



Skagit County Auditor \$80.00
2/12/2016 Page 1 of 8 3:49PM

After Recording Return To:
Paul Upchurch
PO Box 2905
Friday Harbor, WA 98250

CHICAGO TITLE
620025987

BARGAIN AND SALE DEED

GRANTOR: David L. Fulton and Amy C. Fulton, husband and wife

GRANTEE: Paul Upchurch and Patricia Upchurch, Trustees of The Upchurch Family Trust u/t/a dated March 26, 1991

Legal Description:

Abbreviated Form: Unit 32, Fidalgo Marina Condo
Additional legal on Exhibit A to document

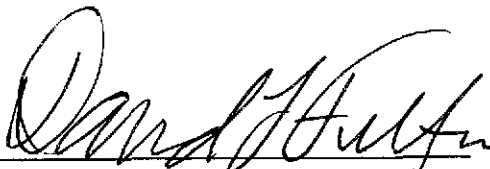
Assessor's Tax Parcel ID#: 4599-000-032-0001

THE GRANTORS, David L. Fulton and Amy C. Fulton, husband and wife, for and in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration in hand paid, bargains, sells and conveys to Paul Upchurch and Patricia Upchurch, Trustees of The Upchurch Family Trust u/t/a dated March 26, 1991, the following described real estate, situated in the County of Skagit, State of Washington:

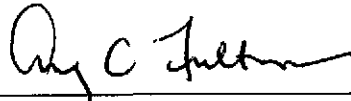
See Exhibit A attached hereto and incorporated herein by this reference.

Subject to and excepting those matters listed in Exhibit B attached hereto and incorporated herein by this reference.

Dated Dec 23, 2015.



David L. Fulton



Amy C. Fulton

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2016452

FEB 12 2016

Amount Paid \$ *6680⁰⁰*

Skagit Co. Treasurer

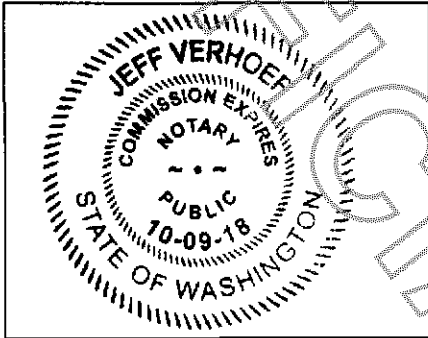
By *MG*

Deputy

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that David L. Fulton is the person who appeared before me, and said person acknowledged that he signed this instrument, and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/23/2015



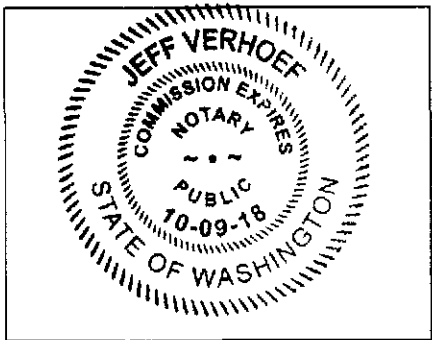
(Use this space for notarial stamp/seal)

Jeff Verhoef
Notary Public
Print Name Jeff Verhoef
My commission expires 10/9/2018

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Amy C. Fulton is the person who appeared before me, and said person acknowledged that she signed this instrument, and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/23/2015



(Use this space for notarial stamp/seal)

Jeff Verhoef
Notary Public
Print Name Jeff Verhoef
My commission expires 10/9/2018

Exhibit A

(Legal Description)

Unit 32, FIDALGO MARINA CONDOMINIUM, according to Declaration thereof recorded under Auditor's File No. 9302250060 AND Correction and Amendment thereto, recorded under Auditor's File Nos. 9303050032 and 9508160024, AND Survey Map and Plans thereof recorded in Volume 15 of Plats, pages 75, 76 and 77, records of Skagit County, Washington.

Exhibit B

(Exceptions)

READ AND CONTENT APPROVED;

[Signature]
COMMITMENT NO. 620025987

CHICAGO TITLE COMPANY OF WASHINGTON

1. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes and statements, if any, but omitting any covenants or restrictions, if any, including but not limited to those 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 applicable law, as set forth on FIDALGO MARINA CONDOMINIUM:

Recording No: 9302250059

2. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes and statements, if any, but omitting any covenants or restrictions, if any, including but not limited to those 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 applicable law, as set forth on SHORT PLAT NO. ANA-92-005:

Recording No: 9301110152

3. Easement including the terms, covenants, and provisions thereof, granted by instrument:

Recorded: November 16, 1992
Recording No.: 9211160117, records of Skagit County, WA
In favor of: Puget Sound Power & Light Company, a Washington corporation
For: Underground distribution and electric lines and appurtenances thereto

4. Declaration of Easements, including the terms, covenants, and provisions thereof, granted by instrument:

Recorded: February 25, 1993
Auditor's No.: 9302250058, records of Skagit County, WA

5. Terms, covenants, conditions, easements, and restrictions and liability for assessments contained in Declaration of Condominium for said condominium:

Recorded: February 25, 1993
Auditor's No.: 9302250060, records of Skagit County, WA

Correction thereto:

Recorded: March 5, 1993
Auditor's No.: 9303050032, records of Skagit County, WA

And amendment thereto:

Recorded: August 16, 1995
Auditor's No.: 9508160024, records of Skagit County, WA

6. Exceptions 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: November 24, 1909
Auditor's No.: 76533 and 96389, records of Skagit County, WA

7. Right of the State of Washington or any grantee or lessee thereof, upon paying reasonable compensation, to acquire rights of way for private railroads, skid roads, flumes, canals, water courses, or other easements for transporting and moving timber, stone, minerals or other products from other lands, contained in Deed:

From: The State of Washington
Auditor's No.: 76533, records of Skagit County, WA

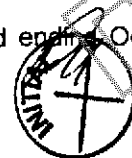
8. Assessments levied pursuant to Declaration of Condominium and/or Bylaws for said condominium and any amendments thereto, to the extent provided for by RCW 64.34.

