

Return Address:

Jones Day  
Attention: Andrea D. Wittine  
901 Lakeside Avenue  
Cleveland, Ohio 44114



201201170097  
Skagit County Auditor

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**STATUTORY WARRANTY DEED**

102144-3  
GUARDIAN NORTHWEST TITLE CO.

**Reference Number(s) of related document(s):** n/a

**Grantor:** BURLINGTON DOUGHNUT SITE LLC, a Washington limited liability company

**Grantee:** KEYBANK NATIONAL ASSOCIATION, a national banking association

**Legal Description (abbreviated):** Lot 3, City of Burlington Binding Site Plan entitled Hagen Center Binding Site Plan No. 1.

Full legal on **Exhibit A** of this document.

**Assessor's Tax Parcel ID Numbers:** 8041-000-003-0000 (P119328)

Burlington Doughnut Site LLC, a Washington limited liability company, conveys and warrants to KEYBANK NATIONAL ASSOCIATION, a national banking association ("Grantee"), the real estate described in the attached **Exhibit A**, situated in Skagit County, Washington, subject to the matters set forth on the attached **Exhibit B**, both of which Exhibits are incorporated by this references and made a part of this Deed as if fully set forth here.

[signature / acknowledgement page follows]

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

2012 108  
JAN 17 2012

Amount Paid \$ 25,815.  
By *Mam* Skagit Co. Treasurer Deputy

STATUTORY WARRANTY DEED

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DATED December 27, 2011.

GRANTOR

BURLINGTON DOUGHNUT SITE LLC, a  
Washington limited liability company

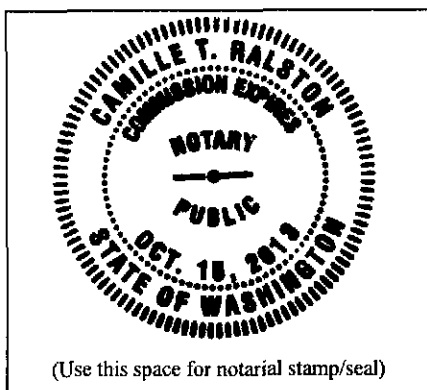
By: Wahl & Associates Inc., Manager

By: Arthur L. Wahl  
Arthur L. Wahl, President

STATE OF WASHINGTON )  
 )ss.  
COUNTY OF KING )

I certify that I know or have satisfactory evidence that Arthur L. Wahl signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the President of Wahl & Associates, Inc., the Manager of Burlington Doughnut Site LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: 12/27/2011.



[Signature]  
Name: **CAMILLE TAYLOR RALSTON**  
NOTARY PUBLIC, State of Washington  
My appointment expires 10/15/2013



**EXHIBIT A  
LEGAL DESCRIPTION**

Real property in the City of Burlington, County of Skagit, State of Washington, described as follows:

**PARCEL "A":**

LOT 3, CITY OF BURLINGTON BINDING SITE PLAN ENTITLED HAGGEN CENTER BINDING SITE PLAN NO. 1, RECORDED ON JULY 10, 2002, UNDER AUDITOR'S FILE NO. 200207100176, RECORDS OF SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF GOVERNMENT LOT 1, IN SECTION 6, TOWNSHIP 34 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN.

**PARCEL "B":**

AN EASEMENT FOR INGRESS AND EGRESS OVER THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 6, TOWNSHIP 34 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, AS DESCRIBED IN INSTRUMENT RECORDED ON JULY 16, 2002 UNDER AUDITOR'S FILE NO. 200207160094, RECORDS OF SKAGIT COUNTY, WASHINGTON.

APN: 8041-000-003-0000

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**EXHIBIT B**  
**SUBJECT TO:**

**A. Easement, including terms and provisions thereof:**

Grantee: Youth Dynamics  
Recorded: January 21, 2000  
Auditor's No. 200001210084  
Purpose: Utilities, ingress and egress

**B. Easement and provisions therein:**

Grantee: Puget Sound Energy, Inc., formerly Puget  
Sound Power & Light Co.  
Recorded: October 2, 2001  
Auditor's No. 200110020125  
Purpose: Electric transmission and/or distribution line,  
together with necessary appurtenances  
Affects: Southwesterly portion of said premises

**C. Easement, including terms and provisions thereof:**

Grantee: City of Burlington, a Municipal corporation  
Recorded: May 20, 2002  
Auditor's No. 200205200016  
Purpose: Sidewalk easement

**D. Easement and provisions therein:**

Grantee: Puget Sound Energy, Inc., formerly Puget  
Sound Power & Light Co.  
Dated: September 11, 2002  
Recorded: September 27, 2002  
Auditor's No. 200209270022  
Purpose: Right to construct, operate, maintain, repair,  
replace and enlarge one or more electric  
transmission and/or distribution lines and  
related facilities.

**E. Matters as disclosed and/or delineated on the face of the  
following survey:**

Name: Survey  
Recorded: December 3, 2002  
Auditor's No.: 200212030016



F. Easement, including terms and provisions thereof:

Grantee: Burlington Doughnut Site LLC  
Recorded: July 16, 2002  
Auditor's No. 200207160094  
Purpose: Reciprocal Easement

Said Easement was amended and/or assigned by document recorded under Auditor's File Nos. 200410250183, 200608220088 and 201012200187.

G. Matters as disclosed and/or delineated on the face of the following survey:

Name: Binding Site Plan  
Recorded: July 10, 2002  
Auditor's No.: 200207100176

H. Declaration as disclosed and/or delineated on the face of the following survey:

Name: Survey  
Recorded: July 28, 2000  
Auditor's No.: 200007280054

9. Matters shown on the ALTA/ACSM Land Title Survey prepared by Barghausen Consulting Engineers, Inc. (Brian D. Gillooly, PLS) dated September 2, 2011, Job No. 15300 (the "Survey"), as follows:

- a) Parking Space encroaches into Plaza Area;
- b) Signs located on subject parcel;
- c) Parking area, trash enclosure and landscaping are within area of easement recorded as Auditor's No. 200209270022;
- d) Various utility lines and related appurtenances cross subject premises without apparent benefit of recorded easement and/or right-of-way; and
- e) Possible encroachment of landscaping/ground cover into premises to the north of subject parcel identified as owned by Clarence and Julia Rogers (P23776) on the Survey.

