



358289

First American Title Company

RECORDING, MAIL TO GRANTEE
ORDER #17280-89006

WARRANTY DEED

CLIFFORD D. CHAPIN
RECORDER OF BONNER
COUNTY ID
SEP

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For Value Received, ORREN G. HOMME and CAMILLE HOMME, husband and wife, the grantor(s), do(es) hereby grant, bargain, sell, and convey unto ROGER S. SCHUBERT and KAREN E. SCHUBERT, husband and wife, the grantee(s), whose current address is 312 South 1st, Sandpoint, ID 83864, the following described premises, in Bonner County, Idaho, to-wit:

The right to construct the Bullfrog Unit of the Westwood Village Condominium, according to the Amendment and Restatement of Westwood Village Condominium Declaration, recorded as Instrument No. 288945, records of Bonner County, Idaho, and as amended by Amendment and Restatement recorded December 3, 1987, as Instrument No. 343148, records of said county.

SUBJECT TO: General taxes for the year 1989, a lien in the process of assessment, not yet due or payable.

SUBJECT TO: Assessments for the Westwood Condominiums.

SUBJECT TO: Any claims arising out of the difference between the mean high water line and the meander line of Lake Pend Oreille.

SUBJECT TO: A perpetual right-of-way and easement to overflow, flood and submerge a portion of the herein described property, upon the terms and provisions therein set forth as granted to the United States of America, by instrument recorded July 31, 1952, in Book 18 of Miscellaneous, page 509, records of Bonner County, Idaho. (As to common area appurtenant to said units)

SUBJECT TO: A perpetual right-of-way and easement to overflow, flood and submerge a portion of the herein described property, upon the terms and provisions therein set forth as granted to the United States of America, by instrument recorded June 2, 1955, in Book 22 of Miscellaneous, page 106, records of Bonner County, Idaho. (As to common area appurtenant to said units)

SUBJECT TO: A perpetual right-of-way and easement to overflow, flood and submerge a portion of the herein described property, upon the terms and provisions therein set forth as conveyed to the United States of America, by Warranty Easement recorded August 12, 1955, as Instrument No. 53853, in Book 22 of Miscellaneous, page 240, records of Bonner County, Idaho. (As to the common area appurtenant to units)

SUBJECT TO: Easement with terms and conditions:
Grantor: Westwood, Inc.
Grantee: Pacific Power & Light Company
Purpose: Electric transmission and distribution line
Dated: October 9, 1973
Recorded: October 9, 1973
Instrument No.: 152961
Book/Page: 51 of Miscellaneous/Page 611

Corrected Easement recorded December 16, 1973, as Instrument No. 154396, in Book 52 of Miscellaneous, page 606, records of Bonner County, Idaho.

SUBJECT TO: Declaration of Condominium of Westwood Phase I, dated January 24, 1973, executed by Westwood, Inc., an Idaho corporation, recorded October 25, 1973, as Instrument No. 153321, records of Bonner County, Idaho.



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Addendum No. 3 to Declaration of Condominium, recorded August 25, 1978, under Document No. 204363, records of Bonner County, Idaho.

Addendum No. 4 to Declaration of Condominiums of Westwood Village, dated January 17, 1979, recorded May 7, 1979, as Instrument No. 213740, records of Bonner County, Idaho.

Amendment and Restatement of Westwood Village Condominium Declaration recorded July 12, 1984, as Instrument No. 288945, in Book 113 of Miscellaneous, records of Bonner County, Idaho.

Amended Exhibit "CC" to Amendment and Restatement of Westwood Village Condominium Declaration recorded July 12, 1984, as Instrument No. 288948, in Book 113 of Miscellaneous, records of Bonner County, Idaho.

Amendment and Restatement of Westwood Village Condominium Declaration, recorded December 3, 1987, as Instrument No. 343148, records of Bonner County, Idaho.

SUBJECT TO: The estate or interest in the condominium unit set forth above is subject to Amendment of said Condominium Declaration by proper condominium law to provide for proper acceptance of diagrammatic floor plans, elevations, specifications, and surveyed building location by Westwood Village Homeowners Association, an Idaho non-profit corporation, as well as an elevation certification by a licensed surveyor affirming that the building location is not within an Albeni Dam flowage easement.

SUBJECT TO: Easement with terms and conditions:

Grantor: Westwood, Inc.

Grantee: Owners of Record of Westwood Village

Purpose: Right to travel over and across those portions of the existing roadway owned by Grantor

Dated: August 25, 1978

Recorded: August 25, 1978

Instrument No.: 204365

Book/Page: 74 of Miscellaneous/Page 179

SUBJECT TO: Various recorded License Agreements entered into by Westwood, Inc., Licensor, to various licensees for the purpose of leasing various designated boat slips of the marina of said Westwood Village.

SUBJECT TO: Amended By-Laws of Westwood Village Owners Association, recorded August 25, 1978, under Document No. 204362, records of Bonner County, Idaho. Amended By-Laws of Westwood Village Homeowners Association, Inc., recorded August 23, 1985, as Instrument No. 307509, records of Bonner County, Idaho.

SUBJECT TO: The covenant contained within Correction Warranty Deed, recorded January 2, 1980, as Instrument No. 223597, records of Bonner County, Idaho, which states that said condominium unit is limited to a "single-family residence".

SUBJECT TO: A Memorandum Agreement dated March 17, 1982, by and between the City of Sandpoint, Bonner County, Idaho, a municipal corporation of the State of Idaho, and Westwood Village Homeowners Association, Inc., recorded June 17, 1983, as Instrument No. 271217, records of Bonner County, Idaho.

SUBJECT TO: Easement with terms and conditions:

Grantor: Westwood, Inc., an Idaho corporation

Grantee: William Westwood Wyatt and Bethene R. Wyatt, husband and

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Dated: February 6, 1979
Recorded: October 10, 1979
Instrument No.: 220495
Book/Page: 82 of Miscellaneous

SUBJECT TO: Easement with terms and conditions:
Declarant: Westwood, Inc.
Purpose: Mutual easement
Dated: June 6, 1980
Recorded: June 10, 1980
Instrument No.: 228872
Book/Page: 86 of Miscellaneous/Page 298

Subject to: Terms of that Agreement by and between Westwood Village Homeowners Association, an Idaho non-profit corporation, Westwood Incorporated and Westwood Terrace Owners Association, recorded July 12, 1984, as Instrument No. 288946, in Book 113 of Miscellaneous, records of Bonner County, Idaho.

SUBJECT TO: Articles of Incorporation of Westwood Village Homeowners Association, Inc., recorded August 23, 1985, as Instrument No. 307508, records of Bonner County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their/her/his/its heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/it/they is/are the owner(s) in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that he/she/it/they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 23, 1989

X *[Signature]*
ORRIN C. HOMME

X *[Signature]*
CAMILLE HOMME

STATE OF CALIFORNIA

COUNTY OF RIVERSIDE

On This 30th day of JANUARY in the year 1989 before me, a Notary Public in and for said State, personally appeared ORRIN C. HOMME ~~_____~~, known or identified to me to be the person whose name is subscribed to the within Instrument, and acknowledged to me that he ~~_____~~ executed the same.

[Signature]
Notary Public
Residing at Palm Desert, CA
Commission Expires 12/23/92

