

When recorded return to:
Pacific Ridge Properties LLC
14836 Jefferson Street
Anacortes, WA 98221



201301220181
Skagit County Auditor

1/22/2013 Page 1 of 10 10:48AM

Recorded at the request of:

File Number: A105197

BARGAIN AND SALE DEED

A 105197
GUARDIAN NORTHWEST TITLE CO.

THE GRANTOR Bank of the Pacific, a Washington Chartered Bank for and in consideration of **TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, bargains, sells, and conveys to **Pacific Ridge Properties, LLC, a Washington limited liability company**, the following described estate, situated in the County of **Skagit**, State of **Washington**:

Parcel A:

Lot 12, "DECEPTION SHORES PLANNED UNIT DEVELOPMENT", according to the plat thereof recorded on September 10, 2001, under Auditor's File No. 200109100117, records of Skagit County, Washington; Situate in a portion of Government Lots 3, 4, 5 and 6, Section 24, Township 34 North, Range 1 East, W.M.

Parcel B:

Lot 15, "DECEPTION SHORES PLANNED UNIT DEVELOPMENT", according to the plat thereof recorded on September 10, 2001, under Auditor's File No. 200109100117, records of Skagit County, Washington; Situate in a portion of Government Lots 3, 4, 5 and 6, Section 24, Township 34 North, Range 1 East, W.M.

"This conveyance is subject to covenants, conditions, restrictions and easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey as described in Exhibit "A" attached hereto."

Tax Parcel Number(s): P118308, 4780-000-015-0000, P118305, 4780-000-012-0000

Dated: January 15, 2013

Bank of the Pacific, a Washington Chartered Bank

David T. Engels
By: David T. Engels, Senior Vice President

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2013/87
JAN 22 2013

Amount Paid \$ *2675.00*
Skagit Co. Treasurer
By *mm* Deputy

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that David T. Engels is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it as the Senior Vice President of Bank of the Pacific, to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 1-16-13

Vicki L Hoffman
Vicki L Hoffman

Notary Public in and for the State of Washington

Residing at Anacortes, Washington

My appointment expires: 10/08/2013

EXHIBIT A

EXCEPTIONS:

A. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company
Recorded: September 24, 1925
Auditor's No.: 187590
For: Electric transmission and/or distribution line, together with necessary appurtenances

B. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company
Recorded: September 1, 1955
Auditor's No.: 523434
For: Electric transmission and/or distribution line, together with necessary appurtenances

C. The right to use a 50 foot strip of land running across the Northwesterly portion of the subject property for road purposes and utilities as granted to various property owners in Government Lots 3, 4 and 5, in Section 24, Township 34 North, Range 1 East, W.M., in instruments under Auditor's File Nos. 550936, 612026, 625085, 637331, 660749, 704373, 774714 and 9806230097, and as reserved in instruments under Auditor's File No. 66074, all instruments executed by E.C. Heilman and Amelia Heilman, his wife et al.

Said easements were amended by instrument recorded under Auditor's File No. 200007110058.

D. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company
Recorded: May 8, 1957
Auditor's No.: 551047
For: Electric transmission and/or distribution line, together with necessary appurtenances

E. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: West Coast Telephone Company
Recorded: August 10, 1959
Auditor's No.: 584155
For: Telephone communication pole line

F. Right to enter said premises and to cut, top and/or trim any and all brush or trees within 25 feet of grantee's electric line centerline, including terms and provisions therein, granted by instrument

Recorded: November 23, 1965
Auditor's No.: 674970



201301220181
Skagit County Auditor

G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Goodyear Nelson Hardwood Lumber Co., Inc.
Recorded: March 21, 1989
Auditor's No.: 8903210035
For: Ingress and egress

H. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Richard H. Wakefield and Grace G. Wakefield, husband
and wife
Recorded: May 5, 1989
Auditor's No.: 8905050006
For: Ingress, egress and utilities

I. Exception and reservations contained in Deed whereby the Grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working mines, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of such entry; together with the right, upon paying reasonable compensation, to acquire rights-of-way for transporting and moving products from other lands, contained in Deed

From: The State of Washington
Recorded: April 14, 1921
Auditor's No.: 149313
Affects: Tidelands

J. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: E.C. Heilman and Amelia Heilman, husband and wife
And: Puget Sound Power & Light Company
Recorded: February 7, 1956
Auditor's No.: 531365
Regarding: For the grubbing of stumps

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

Recorded: March 25, 1957
Auditor's No.: 549053
Executed By: E.C. Heilman and Amelia Heilman, husband
and wife

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS FOLLOWS:

Recorded: June 15, 1959
Auditor's No.: 581813



201301220181
Skagit County Auditor

L. Assessments or charges and liability to further assessments or charges, including the terms, covenants and provisions thereof, disclosed in instrument

Recorded: April 4, 1958
Auditor's No.: 563759
Imposed by: Quiet Cove Community, Inc.

