

When recorded return to:

Maria Alvarez  
915 McLean Road  
Mount Vernon, WA 98273

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

Affidavit No. 20235803

Mar 14 2023

Amount Paid \$7605.00  
Skagit County Treasurer  
By Lena Thompson Deputy

*GNW 22-16813*

**STATUTORY WARRANTY DEED**

THE GRANTOR(S) Cougar Holdings LLC, a Washington Limited Liability Company, 1500 E COLLEGE WAY  
STE A PMB 276, Mount Vernon, WA 98273,

for and in consideration of **ten dollars and other valuable consideration**

in hand paid, conveys, and warrants to Maria Alvarez , an unmarried woman

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

FOR PROPERTY DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART  
HEREOF.

Abbreviated legal description: Property 1:

PTNS NW1/4 NW1/4 17-34N-4E, W.M. & PTN TRACT 1, PLAT OF MOUNT VERNON ACREAGE

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): P25795 & P25781

Dated: 3/14/23

COUGAR HOLDINGS LLC, a Limited Liability Company

By: Dean A. Smiley  
Dean Smiley, Managing Member

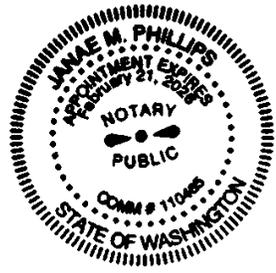
STATE OF WASHINGTON  
COUNTY OF SKAGIT

This record was acknowledged before me on 14<sup>th</sup> day of March, 2023 by Dean Smiley as Managing Member of COUGAR HOLDINGS LLC

Jay Phillips  
Signature

Notary  
Title

My commission expires: 2-21-26



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**EXHIBIT A**  
**LEGAL DESCRIPTION**

Property Address: 2030 Riverside Drive, Mount Vernon, WA 98273  
Tax Parcel Number(s): P25795

Property Description:

PARCEL "A":

That portion of the Northwest Quarter of the Northwest Quarter, Section 17, Township 34 North, Range 4 east W.M., described as follows:

Beginning at a point on the West line of said subdivision which bears North 0°40'15" West a distance of 50 feet from the Southwest corner of said subdivision; thence South 89°38'14" East a distance of 30.00 feet to a point on the East line of Riverside Drive; thence South 0°40'15" East along the Easterly line of Riverside Drive a distance of 1.24 feet, which point is the True Point of Beginning; thence North 0°40'15" West a distance of 6 feet; thence North 89°24'15" East 107 feet; thence North 0°40'15" West 54 feet; thence North 89°24'15" East 193 feet; thence South 0°40'15" East 60 feet, more or less, to the Northeast corner of that certain tract conveyed to M & P D, Inc., by deed dated August 11, 1959 and recorded under Auditor's File No. 586246; thence North 89°38'40" West along the North line of said M & P D, Inc., tract 153.71 feet to the Southeast corner of that certain tract conveyed to M & P D, Inc., by deed dated June 1, 1961, and recorded under Auditor's File No. 608723; thence North 0°35'45" West a distance of 1.21 feet; thence South 89°24'15" West a distance of 146.27 feet to the True Point of Beginning.

EXCEPT the West 10 feet adjacent to Riverside Drive as conveyed to the City of Mount Vernon by deed recorded August 25, 1985 under Auditor's File No. 8509250001.

Situate in Skagit County, Washington.

PARCEL "B":

That portion of the Northwest Quarter of the Northwest Quarter of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the West line of said subdivision which bears North 0°40'15" West 50 feet from the Southwest corner of said subdivision; thence South 89°38'14" East 104.13 feet to the True Point of Beginning; thence continue South 89°38'14" East 72.16 feet; thence North 0°35'45" West 1.21 feet; thence South 89°24'15" West 72.15 feet to the True Point of Beginning.

Situate in Skagit County, Washington.

PARCEL "C":

That portion of the Northwest Quarter of the Northwest Quarter of Section 17, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Southwest corner of said Northwest Quarter of the Northwest Quarter which point bears South 0°40'15" East a distance of 1,324.34 feet from the Northwest corner of said Section 17; thence South 89°38'14" East along the South line of said Northwest Quarter of the Northwest Quarter a distance of 30 feet to the True Point of Beginning on the East line of former State Highway No. 1-A; thence North 0°40'15" West along the East line of said Highway 50 feet; thence South 89°38'40" East 300 feet; thence South 0°14'15" East 50 feet to the South line of said Northwest Quarter of the Northwest Quarter; thence North 89°38'14" West along said South line 300 feet to the True Point of Beginning.

