

WHEN RECORDED RETURN TO
JUAN C. GONZALEZ
4112 EAST COLLEGE WAY
MOUNT VERNON, WASHINGTON 98273



200312040071
Skagit County Auditor

12/4/2003 Page 1 of 9 11:47AM

CHICAGO TITLE C29192✓



CHICAGO TITLE INSURANCE COMPANY

STATUTORY WARRANTY DEED

5122166

Dated: DECEMBER 1, 2003

THE GRANTOR

JEREMY NOBLE AND SHAUNA NOBLE, HUSBAND AND WIFE

for and in consideration of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to

JUAN C. GONZALEZ AND MARIA SALAS TAPIA, HUSBAND AND WIFE

the following described real estate situated in the County of SKAGIT

State of Washington:

Tax Account Number(s):

4691-000-016-0000

LOT 16, PLAT OF THUNDERBIRD CREEK P.U.D., ACCORDING TO THE PLAT THEREOF
RECORDED IN VOLUME 14 OF PLATS, PAGES 159, 160, & 161, RECORDS OF
SKAGIT COUNTY, WASHINGTON.

SITUATED IN SKAGIT COUNTY, WASHINGTON.

SUBJECT TO: EXCEPTIONS SET FORTH ON ATTACHED EXHIBIT "A" AND BY
THIS REFERENCE MADE A PART HEREOF AS IF FULLY INCORPORATED
HEREIN.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

61124

DEC 01 2003

Amount Paid \$ 2887.16
Skagit Co. Treasurer

By Deputy

JEREMY NOBLE

SHAUNA NOBLE

SWD/RDA/0899

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 005122166

1. Provisions contained in the dedication of said plat, as follows:

The easement right of the public 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 water 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 road drainage. Any enclosing 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.

2. Easement, including the terms and conditions thereof, granted by instrument(s);

Recorded: June 17, 1976

Auditor's No(s): 837063, records of Skagit County, Washington

In favor of: City of Mount Vernon

For: To construct, maintain, replace, reconstruct and remove drainage facilities, with all appurtenances incident thereto or necessary therewith, in, under and across the said premises, which may endanger the safety or interfere with the use of said drainage facilities, or appurtenances attached or connected therewith; and the right of ingress and egress to and over said above described premises at any and all times for the purpose of doing anything necessary or useful or convenient for the enjoyment of the easement hereby granted.

Affects: The North 15 feet of said premises

3. Easement, including the terms and conditions thereof, granted by instrument(s);

Recorded: June 24, 1976

Auditor's No(s): 837658, records of Skagit County, Washington

In favor of: City of Mount Vernon

For: To construct, maintain, replace, reconstruct, and remove drainage facilities, with all appurtenances incident thereto or necessary therewith, in, under and across the said premises, which may endanger the safety or interfere with the use of said drainage facilities, or appurtenances attached or connected therewith; and the right of ingress and egress to and over said above described premises at any and all times for the purpose of doing anything necessary or useful or convenient for the enjoyment of the easement hereby granted.

Affects: The North 15 feet of said premises

4. Easement, including the terms and conditions thereof, granted by instrument(s);

Recorded: March 22, 1994

Auditor's No(s): 9403220023, records of Skagit County, Washington

In favor of: Puget Sound Power & Light Company

For: Electric transmission and/or distribution line, together with necessary appurtenances

Affects: As constructed

EXHIBIT3/RDA/0999



200312040071

Skagit County Auditor

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 005122166

5. Easement provisions contained on the face of said Plat of Thunderbird Creek, as follows:

An easement is hereby reserved for and granted to City of Mount Vernon, Public Utility District No. 1, Puget Sound Power and Light Company, Continental Telephone Company of the Northwest, Inc., Cascade Natural Gas Corp., and TCI Cablevision of Washington, Inc., and their respective successors and assigns under and upon the exterior 10 feet of front boundary lines of all lots and tracts and other utility easements shown on the face of the plat, in which to install, lay, construct, renew, operate, maintain and remove utility systems, line, fixtures, and appurtenances attached thereto, for the purpose of providing utility services to the subdivision and other property, together with the right to enter upon the lots and tracts at all times for the purposes stated, with the understanding that any grantee shall be responsible for all unnecessary damage it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted.

