

When recorded return to:
Kyle J. Kelln and Olga A. Kelln
5556 Timberridge Drive
Mount Vernon, WA 98273



201601270054
Skagit County Auditor \$81.00
1/27/2016 Page 1 of 9 1:20PM

Filed for record at the request of:



CHICAGO TITLE
COMPANY OF WASHINGTON

425 Commercial St
Mount Vernon, WA 98273

Escrow No.: 620025803

CHICAGO TITLE

620025803

STATUTORY WARRANTY DEED

THE GRANTOR(S) Alvaro Rodriguez and Sara Toth, husband and wife
for and in consideration of Ten And No/100 Dollars (\$10.00) , and other valuable consideration
in hand paid, conveys, and warrants to Kyle J. Kelln and Olga A. Kelln, husband and wife
the following described real estate, situated in the County of Skagit, State of Washington:

Lot 83, PLAT OF SKAGIT HIGHLANDS DIVISON V (PHASE 2), according to the plat thereof
recorded on January 17, 2008 under Auditor's File No. 200801170047, records of Skagit County,
Washington.

Situated in Skagit County, Washington


Abbreviated Legal: (Required if full legal not inserted above.)


Tax Parcel Number(s): P127185 / 4948-000-083-0000

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Dated: January 20, 2016



Alvaro Rodriguez


Sara Toth

**SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX**

JAN 27 2016

Amount Paid \$ **50.78**
Skagit Co. Treasurer
By **MB** Deputy

STATUTORY WARRANTY DEED
(continued)

State of California
County of San Diego

I certify that I know or have satisfactory evidence that Alvaro Rodriguez and Sara Toth are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 1/22/2016

Ramona Khyrolomoor
Name: RAMONA KHYROLOMOOR
Notary Public in and for the State of CA
Residing at: San Diego, CA
My appointment expires: Oct 31/2018

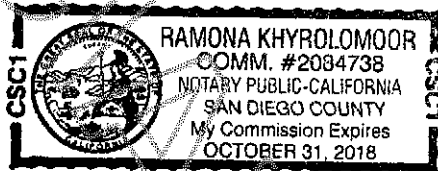


EXHIBIT "A"

Exceptions

1. Reservation of minerals and mineral rights, etc., contained in deeds from W.M. Lindsey and Emma S. Lindsey, husband and wife, recorded March 30, 1903 in Volume 49 Deeds, page 532.
Affects: Lots 4, portion of 5, 6 through 8, portion of 9 and 10
2. Terms and conditions contained in City of Mt. Vernon Ordinance Nos. 2483, 2532, 2546 and 2550 as recorded March 27, 1992, March 11, 1993, August 6, 1993 and September 21, 1993, under Auditor's File No. 9203270092, 9303110069, 9308060022 and 9309210028.
Affects: Said Plat and other property
3. Restriction contained in instrument recorded December 14, 1912 under Auditor's File No. 94380, as follows:

That no saloon shall ever be located or established upon the lands herein described.
Affects: Said Plat and other property
4. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: September 27, 1960
Auditor's No(s): 599210, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company, a Massachusetts corporation
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Said Plat and other property
5. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: September 23, 1980
Auditor's No(s): 8009230001, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company, a Washington corporation
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: A portion of Lot 7, not specifically located on record
6. Easement, including the terms and conditions thereof, disclosed by instrument(s);
Recorded: June 8, 1988
Auditor's No(s): 8806080008, records of Skagit County, Washington
For: Construct, maintain and operation of drainage facilities
Affects: Said Plat and other property
7. Developer Extension Agreement, including the terms and conditions thereof; entered into;
By: M.V.A, Inc., a corporation
And Between: The City of Mt. Vernon
Recorded: August 22, 2001
Auditor's No. 200108220046, records of Skagit County, Washington
Affects: Said plat and other property

AMENDED by instrument(s):
Recorded: July 1, 2005
Auditor's No(s): 200507010181, records of Skagit County, Washington
8. Storm Drainage Release Easement Agreement, including the terms and conditions thereof; entered into;
By: Georgia Schopf, as her separate estate
And Between: MVA, Inc., a Washington corporation
Recorded: July 27, 2001
Auditor's No. 200107270065, records of Skagit County, Washington
Affects: Said plat and other property
9. Mitigation Agreement, including the terms and conditions thereof; entered into;
By: Sedro-Woolley School District No. 101
And Between: MVA, Inc.
Recorded: July 27, 2001
Auditor's No. 200107270077, records of Skagit County, Washington
Affects: Said plat and other property

