HOLLYNERE

CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON

LEGAL -DESCRIPTION:-

LOTS 1_AND 2 OF SHORT PLAT NO. SP294(9-86) RECORDED UNDER RECORDING NUMBER 8703270324, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON. —

EASEMENT PROVISIONS

- 1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL-CREEK, PUBLIC UTILITY DISTRICT NOT: 1 OF SNOHOMISH COUNTY, WASHINGTON NATURAL GAS. ---- COMPANY, ALDERWOOD WATER DISTRICT, THE FRANCHISED TELEMISION CABLE GOMPANY, AND GENERAL TELEPHONE AND ELECTRONICS NORTHWEST, THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (10) FEET_OF ALL LOTS, --- PARALLEL WITH AND ADJOINING THE PUBLIC RIGHTS—OF—WAY AS DEDICATED HEREON IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPES AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT. FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, CABLE TELEVISION, NATURAL GAS, WATER, SEWER, STORM DRAINAGE AND ANY OTHER UTILITY WHICH IS REASONABLE AND NECESSARY FOR RESIDENTIAL SUBDIVISION. FURTHERMORE, THE (10) FOOT STRIP MAY BE UTILIZED BY THE CITY FOR NECESSARY ROADWAY SLOPES FOR CUTS AND/OR FILLS, SAID BENEFICIARIES SHALL BE UNDER AN -- OBLIGATION TO PROVIDE WRITTEN NOTICE OF INSTALLATION OF UTILITIES IN AN EASEMENT AREA TO THE OWNERS OF THE PROPERTIES TO BE AFFECTED. _- _-
- 2. EACH LOT IS SUBJECT TO AN EASEMENT 2.5 FEET IN WIDTH PARALLEL WITH AND _ ' ADJOINING ALL SIDE AND REAR LOT LINES WHICH ADJOIN ANOTHER LOT OR TRACT AND FIVE (5) FEET IN WIDTH PARALLEL WITH AND ADJACENT TO ALL REAR LOT LINES NOT ADJOINING ANOTHER LOT OR TRACT FOR PURPOSES STATED ABOVE. PROVIDED HOWEVER, THE GRANTING OF EASEMENTS ALONG SAID REAR AND SIDE LOT LINES IS SUBJECT TO THE CONDITION THAT IN THE EVENT TRANSFEREES FROM GORDON E. AND JANICE T-REYKDAL ----OF MORE THAN ONE LOT IN THIS PLAT ON A CONTIGUOUS BASIS, OWN OR HOLD SAID LOTS FOR THE PURPOSE OF CONSTRUCTING BUILDINGS THEREON, WHICH BUILDINGS WOULD CROSS PLATTED LOT LINES, SUCH CONSTRUCTION SHALL BE PERMITTED IRRESPECTIVE OF THE PLAT EASEMENT CONTAINED IN THIS PARAGRAPH. PROVIDED SUCH -EASEMENT AREAS HAVE NOT BEEN UTILIZED FOR THEIR EASEMENT PURPOSES TO RECEIVE LINES OR UTILITIES AT THE TIME SUCH CONSTRUCTION IS SOUGHT BY SUCH OWNER AND APPLICATION MADE FOR A BUILDING PERMIT. THE ISSUANCE OF A BUILDING PERMIT FOR SUCH CONSTRUCTION WILL CONSTITUTE AN EXTINGUISHMENT AS TO THAT PORTION OCCUPIED BY THE STRUCTURE. PROVIDED FURTHER, NO UTILITIES OR LINES SHALL BE INSTALLED BY THE BENEFICIARIES OF THE EASEMENT IN THE SIDE LOT AREAS WITHOUT FIRST PROVIDING WRITTEN NOTICE TO THE OWNERS OF AFFECTED LOTS IN THE PLAT OF SUCH INSTALLATION. SUBSEQUENT TRANSFEREES FROM THE GRANTEES OF GORDON E. AND JANICE I. REYKDAL SHALL HAVE THE SAME RIGHTS WITH RESPECT TO PROPERTY WHICH IS HELD ON A CONTIGUOUS BASIS IN THE EVENT THAT SUCH EASEMENT AREAS HAVE NOT BEEN UTILIZED BY THE BENEFICIARIES NAMED IN THE FIRST PARAGRAPH. FURTHER. NO APPLICATION FOR A LOT LINE ADJUSTMENT WILL BE APPROVED AFFECTING ANY SIDE OR REAR LOT LINE OF THIS PLAT WHICH IS SUBJECT TO THE ABOVE EASEMENTS UNTIL PROVISIONS, INCLUDING BUT NOT LIMITED TO, THE RELOCATION OF ANY UTILITIES WITHIN SAID EASEMENTS. HAVE BEEN MADE TO THE SATISFACTION OF THE BENEFICIARIES THEREOF AS EVIDENCED BY WRITTEN NOTICE TO THE CITY OF MILL CREEK. AND UPON APPROVAL BY THE CITY OF MILL CREEK OF SUCH APPLICATION. ANY SUCH EASEMENT AS GRANTED BY THIS PLAT WILL AUTOMATICALLY BE EXTINGUISHED AND BE REPLACED BY AN EASEMENT OF EQUAL STATUS IN EVERY RESPECT AS THOSE GRANTED BY THIS PLAT ALONG ANY NEW SIDE OR REAR LOT LINES SO CREATED.
- 3. IN ADDITION TO THOSE EASEMENT RIGHTS SPECIFICALLY GRANTED TO ALDERWOOD WATER DISTRICT ABOVE, THE SANITARY SEWER EASEMENT ON LOTS 4 & 5 AND THE WATER EASEMENT ON TRACT B ARE ALSO GRANTED TO ALDERWOOD WATER DISTRICT. THE EASEMENTS HEREBY GRANTED TO ALDERWOOD WATER DISTRICT SHALL REMAIN FREE FROM ALL STRUCTURES, SUCH AS COVERED PARKING, DECKS, OVERHANGS, SHEDS, ETC. NO FENCE OBSTRUCTION SHALL BE CONSTRUCTED TO RESTRICT ACCESS BY ALDERWOOD WATER DISTRICT TO THE WATER METERS AND FIRE HYDRANT.