6. Easement delineated on the face of said Plat of Thunderbird Creek P.U.D.;
For: City of Mount Vernon
Affects: The North 5 feet of said premises
7. Easement delineated on the face of said Plat of Thunderbird Creek P.U.D.;
For: Drainage pond
Affects: The North 65 feet of said premises
8. Easement delineated on the face of said Plat of Thunderbird Creek P.U.D.;
For: Ingress, egress and utilities
Affects: 25 foot strip running Easterly and Westerly across Lots 16 and 17
9. Easement delineated on the face of said Plat of Thunderbird Creek P.U.D.;
For: Private Drainage
Affects: The South 10 feet of said premises
10. Easement delineated on the face of said Plat of Thunderbird Creek P.U.D.;
For: Puget Sound Power and Light
Affects: Said premises
11. Easement delineated on the face of said Plat of Thunderbird Creek P.U.D.;
For: Utilities
Affects: Exterior 10 feet adjacent to streets of all lots
12. Stormwater Facilities – Operation/Maintenance

An easement for stormwater drainage/delention facilities common to the Plat of Thunderbird Creek P.U.D. is hereby granted to the City of Mount Vernon. Maintenance and operation of the stormwater control and water quality functions of these facilities is the responsibility of the City of Mount Vernon. Maintenance of perimeter fences, landscaping and plant materials, if any, within this easement is the responsibility of the homeowners within the Plat of Thunderbird Creek P.U.D. The installation of fences, landscaping, or other items that may hinder any privilege granted to the city within the limits of the drainage/pond, ingress, egress and utility easements on Lots 16 and 17 shall be prohibited.

13. Easement provisions contained on the face of said Plat of Thunderbird Creek P.U.D. as follows:

Private Drainage Easement

An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designated as private drainage easements. The maintenance of private drainage easement established and granted herein shall be the responsibility of and the costs thereof shall be borne equally by, the present and future owners of the abutting property and their heirs personal representatives, and assigns.



200312040071

Skagit County Auditor

12/4/2003 Page

3 of

9 11:47AM

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 005122166

14. Easement provisions contained on the face of said Plat of Thunderbird Creek P.U.D., as follows:

An easement is hereby reserved for and granted to City of Mount Vernon, Public Utility District No. 1 of Skagit County, Puget Power, G.T.E., Cascade Natural Gas Corp., and TCI Cablevision of Washington, Inc. and their respective successors and assigns under and upon the exterior front boundary lines of all lots and tracts as shown hereon and other utility easements shown on the face of the plat, in which to install, lay, construct, renew, operate, maintain and remove utility systems, lines, fixtures, and appurtenances attached thereto for the purpose of providing utility services to the subdivision and other property together with the right to enter upon the lots and tracts at all times for the purposes stated with the understanding that any grantee shall be responsible for all unnecessary damage causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted.

15. Easement provisions contained on the face of said Plat of Thunderbird Creek P.U.D. , as follows:

WATER PIPELINE EASEMENT TO P.U.D. NO. 1

Easements are granted to Public Utility District No. 1 of Skagit County, Washington, a Municipal corporation, its successors or assigns, the perpetual right, privilege, and authority enabling the P.U.D. to do all things necessary or proper in the construction and maintenance of a water line, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with the necessary appurtenances for the transportation of water over, across, along, in and under the lands as shown on this plat together with the right of ingress to and egress from said lands across adjacent lands of the grantor; also, the right to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of the grantor which in the opinion of the district, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line. The grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut, and removed from the easement pursuant to this agreement is vested in the district.

Grantor, its heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the general manager of the district. Grantor shall conduct its activities and all other activities on grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easement or in any way interfere with, obstruct or endanger the district's use of the easement.

continued.....



