

EXECUTOR AND TRUSTEE'S DEED

The grantor, SEATTLE FIRST NATIONAL BANK, a national banking association, as executor of the last will of E. B. Deming, deceased, and as trustee under the last will of Caroline Y. Deming, deceased, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, conveys and warrants to R. B. BOETTNER and MARGARET BOETTNER, his wife, hereinafter called the "grantees", the following described premises, situate in the County of Whatcom, State of Washington, to-wit:

All of Lots 1 and 2, the Easterly one-half of Lot 3, and the Southerly 26 feet of the Westerly one-half of Lot 3, Block 1, "Plat of Echo Point on Lake Whatcom, Whatcom Co., Washington," as per the map thereof, recorded in Book 5 of Plats, page 42, in the auditor's office of said county and state.

ALSO the Northerly one-half of vacated Echo Place abutting on Lots 1 and 2 of Block 1 of said "Plat of Echo Point on Lake Whatcom."

ALSO all shorelands lying along and upon the Government meander line in front of and immediately adjacent to Lots 1 and 2 and the Easterly one-half of Lot 3 of Block 1 of "Plat of Echo Point on Lake Whatcom" as shown by the government field notes pertaining to the survey of Lot 4, Section 36, Township 38 North, Range 3 East of W.M., on file in the office of the Surveyor General at Olympia, Washington.

The grantor, for itself and for its successors in interest, does by these presents expressly limit the covenants of this deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implications, and does hereby covenant that as to all persons whomsoever lawfully claiming or to claim by, through or under grantor and not otherwise, it will forever warrant and defend the said described real estate

against any defect in or encumbrance of the title thereto arising by virtue of the ownership or by the acts of the grantor.

As a part of the consideration for the execution of this deed by the grantor, the grantees, by their acceptance of this deed, for themselves, their heirs and assigns, covenant and agree as follows, to-wit:

1. That said premises are to be used only for private residential purposes.
2. That said premises shall be owned and occupied only by persons of the white race, except that this covenant shall not prevent occupancy by domestic servants of a different race domiciled with an owner or tenant.
3. That the grantees, their heirs and assigns, shall not sell said premises within a period of ten years from the date hereof without first giving to Mae M. Deming, Catherine Deming Griffith and Mary Deming Davis, the beneficial owners of the premises, the right to repurchase the same at the price obtainable by grantees on such proposed sale.
4. That all covenants on the part of the grantees herein contained shall run with the land and shall bind all subsequent owners and occupants thereof in like manner as though the provisions of this instrument were recited and stipulated at length in each and every future deed or other instrument of grant or conveyance.

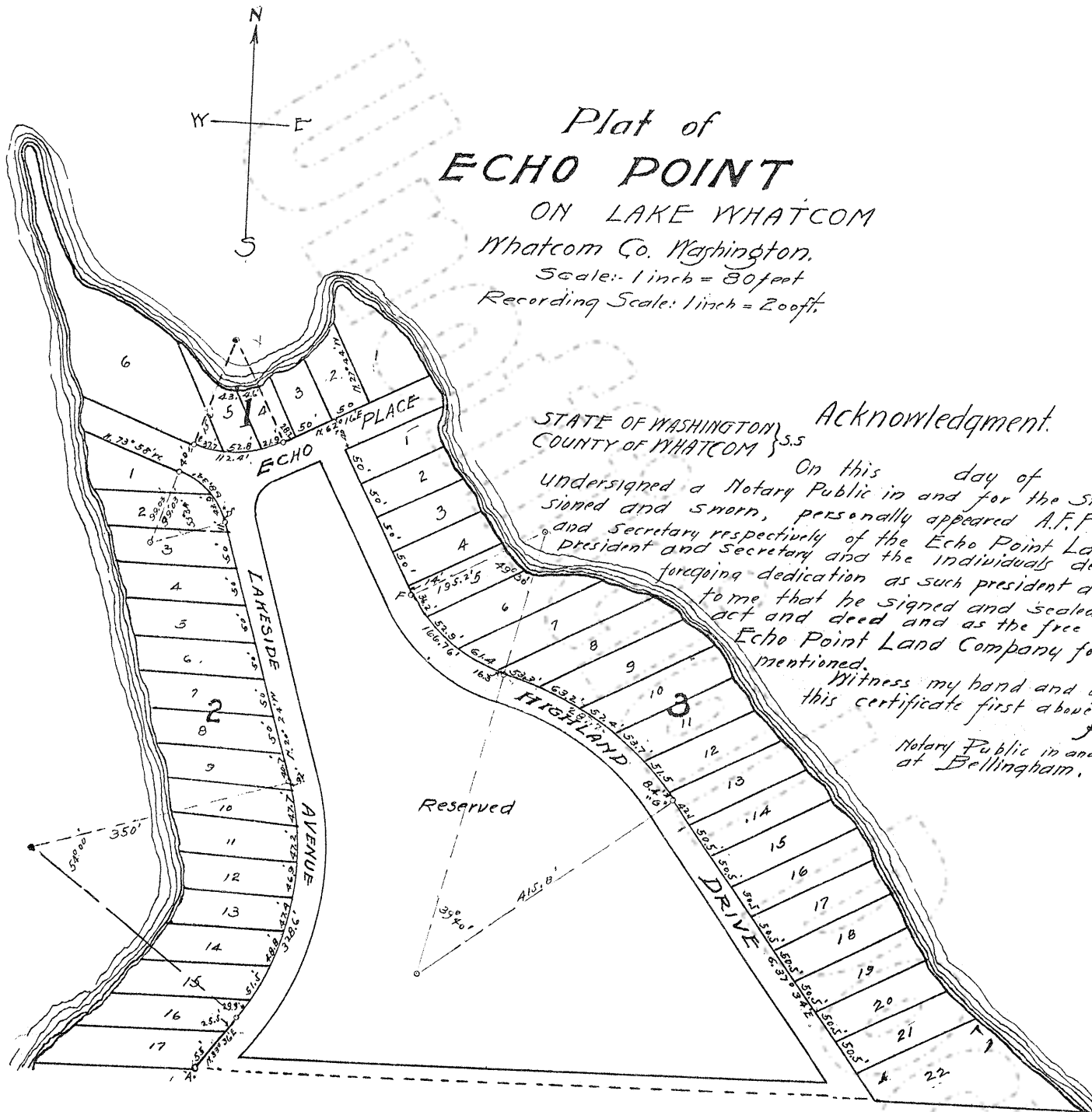
IN WITNESS WHEREOF, the Seattle First National Bank, as executor and trustee as aforesaid, has caused this instrument to be executed by its officers thereunto duly authorized this 27th day of August, 1942.