 4. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE TO SERVICE AND MAINTAIN ALL
- 4. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE TO SERVICE AND MAINTAIN ALL DRAINAGE FACILITIES LOCATED ON ANY DRAINAGE EASEMENTS AND ON TRACT A. THE CITY SHALL RESERVE THE RIGHT BUT NOT THE OBLIGATION TO PERFORM ANY NEEDED SERVICE AND MAINTENANCE ON THESE DRAINAGE FACILITIES NECESSARY TO INSURE THAT THE DRAINAGE FACILITY IS OPERATING PROPERLY. IT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION TO REIMBURSE THE CITY FOR ANY COST INCURRED.
- 5. PEDESTRIAN ACCESS EASEMENTS SHALL BE GRANTED TO THE PUBLIC ON ANY AND ALL HARD SURFACE PATHS, SIDEWALKS, AND TRAILS LOCATED ON TRACT B. IT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION TO KEEP ALL PATHS, SIDEWALKS, AND TRAIL SURFACES CLEAN AND FREE OF DEBRIS AND ANY ORGANICS. THE CITY SHALL HAVE THE RESPONSIBILITY TO REPAIR ANY STRUCTURAL DEFECTS WHICH PRESENT A SAFETY HAZARD. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE TO PROVIDE ROADSIDE MAINTENANCE TO THE BACK OF THE CURB AND GUTTER ALONG THE PLAT FRONTAGE ON SEATTLE HILL ROAD. THIS INCLUDES ALL SERVICE AND MAINTENANCE EXCEPT FOR SIDEWALK REPAIRS WHICH SHALL BE THE RESPONSIBILITY OF THE CITY.

