



201010210077  
Skagit County Auditor

10/21/2010 Page 1 of 4 10:30AM

When recorded return to:  
Marilee Fohn  
17101 Sockeye Dr  
Mount Vernon, WA 98274

Filed for record at the request of:



CHICAGO TITLE  
COMPANY

425 Commercial, PO BOX 638  
Mount Vernon, WA 98273  
Order No.: 620011748

### STATUTORY WARRANTY DEED

THE GRANTOR(S) Loren Kleiven and Deborah E. Kleiven, husband and wife  
for and in consideration of Ten And No/100 Dollars (\$10.00) and other good and valuable consideration  
in hand paid, conveys, and warrants to Marilee Fohn, a married woman as her separate estate  
the following described real estate, situated in the County of Skagit, State of Washington:

Lot 102, NOOKACHAMP HILLS PUD, PHASE IIA, according to the plat thereof recorded  
September 15, 2003, under Auditor's File No. 200309150157, records of Skagit County,  
Washington.

Situated in Skagit County, Washington.

Tax Parcel Number(s): 4821-000-102-0000 P120782

Subject to: Conditions, covenants, restrictions and easements of record as more fully described in  
Special Exceptions, Schedule B, Paragraphs 1 thru 18, Chicago Title Company Order 620011748,  
which is attached hereto and made a part hereof, and Skagit County Right To Farm Ordinance, which  
is attached.

Dated: October 18, 2010

Loren Kleiven

Deborah E. Kleiven

State of Washington

County of Skagit

I certify that I know or have satisfactory evidence that Loren Kleiven and Deborah E. Kleiven are the  
person(s) who appeared before me, and said person(s) acknowledged that they signed this of  
instrument and acknowledged it to be their free and voluntary act for the uses and purposes  
mentioned in this instrument.

Dated: October 18, 2010

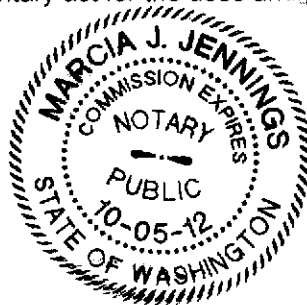
Name: Marcia J. Jennings  
Notary Public in and for the State of Washington,  
Residing at: Sedro-Woolley, WA

My appointment expires: 10/5/2012

3216  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

OCT 21 2010

Amount Paid \$6813.50  
By MAM Skagit Co. Treasurer  
Deputy



## SCHEDULE B

### SPECIAL EXCEPTIONS

1. Easement, including the terms and conditions thereof, disclosed by instrument(s);  
Recorded: September 21, 1967  
Auditor's No(s): 704645, records of Skagit County, Washington  
In favor of: Skagit Valley Telephone Company  
For: the right, privilege and authority to construct, reconstruct or other signal or communication circuits, consisting of such underground conduits, cables, manholes, poles and other markers, fixtures and appurtenances as the grantee may from time to time require, upon, across, over and/or under the following described property and the roads, streets or highways thereto adjoining.  
Affects: Southeast Quarter of 25-34-04 and other property
2. Easement, including the terms and conditions thereof, disclosed by instrument(s);  
Recorded: September 13, 1990  
Auditor's No(s): 9009130081, records of Skagit County, Washington  
In favor of: Public Utility District No. 1 of Skagit County  
For: the perpetual right, privilege and authority enabling the District to do all things necessary or proper in the construction and maintenance of a water line, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with necessary appurtenances for the transportation of water over, across, along, in and under the following described lands and premises  
Affects: Strips of land 60' in width in the Southwest Half of the Southeast Quarter of Section 25 and the North Half of the Northeast Quarter of Section 36 Township 34 North, Range 4 East of the Willamette Meridian
3. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: July 5, 1910  
Auditor's No(s): 80143, records of Skagit County, Washington  
In favor of: Duncan McKay  
For: Road purposes  
Affects: A portion of the subject property  
  
**Note:** Exact location and extent of easement is undisclosed of record.
4. Stipulation contained in Deed executed by Walking Circle M., Inc., to MV Association dated July 25, 1979, recorded August 31, 1979 under Auditor's File No. 7908310024, records of Skagit County, Washington
5. Easement, including the terms and conditions thereof, disclosed by instrument(s);  
Recorded: December 10, 1982  
Auditor's No(s): 8212100052, records of Skagit County, Washington  
In favor of: Present and Future owners of the following described property: Portions of Sections 13, 19, 24, 25, 30, 31 and 36 of Township 34 North, Range 4 East of the Willamette Meridian  
For: Ingress, egress, drainage and utilities
6. Matters related to annexing a portion of the subject property onto Skagit County Sewer District No. 2, as disclosed by documents recorded under Auditor's File Nos. 8412050001 and 8411280007, records of Skagit County, Washington.
7. Matters relating to the possible formation of an association for the common areas of the Otter Pond and Association for horse arena and stable areas as disclosed by document recorded under Auditor's File No. 8310310059, records of Skagit County, Washington.