EXHIBIT "A"

Exceptions (continued)

10. Development Agreement, including the terms and conditions thereof; entered into;
By: The City of Mt. Vernon
And Between: MVA, Inc., a Washington corporation
Recorded: June 21, 2001
Auditor's No.: 200106210002, records of Skagit County, Washington
Providing: Said plat and other property
11. Shoreline Substantial Development Permit No. PL01-0560 and the terms and conditions thereof, as recorded May 23, 2002 under Auditor's File No. 200205230079.
Affects: Said plat and other property
- AMENDED by instrument(s):
Recorded: June 3, 2002
Auditor's No(s): 200206030153, records of Skagit County, Washington
12. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: March 1, 2005
Auditor's No(s): 200503010068, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company, a Washington corporation
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Said plat and other property
13. Matters disclosed by Record of Survey;
Filed: June 8, 2005
Auditor's File No.: 200506080122, records of Skagit County, Washington
14. Terms and conditions of the Master Plan;
Recorded: July 1, 2005
Auditor's File No.: 200507010182, records of Skagit County, Washington
Affects: Said plat and other property
15. Covenants, conditions, and restrictions contained in declaration(s) of restriction, but omitting any covenant or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by law;
Recorded: August 17, 2005
Auditor's No(s): 200508170114, records of Skagit County, Washington
Executed By: Skagit Highlands, LLC, a Washington limited liability company
- AMENDED by instrument(s):
Recorded: November 2, 2005, April 6, 2006, May 23, 2006, May 25, 2006; May 26, 2006, August 7, 2006, August 10, 2006, August 25, 2006, December 21, 2006, June 4, 2008, October 16, 2008 and February 5, 2009
Auditor's No(s): 200511020084; 200604060049, 200605230087, 200605250083; 200605260149, 200605260150, 200608070181, 200608100126, 200608250117, 200612210068; 200806040066; 200810160044, and 200902050087, records of Skagit County, Washington
16. Supplemental Declaration of Covenants, Conditions and Restrictions for Skagit Highlands Residential Property, Skagit Highlands West Neighborhood;
Recorded: August 17, 2005
Auditor's File No.: 200508170115, records of Skagit County, Washington
Executed by: Skagit Highlands, LLC, a Washington limited liability company
17. Easement, including the terms and conditions thereof, disclosed by instrument(s);
Recorded: September 20, 2006
Auditor's No(s): 200609200081, records of Skagit County, Washington
For: Construct, maintain, replace, reconstruct and remove sanitary sewage and storm drainage facilities
Affects: A strip across said premises
18. Notes on the face of said plat as follows:
- A. Basis of bearings for this survey is N88°29'24"W (NAD 1983/1991) along the South line of

EXHIBIT "A"

Exceptions (continued)

the Southeast quarter of Section 15, Twp. 34 North, Rge. 4 East, W.M., as shown on City of Mount Vernon Boundary Line Adjustment recorded under recording no. 200308180300, and as amended by document recorded under recording No. 200506080122. See said surveys for additional subdivisional information.

B. This survey was accomplished using global positioning system (GPS) using Trimble 5700 and R8 receivers, and by field traverse method, using Leica Electronic Total Stations. Survey accuracy meets or exceeds the requirements of WAC 332-130-090.

C. 5/8" x 24" rebar with cap imprinted with "WHP LS No. 21599" will be set at all lot corners, unless otherwise noted. All front corners will also be marked by lead and tack in concrete curb on the property line extended.