SEATTLE FIRST NATIONAL BANK,
a national banking association,
as executor of the last will of
E. B. Deming, deceased, and as
trustee under the last will of
Caroline Y. Deming, Deceased.

By [Signature]
Vice President

By [Signature]
Trust Officer

For vacation of part of Echo Place See Com. Proc. 25 page 160
Echo Place bet. Lots 1 and 2 Blk 1 of Lot 1 Blk 3 Vac. Oct 3, 1919 by Trp 5090.



Plat of ECHO POINT ON LAKE WHATCOM

Whatcom Co. Washington.

Scale: 1 inch = 80 feet

Recording Scale: 1 inch = 200 ft.

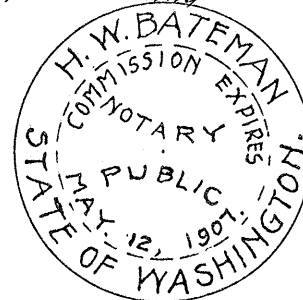
STATE OF WASHINGTON }
COUNTY OF WHATCOM }

Acknowledgment.

On this day of A.D. 1906, before me the undersigned a Notary Public in and for the State of Washington, duly Commissioned and sworn, personally appeared A.F. Fuller and R.C. Higginson, President and Secretary respectively of the Echo Point Land Company, to me known to be such President and Secretary and the individuals described in and who executed the foregoing dedication as such president and secretary, and each acknowledged to me that he signed and sealed the same as his free and voluntary act and deed and as the free and voluntary act and deed of the Echo Point Land Company for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above written.

H.W. Bateman
Notary Public in and for the State of Washington residing at Bellingham.



DEDICATION

STATE OF WASHINGTON }
COUNTY OF WHATCOM }

Know all men by these presents, that The Echo Point Land Company a corporation of Bellingham owns in fee simple of the land embraced in this plat of Echo Point on Lake Whatcom. Whatcom Co. Washington have caused the same to be plotted into Blocks, Lots and streets as shown on said plat, and hereby declare and acknowledge this plat, and hereby dedicate to the public use forever the streets as shown thereon. In witness whereof the Echo Point Land Company has caused this dedication to be executed by its President and attested by its Secretary and its Seal to be affixed this day of A.D. 1906.

Attest R.C. Higginson, Secretary.

A.F. Fuller, President.



DESCRIPTION

This Plat of Echo Point on Lake Whatcom, Whatcom Co. Washington occupies the whole of Lot A of Sec 36, Township 38 North Range 3 East, Will. Mer. All lots are of the width shown on the plat and extend to the shore of Lake Whatcom. All other dimensions are shown on the plat.

Points A, B, C, D, E, F, G as marked on the map are marked on the ground by permanent monuments. Point A is 1850 feet east and 134.3 feet North of the meander corner to fractional Sections 35 & 36 said Tp. and Range. This map is made from a careful survey of the ground, and the corners to all lots substantially marked.

Bellingham, Wash.
Oct 3, 1906.

A.R. Campbell
Civil Engineer.



Approved and accepted by the Board of County Commissioners of Whatcom Co., this 6th day of May A.D. 1907.

Attest J.A. Miller, Clerk

J.G. Kemper, Chairman.

STATE OF WASHINGTON }
COUNTY OF WHATCOM }

I, Ed L. Collier Treasurer of Whatcom County, Washington, hereby certify that all taxes heretofore levied and which have become a charge on the property described in the within Lot A Sec. 36-Twp 38-R 3 E. Petition, according to the books and records of my office, have been fully paid. Now plotted as Echo Point. Dated this 30 day of April 1907.



Ed L. Collier
County Treasurer of Whatcom County, Washington.
By Nellie C. Rogers, Deputy.