



201003030096

Skagit County Auditor

3/3/2010 Page 1 of 5 3:59PM

When recorded return to:

David R. Needy and Marie J. Needy  
519 Columbine Court  
Mount Vernon, WA 98273

Recorded at the request of:  
Guardian Northwest Title  
File Number: 99089

**Statutory Warranty Deed**

99089-3

GUARDIAN NORTHWEST TITLE CO.

THE GRANTORS Victor L. Benson and Linda C. Benson, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to David R. Needy and Marie J. Needy, husband and wife the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:  
Lot 4, SARATOGA PASSAGE VIEW

For Full Legal See Attached Exhibit "A"

Subject to covenants, conditions, restrictions and easements, as per attached Exhibit "B"

Tax Parcel Number(s): P128561, 330409-1-002-0700

Dated 3/01/2010

Victor L. Benson  
Victor L. Benson

Linda C. Benson  
Linda C. Benson

STATE OF Washington }  
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that Victor L. Benson and Linda C. Benson, 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: 3-3-10

Valerie Head

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



SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

547

MAR 03 2010

Amount Paid \$ 4010.00  
Skagit Co. Treasurer  
By MM Deputy

**EXHIBIT A**

Lot 4, "PLAT OF SARATOGA PASSAGE VIEW C.A.R.D. PL 06-0107", as per plat recorded June 10, 2009 as Auditor's File No. 200906100089, and as per "Affidavit of Minor Correction of Survey" recorded as Auditor's File No. 200908280052.

TOGETHER WITH a non-exclusive easement of view and maintenance of view in a portion of the Lot 26 Open Space Area of said plat described as follows:

Begin at the Northwest corner of Lot 3 of said plat; thence along the Westerly extension of the Northerly line of said Lot 3 to a point on a line parallel with and 100 feet Westerly of the West line of said Lot 3; thence Southerly along said parallel line to its point of intersection with a line drawn parallel with and 100 feet Southwesterly of the Southwesterly line of Lot 4 of said plat; thence along this new parallel line to its point of intersection with a line drawn parallel with and 100 feet Southerly of the Southerly line of Lot 5 of said plat; thence Easterly along this new parallel line to a point on the Southwesterly extension of the Southeasterly line of Lot 5 of said plat; thence Northeasterly along said Southwesterly extension to the Southeast corner of said Lot 5; thence Westerly, Northwesterly and Northerly along the Southerly, Southwesterly and Westerly lines of said Lots 5, 4 and 3 to the point of beginning.

The Saratoga Passage View Homeowner's Association and the Grantees shall have the right to maintain the easement area, including the right to cut trees and brush within the easement area in order to maintain the territorial views for the benefit of said Lot 4. No structures taller than the base elevation of Lot 4, measured at the lowest point on the lot, shall be constructed within the easement area, nor shall the owner of Lot 26 plant trees or shrubs within the easement area. Provided that the rights granted hereunder shall be subject to governmental rules and regulations governing Open Space and Critical Areas to the extent that such may apply to the exercise of the rights conveyed herein. The easement shall be appurtenant to Lot 4 and a covenant running with title to Lot 4. It is understood by both Grantors and Grantees that either of them may convey similar easement rights to said homeowners association and that the rights conveyed herein are conveyed in a manner consistent with those established rights or easements for the "CAO Buffer" shown on the face of said plat and/or established by the covenants for said plat recorded as Auditor's File NO. 200906100093.

Approved:

David R. Needy  
David R. Needy

Marie J. Needy  
Marie J. Needy

Victor L. Benson  
Victor L. Benson

Linda C. Benson  
Linda C. Benson



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Exhibit B

**SCHEDULE "B-1"**

**EXCEPTIONS:**

**A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:**

Grantee: Victor L. Benson, et ux, et al  
Dated: December 12, 1989 and December 14, 1989  
Recorded: December 18, 1989 and December 18, 1989  
Auditor's Nos.: 8912180026 and 8912180027  
Purpose: Ingress, egress and utilities  
Area Affected: Roadways and other property

Some of the easement rights herein are appurtenant to real property and some are only personal rights.

B. Road easements, including the terms and provisions thereof, if any, that survived the expiration of the "Timber Cutting Right Contract" attached to those certain deeds recorded December 18, 1989 as Auditor's File Nos. 8912180016, 8912180020 and 8912180094. (Affects: Roadways and other property)

**C. RESERVATION CONTAINED IN DEED**

Executed by: Pacific Nickel Company  
Recorded: February 29, 1949  
Auditor's No.: 428325  
Regarding: Mineral Reservations and road usage

**D. RESERVATION CONTAINED IN DEED**

Executed by: ITT Rayonier  
Recorded: December 18, 1989  
Auditor's Nos.: 8912180020 and 8912180094  
Regarding: Road easements  
Affects: Roadways and other property

**E. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:**

Between: Keith S. Johnson  
And: Scott Paper Co., et al  
Dated: April 2, 1988  
Recorded: June 19, 1989  
Auditor's No.: 8906190004  
Regarding: Roadways and other property

Said document is vague as to which Scott Paper owned properties it applies to, nor did the Company find any specific documents amending it.



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F. TITLE NOTIFICATION THAT THE SUBJECT PROPERTY IS PROPERTY DESIGNATED NATURAL RESOURCE LANDS BY SKAGIT COUNTY.

Executed By: Victor L. Benson, et ux  
Recorded: April 27, 2006  
Auditor's No.: 200604270132

Reference is hereby made to the record for the full particulars of said notification. However, said notification may have changed or may in the future change without recorded notice.

G. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Co.  
Dated: March 11, 2008  
Recorded: March 18, 2008  
Auditor's No.: 200803180091  
Purpose: Underground facilities and other rights set forth therein  
Affects: Roadway and 10 feet of all lots parallel with and adjacent to roadways

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

Plat/Subdivision Name: Saratoga Passage View C.A.R.D. PL-06-0107  
Recorded: June 10, 2009  
Auditor's No.: 200906100089

Said matters include but are not limited to the following:

1. \$100.00 park donation fee and numerous notes, easements and other matters

1. LOT CERTIFICATION, INCLUDING THE TERMS AND CONDITIONS THEREOF. REFERENCE TO THE RECORD BEING MADE FOR FULL PARTICULARS. THE COMPANY MAKES NO DETERMINATION AS TO ITS AFFECTS.

Recorded: June 10, 2009  
Auditor's No.: 200906100090  
Affects: Lots 1-26

J. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Victor Benson  
And: Skagit County, et al  
Dated: June 10, 2009  
Recorded: 200906100091  
Auditor's No.: "Plan to improve Sandy & Johnson Creek"



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

Dated: June 10, 2009  
Recorded: June 10, 2009  
Auditor's No.: 200906100093  
Executed By: Victor Benson, et ux

Said covenants states that the affects: Lots 2 through 25 and Lots 1 through 26 of said plat.



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