D. Owner/Developer: The Quadrant Corporation
14725 SE 36th St.
Suite 200, P.O. Box 130
Bellevue, WA 98009
(425) 455-2900

E. Utility Purveyors:			
Sanitary sewer	City of Mount Vernon	Telephone	Verizon Northwest
Storm drain	City of Mount Vernon	Television	Comcast
Corporation			
Water	P.U.D. No. 1 of Skagit Co.	Power	Puget Sound Energy
Garbage collection	City of Mount Vernon	Gas	Cascade Natural
Gas			

F. Zoning Designation: R-1, 13.5 Skagit Highlands P.U.D.

G. Building Setbacks: All lots within this subdivision are subject to the development standards and additional setback and buffer requirements as set forth in the master plan conditions contained in City of Mount Vernon "Resolution 574, Exhibit D." Setbacks are as follows:

Lots 2,700 – 3,599 square feet: (Lots 335-341 and 346-348)

Front – 15 feet, 10 feet for a porch

Side – 5 feet, 10 feet total

Rear – 15 feet no alley, 8 feet with alley

346-348) Lots 3,600 – 8,399 square feet: (all lots in Phase 2 except 80, 335-341 &

Front – 15 feet, 20 feet for the garage

Side – 5 feet, 10 feet total

71-79 (see note) Rear – 15 feet no alley, 8 feet with alley, 20 feet for Lots 11-42 & below)

Lots 8,400 square feet and larger: (Lot 80)

Front - 20 feet, 15 feet for a porch

Side - 5 feet, 10 feet total

Rear - 20 feet

continued.....

20. continued.....

The rear building setback lines as shown on Lots 42 and 67 through 70 are adjacent to a locally established Geologic Hazard Zone 4. The setback lines shown on the plans are in conformance with the geotechnical requirements and results in no additional impact to the lots, as based on a geotechnical engineering report prepared by Associated Earth Sciences, Inc. Sept. 28, 2005.

H. Lots in this subdivision are located either in the Mount Vernon School District or in the Sedro Woolley School District. The overall map of the development (shown on sheet 4) shows the location of the boundary between the two school districts. The address table on sheet 3 lists the specific school district in which each lot is located. Each lot shall be required to pay school impact fees for applicable district at time of building permit issuance. Fees for lots within the Mount Vernon School District shall be the current fee in effect at the time of permit issuance. Fees for lots within Sedro Woolley School District shall be as outlined in the

EXHIBIT "A"

Exceptions (continued)

Mitigation Agreement between MVA, Inc. and Sedro Woolley School District No. 1, recorded under Auditor's File No. 200107270077.

For those lots located within the Sedro Woolley School District, the amount of \$1,418.00 shall be paid to the District at the time of building permit issuance for each single family detached dwelling unit.

I. Tract T-2 is a trail and utility tract and is hereby granted and conveyed upon the recording of this plat to the Skagit Highlands Homeowners Association. The homeowners association shall be responsible for the maintenance of said tract, except for the maintenance of sanitary sewer and storm drainage facilities. The City of Mount Vernon may enter said tract for emergency or inspection purposes. A public pedestrian easement is hereby granted over the trails located within this tract.

J. Tracts P-3, P-4 and P-5 are park tracts. Tracts P-3 and P-4 are hereby granted and conveyed upon the recording of this plat to the Skagit Highlands Homeowners Association, who shall be responsible for the maintenance of said tracts, Tract P-5 is hereby granted and conveyed upon the recording of this plat to the City of Mount Vernon, who shall be responsible for the maintenance of said tract.

K. Tract SL-1 is a slope tract and is hereby granted and conveyed upon the recording of this plat to the City of Mount Vernon, who shall be responsible for the maintenance of said tract.

L. Tracts OS-3 through OS-7 are open space tracts and are hereby granted and conveyed to the Skagit Highlands Homeowners Association. The homeowners association shall be responsible for the maintenance of said open space tracts. Tracts OS-4, OS-7 and portions of OS-3 (wetlands, buffer areas and an Easterly portion as shown on sheets 9 and 12) are designated as native growth protection areas, subject to existing trails. See note on this sheet regarding NGPA's. A public pedestrian easement is hereby granted over the trails located within Tracts OS-3 and OS-4.

A private drainage easement for the purpose of conveying local storm water runoff is hereby granted on these tracts in favor of all abutting lot owners. The maintenance of private drainage systems shall be the responsibility of the lot owners of the benefiting private lots and their heirs, personal representatives and assigns. The City of Mount Vernon is hereby granted the right to enter said easement for emergency purposes at its own discretion.

continued.....

20. Continued.....

M. Tract RD-1 is a storm water detention pond tract and shall be conveyed to the City of Mount Vernon upon the recording of this plat.

N. Tracts Z-2 and Z-3 are to remain in private ownership for future development. A public pedestrian easement is hereby granted over the trails located within these tracts.

