



201211070085
Skagit County Auditor

11/7/2012 Page 1 of 5 4:14PM

When recorded return to:

Brian Johnston and Karen Johnston
1108 Homestead Drive
Burlington, WA 98233

LAND TITLE OF SKAGIT COUNTY

143810-0

STATUTORY WARRANTY DEED

THE GRANTOR(S) Justin J. McCann and Kimberly L. McCann, husband and wife

for and in consideration of \$10.00 and good and other valuable considerations
in hand paid, conveys, and warrants to Brian Johnston and Karen Johnston, husband and wife
the following described real estate, situated in the County of Skagit, State of Washington:

Lot 5, "PLAT OF HOMESTEAD PLACE SUBDIVISION," as per plat recorded on December 1, 2001, under Auditor's No. 200412010051, and amended May 6, 2005, under Auditor's File No. 200505060135, records of Skagit County, Washington. Situate in the City of Burlington, County of Skagit, State of Washington.

See Attached Exhibit "A" hereto and made a part hereof

Abbreviated Legal: Lot 5, Homestead Place

Tax Parcel Number(s): 4846-000-005-0000

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

20123567
NOV 07 2012

Amount Paid \$ 4027.⁸⁰
Skagit Co. Treasurer
By *mem* Deputy

Dated: November 5, 2012

Justin J. McCann
Justin J. McCann

Kimberly L. McCann
Kimberly L. McCann

State of Washington
County of *Snohomish*

I certify that I know or have satisfactory evidence that

Justin J. McCann & Kimberly L. McCann

(is/are) the person(s) who appeared before me, and said person(s) acknowledge that (he/she/they) signed this instrument and acknowledged it to be (his/her/their) free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 11-6-12

Fiona S. Vassar
Notary Public in and for the State of Washington

My appointment expires: 3-19-14

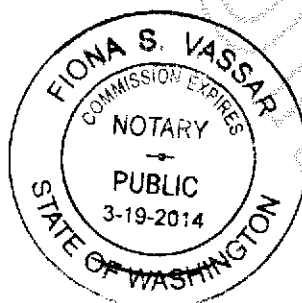


Exhibit A

(pg 1)

A. Utility Easement note as contained on the face of the Plat, as follows:

"An easement is hereby reserved for and granted to the City of Burlington, Skagit County Public Utility District No. 1, Puget Sound Energy, Verizon Northwest, Cascade Natural Gas Corporation, and AT&T Broad Band and their respective successors and assigns under and upon the exterior 10 feet of all lots and tract 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 tract at all times for the purposes stated, with the understanding that any grantee shall be responsible for all unnecessary damage it caused to any real property owner in the subdivision by the exercise of rights and privileges herein granted."

B. Private Drainage and Sewer Easement as contained on the face of the Plat, as follows:

"Easements for the purposes ~~fo~~ conveying local storm water runoff and sanitary sewer are hereby granted in favor of all abutting private lot owners in the areas designated as private drainage or private sewer easements. The maintenance of the 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.

The City of Burlington is hereby granted the right to enter said easements for emergency purposes at its own discretion."

C. Notes as contained on the face of the Plat, as follows:

1.) Setbacks – front yard – minimum mean depth of 20 feet.

side yard – minimum mean width 5 feet. The total of the two side yards shall be 15 feet. A minimum of one 10 foot side yard shall be provided per lot to facilitate access to the rear yard by reasonably sized vehicles. Side of building means the outer face of any part of the building roof eaves.

Rear yard – minimum mean depth of 20 feet. Setbacks Lots 22 and 27 front yard 10 feet, rear, yard 10 feet, sidelines 10 feet on one side 15 feet total for both sides. No boats or RV parking will be allowed in the front setback area.

2.) Sewage Disposal – City of Burlington

Water – Skagit County PUD

Power – Puget Sound Energy

Telephone – GTE

Gas – Cascade Natural Gas

Cable – TCI Cable

Storm – City of Burlington

3.) All lots within this subdivision are subject to impact fees for schools, fire, parks and traffic, payable upon issuance of a building permit.

4.) 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 of unwritten title ownership. The legal resolution of ownership based upon unwritten title claims has not been resolved by this boundary survey.

5.) This subdivision lies within zone A7 on flood insurance map 530153 00018, dated January 3, 1985. The City of Burlington has assigned a finished floor elevation of listed below to the houses within this plat.

Lots 1-4 and 38-41 elevation finfish floor = 35.0

Lot 5 and 37 F.F. elevation = 34.9

Lot 6 and 36 F.F. elevation = 34.7

Lot 7 and 35 F.F. elevation = 34.6

Lot 8 and 34 F.F. elevation = 34.5

Lot 9 and 33 F.F. elevation = 34.4

Lot 10 and 32 F.F. elevation = 34.3

Lot 11, 24, 25, 31 F.F. elevation = 34.2

Lot 12 and 30 F.F. elevation = 34.1

Lot 13, 14, 22, 23, 26, 27, 28, 29 FF elev. = 34.0

Lot 15 F.F. elevation = 33.9

Lot 16, 17, 18, 19, 20, 21 F.F. Elevation = 33.8

6.) Lots 4, 5, 8, 9, 10, 11, 24, 25 are limited to one story dwelling only.