200312040071
Skagit County Auditor

12/4/2003 Page 4 of 9 11:47AM

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 005122166

16. Notes on the face of City of Mount Vernon Short Plat No. MV-1-81, Volume 5 of Short Plats, page 16, as follows:

- A. Short plat number and date of approval shall be included in all deeds and contracts.
- B. Sewage disposal by Mount Vernon City Sewer.
- C. Tract "E" of this Short Plat shall not be used as a building site.
- D. Access to Tracts A and B shall initially be provided by a single entry and exit located on the property line between said tracts. Tract C shall initially be provided with ingress, egress and utilities by that 30 foot easement shown across Tracts A and B.
- E. Known all persons by there presents: The owners in fee simple or contract purchasers and mortgage holders of the land hereby plated declare that it is expressly understood, agreed and provided that the covenants, conditions, restrictions and provisions herein set forth shall run with the land included in this Short Plat and shall bind and shall insure to the benefit of successors, heir assigns and personal representatives of the respective parties who own or become owners of the land and shall be subject to the following restrictions, covenants, conditions and provisions: Owners of Lots A, B, C and D in this Short Plat shall participate in a street local improvement district for the construction of street improvements on College Way adjoining said lots as proposed or required by the City of Mount Vernon.
- F. The North 240 feet of Lots A, B, C and D was included within the boundary U.L.I.D. #2 for sewer construction along College Way and said North 240 feet is exempt from the charge in Lieu of Assessments noted hereon. Any construction proposed outside of the property included within said U.L.I.D. #2 will be assessed at the time of proposed development and at the prevailing rates in effect at time of proposed development.

17. Notes on the face of Plat of Thunderbird Creek, Volume 14 of Plats, pages 162 and 163, as follows:

- A. Sanitary sewer, City of Mount Vernon. Lots 1 through 6 are lower than the sanitary sewer line located in Apache Drive. All of these lots will require sewage to be pumped to the city sanitary sewer manhole.
- B. Buyer should be aware that portions of this plat are located in the 100 year flood plain of Thunderbird Creek and that significant elevation may be required for the first floor of residential construction. The recommended first floor elevations are as follows:

Lot 1 = 66.0 mean sea level (MSL)
Lot 2 = 65.0 MSL
Lot 3 = 64.0 MSL
Lot 4 = 64.0 MSL
Lot 5 = 66.0 MSL
Lot 6 = 66.0 MSL

EXHIBIT3/RDA/0999



200312040071

Skagit County Auditor

12/4/2003 Page

5 of

9 11:47AM

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 005122166

18. Notes on the face of Plat of Thunderbird Creek P.U.D., Volume 16 of Plats, pages 159, 160 and 161, as follows:
- A. Described and exception information is from Land Title Insurance Company Order No. T-80314, dated September 30, 1996.
 - B. For additional subdivision and meridian information see Mount Vernon Short Plat No. MV-1-81, recorded in Volume 5 of Short Plats, pages 16 and 17, and Plat of Thunderbird Creek, recorded in Volume 14 of Plats, pages 162 and 163, all in records of Skagit County, Washington.
 - C. This plat is subject to and together with easements, reservations, restrictions, covenants, and other instruments of record including but not limited to those documents mentioned in title report referenced in Note 2 above and being recorded under Skagit County Auditor's File Nos. 9402010123, 9408010118, 9510130054, 8101090040, 604357, 837063, 837658, 8102060037, 8909120080, 9007030045, 9008010029, 9403220023 and 837057.
 - D. Any lot within this subdivision will become subject to impact fees payable upon issuance of a building permit.
 - E. Owner/Developer: Joseph D. Woodmansee, 1730 Britt Road, Mount Vernon, WA 98273, Phone No. 360-424-4886 and M.R. Nilson Construction, Inc., 1453 W. Gunderson Road, Mount Vernon, WA 98273, Phone No. 360-424-8866
 - F. Zoning is Thunderbird Creek P.U.D.
 - G. Utility Sources:
 - Telephone – G.T.E.
 - Power – Puget Power
 - Television – TCI Cablevision
 - Storm – City of Mount Vernon
 - Sewer – City of Mount Vernon
 - Water – Public Utilities District No. 1 of Skagit County
 - H. Tract "X" is to be boundary line adjusted to the adjoining property owner. The boundary line adjustment recognizes the existing line of occupation (fence line) to be the future property line. Tract "X" is not a separate building lot and said tracts is to be encumbered by the drainage easement shown hereon.

continued.....