O. Open Space Areas:	Useable:	Unusable:
Tract L-1	1,116 sq. ft.	
Tract OS-3	242,370 sq. ft.	443,812 sq. ft.
Tract OS-4	48,867 sq. ft.	243,297 sq. ft.
Tract OS-5	31,269 sq. ft.	
Tract OS-6	2,078 sq. ft.	
Tract OS-7	11,944 sq. ft.	1,491 sq. ft.
Tract SL-1	23,865 sq. ft.	259,088 sq. ft.
Tract P-3	34,733 sq. ft.	
Tract P-4	11,460 sq. ft.	
Tract P-5	22,330 sq. ft.	

P. In order to ensure adequate fall for side sewers, minimum finished floor elevations have been determined for each lot. Additionally, some lots will be required to install a back flow preventer on the sewer stub. Please see sanitary sewer record drawings submitted to the City in November 2006 by W&H Pacific.

EXHIBIT "A"

Exceptions (continued)

Q. Tract L-1 is a landscape tract, and is hereby granted and conveyed upon the recording of this plat to the Skagit Highlands Homeowners Association, who shall be responsible for the maintenance of said tract.

R. Soft surface trails within Tracts SL-1 and RD-1 shall be maintained by the Skagit Highlands Homeowners Association, as well as the hard surface trail within Tract SL-1 Southeasterly of Tract P-5.

19. Easement Provisions on the face of said plat as follows:

A. An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1, Puget Sound Energy, Verizon Northwest, Cascade Natural Gas Corporation, and Comcast Corporation and their respective successors and assigns under and upon the exterior ten feet parallel with and adjoining the public street frontage of all lots and tracts, and as otherwise shown on the face of the plat, in which to install, lay, construct, renew, operate and maintain underground conduits, cable, pipeline and wires with the necessary facilities and other equipment for the purpose of service to this subdivision and other property with electric, telephone, gas, cable TV service and other utilities. Together with the right to enter upon the easements at all times for the purposes stated.

B. Easements for the purpose of conveying local storm water runoff are hereby granted in favor of all abutting lot owners in the areas designated as private drainage easements. The maintenance of private drainage easements established and granted herein shall be the responsibility of the lot owners of the benefiting private lots and their heirs, personal representatives and assigns.

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

All lots shall be subject to an easement 2.5 feet in width parallel with and abutting all interior lot lines and a minimum of 5.0 feet in width parallel with and abutting all rear lot lines for the purpose of private storm drainage. In the event lot lines are adjusted after the recording of the plat, the easement shall move with the adjusted lot lines. Maintenance of all private storm drainage easements on this plat shall be the responsibility of the lots deriving benefits from said easement. No structures other than fences or yard drains shall be constructed within these easements.

C. The owners of Lots 3, 4, 32, 38, 47, 49, 84, 87, 94, 107, 113, 119, 133, 137-139 and 160 shall be subject to a 2.5 foot wall/fence easement (as shown on sheets 5-10, designated 'E3'). Walls are intended to be constructed so the wall supporting the higher of any two lots is located on the lower lot. But if for any reason any portion of a wall encroaches onto an upper lot, this easement permits that encroachment, and allows the owner of the lower lot to construct and maintain a fence at the top of the wall. The fence must be constructed within 8 inches from the back of the wall.

D. An easement is hereby reserved for and granted to the owners of Lots 4, 5 and 6 for the purpose of retaining walls. The owners of said lots shall be responsible for the maintenance of the walls. The location of this easement is graphically shown on sheet 5, designated as 'E4'.

E. The owners of Lots 146-152 shall be subject to a 2.5 foot rockery easement (as shown on sheet 10, designated 'E-5'). The existing rockeries are intended to be constructed on the lower of the adjacent lots. If for some reason a portion of the rockery encroaches upon the upper lot, this easement allows the encroachment.

F. Easements are hereby reserved for and granted to the City of Mount Vernon under and upon the easements shown on this plat described as public storm drainage & sanitary sewer easements to install, maintain, replace, repair and operate storm drainage and sanitary sewer systems for this subdivision and other property, together with the right to enter upon said easements at all times for the purposes stated. Structures shall not be constructed upon any area reserved for these easements. Following any use, the City shall restore the easements as near as possible to the original condition.

