

**When recorded return to:**  
Timothy Dean Nickell and Debra Konyha Nickell  
PO Box 1095  
Granite Falls, WA 98252



**201808140068**

08/14/2018 11:28 AM Pages: 1 of 6 Fees: \$104.00  
Skagit County Auditor

Filed for record at the request of:



**CHICAGO TITLE**  
COMPANY OF WASHINGTON

425 Commercial St  
Mount Vernon, WA 98273

Escrow No.: 620035564

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
*20183561*  
AUG 14 2018

Amount Paid \$ *970.<sup>48</sup>*  
Skagit Co. Treasurer  
By *[Signature]* Deputy

**CHICAGO TITLE**  
*620035564*

### STATUTORY WARRANTY DEED

THE GRANTOR(S) C. David Capps and Monika Willer-Capps, a married couple  
for and in consideration of Ten And No/100 Dollars (\$10.00) , and other valuable consideration  
in hand paid, conveys, and warrants to Timothy Dean Nickell and Debra Konyha Nickell, a married  
couple

the following described real estate, situated in the County of Skagit, State of Washington:

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

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

Lot(s): 198 CASCADE RIVER PARK NO 1

Tax Parcel Number(s): P63751 3871-000-198-0002

Subject to:

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

**STATUTORY WARRANTY DEED**  
(continued)

Dated: August 8, 2018

David Capps  
C. David Capps

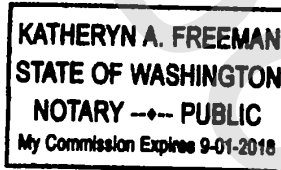
Monika Willer-Capps  
Monika Willer-Capps

State of WASHINGTON  
County of SKAGIT

I certify that I know or have satisfactory evidence that C. David Capps and Monika Willer-Capps 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: August 13, 2018

Kathryn A. Freeman  
Name: Kathryn A. Freeman  
Notary Public in and for the State of WA  
Residing at: Snohomish CO  
My appointment expires: 9.01.2018



**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): P63751 3871-000-198-0002**

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Lot 198, "CASCADE RIVER PARK NO. 1" as per plat recorded in Volume 8 of Plats, Pages 54 to 59, inclusive, records of Skagit County, Washington.

EXCEPT that portion of said Lot 198 in Boundary Line Adjustment awarded by Skagit County Superior Court Cause No. 15-2-00621-8, more particularly described as follows:

Beginning at a rebar and cap Stamped: "Zitkovich, L.S. 46904" at the Northwest corner of said Lot 198, per record of survey filed under Auditor's File No. 201405230129; Thence North 39° 01' 13" East, a distance of 70.03 feet to a rebar and cap Stamped: "Zitkovich, L.S. 46904" at the Northeast corner of said Lot 198; Thence South 49° 47' 11" East, along the East line of said Lot 198 per the aforesaid record of survey, distance of 94.79 feet to the true point of beginning; Thence South 39° 33' 25" West a distance of 15.15 feet; Thence South 49° 47' 11" East a distance of 67.30 feet; Thence South 6° 04' 10" East a distance of 30.20 feet; Thence North 84° 12' 29" East a distance of 18.29 feet; Thence North 40° 12' 49" East a distance of 22.87 feet; Thence North 49° 47' 11" West a distance of 102.01 feet to the true point of beginning.

Situated in Skagit County, Washington.

**EXHIBIT "B"**

## Exceptions

1. Easement, including the terms and conditions thereof, granted by instrument;  
 Recorded: February 14, 1956  
 Auditor's No.: 531605, records of Skagit County, Washington  
 For: Use of roads for hauling timber products  
 Affects: Said premises and other property
  
2. Easement, including the terms and conditions thereof, granted by instrument;  
 Recorded: December 23, 1941  
 Auditor's No.: 347748, records of Skagit County, Washington  
 In favor of: Q.R. Bingham  
 For: Access  
 Affects: Said premises, the exact location and extent of said easement is undisclosed of record
  
3. Covenants, conditions, and restrictions contained in instrument, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons;  
 Recorded: May 28, 1942  
 Auditor's No.: 352577 and 352578, records of Skagit County, Washington  
 Executed By: Bradsberry Timber Company  
 As Follows:  

Reserving and excepting to the grantor and to its successors and assigns forever the truck logging roads across the said premises and all bridges originally constructed under the contract between the seller and A. Mc Spadden, said road being a strip of land 40 feet in width and being 20 feet on each side of the centerline of said truck logging road as now laid out and constructed on, over, and across the said premises.

Reserving and excepting also to the grantor and to its successors and assigns forever all other existing roads and bridges on or across the said premises or any part thereof.

Reserving and excepting also to the grantor and to its successors and assigns forever the right at any and all times thereafter to lay out, construct, and maintain on, over, and across the said premises and any and all parts thereof, all such other roads and bridges as the said grantor, its successors and assigns may at any time deem necessary or convenient, and the right in perpetuation to use the said roads and bridges for any and all purposes whatsoever without compensation or restriction.
  
4. Any charges and assessments nor or hereafter levied as provided for in, and for the purposes set forth in the Articles of Incorporation and By-Laws of the Cascade River Community Club, Inc., a non-profit and non-stock Washington corporation.
  
5. Terms and conditions of that dedication;  
 Recorded: May 30, 1979

**EXHIBIT "B"**Exceptions  
(continued)

- Auditor's File No.: 7905300013, records of Skagit County, Washington  
Executed By: Cascade River Community Club
6. Terms and Conditions of that Dedication;  
Recorded: August 12, 1981  
Auditor's No(s): 8108120027, records of Skagit County, Washington  
Executed By: Cascade River Community Club
7. Terms and Conditions of that Dedication;  
Recorded: May 24, 1983  
Auditor's No(s): 8305240010, records of Skagit County, Washington  
Executed By: Cascade River Community Club
8. Terms and conditions of that Dedication;  
Recorded: April 17, 1997  
Auditor's No.: 9704170053, records of Skagit County, Washington  
Grantor: Cascade River Community Club
9. 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.
10. 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 CASCADE RIVER PARK DIV. 1:  
  
Recording No: 639857
11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:  
  
Granted to: Cascade River Development  
Purpose: Ingress, egress, drainage and utilities  
Recording Date: April 22, 1965  
Recording No.: 665207  
Affects: Portion of said premises and other property
12. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

**EXHIBIT "B"**Exceptions  
(continued)

Granted to: Cascade River Development  
 Purpose: Ingress, egress, drainage and utilities  
 Recording Date: April 29, 1970  
 Recording No.: 738440  
 Affects: Portion of said premises and other property

13. Covenants and restrictions contained in deed executed by Cascade River Development Company, deemed to be a scheme of general development;

As follows:

A. Purchasers covenants and agree that the above described real estate shall be subject to the charges and assessments as provided for in, and for the purposes set forth in the Articles of Incorporation and By-Laws of the Cascade River Community Club, Inc., a non-profit and non-stock Washington corporation.

B. Use of said property for residential purposes only.

C. It is agreed that none of the property embraced in this contract shall be used, or the building erected thereon utilized for the purpose of selling hard liquors, or conducting a road house, dance hall, tourist camp, or place where gambling is permitted.

D. No garbage, waste materials or obnoxious matters to be thrown or allowed to drain into the waters of the Cascade River or its tributaries.

14. Any rights, interests, or claims which may exist or arise by reason of any matters disclosed by survey,

Recording Date: May 23, 2014  
 Recording No.: 20140523 0129

15. Any rights, interests, or claims which may exist or arise by reason of any matters disclosed by survey,

Recording Date: August 1, 2017  
 Recording No.: 201708010059

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