M. Provision contained in deed executed by E.C. Heilman and Amelia Heilman, husband and wife, (and various other instruments of record)

Recorded: August 14, 1962
Auditor's No.: 625085
As Follows: Subject to the right of the grantor to convey all easements described above to Skagit County for road purposes

N. Public or private easements, if any, lying within vacated Peoria Avenue.

O. Provision contained in deed executed by E.C. Heilman and Amelia Heilman, husband and wife, affecting easements set forth in the caption herein,

Recorded: November 21, 1977
Auditor's No.: 869037
As Follows:

Subject to the right of the grantor to convey all easements described above to Skagit County for road purposes.

P. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING SHORT PLAT:

Short Plat No.: 93-049
Recorded: May 16, 1997
Auditor's No.: 9705160066

Said matters include but are not limited to the following:

1. All maintenance and construction of private roads are the responsibility of the Lot owners and the responsibility of maintenance shall be in direct relationship to usage of road.
2. Short Plat number and date of approval shall be included in all deeds and contracts.
3. No building permit shall be issued for any residential and/or commercial structures which are not at the time of application determined to be within an official designated boundary of Skagit County Fire District.
4. Lot 2 requires an alternative on-site sewage system. An alternative on-site sewage disposal system may have special design, construction and maintenance requirements. See Skagit County Health Officer for details.



201301220181
Skagit County Auditor

5. A portion of the subject property is designated as unstable on the coastal zone atlas of Washington. A geotechnical report may be required when obtaining a development permit.

6. Quiet Cove Road cannot be used as access for future subdivision of Lots 1 and 2 without being reconstructed to county standards or receiving a variance from that requirement.

Q. Any question of the location of lateral boundaries and the seaward boundaries of the second class tidelands/shorelands described herein.

R. Any prohibition or limitation on the use, occupancy of improvement of the land resulting from the Rights of the Public or Riparian Owners to use any waters, which may cover the land.

S. Right of the general public to the unrestricted use of all the waters of a navigable body of water, not only for the primary purposes of navigation, but also for corollary purposes, including (but not limited to) fishing, boating, bathing, swimming, water skiing and other related recreational purposes, as those waters may affect the tidelands, shorelands, or adjoining uplands, and whether the level of the water has been raised naturally or artificially to a maintained or fluctuating level, all as further defined by the decisional law of this state. (Affects all of the premises subject to such submergence.)

T. Any adverse claim by reason of the question of location, boundary, or area of said land, which may be dependent upon the location of the line of ordinary high tide of Deception Passage.

U. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee:	Puget Sound Energy, Inc.
Recorded:	July 22, 2002
Auditor's No.:	200207220174
Purpose:	"...utility systems for purposes of transmission, distribution and sale of gas and electricity..."
Area Affected:	Lots 7, 8, 9, 10, 11, 12 and 16 and areas A, C, D and E

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

Recorded:	September 10, 2001
Auditor's No.:	200109100116
Executed By:	Heilman Heritage Group

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS FOLLOWS:

Recorded:	January 8, 2004
Auditor's No.:	200401080043

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

Plat/Subdivision Name:	Deception Shores PUD
Recorded:	September 10, 2001
Auditor's No.:	200109100117

Said matters include but are not limited to the following:



201301220181
Skagit County Auditor

1. The developer reserves a utility easement for the installation of utilities including water, power, gas, cable and telephone over, across and under a 40-foot strip in area E located between North Deception Shores Drive and the Quiet Cove Road right-of-way easement as shown hereon. The purpose of this easement is to allow the future extension of utilities to the properties along said Quiet Cove Road Southerly and adjacent to the PUD. Said 40-foot easement as shown hereon may be moved or relocated for topographic reasons within said area E to accommodate the installation of said utilities causing the least interference and disturbance to said area E.

2. Developer hereby reserves in area E two drainfield easement sites for the purpose of location two separate and independent single family residential drainfields or one single drainfield site that shall accommodate two single family residential connections for the use, benefit and enjoyment of three parcels or property as shall be determined by the developer which are Southerly and adjacent to the PUD; together with a 20 foot easement over and across said area E that will access and connect said drainfield site(s) to the adjacent lot or lots utilizing said drainfield site(s). The exact location of said drainfield easement sites and the benefited properties shall be determined by the developer with the approval of the Skagit County Health Department. Upon construction, installation and connection to a drainfield site, a drainfield agreement and covenant describing the drainfield area, the 20-foot easement connecting the lot the drainfield and the lot utilizing said drainfield site shall be recorded as a binding easement and covenant, as to Area E and the lot connecting to said drainfield. The drainfield agreement and covenant shall provide that the lot connecting to said drainfield shall keep and maintain the drainfield in good condition and repair subject to Skagit County Health Department Rules and Regulations at the cost and expense of the owner of the lot connecting thereto.