20. Native Growth Protection Area Information on the face of said plat as follows:

EXHIBIT "A"

Exceptions (continued)

Dedication of a native growth protection area tract (NGPA) conveys to the public a beneficial interest in the land within the tract. This interest includes the preservation of existing vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, visual and aural buffering and protection of plant and animal habitat. The NGPA imposes upon all present and future owners and occupiers of the NGPA the obligation, enforceable on behalf of the public or the City of Mount Vernon, to leave undisturbed all trees and other vegetation within the tract. The vegetation within the tract may not be cut, pruned, covered by fill, removed or damaged without the express permission from the City of Mount Vernon, which permission must be obtained in writing.

Before beginning and during the course of any grading, building construction or other development activity on a lot or development site subject to the NGPA, the common boundary between the NGPA and the area of development activity must be monumented.

21. Planting Notes on the face of said plat as follows:

A. Contractor shall be responsible for familiarizing themselves with all other site improvements and conditions prior to starting landscape work.

B. Contractor shall use caution while excavating to avoid disturbing any utilities encountered. Contractor is to promptly advise owner of any disturbed utilities. (Location service phone: 1-800-424-5555.)

C. Contractor shall maintain and water all plant material and provide four mowings of new lawn area until final inspection or upon acceptance by owner or owner's agent.

D. Contractor shall be responsible for computing specific quantities of groundcovers and plant materials utilizing on-center spacing for plants as stated on the landscape plan and minimum planting distances as specified below in these notes.

E. Groundcovers shall be planted in an equilateral triangular spacing pattern at the on-center distances shown on the plan or in the plant schedule. Where groundcover abuts curbing, sidewalks, signs or poles, minimum planting distances shall be 12" from center of plant to curb, sidewalk, etc. Minimum planting distance shall be 24" from center of trees.

F. Contractor shall be responsible for providing the plant quantities that are represented by symbols on the drawings.

G. Subgrade is to be within 1/10th of one foot as provided by others.

H. New bed and lawn areas as shown on the plans, shall receive a minimum of 2" depth "3-way" topsoil and rototilled to a minimum depth of 6". Then add an additional 4" depth of "3-way" topsoil to all new bed areas and 2" in lawn areas. No topsoil in erosion control area

I. All beds to receive a minimum of 2" fine fir bark mulch.

J. Contractor to give Mount Vernon Park Department minimum of 24 hours notice for inspection of plant material prior to installation. No girdling or "J" rooting of roots will be accepted.

continued....

23. continued....

K. All plant material shall conform to AAN standards for nursery stock, latest edition. Any replacements made at once.

1.) General: All plant materials furnished shall be healthy representatives, typical of their species of variety and shall have a normal habit of growth. They shall be full, well-branched, well proportioned, and have a vigorous, well-developed root system. All plants shall be hardy under climatic conditions similar to those in the locality of the project.

2.) Trees, shrubs, and groundcovers: Quantities species, and varieties, sizes and conditions as shown on the planting plan. Plants to be healthy, vigorous, well foliated when in leaf. Free of

EXHIBIT "A"

Exceptions (continued)

disease, injury, insects, decay, harmful defects, all weeds. No substitutions shall be made without written approval from landscape architect or owner. Landscape architect to approve all plant material prior to installation. Rejected material must be removed immediately.

3.) Notify landscape architect immediately if any plants are not available in size or species
(425)
885-2319

22. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: March 19, 2007
Auditor's No(s): 200703190207, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: A strip of land 10 feet in width with 5 feet on each side of the centerline of grantee's facilities as now constructed, to be constructed, extended or relocated lying within the above described parcel. This easement description may be superseded at a later date with a surveyed description provided at no cost to Grantee
23. Easement, including the terms and conditions thereof, disclosed by instrument(s);
Recorded: March 29, 2007
Auditor's No(s): 200703290063, records of Skagit County, Washington
For: Waterline
Affects: Tract A04
24. Easement contained in Dedication of said plat;
For: All necessary slopes for cuts and fills and continued drainage of roads
Affects: Any portions of said premises which abut upon streets, avenues, alleys, and roads and where water might take a natural course
25. Easement delineated on the face of said plat;
For: Utilities and drainage
Affects: Portion of said premises
26. Dues, charges, and assessments, if any, levied by Skagit Highland Homeowners Association.
27. City, county or local improvement district assessments, if any.
28. Local Improvement assessments, if any, levied by City of Mt. Vernon.