201010210077  
Skagit County Auditor

## SCHEDULE B

(continued)

8. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: December 11, 1979  
Auditor's No(s): 7912110003, 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: The North Half of the Northeast Quarter of Section 36, Township 34 North, Range 4 East of the Willamette Meridian, lying East of the County Road
9. Easement, including the terms and conditions thereof, granted by instrument;  
Dated: June 8, 1990  
Recorded: September 13, 1990  
Auditor's No.: 9009130081, records of Skagit County, Washington  
In favor of: Public Utility District No. 1 of Skagit County, Washington  
For: Water pipe lines, etc.  
Affects: 60 foot wide strip of land in the South Half of Section 25 and in the Northeast Quarter of Section 36, all in Township 34 North, Range 4 East of the Willamette Meridian
10. Agreement, including the terms and conditions thereof, entered into;  
By: Nookachamp Hills L.L.C.  
And Between: Skagit County Sewer District  
Auditor's No.: 9711180087, 200011290046 and 200208150099, records of Skagit County, Washington  
Providing: Developer Extension Agreement  
Affects: Said premises and other property
11. Easement, including the terms and conditions thereof, granted by instrument;  
Auditor's No.: 200304070122 and 200307150203, records of Skagit County, Washington  
In favor of: Puget Sound Power & Light Company  
For: Underground electric system, together with necessary appurtenances  
Affects:
- Easement No. 1: All streets and road right-of-way as now or hereafter designed, platted, and/or constructed within the above described property. (When said streets and road are dedicated to the public, this clause shall become null and void.)
- Easement No. 2: A Strip of land 10 feet in width across all lots, tracts and open spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of-way
12. Agreement, including the terms and conditions thereof, entered into;  
By: Dan Mitzel/Nookachamp Hills Phase 2A  
And Between: Skagit County Sewer District No. 2  
Recorded: February 12, 2004  
Auditor's No.: 200402120196, records of Skagit County, Washington
13. Easement, including the terms and conditions thereof, disclosed by instrument(s);  
Recorded: February 12, 2004  
Auditor's No(s): 200402120195, records of Skagit County, Washington  
In favor of: Sewer main with necessary appurtenances  
For: Various portion of said plat
14. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes and statements, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on NOOKACHAMP HILLS PUD PHASE IIA:



201010210077  
Skagit County Auditor

**SCHEDULE B**  
(continued)

Recording No: 200309150157

15. Covenants, conditions, restrictions and easements contained in declaration of restriction, 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: November 2, 1998; December 31, 2008  
Auditor's No.: 9811020155; 200812310104, records of Skagit County, Washington  
Executed By: Nookachamp Hills LLC, a Washington Limited Liability Company

Declarant's change of address;

Recorded: April 28, 2004; October 28, 2004

Auditor's File No.: 200404280064; 200410280240, records of Skagit County, Washington

16. Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument;  
Recorded: November 2, 1998  
Auditor's No.: 9811020155, records of Skagit County, Washington  
Imposed By: Nookachamp Hills LLC, a Washington Limited Liability Company

Declarant's change of address;

Recorded: April 28, 2004; October 28, 2004

Auditor's File No.: 200404280064; 200410280240, records of Skagit County, Washington

17. Terms, conditions, and restrictions of that instrument entitled Conveyance of Sewer Facility;  
Recorded: July 26, 2005  
Auditor's No(s): 200507260203, records of Skagit County, Washington

18. Right to Farm

Recording Date: November 10, 2004

Recording No.: 200411100082

**Skagit County Right To Farm Ordinance**

If your real property is adjacent to property used for agricultural operations, or included within an area zoned for agricultural purposes, you may be subject to inconvenience or discomfort arising from such operations, including but not limited to, noise, odors, flies, fumes, dust, smoke, the operation of machinery of any kind during a twenty-four (24) hour period (including aircraft), the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. Skagit County has determined that the use of real property for agricultural operations is a high priority and favored use to the county and will not consider to be a nuisance those inconveniences or discomforts arising from agricultural operations, if such operations are consistent with commonly accepted good management practices and comply with local, State and Federal laws.



201010210077  
Skagit County Auditor