



# Schedule A

Schedule "B-1"

143321-S

## EXCEPTIONS:

### A. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit Valley Telephone Company  
Purpose: Telephone lines  
Area Affected: Southeast ¼ of Section 25, Township 34 North, Range 4 East, W.M., and West ½ of Section 30, Township 34 North, Range 5 East, W.M.  
Dated: Undisclosed  
Recorded: September 21, 1967  
Auditor's No.: 704645

### B. Stipulation contained in Deed executed by Walking Circle M., Inc., to MV Associates, dated July 25, 1979, recorded August 31, 1979, under Auditor's File No. 7908310024, as follows:

This transfer is subject to that perpetual easement which exists, and has existed, in favor of David G. McIntyre for:

The right to maintain, repair, inspect and otherwise use his existing septic tank on the subject property and, if necessary, to replace said septic tank by installing a new septic tank on the subject property;

The right to use the existing well and waterlines on the subject property, and to take water from the existing well as needed; and

The right to use any and all roadways on the subject property for ingress and egress to the property owned by David G. McIntyre, which is located in Skagit County, Washington, in Section 30, Township 34 North, Range 5 East, W.M.

### C. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES:

For: Ingress, egress, drainage and utilities  
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, W.M.,

Recorded: December 10, 1982  
Auditor's No.: 8212100052  
Affects: Otter Pond Drive, Tract "A", and other property

### D. Matters related to annexing a portion of the subject property into Skagit County Sewer District No. 2, as disclosed by document recorded under Auditor's File Nos. 8412050001 and 8411280007.

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EXCEPTIONS CONTINUED:

E. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County, Washington  
 Purpose: Water pipe lines, etc.  
 Area Affected: Trout Drive; Access Road; Lot 59 and Tract "C"  
 Dated: June 8, 1990  
 Recorded: September 13, 1990  
 Auditor's No.: 9009130081

F. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company  
 Purpose: Right to enter said premises to operate, maintain and repair underground electric transmission and/or distribution system together with the right to remove brush, trees and landscaping which may constitute a danger to said lines  
 Area Affected: The Westerly 10 feet of the Northerly, approximate 513 feet lying parallel and adjacent to said SR-9 of Parcel "C"  
 Dated: December 6, 1979  
 Recorded: December 11, 1979  
 Auditor's No.: 7912110003

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

Dated: October 13, 1998  
 Recorded: November 2, 1998  
 Auditor's No.: 9811020155  
 Executed By: Nookachamp Hills, LLC

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS FOLLOWS:

Declaration Dated: February 3, 2004, October 13, 2004, August 8, 2005, July 23, 2008 and December 22, 2008  
 Recorded: August 23, 2005, and December 31, 2008  
 Auditor's No.: 200404280064, 200410280240, 200508230083, 200807240091 and 200812310104

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EXCEPTIONS CONTINUED:

H. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County Sewer District No. 1, a municipal corporation of Skagit County, Washington  
 Purpose: Perpetual right-of-way or easement for sewer mains with the necessary appurtenances through, over and across  
 Area Affected: Portions of subject plat  
 Dated: January 15, 1999  
 Recorded: January 28, 1999  
 Auditor's No.: 9901280085

I. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit County Sewer District No. 2  
 Purpose: Right-of-way or easement  
 Area Affected: Portions of subject plat  
 Dated: March 19, 1999  
 Recorded: March 30, 1999  
 Auditor's No.: 9903300066

J. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit County Sewer District No. 2, a municipal corporation of Skagit County, Washington  
 Purpose: Perpetual right-of-way or easement for sewer mains with the necessary appurtenances through, over and across  
 Area Affected: Portions of the subject plat  
 Dated: March 23, 1999  
 Recorded: April 12, 1999  
 Auditor's No.: 9904120146

K. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF

Between: Skagit County Sewer District No. 2  
 And: Nookachamp Hills LLC  
 Dated: March 14, 1999  
 Recorded: April 12, 1999  
 Auditor's No.: 9904120147  
 Regarding: Sewer Service Agreement

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EXCEPTIONS CONTINUED:

L. NOTES/RESTRICTIONS SHOWN ON THE FACE OF PLAT:

1. Zoning Rural Village, Residential;
2. No building permit shall be issued for any residential and/or commercial structure which are not at the time of application, determined to be within an official designated boundary of a Skagit County Fire District;
3. Change in location of access may necessitate a change of address. Contact Skagit County Planning and Permit Center;
4. Sewage Disposal - Skagit County Sewer District No. 2;  
 Water - Skagit County PUD  
 Power - Puget Sound Energy  
 Telephone - GTE  
 Gas - Cascade Natural Gas  
 Cable - Lake Cable Service
5. The purchaser or seller of each lot shall deposit \$350.00 into the Skagit County Impact Fund in the Skagit County Treasurer's Office at the time of closing of said sale.
6. This survey has depicted existing fence lines and other occupational indicators in accordance with W.A.C. Ch. 332.130. These occupational indicators may indicate a potential for claims or unwritten title ownership. The legal resolution of ownership based upon unwritten title claims has not been resolved by this boundary survey.
7. The owners hereby amend the declaration of covenants, conditions and restrictions as recorded under AFN 9811020155 to include Lots 60 to 111, inclusive, as shown hereon. This plat of Phase IIA is meant to create an addendum to the CCR's as recorded under AFN 9811020155 without recording a separate document.
8. The Plat of Nookachamp Hills Planned Unit Development Phase IIA is adjacent to property used for agricultural operations. Owners may be subject to inconveniences or discomforts arising from such operation, including but not limited to noise, odors, flies, fumes, dust, the operation of machinery of any kind during any 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 and will not be considered to be a nuisance of such operations are consistent with commonly accepted best management practices and complies with local, state, and federal laws.
9. Tract "E" is designated for open space and detention pond, the ownership and maintenance of said Tract is further defined in the CCR's as referenced under Note 7 above. Tract "F" is designated as an open space/buffer area.

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EXCEPTIONS CONTINUED:

L. (Continued):

10. The 20 foot access easement as shown on Sheet 2 of 3 at the end of Kamloop Court is for pedestrian traffic only for the benefit of all lots within this plat and the Plat of Nookachamp Hills PUD Phase 1. The maintenance and ownership of said 20' is further defined in the CCR's as referenced under Note 7 above.

11. Setbacks: Front - 35', 25' on minor access and dead end streets.  
Side - 8' on interior lot  
Rear - 25'

Accessory - Front 35', side 8', however a 3' setback is permitted when the accessory building is a minimum of 75' from the front property line providing that the structure is less than 1,000 sq. ft. in size and 16' or less in height.

12. The plat name, number and date of approval shall be included in all deeds and contracts.

13. Owner/Developer  
Nookachamp Hills LLC  
c/o Dan Mitzel  
1369 Pacific Drive  
Burlington, WA 98233.

14. The homeowners association is responsible for the maintenance of the storm water system. Skagit County Public Works has on file the "Storm Water System Maintenance Plan for Nookachamp Hills Plat, Phase II", which outlines said maintenance.

M. DEDICATION SHOWN ON PLAT:

Know all men by these presents that Nookachamp Hills L.L.C., a Washington Limited Liability Company and Peoples Bank, a Washington State Corporation, owners in fee simple or contract purchasers and mortgage or lien holders of the land hereby platted, declare this plat and dedicate to the use of the public forever, the roadways as shown hereon and the use thereof for all public purposes consistent with the use thereof for public highway purposes together with the right to make all necessary slopes for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such roadways shown hereon.

We also hereby dedicate Tracts E and F to the Nookachamp Hills PUD Property Owners Association.

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EXCEPTIONS CONTINUED:

N. UTILITY EASEMENT SHOWN ON PLAT:

An easement is hereby reserved for and granted to Skagit County, Skagit County Public Utility District No. 1, Skagit County Sewer District No. 2, Puget Sound Energy, GTE, Cascade Natural Gas Corporation, and Lake Cable Service and their respective successors and assigns under and upon the exterior 15 feet of all lots and tracts abutting all public roads and rights of way as shown hereon in which to install, lay, construct, renew, operate, maintain and remove utility systems, lines, fixtures and appurtenances attached thereto, for the purpose of providing utility services to the subdivision, together with the right to enter upon the lots and tracts at all times for the purposes stated, with the understanding that any grantee shall be responsible for all unnecessary damage it cause to any real property owner in the subdivision of the exercise of rights and privileges herein granted.

O. PRIVATE DRAINAGE AND SEWER EASEMENTS:

Easements for the purpose of conveying local storm water runoff and sanitary sewer are hereby granted in favor of all abutting private lot owners in all areas designated as private drainage or private sewer easements. The maintenance of private easements established and granted herein shall be the responsibility of and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners personal representatives and assigns.

Skagit Sewer District No. 2 is hereby granted an easement in all areas designated as private sewer easements.

Skagit County is hereby granted the right to enter said easements for emergency purposes at its owner discretion.

P. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation  
Purpose: One or more utility systems for purposes of transmission, distribution and sale of electricity

Area Affected:

Easement No. 1: All streets and road rights-of-way as now or hereafter designated, 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.

Dated: April 1, 2003  
Recorded: April 7, 2003  
Auditor's No.: 200304070122

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EXCEPTIONS CONTINUED:

Q. BASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington Corporation  
 Purpose: One or more utility systems for purposes of transmission, distribution and sale of electricity  
 Area Affected:

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 15 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.

Dated: July 7, 2003  
 Recorded: July 15, 2003  
 Auditor's No.: 200307150203

R. MATTERS DISCLOSED BY RECORD OF SURVEY:

Prepared By: ALAN PERKES  
 Recorded: November 15, 2002  
 Auditor's File No.: 200211150147

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