

When recorded return to:
Michelle T. Smail and Mark Smail
P.O. Box 1932
Anacortes, WA 98221

Recorded at the request of:
Guardian Northwest Title
File Number: A105835

201306060037
Skagit County Auditor
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4:10:41AM

Statutory Warranty Deed

A105835-1
GUARDIAN NORTHWEST TITLE CO.

THE GRANTORS John W. Elliott and Renee G. Elliott, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Michelle T. Smail and Mark Smail, wife and husband the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:
Lot 28 and Ptn of Lot 29, Dewey Beach #4

For Full Legal See Attached Exhibit "A"

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 "B" attached hereto.

Tax Parcel Number(s): P65091, 3904-000-029-0008, P65090, 3904-000-028-0009

Dated 5/30/2013

John W. Elliott
John W. Elliott

Renee G. Elliott
Renee G. Elliott

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

20132118

JUN 06 2013

STATE OF Washington }
COUNTY OF Skagit } SS:

Amount Paid \$ 4935.⁶⁰
Skagit Co. Treasurer
By MEM Deputy

I certify that I know or have satisfactory evidence that John W. Elliott and Renee G. Elliott, the persons who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 6-4-13

Vicki L. Hoffman
Printed Name: Vicki L. Hoffman
Notary Public in and for the State of Washington
Residing at Anacortes, WA
My appointment expires: 10/08/2013

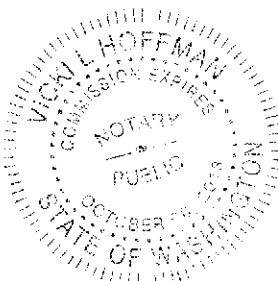


EXHIBIT A

Lots 28 and 29, "DEWEY BEACH ADDITION NO. 4," as per plat recorded in Volume 7 of Plats, page 50, records of Skagit County, Washington;

EXCEPT the Northerly 5 feet of the Easterly 80 feet of Lot 29;

TOGETHER WITH that portion of Lexington Avenue which abuts said Lots 28 and 29, more particularly described as:

That portion of unimproved Lexington Avenue, as per the Map of Fidalgo City, recorded in Volume 2 of Plats, pages 113 through 116, records of Skagit County, Washington, lying contiguous to the Easterly line of Lots 28 and 29, "DEWEY BEACH ADDITION NO. 4," as per plat recorded in Volume 7 of Plats, page 50, Westerly of the centerline of said Lexington Avenue and Southerly of the Northeasterly projection of the North line and Northerly of the Northeasterly projection of the South line of said Lots 28 and 29.



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EXHIBIT B

EXCEPTIONS:

A. Reservations contained in Deed from the State of Washington recorded under Auditor's File No. 148586, reserving to the grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same and providing that such rights shall not be exercised until provision has been made for full payment of all damages sustained by reason of such entry.

Right of the State of Washington or its successors, subject to payment of compensation therefore to acquire rights-of-way for private railroads, skid roads, flumes, canals, water courses or other easement for transporting and moving timber, stone, minerals and other products from this and other property, as reserved in Deed referred to above.

B. ALL EASEMENTS, COVENANTS, RESTRICTIONS, ENCROACHMENTS AND OTHER MATTERS SHOWN ON THE FACE OF THE FOLLOWING SURVEY/PLAT:

Name: Dewey Beach Addition No. 4
Recorded: October 31, 1955
Auditor's No.: 526500

C. Non-exclusive easement for Community Beach area over and across the tidelands of the Second Class situate in front of and adjacent to the South 100 feet of Government Lot 1 in Section 19, Township 34 North, Range 2 East, W.M., as conveyed to various property owners in "DEWEY BEACH ADDITION NOS. 3, 3-A and 4".

D. RESERVATIONS CONTAINED IN VARIOUS DEEDS OF RECORD, AS FOLLOWS:

1. For residential purposes only
2. Not more than one single-family dwelling with accessory buildings on each platted lot
3. No buildings to be erected not consistent with modern design and accepted standards and appearance
4. All buildings and overhangs to be at least 5 feet from side abutting property lines, and not less than 20 feet from road right-of-way.
5. Completion of outside finish of all buildings, with reasonable and attractive finish
6. No noxious or offensive activity shall be carried on, nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood, such as farm animals, etc.
7. No lot shall be used or maintained as a dumping ground for rubbish
8. It is hereby understood that these restrictions are for the common good of all parties concerned.



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

Recorded: October 20, 1964
Auditor's No.: 658755
Executed By: Fred Hendrickson, et al

By instrument filed June 14, 1966, as Auditor's File No. 681429, Paragraph 1 of said restrictions were amended to read as follows:

"(1) Land Use and Building Type. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling, not to exceed one story and basement in height. In addition, there is permitted a garage or carport or combination thereof for not more than three (3) cars providing the lot size and set-back restrictions herein permit.

Except as herein amended the covenants and restrictions as set forth in the document of November 20, 1964 shall remain in full force and effect."

F. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Recorded: October 24, 1984
Auditor's No.: 8410240022
Regarding: Sand Filter Sewage System Installation

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said notice/agreement may have changed or may in the future change without recorded notice.

Said notice/agreement may pertain to governmental regulations for building or land use. Said matters are not a matter of title insurance. If such non-title insurance matters are shown, they are shown as a courtesy only, without the expectation that all such matters have been shown.

G. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Recorded: February 28, 2006
Auditor's No.: 200602280135
Regarding: On-Site Sewage System Agreement

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said notice/agreement may have changed or may in the future change without recorded notice.

Said notice/agreement may pertain to governmental regulations for building or land use. Said matters are not a matter of title insurance. If such non-title insurance matters are shown, they are shown as a courtesy only, without the expectation that all such matters have been shown.



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