



201704240143

Skagit County Auditor 4/24/2017 Page 1 of 6 2:08PM \$78.00

When recorded return to: BYK Construction, Inc., A corporation 1003 Cleveland Street Mount Vernon, WA 98273

Recorded at the request of: Guardian Northwest Title File Number: 113525

Statutory Warranty Deed

113525 GUARDIAN NORTHWEST TITLE CO.

THE GRANTORS Daniel R. Mitzel and Patricia R. Burklund, husband and wife, subject to proceedings in the Bankruptcy Court of the Western District of the U.S. District Court of Washington, at Seattle, under Cause No. 16-16311 (Administratively Consolidated with Case No. 17-10565) for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to BYK Construction, Inc., a Washington Corporation the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal: Lot 239, Nookachamp Hills PUD Phases 3 and 4

Tax Parcel Number(s): P127792, 4963-000-239-0000

Lot 239, Plat of "NOOKACHAMP HILLS PUD PHASES 3 AND 4, PL07-0870", as per plat recorded as Skagit County Auditor's File No. 200807240089, records of Skagit County, Washington. 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 "A" attached hereto

Dated 4/21/2017

[Signature of Daniel R. Mitzel] Daniel R Mitzel

[Signature of Patricia R. Burklund] Patricia R. Burklund

SKAGIT COUNTY WASHINGTON REAL ESTATE EXCISE TAX 20171697 APR 24 2017

STATE OF Washington } COUNTY OF Skagit } SS:

Amount Paid \$ 2052.⁰⁰ Skagit Co. Treasurer By [Signature] Deputy

I certify that I know or have satisfactory evidence that Daniel R Mitzel and Patricia R. Burklund, the persons who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 4-21-17

[Signature of Notary Public]

Printed Name: Katie Hickok Notary Public in and for the State of Washington Residing at Mt Vernon My appointment expires: 1/07/2019

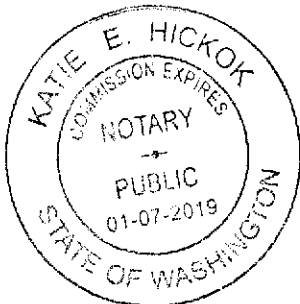


Exhibit A

EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND CONDITIONS THEREOF:

Grantee: Skagit Valley Telephone Company
Recorded: September 21, 1967
Auditor's No.: 704645
Purpose: Telephone lines
Area Affected: The Southeast ¼ of Section 25, Township 34 North, Range 4 East, W.M., and West ½ of Section 30, Township 34 North, Range 5 East, W.M.

B. Stipulation contained in Deed executed by Walking Circle M., Inc., to MV Associates, dated July 25, 1979, recorded August 31, 1979, under Auditor's File No. 7908310024, as follows:

This transfer is subject to that perpetual easement which exists, and has existed, in favor of David G. McIntyre for:

1. The right to maintain, repair, inspect and otherwise use his existing septic tank on the subject property and, if necessary, to replace said septic tank by installing a new septic tank on the subject property;
2. The right to use the existing well and waterlines on the subject property, and to take water from the existing well as needed; and
3. The right to use any and all roadways on the subject property for ingress and egress to the property owned by David G. McIntyre, which is located in Skagit County, Washington, in Section 30, Township 34 North, Range 5 East, W.M.

C. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

In Favor Of: Many nearby parcels of land
Recorded: December 10, 1982
Auditor's No.: 8212100052
Purpose: Ingress, egress, drainage and utilities
Area Affected:

An easement lying within the Southeast ¼ of Section 24, and all of Section 25, Township 34 North, Range 5 East, W.M., in Skagit County, Washington, for the purpose of ingress, egress, drainage and utilities over, under and across a strip of land 60.00 feet in width, having 30.00 feet of such width lying on each side of a centerline described on this easement document.

D. RESERVATION CONTAINED IN DEED

Executed by: Union Lumber Company
Recorded: November 11, 1909
Auditor's No.: 76334
As Follows: Minerals and right of entry. Said mineral rights are now vested of record in Skagit County.

E. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Co.
Dated: July 19, 1950
Recorded: July 19, 1950
Auditor's No.: 448498
Purpose: Right to enter said premises to operate, maintain and repair underground electric transmission and/or distribution system, together with the right to remove brush, trees and landscaping which may constitute a danger to said lines
Area Affected: The right of entry for this easement is 30 feet in width, the center line of which is described on this easement document affecting Government Lot 3 in said Section 30

F. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Co.
Dated: March 22, 1929
Recorded: March 22, 1929
Auditor's No.: 221300
Purpose: Right to enter said premises to operate, maintain and repair underground electric transmission and/or distribution system, together with the right to remove brush, trees and landscaping which may constitute a danger to said lines
Area Affected:

Commencing at a point on the East line of the Mount Vernon and Big Lake Road 450 feet North of the South line of the Southeast ¼ of the Southwest ¼ of Section 25, Township 34 North, Range 4 East, W.M.; thence run East along the North line of a private road running through said described 40 and also through the Southwest ¼ of the Southeast ¼ of said Section, Township and Range for a distance of about 1400 feet, said line and easement so given is to hereafter be surveyed, staked and laid out and when so staked and laid out and poles and lines erected thereon the same shall be the easement hereby intended to be conveyed.

G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Duncan McKay
Dated: January 5, 1910
Recorded: July 5, 1910
Auditor's No.: 80143
Purpose: Road purposes
Area Affected: A portion of the subject property

H. Matters relating to the possible formation of an association for the common areas of the Otter Pond and association for horse arena and stable areas as disclosed by document recorded under Auditor's File No. 8310310059.

I. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County, Washington
Dated: June 8, 1990
Recorded: September 13, 1990
Auditor's No.: 9009130081
Purpose: Water Pipe Lines, etc.
Area Affected: 60-foot wide strip of land in South ½ of Section 25 and in the Northeast ¼ of Section 36, all in Township 34 North, Range 4 East, W.M.

J. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County Sewer District No. 2
Dated: June 21, 2005
Recorded: September 16, 2005
Auditor's No.: 200509160140
Purpose: Sewer easement
Area Affected: Many strips of land

K. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Skagit County Sewer District No. 2
And: Nookachamp Hills LLC
Dated: April 5, 2006
Recorded: May 18, 2006
Auditor's No.: 200605180169
Regarding: Sewer lines

L. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Nookachamp Hills LLC, a limited liability company of the State of Washington and Nookachamp Hills Homeowners Association, a nonprofit association in the State of Washington
And: Skagit County Sewer District No. 2, a Municipal Corporation of the State of Washington
Dated: September 19, 2006
Recorded: October 6, 2006
Auditor's No.: 200610060124
Regarding: Bridge Agreement

M. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Island Construction, Inc., a Washington corporation
And: Nookachamp Hills, LLC, a Washington limited liability company; Daniel Mitzel, an individual and Paul Rutter, an individual
Dated: August 11, 2006
Recorded: February 14, 2007
Auditor's No.: 200702140164
Regarding: Development and access agreement

N. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation
Dated: May 31, 2007
Recorded: June 11, 2007
Auditor's No.: 200706110187
Purpose: "...utility systems for purposes of transmission, distribution and sale of gas and electricity.."
Area Affected: Portion of the subject property

O. ANY AND ALL OFFERS OF DEDICATIONS, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCE LINE/BOUNDARY DISCREPANCIES, NOTES, PROVISIONS AND/OR ANY OTHER MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SHORT PLAT/SURVEY:

Name: Nookachamp Hills PUD Phases 3 and 4, PL07-0870
Recorded: July 24, 2008
Auditor's No.: 200807240089

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

Dated: October 13, 1998
Recorded: November 2, 1998
Auditor's No.: 9811020155
Executed By: Nookachamp Hills, LLC

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS FOLLOWS:

Declaration Dated: August 8, 2005
Recorded: August 23, 2005, July 24, 2008, December 31, 2008 and
September 15, 2015
Auditor's No.: 200508230083, 200807240091, 200812310104 and
201509150041

Q. LOT CERTIFICATION, INCLUDING THE TERMS AND CONDITIONS THEREOF, REFERENCE TO THE RECORD BEING MADE FOR FULL PARTICULARS. THE COMPANY MAKES NO DETERMINATION AS TO ITS AFFECTS.

Recorded: July 24, 2008
Auditor's No.: 200807240090
Affects: Lots 162 through 252

R. Any tax, fee, assessments or charges as may be levied by Nookachamp Hills PUD Homeowners Association.

S. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County Sewer District No. 2, a municipal corporation
of Skagit County
Recorded: January 21, 2009
Auditor's No. 200901210087
Purpose: Sewer mains with the necessary appurtenances
Area Affected: As described in said document