3. Developer reserves an easement 50 feet in width for road right-of-way and utility purposes over, across and under that portion of area C between the Southwesterly end of Deception Shores Drive North and the Southwesterly boundary of the PUD, with the centerline of said 50-foot easement being the centerline of North Deception Shores Drive as extended to said Southwesterly boundary of the PUD. This easement herein reserved by the developer is for the benefit of the developer and the developers successors and assigns, and the developer may transfer and assign said easement to the Southwesterly adjoining property owner so that said adjoining property may have access, ingress and egress, together with utilities through the PUD.

4. Developer hereby reserves an easement 20 feet in width over and across area A between Quiet Cove Road (vacated Peoria Avenue) to the East of said area A and North Deception Shores Drive to the West of said Area A as shown hereon. The easement shall provide access, ingress and egress from Quiet Cove Road to North Deception Shores Drive and said easement is for the benefit of the developer and developer's successors and assigns. Said 20-foot easement as shown in said area A may be moved or relocated within said area A for topographic reasons to accommodate access, ingress and egress to North Deception Shores Drive, causing the least interference and disturbance to said area A.

5. Developer reserves an easement in area E as shown hereon for an existing 10,000 gallon water storage tank, together with a 20-foot wide easement over and across said area E that will access said water storage tank, for the benefit of the properties along Quiet Cove Road Southerly and adjacent to the PUD.

6. An utility easement is hereby reserved for and granted to Cascade Natural Gas within area A said easement to be 10 feet in width, the centerline of which is to be defined by the constructed gas line. Cascade Natural Gas reserves the right to enter upon said area A for the purposes of installation, construction, review, operation and maintenance of said gas line.



201301220181

Skagit County Auditor

7. NOTE: The easements reserved by the developer herein are for the benefit of the developer and the developers successors and assigns, and the developer may transfer and assign said easements for the benefit and use and enjoyment of the property owners owning adjacent property or property in the immediate vicinity of Deception Shores P.U.D. As shall be determined by the developer, and the easements and the reservations contained herein shall constitute permanent easements and covenants running with the land.

8. NOTE: The location of the easements as shown on the map herein is an approximation of the location of said easements and said easements may be moved or relocation to accommodate the installation or construction of the anticipated improvements or relocation of the easements will not result in substantial or greater interference to the common areas.

9. NOTE: The easements referred to herein by these notes and as located and described on the face the P.U.D. map are hereby fully incorporated in and made a part of the declaration of covenants, conditions, restrictions, easements and reservations of Deception Shores P.U.D. as though fully set herein.

10. NOTE: Property owners within the P.U.D. reserve the right to access beach by foot path in area "E". The location of which can be determined by said property owners based on topographic conditions and access limitations.

11. At no time shall PSE's existing transmission line easement (shown hereon) be used for storage of flammable or volatile material or placement of any buildings or other structures, including but not limited to, the following: Decks, patios, septic drain fields, and outbuildings of any nature. At no time shall PSE's access to the transmission lines or structures along the easement area be permanently blocked off or unduly restricted.

12. The developer or future P.U.D. lot owners must pay for any and all costs associated with changes in vertical line clearance, re-stabilization of any electrical structure of anchor, or facilities access as a result of uses that do not comply with PSE conditions or restrictions outline hereon or as noted as approved construction plans.

13. Transmission or distribution lines have been or will be constructed, operated, and maintained within the PSE (PSE) easement area said facilities may require tree and brush cutting within the adjacent to the easement right-of-way. PSE retains the right to cut, remove and dispose of any and all brush, trees and other vegetation presently existing upon the easement area. PSE shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of bushes, trees and other vegetation upon the easement areas which in the opinion of PSE, interfere with the exercise of PSE rights or create a hazard to PSE's systems. PSE shall have the right to cut, trim, remove and dispose of any trees located on the property outside, the easement area, which could, in PSE's sole judgment, interfere with or create a hazard to PSE's Systems. PSE shall prior to the exercise of such rights, identify such trees and make a reasonable effort to give prior notice that such trees will be cut, trimmed, removed or disposed of (Except that shall have no obligation to identify such trees or give such prior notice when trees are cut, trimmed, removed or otherwise disposed of in response to emergency conditions). Owners shall be entitled to no compensation for trees cut, trimmed, removed or disposed of except for the actual market value of merchantable timber (if any) cut and removed from the property by PSE. All shrubs and trees to be situated in the easement area must be of low growing variety which normally do not exceed 15 feet in height at maturity.