RESTRICTIONS:

- 1. NO LOT OR PORTION OF ANY LOT IN THIS PLAT SHALL BE DIVIDED AND SOLD OR RESOLD OR OWNERSHIP CHANGED OR TRANSFERRED WHEREBY THE OWNERSHIP OF ANY PORTION OF THIS PLAT SHALL CONTAIN LESS THAN THE AREA REQUIRED FOR THE USE DISTRICT IN WHICH LOCATED. NO FURTHER SUBDIVISION OF ANY LOT SHALL BE ALLOWED WITHOUT SUBMITTING FOR FORMAL PLAT PROCEDURE.
- 2. NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC OR PRIVATE ROAD RIGHTS—OF—WAY, OR TO HAMPER PROPER ROAD DRAINAGE. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR REROUTING 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 SAID OWNER.
- 3. NO LINES OR WIRES FOR TRANSMISSION OF ELECTRIC CURRENT OR FOR TELEPHONE USE, CABLE TV, OR FIRE OR POLICE SIGNALS OR FOR OTHER PURPOSES, SHALL BE PLACED OR PERMITTED TO BE PLACED UPON ANY LOT OR TRACT OUTSIDE THE BUILDINGS THEREON UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO THE BUILDING.
- 4. THIS PLAT SHALL COMPLY WITH THE CONDITIONS OF APPROVAL SET FORTH IN MILL CREEK CITY COUNCIL RESOLUTION NO.94-185, ADOPTED SEPTEMBER 27, 1994.
- 5. TRACTS A AND B ARE OWNED BY THE HOLLYMERE HOMEOWNERS ASSOCIATION.

 THE MAINTENANCE OF ALL PRIVATELY OWNED RECREATION FACILITIES AND LANDSCAPING

 WITHIN TRACTS A AND B IS THE RESPONSIBILITY OF THE HOLLYMERE HOMEOWNERS ASSOCIATION.

DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS IN FEE SIMPLE OF THE LANDS HEREBY PLATTED, DO HEREBY DECLARE THIS PLAT AND DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND AVENUES SHOWN HEREON FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, TOGETHER WITH THE RIGHT TO MAKE ANY NECESSARY SLOPES FOR CUTS AND FILLS IN THE REASONABLE, ORIGINAL GRADING OF THE STREETS AND AVENUES SHOWN HEREON.

TRACTS A AND B ARE HEREBY DEDICATED TO THE HOLLYMERE HOMEOWNERS ASSOCIATION.

GORDON P. REYKDAL & JANICE I. REYKDAL, HUSBAND AND WIFE

DATE

DATE

DATE

DATE

DATE

DATE

- EVERETT MUTUAL SAVINGS

PRESIDENT

DATE

8-2-95

MCE PRESIDENT DATE

_OWNER'S_COVENANT:__

THE OWNER RELEASES, INDEMNIFIES AND HOLDS THE CITY OF MILL CREEK HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES OR INJUNCTIVE-RELIEF OF WHATEVER NATURE FROM CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC IMPROVEMENTS THROUGHOUT THE TERM OF THE OWNER'S MAINTENANCE OBLIGATION AS DESCRIBED IN CHAPTER 16.1 6 OF THE MILL CREEK MUNICIPAL CODE.

STATE OF WASHINGTON

COUNTY OF

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING IN THE STATE OF WASHINGTON MY APPOINTMENT EXPIRES 4/98

OTAN SOLUTION OF WASHINGTON

STATE OF WASHINGTON)

