



201607220017

Skagit County Auditor

\$76.00

7/22/2016 Page

1 of

4 10:32AM

When recorded return to:  
Neil O'Hara and Katherine O'Hara  
4407 Anaco Beach Place  
Anacortes, WA 98221

Recorded at the request of:  
Guardian Northwest Title  
File Number: A11871

**Statutory Warranty Deed**

*A11871*  
GUARDIAN NORTHWEST TITLE CO.

THE GRANTORS Charles P. Fogle and Amy S. Fogle, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Neil O'Hara and Katherine O'Hara, husband and wife the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:

Lot 2, Anacortes SP #ANA-04-008, being a Ptn. of Lots 17-19 Anaco Beach

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): P32382, 3858-000-018-0100

Dated 7/13/2016

*Charles P. Fogle by Amy S. Fogle Post*  
Charles P. Fogle

*Amy S. Fogle*  
Amy S. Fogle

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
20163083

JUL 22 2016

Amount Paid \$ *22,700*  
Skagit Co. Treasurer  
By *MF* Deputy

STATE OF Washington  
COUNTY OF Skagit } SS:

On this 14TH day of July, 2016 before me personally appeared Amy S. Fogle, to me known to be the individual described in and who executed the foregoing instrument for her self and as Attorney in Fact for Charles P. Fogle and acknowledged that her signed and sealed the same as her free and voluntary act and deed for her self and also as her free and voluntary act and deed as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living, and is not incompetent.

Given under my hand and official seal the day and year last above written.  
(Seal)



*Vicki L. Hoffman*  
Printed Name: Vicki L. Hoffman  
Notary Public in and for the State of Washington  
Residing at Coupeville  
My appointment expires: 10/08/2017

## EXHIBIT A

Lot 2, Anacortes Short Plat No. ANA-04-008, approved January 11, 2005, recorded January 12, 2005 under Skagit County Auditor's File No. 200501120062; being a portion of Lots 17 and 18, "Anaco Beach", according to the plat recorded in Volume 5 of Plats, page 4, records of Skagit County Washington and a portion of Tract 3, Plate 3, "Anacortes Tidelands" as shown on the official map in the office of the Commissioner of Public Lands in Olympia, Washington; Section 27, Township 35 North, Range 1 East, W.M..

TOGETHER WITH that portion of Lot 19, "PLAT OF ANACO BEACH", as recorded in Volume 5 of Plats, page 4, records of Skagit County, Washington, described as follows:

Commencing at the most Northerly corner of said Lot 19; thence South  $51^{\circ}02'18''$  West a distance of 143.69 feet along the Northwesterly line of said Lot 19 to a point common to Lots 2 and 3 of said Short Plat and the point of beginning; thence South  $51^{\circ}02'18''$  West a distance of 6.88 feet along the Northwesterly line of said Lot 19; thence South  $82^{\circ}21'35''$  East a distance of 40.23 feet; thence along a non-tangent curve to the right having a radius of 46.00 feet, length of 30.00 feet, a delta angle of  $37^{\circ}22'01''$  and a chord bearing of North  $28^{\circ}17'58''$  East; thence South  $54^{\circ}58'30''$  West a distance of 33.30 feet; thence North  $82^{\circ}21'35''$  West a distance of 21.42 feet to the point of beginning.

## EXHIBIT B

### EXCEPTIONS:

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

Name: Anaco Beach  
Recorded: April 23, 1930  
Auditor's No.: 233177

B. 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.)

C. Reservations contained in deed from the State of Washington, 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. (Affects tidelands)

D. Terms, provisions and reservations under the Submerged Land Act (43 U.S.C.A. 1301 through 1311) and the rights of the United States of America to regulate commerce, navigation, flood control, fishing and production of power

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

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

Short Plat No.: ANA 04-008  
Recorded: January 12, 2005  
Auditor's No.: 200501120062

G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Future Owners of Short Plat No. ANA-04-008  
Dated: January 31, 2005  
Recorded: February 1, 2005  
Auditor's No.: 200502010106  
Purpose: Amend, declare and clarify easements set forth on Short Plat No. ANA-04-008  
Area Affected: Entire Short Plat

H. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation  
Dated: December 1, 2005  
Recorded: December 19, 2005  
Auditor's No.: 200512190136  
Purpose: "...utility systems for purposes of transmission, distribution and sale of gas and electricity..."  
Area Affected: The Northwesterly 10 feet and the Northeasterly 10 feet of the subject property

I. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: City of Anacortes, a Municipal Corporation of the State of Washington  
Dated: June 20, 2006  
Recorded: June 20, 2006  
Auditor's No.: 200606200084  
Purpose: Slope easement  
Area Affected: Portion of Lots 2 and 3 of Sandy Beach

J. Restrictions imposed by instrument recorded November 17, 1945, under Auditor's File No. 386666, as follows:

"That tracts herein sold shall be used for dwelling property only and no part thereof shall be used for any dance hall, store, amusement resort or for any commercial purposes of any kind or nature whatsoever; the restrictive covenants are agreed as covered running with the title to the said tracts herein sold and violations of any of them shall cause the title of said tracts to revert to grantors and heirs, executors and assigns and said grantors and heirs, executors and assigns may maintain suit for injunction and damages to enforce the restrictions or violations thereof." (Affects Lot 19)

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

Recorded: November 21, 2007  
Auditor's No.: 200711210044  
Executed By: Lot owners within Sandy Beach Short Plat

Said Covenants replace the Covenants recorded February 1, 2005 under Auditor's File No. 200502010103.