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EXCEPT that portion of said premises described as follows:

Beginning at a point on the West line of said Northwest Quarter of the Northwest Quarter which bears north  $0^{\circ}40'15''$  West 50 feet from the Southwest corner of said subdivision; thence South  $89^{\circ}38'14''$  East 30 feet to a point on the East line of Riverside Drive which is the True Point of Beginning; thence continue South  $89^{\circ}38'14''$  East 74.13 feet; thence South  $89^{\circ}24'15''$  West 74.12 feet to a point on the East line of Riverside Drive; thence North  $0^{\circ}40'15''$  West along the East line of Riverside Drive 1.24 feet to the True Point of Beginning;

ALSO EXCEPT the West 10 feet as conveyed to the City of Mount Vernon by deed recorded August 15, 1985 under Auditor's File No. 8508150012.

PARCEL "D":

That portion of the West 300.00 feet (as measured perpendicular to the West line) of Tract 1, "Plat of Mount Vernon Acreage, Skagit County, Wash.", as per plat recorded in Volume 3 of Plats, Page 102, records of Skagit County, Washington, being more particularly described as follows:

Beginning at the Northwest corner of said Tract 1; thence South  $89^{\circ}38'14''$  East along the North line of said Tract 1, also being the South line of the Northwest Quarter of the Northwest Quarter of Section 17, Township 34 North, Range 4 East, W.M., for a distance of 300.05 feet, more or less, to the East line of said West 300.00 feet of Tract 1; thence South  $0^{\circ}40'15''$  East along said East line 20.74 feet, more or less, to a point 134.52 feet South (as measured perpendicular to the North line) of the North line of that certain parcel described on Real Estate Contract to Max W. Dale and Pauline Dale, husband and wife, recorded under Skagit County Auditor's File No. 661495; thence South  $89^{\circ}24'15''$  West parallel with said North line for a distance of 300 feet, more or less, to the West line of said Tract 1 at a point bearing South  $0^{\circ}40'15''$  East from the Point of Beginning; thence north  $0^{\circ}40'15''$  West along said West line 25.76 feet to the Point of Beginning.

EXCEPT the West 10 feet as conveyed to the City of Mount Vernon by deed recorded August 15, 1985, under Auditor's File No. 8508150012;

TOGETHER WITH and subject to a right-of-way for road purposes over the West 25 feet of the South 70.5 feet of said Tract 1 and over the West 25 feet of Tract 2 of said Plat;

ALSO TOGETHER WITH and subject to an easement for road purposes over the North 30 feet of the South 70.5 feet of the West 400 feet of said Tract 1.

ALSO TOGETHER WITH and subject to an 89.5 foot wide parking and unobstructed view easement to the restaurant building "Max Dale's" as it now exists, over and across those portions of the Northwest Quarter of the Northwest Quarter of Section 17, Township 34 North, Range 4 East, W.M., and of Tract 1, "Plat of Mount Vernon Acreage, Skagit County, Wash.," as per plat recorded in Volume 3 of Plats, Page 102, records of Skagit County, Washington, described as follows:

Commencing at the Southwest corner of said Northwest Quarter of the Northwest Quarter; thence South  $89^{\circ}38'14''$  East along said South line for a distance of 30.00 feet to the East margin of State Highway No. 1-A, also known as Riverside Drive, and also being the Northwest corner of said Tract 1, "Plat of Mount Vernon Acreage, Skagit County, Wash.," and also being the True Point of Beginning; thence South  $0^{\circ}40'15''$  East along the West line of said Tract 1 for a distance of 89.45 feet to the North line of the South 40.50 feet of said Tract 1; thence North  $89^{\circ}19'45''$  East along said North line for a distance of 300.00 feet, more or less, to the East line of the West 300.00 feet (as measured perpendicular to the West line of said Tract 1); thence North  $0^{\circ}40'15''$  West along said East line, or East line extended, for a distance of 89.50 feet; thence South  $89^{\circ}19'45''$  West for a distance of 300.00 feet, more or less, to said East margin of State Highway No. 1-A, also known as Riverside Drive, at a point bearing North  $0^{\circ}40'15''$  West from the True Point of Beginning; thence South  $0^{\circ}40'15''$  East along said East line 0.05 feet, more or less, to the True Point of Beginning.

Situate in Skagit County, Washington.

**PARCEL "E":**

A non-exclusive easement for ingress, egress and utilities over and across the South 60 feet of the West 300.05 feet of Parcel "A" of the properties conveyed to Anthony B. Pickering by deed recorded February 20, 2003 as Auditor's File No. 200302200147, as reserved in Paragraph 4 of Exhibit "B" of said Auditor's File No. 200302200147.

Situate in Skagit County, Washington.