201301220181
Skagit County Auditor

Notes on the face of the plat as follows:

- a.) This plat may depict existing 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 the file number 9610300097 for additional boundary information.
- b.) Sewage Disposal – Except for lots that are unable to obtain septic design approval or where the developer may require septic systems to be installed in a common area outside of the lot, each lot within Deception Shores PUD is to have an individual septic drainfield system. Those lots unable to obtain septic design approval or those lots the developer may require have a septic drainfield system outside of the lot will locate and install a septic drainfield system or connect to a community drainfield system in area C or such other common area within Deception Shores PUD as shall be determined by the developer, subject to the approval of the Skagit County Health Department.
- c.) Alternate on-site disposal systems may have special design, construction and maintenance requirements. See Skagit County Health Officer for details.
- d.) NOTE: Areas within 30 foot slope buffer and 100 foot building setback line will require GED-Technical analysis and report prior to allowance of structural encroachment by Skagit County Building Department.

Planned Unit Development note on the face of the plat, as follows:

Each of the lots within Deception Shores PUD are to have individual septic drainfield systems designed within each lot, except that Lots 7 and 8, to the extent said lots are unable to obtain septic design approval that may be located within said Lots, may locate a septic drainfield in area E subject to the review and approval of the Skagit County Health Department.

Easement provisions contained on the face of said plat, as follows:

An easement is hereby reserved for and granted to Puget Sound Energy, Northland Cable Television Company, GTE Northwest, Cascade Natural Gas and their respective successors and assigns under and upon the exterior ten feet parallel and adjacent to the street frontage of all lots, unless shown otherwise, in which to install, lay, construct, review, operate and maintain underground conduits, cables and wires with the necessary facilities and other equipment for the purpose of the subdivision and other property with electric, television, telephone, and gas service, together with the right to enter upon lots at all time for the purposes stated.

Easement for drainage affecting various lots in the plat.

Easement for utilities affecting the exterior 10 feet of lots adjacent to streets.



201301220181
Skagit County Auditor

X. AGREEMENT AND EASEMENT AND THE TERMS AND PROVISIONS THEREOF:

Between: Deception Shores Community Association
And: Ron Rennebohm and Darla Rennebohm, husband and wife
Recorded: February 6, 2004
Auditor's No.: 200402060137
Regarding: A right of access, ingress and egress over Deception Shores PUD-Private road right-of-way for single-family residential usage

Y. AGREEMENT AND EASEMENT AND THE TERMS AND PROVISIONS THEREOF:

Between: Ron Rennebohm and Darla Rennebohm, husband and wife
And: Deception Shores Community Association
Recorded: February 6, 2004
Auditor's No.: 200402060138
Regarding: Pedestrian easement for access to Deception Pass State Park-State Route 20 and Pass Lake

Z. AGREEMENT AND EASEMENT AND THE TERMS AND PROVISIONS THEREOF:

Between: Deception Shores Community Association
And: Ron Rennebohm and Darla Rennebohm, husband and wife
Recorded: February 6, 2004
Auditor's No.: 200402060139
Regarding: Mutual easement over and across second class tidelands

AA. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Matthew E. Brown and Kathleen A. Brown, husband and wife; Rebecca Anne Hall, individually and Jeffrey P. Heilman, individually
And: Ron Rennebohm and Darla Rennebohm, husband and wife
Recorded: February 24, 2004
Auditor's No.: 200402240092
Regarding: Water use and connection agreement to the Deception Shores Planned Unit Development Water System

BB. AGREEMENT AND EASEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Matthew E. Brown and Kathleen A. Brown, husband and wife; Rebecca Anne Hall, individually and Jeffrey P. Heilman, individually
And: Deception Shores Community Association
Recorded: February 24, 2004
Auditor's No.: 200402240093
Regarding: Deception Shores Planned Unit Development Pedestrian Easement



201301220181
Skagit County Auditor

CC. Reservation and Grant of Waterline Easement and Covenant, and the terms and Conditions contained therein, as recorded on June 18, 2004 under Auditor's File No. 200406180142.

DD. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee:	Jeffrey P. Heilman (Developer)
Dated:	August 27, 2004
Recorded:	August 30, 2004
Auditor's No.:	200408300334
Purpose:	Access and utilities
Area Affected:	Portion of Lots 11 and 12

Said instrument was modified by instrument recorded August 3, 2005 and September 21, 2005, under Auditor's File Nos. 200508030025 and 200509210092.



201301220181
Skagit County Auditor