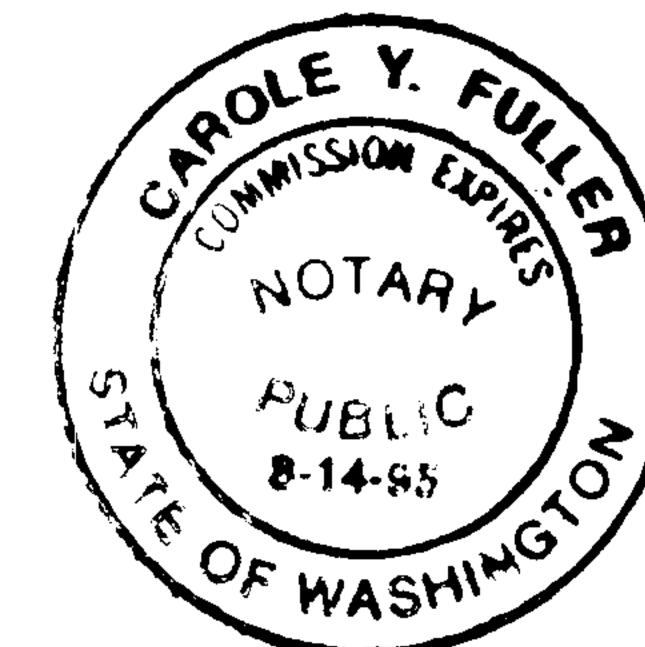
CORPORATION.

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF ______, 1995, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Late A Lyski AND _____, TO ME KNOWN TO BE THE Exec Vice Dresident AND _____, RESPECTIVELY, OF EVERETT MUTUAL SAVINGS BANK, THE WASHINGTON CORPORATION THAT EXECUTED THE WITHIN AND FOREGOING DEDICATION, AND ACKNOWLEDGED THE SAID DEDICATION TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION FOR THE USES AND PURPOSES THEREIN MENTIONED, AND AN OATH STATED THAT THEY WERE AUTHORIZED TO EXECUTE SAID

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

INSTRUMENT AND THAT THE SEAL AFFIXED (IF ANY) IS THE CORPORATE SEAL OF SAID

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING IN Dather MY APPOINTMENT EXPIRES 244-95



APPROVALS:

I HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE CONDITIONS SET FORTH BY THE MILL CREEK CITY COUNCIL, AND IS DULY APPROVED THIS 22 DAY OF AUGUST 1995.

MAYOR, CITY OF MILL CREEK

ATTEST CITY CLERK

EXAMINED AND APPROVED THIS 24 DAY OF 1995.

MILL CREEK CITY FNGINFFR

EXAMINED AND APPROVED THIS 23 PAY OF AUGUST 1995.

DIRECTOR OF COMMUNITY DEVELOPMENT

CITY TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AND THAT ALL SPECIAL ASSESSMENTS ON ANY PROPERTY HEREIN CONTAINED AS DEDICATED STREETS, ALLEYS OR FOR OTHER PUBLIC PURPOSES ARE PAID IN FULL THIS 22 DAY OF 1995.

TREASURER, CITY OF MILL CREEK

TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED, INCLUDING 1995 TAXES.

TREASURER, SNOHOMISH COUNTY

DEPUTY TREASURER

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT OF HOLLYMERE IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 5, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M., AS REQUIRED BY STATE STATUTES; THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT THE MONUMENTS SHALL BE SET AND LOT AND BLOCK CORNERS SHALL BE STAKED CORRECTLY ON THE GROUND, AND THAT I FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTE AND REGULATIONS GOVERNING PLATTING.

KENT L. ROBINSON, PLS 19583

OSTERGAARD-ROBINSON-AND ASSOC.
3630 COLBY AVE. EVERETT, WA. 98201(206) 259-6445 (206) 827-5854

ROD WASHINGTON 19583 19583 ONAL LAND EXPIRES 9/8/98

7/27/95

AUDITOR'S CERTIFICATE 4508245002 27 S

FILED FOR RECORD AT THE REQUEST OF OSTERGAARD-ROBINSON & ASSOC., INC.
THIS 24 DAY OF ALABAT 1995, AT 28 MINUTES PAST 24 P.M. AND
RECORDED IN VOLUME 59 OF PLATS, PAGES 246 247, RECORDS OF

Beborerwilliger
COUNTY AUDITOR

SNOHOMISH COUNTY, WASHINGTON.

DEPUTY COUNTY AUDITOR

SE 1/4 NE 1/4 SEC 5, TWP 27N, RGE 5E, W.M.

SHEET 1