**EXHIBIT B**

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10. Any and all offers of dedications, conditions, restrictions, easements, fence line/boundary discrepancies and encroachments, notes, provisions and/or any other matters as disclosed and/or delineated on the face of the following plat/short plat/survey named Plat of Mount Vernon Acreage recorded December 30, 1899 as Auditor's File No. 87855.

The company calls attention to provisions contained in Washington Uniform Common Interest Ownership Act, Senate Bill 6175 providing that Plats recorded after July 1, 2018, and older Plats that have opted in, that meet the requirements under Senate Bill 6175 will require delivery to the Proposed Purchaser of either a "Public Offering Statement" or "Resale Certificate".

11. Any and all offers of dedications, conditions, restrictions, easements, fence line/boundary discrepancies and encroachments, notes, provisions and/or any other matters as disclosed and/or delineated on the face of the following plat/short plat/survey named Record of Survey recorded March 6, 2003 as Auditor's File No. 200303060110.

The company calls attention to provisions contained in Washington Uniform Common Interest Ownership Act, Senate Bill 6175 providing that Plats recorded after July 1, 2018, and older Plats that have opted in, that meet the requirements under Senate Bill 6175 will require delivery to the Proposed Purchaser of either a "Public Offering Statement" or "Resale Certificate".

12. Reservations, provisions and/or exceptions contained in instrument executed by Phil Anderson and Dorothea Anderson, husband and wife, recorded May 13, 1955 as Auditor's File No. 517868.

"[...]Providing however, that the grantees, nor their heirs and assigns, may not at any time, build any buildings, structure or improvement of any kind upon said real property West of a line running North and South and 30 feet East of the West line of said tract[...]"

13. Reservations, provisions and/or exceptions contained in instrument executed by Patrick R. Armstrong and Dianne L. Armstrong, husband and wife and Dianne L. Armstrong, as trustee for Brian C. Dale Trust, recorded February 20, 2003 as Auditor's File No. 200302200147.

1. The property described in paragraph 20 of the original lease, dated November 1, 1998, between the parties of this agreement is not included in this sale. The view easement and the restricted uses referred to in said paragraph 20 shall survive the extinguishment of the lease at closing. The restriction limiting use shall run with the land only as long as the benefitting property, "Max Dale's restaurant", is used as a restaurant/lounge.

The restricted uses referenced in said paragraph 20 are the following:

Grantors and Grantor's successors and assigns shall not, during the term of this lease and any extension thereof, use or allow the use of the property described on Exhibit "C" for the operation of a competing business, including restaurants, taverns, cocktail lounges or fast food services unless Grantees or Grantee's successors and assigns shall give written consent to such use.

2. **Billboard Sign.** Situated on the Northwest area of the reserved property described on Exhibit "C" is a billboard sign advertising Max Dale's restaurant. If seller develops the property so that the billboard must be removed, the seller will move the sign Southerly to an area not affected by the right of the Seller to build on said property.

3. Purchasers are granted non-exclusive parking rights to the North 134.52 feet of the West 300.05 feet

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(except that portion on which King Clinic is situated) of the real property described on Exhibit "C". if and when this parcel is developed and built on said non-exclusive parking rights shall be limited to the South 59.5 feet of the West 300.05 feet of the described property.

4. Seller reserves an ingress and egress and utility easement over and across the South 60 feet of the West 300.05 feet of the described property, being conveyed herein.

The above stated instrument also includes a right of first refusal which has been subsequently released by instrument recorded August 18, 2005 under Auditor's File No. 200508180099.

14. Easement, affecting a portion of subject property for the purpose of utility systems for the transmission distribution and sale of gas and electricity including terms and provisions thereof granted to Puget Sound Power & Light Company recorded August 28, 1924 as Auditor's File No. 176764

15. Easement, affecting a portion of subject property for the purpose of lay, maintain, operate, relay and remove at any time a sewer pipe or pipes, line or lines, for the transportation of sewage including terms and provisions thereof granted to the City of Mount Vernon recorded June 26, 1958 as Auditor's File No. 567037

16. Easement, affecting a portion of subject property for the purpose of constructing, operating, maintaining, repairing, replacing and enlarging one or more electric transmission and/or distribution lines including terms and provisions thereof granted to Puget Sound Power & Light Company recorded December 6, 1983 as Auditor's File No. 8312060025

17. Provisions and matters regarding Boundary Line Adjustment set forth on document recorded February 11, 2003 under Auditor's File No. 200302110068.

18. Any adverse claim arising due to any questions of the validity of a 60-foot wide easement reserved as Paragraph 4 on "Exhibit B" of document recorded as Auditor's File No. 200302200147 as to any property not lying within Parcel "A" on "Exhibit A" of said document.

Please See Informational Note #1

19. Private rights of access and utilities, if any, over vacated streets and/or alleys lying within the subject property.