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