



201609010083

Skagit County Auditor

\$75.00

9/1/2016 Page

1 of

3 12:07PM

RETURN TO:

DOCUMENT TITLE(S) (or transactions contained herein):

Statutory Warranty Deed

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

Skagit County Auditor File No. 200603080105

GRANTOR(S) (Last name, first name and initials):

1. JAMES, Juanita

GRANTEE(S) (Last name, first name and initials):

1. LAVINE, David W.

2. LAVINE, Gloria A.

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, quarter, section, township and range).

Lots 28 and 29, "HEART OF' THE SKAGIT RIVER TRACTS"

ASSESSOR'S PARCEL/TAX I.D. NUMBER:

3923-000-028-0006/P65649 & 3923-000-029-0005/P65650

ORIGINAL

UNOFFICIAL DOCUMENT

STATUTORY WARRANTY DEED

The Grantor(s), JUANITA JAMES, a single woman, and successor to the interest of her deceased husband, CHESTER JAMES (see Skagit County Auditor File No. 200603080105), for and in consideration of Ten Dollars and other valuable consideration, in hand and paid, conveys and warrants to DAVID W. LAVINE and GLORIA A. LAVINE, husband and wife, the following described real estate, situated in the County of Skagit, State of Washington:

Lots 28 and 29, "HEART O' THE SKAGIT RIVER TRACTS," as per plat recorded in Volume 9 of Plats, pages 1, 2, and 3, records of Skagit County, Washington.

TOGETHER WITH an undivided 2/36ths interest in Lot 33, "HEART O' THE SKAGIT RIVER TRACTS," as per plat recorded in Volume 9 of Plats, pages 1, 2, and 3, records of Skagit County, Washington, SUBJECT TO exceptions, restrictions, protective covenants and easements as identified on the attached two page "EXHIBIT A".

Situate in the County of Skagit, State of Washington.

This Deed is given in fulfillment of that certain Real Estate Contract between the parties hereto, dated May 29, 1990, and conditioned for the conveyance of the above-described property, and the covenants of warranty herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said Contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said Contract.

Real Estate Excise Tax was paid on this sale or stamped exempt on June 4, 1990, receipt number 3325.

DATED this 25 day of August, 2016.

Juanita James
JUANITA JAMES
STATE OF WASHINGTON)
: ss
COUNTY OF SKAGIT)

AF# 9006040050
Date 6-4-1990
paid # 115.20
EXCISE 3325
Fulfillment
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
SEP 1 2016
Amount Paid \$
Skagit Co. Treasurer
By HB Deputy

On this day personally appeared before me JUANITA JAMES, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 25 day of August 2016.

Patricia M. Hayden
Notary Public in and for the State of
Washington, residing at Selma-Woolley
My Commission Expires: 4-27-17
Print Name: Patricia M. Hayden

A. Restrictions contained in said Plat as follows:

1. Platfor shall bear the cost of such flood control improvement as he desires as long as he retains possessory right. After possessory rights pass to the individual lot purchasers, they shall be responsible.
2. Platfor shall provide to Skagit County a forty foot easement beginning on the West side of the Lyman Ferry Road and extending Northwesterly along the remainder of the river front of the plat easement granted to County for purpose of fire control only. No permanent structures in easement.

The cost of constructing and maintaining all roads not herein dedicated as County roads and all access roads to the Plat, unless the same are dedicated as County roads, shall be the obligation of all of the owners of the lots in the Plat and/or of any additional plats that may be served by said roads, streets, and/or alleys and that the obligation to maintain shall be concurrently the obligation of any corporation in whom title of said roads, street, and/or alleys be held in the event that the owners of any of these lots or the corporate or private owners of any of the roads, streets and/or alleys of this plat or any additional plats served by these roads, streets, and/or alleys shall petition the Board of County Commissioners to include these roads, streets, and/or alleys in the road system, said petitioner shall be obligated to bring the same to the County road standards in all respects prior to acceptance by the County.

B. Reservation as shown on the face of the plat, reserving unto the Grantor the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots, where water might take a natural course in the original reasonable grading of the roads and ways shown hereon.

Following original reasonable grading of roads and ways hereon, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right of way, or to hamper proper road drainage, and enclosure of drainage waters in culverts or drains or re-routing thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner.

C. Restrictions imposed by instrument recorded on August 15, 1966 under Auditor's File No. 658890, as follows:

1. Any home constructed on any of said tracts shall be constructed on an elevation above the 14-year flood frequency line as shown on said plat.
2. No trees shall be felled or damaged on said platted property which are South of the North line of the easement granted to Skagit County for flood control access which lays along the Southernly side of the platted property.
3. No depressions or cuts shall be made in the bank leading from the lots to the Skagit River.

D. Any question that may arise due to shifting and changing in course of Skagit River.

NOTE: The face of the Plat discloses the following as to Tract 33:

"Community recreation area for Heart O' The Skagit Plat owners only:"