7.) Lots 1 through 27 are subject to and together with a 10.00 foot drainage easement for the benefit of Lots 1 through 27 and the maintenance and other responsibilities and obligations are spelled out in the CCR's and Auditor's File No. 200412010052.



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Exhibit A

(pg 2)

8.) Work with adjacent neighbors to Lots 4, 5, 8, 9, 10, 11, 23, 24 and 25 to provide a solid 6 foot cedar fencing.

9.) All costs of maintaining, repairing, improving, or cost otherwise associated with any drainage course(s). Storm drainage detention basin and to include play area within tract "A" shall be borne by the property owners of the Plat of "Homestead Place" according to the declaration of covenants, conditions, reservations, and restrictions of the Plat of "Homestead Place" as recorded under Auditor's File No. 200412010052, Auditor's Office, Skagit County, Washington. The City of Burlington may inspect all storm water facilities and community association records. If the property owner(s) or community association has failed to maintain the stormwater facilities, the City may issue written notice specifying the required actions. If the actions are not corrected in a timely manner or in the event of a public hazard, the City may enter the property to perform the actions needed and bill the property owners(s) or community association. Any action taken by the City of Burlington shall not relieve the property owner(s) or community association from its responsibility to maintain the stormwater facilities.

The City of Burlington may enter the property to maintain the storm water filtration system. All costs of maintaining, repairing, improving, or cost otherwise associated with the filtration system shall be the sole responsibility of the City of Burlington.

10.) Each new home shall have lawn planted, shrubs adjacent to the house and at least one tree per lot prior to sale or occupancy.

D. Fifteen foot Utility Easement, as delineated on face of Short Plat, affecting that portion of lot abutting "Homestead Drive".

E. Five foot Pedestrian Easement, as delineated on face of Short Plat.

F. Delineation of drainage easements to the City of Burlington on face of Short Plat.

G. Delineation of water easement(s) for P.U.D. on face of Short Plat.

H. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee:	Puget Sound Power & Light Company, a Washington corporation
Purpose:	The right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines
Area Affected:	A right of way 5 feet in width having 2.5 feet. The South ½ of the East ¼ of Lot 63, Burlington Acreage Property.
Dated:	Not disclosed
Recorded:	June 13, 1991
Auditor's No.:	9106130064

I. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee:	City of Burlington
Purpose:	Easement to install a sewer line
Area Affected:	The South ½ of the East ½ of Lot 63 of the Burlington Acreage Property
Dated:	January 6, 2003
Recorded:	January 8, 2003
Auditor's No.:	200301080008

J. MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS CONTAINED IN SAID PLAT AND DECLARATION OF PROTECTIVE RESTRICTIONS AND EASEMENT, AS HERETO ATTACHED:

Declaration Dated:	November 24, 2004
Recorded:	December 1, 2004
Auditor's No.:	200412010052
Executed By:	James A. Wynstra, President of Homestead NW Dev. Co.

AMENDMENT TO COVENANTS:

Recorded:	December 14, 2004
Auditor's No.:	200412140045



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Exhibit A

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K. SKAGIT COUNTY RIGHT TO FARM DISCLOSURE AND THE TERMS AND CONDITIONS THEREOF:

Grantor:	Homestead NW Dev. Co., a Washington corporation
Grantee:	Justin J. McCann and Kimberly L. McCann, husband and wife
Recorded:	May 5, 2005
Auditor's File No.:	200505050077
As Follows:	

"Skagit County has established a policy for unincorporated areas to protect and encourage agriculture and forestry operations. If your real property is located near an agriculture or forestry operations, you may be subject to inconvenience or discomfort arising from such operations, including but not limited to, noise, odors, fumes, dust, flies, and other associated pests, the operation of machinery of any kind during any 24-hour period, the storage and disposal of manure, and the application of fertilizers, soil amendments, and pesticides. If conducted in compliance with local, state, and federal laws, these inconveniences or discomforts are hereby deemed not to constitute a nuisance as provided in Chapter 7.48 RCW for purposes of the Skagit County Code and shall not be subject to legal action as a public nuisance."

L. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By:	Plat of said addition
Purpose:	Pedestrian
Area Affected:	North 5 feet of said premises

M. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By:	Plat of said addition
Purpose:	Utilities
Area Affected:	North 15 feet of said premises

N. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By:	Plat of said addition
Purpose:	Sewer
Area Affected:	South 20 feet of said premises



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Schedule "A-1"

143810-O

DESCRIPTION:

Lot 5, "PLAT OF HOMESTEAD PLACE SUBDIVISION," as per plat recorded on December 1, 2004, under Auditor's File No. 200412010051, and amended May 6, 2005, under Auditor's File No. 200505060135, records of Skagit County, Washington.

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