EXHIBIT3/RDA/0999



200312040071

Skagit County Auditor

12/4/2003 Page

6 of

9 11:47AM

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 005122166

- I. Tract "Y" is dedicated to the City of Mount Vernon as a corridor for the conveyance of storm water via Thunderbird Creek. This conveyance includes the associated wetlands and native growth protection area consistent with the City of Mount Vernon's critical areas ordinance.
- J. Tract "Z" is to be used for the benefits of Lots 11, 12, 13, 14 and 15 of this plat. The City of Mount Vernon and private utility companies for ingress, egress and utilities. The maintenance of the roadway within said Tract "Z" is the responsibility of said lot owners and the cost of which is to be shared equally. The City of Mount Vernon or any other utility grantee shall be responsible for all unnecessary damage it causes during maintenance or repair of their utilities.
- K. No debris shall be placed within the 20 foot drainage easement to the City of Mount Vernon. Removal of debris, if necessary, shall be done at the expense of the lot owner. Any construction or grading within this easement area must be approved by the City Engineer.
- L. The maintenance of the roadway within the easement for Lots 16 and 17 is the responsibility of said lot owners.
- M. Tract "Y" is hereby dedicated to the City of Mount Vernon for protection and maintenance of the existing stream corridor, wetland and their associated buffers for open space and drainage purposes.
- N. 15 foot wide utility and drainage easement as shown on the face of Short Plat No. MV-1-81 to be retained only to the South margin of North 42nd Place whereby it shall be incorporated within the North 42nd Street public right-of-way and abandoned in Lots 11 and 13.
- O. 30 foot easement for ingress, egress and utilities shown on the face of Short Plat No. MV-1-81 is hereby relinquished.
- P. Existing wire fence (held for West line of Tract "X").
19. Terms, conditions, and provisions of that instrument entitled City of Mount Vernon Ordinance No. 2351;
Recorded:..... September 12, 1989
Auditor's No(s):..... 8909120080, records of Skagit County, Washington

continued.....



200312040071
Skagit County Auditor

12/4/2003 Page 7 of 9 11:47AM

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 005122166

20. Terms, conditions, and provisions of that instrument entitled City of Mount Vernon Ordinance No. 2400;
Recorded: July 3, 1990
Auditor's No(s): 9007030045, records of Skagit County, Washington
21. Agreement, including the terms and conditions thereof; entered into;
By: City of Mount Vernon
And Between: Joseph Woodmansee and Kimberly Woodmansee, husband and wife; and M.R. Nilson Construction Inc., and Power of Attorney
Recorded: August 1, 1990
Auditor's No: 9008010029, records of Skagit County, Washington
Providing: Formation of Local Improvement District
22. Agreement, including the terms and conditions thereof; entered into;
By: City of Mount Vernon
And Between: Joseph D. Woodmansee and Kimberly A. Woodmansee, husband and wife and M.R. Nilson, Inc., a Washington corporation
Recorded: February 27, 1997
Auditor's No: 9702270007, records of Skagit County, Washington
Providing: Power of Attorney and Agreement regarding the Formation of Local Improvement Group
23. Exceptions and reservations as contained in instrument;
Recorded: September 18, 1900
Auditor's No.: 34268, records of Skagit County, Washington
Executed By: W.M. Lindsey and Emma S. Lindsey
As Follows: All coal and other minerals are reserved and excepted from this conveyance

- END OF SCHEDULE B-001 -



200312040071
Skagit County Auditor

12/4/2003 Page 8 of 9 11:47AM

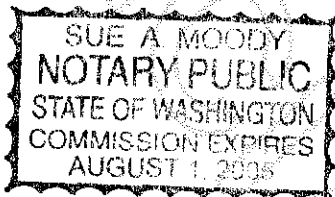
STATE OF WASHINGTON
COUNTY OF SNOHOMISH

SS

ON THIS 1ST DAY OF DECEMBER , 2003 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED JEREMY NOBLE AND SHAUNA NOBLE KNOWN TO ME TO BE THE INDIVIDUAL(S) DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT THEY SIGNED AND SEALED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES HEREIN MENTIONED.


NOTARY SIGNATURE

PRINTED NAME: SUE A. MOODY
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT LYNNWOOD
MY COMMISSION EXPIRES ON 8-1-05



200312040071
Skagit County Auditor

12/4/2003 Page 9 of 9 11:47AM