9. Any lien or liens that may arise or be created in consequence of or pursuant to an Act of the Legislature of the State of Washington entitled "An Act prescribing the ways in which waterways for the uses of navigation may be excavated by private contract, providing for liens upon lands belonging to the State, granting rights of way across lands belonging to the State: Approved March 9, 1893.

10. As to any portion of said land now, formerly or in the future covered by water: Questions or adverse claims related to (1) lateral boundaries of any tidelands or shorelands; (2) shifting in course, boundary or location of the body of water; (3) rights of the State of Washington if the body of water is or was navigable; and (4) public regulatory and recreational rights (including powers of the USA) or private riparian rights which limit or prohibit use of the land or water.

11. Lease, including the terms, covenants, conditions, and easements and provisions thereof, and any failure to comply with the terms, covenants, conditions and provisions:

Dated: August 10, 1987
Recorded: July 24, 1992
Recording No.: 9207240213
Lessor: State of Washington, Department of Natural Resources
Lessee: City of Anacortes
For a term of: 28 years, beginning December 31, 1987, and ending October 1, 2016
Affects: Parcel B and other property



12. Lease, including the terms and conditions thereof, and any failure to comply with the terms, covenants, conditions, and provisions:

Dated: May 6, 1990
Recorded: July 24, 1992
Auditor's No.: 9207240214, records of Skagit County, WA
Lessor: City of Anacortes
Lessee: Development Ventures, Inc.
For a term of: 27 years, beginning February 3, 1989 and ending October 1, 2016
Affects: Parcel B and other property



By instrument recorded March 11, 1996, under Auditor's File No. 9603110118, records of Skagit County, Washington, the lessee's interest was assigned to Gordon J. Nordlund and Sally A. Nordlund, as Trustee of the Nordlund Revocable Living Trust dated June 22, 1995.

Sally A. Nordlund, as Trustee of the Nordlund Revocable Living Trust dated June 22, 1995 interest was assigned to David L. Fulton and Amy C. Fulton, husband and wife pursuant to Lessee's Assignment of Marina Slip Sublease recorded under Auditor's File No. 200311040092.

13. Confirmation of Lease including the terms, covenants and provisions thereof:

Recording Date: July 31, 1992
Recording No.: 9207310171

14. Terms, covenants, conditions and provisions of the lease referred to in Schedule A hereof, and the effect of any failure to comply with the terms, covenants, conditions and provisions thereof.

Affects: Parcel B

15. Any adverse claim or other boundary dispute which may exist or arise by reason of the failure of the sublease referred to in Schedule A as to Parcel B to locate with certainty the boundaries of the subleased premises as defined in said sublease. No insurance is given as to the dimensions or location of said subleased premises within the property described in the lease from the State of Washington, Department of Natural Resources, as lessor, to the City of Anacortes, as lessee, recorded under Recording No. 9207240213 or in the sublease from the City of Anacortes, as sublessor, to Fidalgo Marina Partnership, as sublessee, recorded under Recording Nos. 9207240214 and 9207310172, records of Skagit County, Washington.

16. Lessor's Consent, including the terms, covenants, conditions and provisions thereof:

Dated: July 27, 1992
Recorded: July 31, 1992
Auditor's No.: 9207310170, records of Skagit County, WA
Affects: Parcel B

17. Any adverse claim or other boundary dispute which may exist or arise by reason of the failure of the deed under which title to Parcel C is vested, to locate or describe with certainty the improvements described in said Parcel C. No insurance is given as to the dimensions or location of said improvements within the property described in the lease from the State of Washington, Department of Natural Resources, as lessor, to the City of Anacortes, as lessee, recorded under Recording No. 9807240213, or in the sublease from the City of Anacortes, as sublessor, to Fidalgo Marina Partnership, as sublessee, recorded under Recording Nos. 9207240214 and 9207310172.

The reversionary rights of the City of Anacortes upon termination of the Lease dated May 6, 1990 by and between the City of Anacortes as Lessor and Development Ventures Inc. as Lessee.

18. Right, title and interest of the City of Anacortes and/or the State of Washington, either present or by reversion, in and to that portion of said premises described as Parcel C.

19. Any defect in or invalidity of or any matters relating to the leasehold estate described in Schedule A which would be disclosed by an examination of the unrecorded lease referred to in the memorandum thereof referred to in Schedule A under Auditor's File No. 9303260138, records of Skagit County, Washington.

20. Affect, if any, of record of survey recorded November 10, 2003 under Auditor's File No. 200311100222, records of Skagit County, Washington.

21. City, county or local improvement district assessments, if any.

22. Assessments, if any, levied by Fidalgo Marina Owner's Association.

23. Assessments, if any, levied by City of Anacortes.

24. General and special taxes and charges, payable February 15; delinquent if first half unpaid on May 1 or if second half unpaid on November 1 of the tax year (amounts do not include interest and penalties).