SECTION 32, T.28N., R.5E., W.M.
CITY OF MILL CREEK
SNOHOMISH COUNTY, WASHINGTON

## DEDICATION

- KNOW ALL PERSONS THAT WE THE UNDERSIGNED OWNER(S) IN FEE SIMPLE OF THE LAND HEREBY-PLATTED, AND THE MORTGAGEE(S) THEREOF, DO HEREBY DECLARE THIS PLAT AND DEDICATE IO THE PUBLIC FOREVER ALL ROADS, WAYS, AND EASEMENTS SHOWN HEREON - FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF, TOGETHER WITH THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS OR FILLS IN THE ORIGINAL REASONABLE GRADING OF THE ROADS AND WAYS SHOWN HEREON, AND THE RIGHT TO CONTINUE TO DRAIN SAID ROADS AND WAYS OVER AND ACROSS ANY TRACTS, LOT OR LOTS WHERE WATER MIGHT TAKE A NATURAL COURSE.

FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RICHTS 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 SUCH OWNER.

TRACTS A AND B, WETLAND AND BUFFER AREAS, TRACT C-FOR DETENTION FACILITIES, AND TRACTS 100, 101, 102, 103 AND 104 FOR PRIVATE ACCESS AND UTILITIES, ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE RESPONSIBILITIES, TO THE MILL CREEK EAST HOMEOWNERS ASSOCIATION UPON RECORDING OF THIS PLAT, SUBJECT TO AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY OF MILL CREEK.

TRACT D FOR A PUBLIC NEIGHBORHOOD PARK IS HEREBY DEDICATED TO THE CITY OF -- MILL CREEK UPON THE RECORDING OF THIS PLAT. --

TRACT E, AS A ROADWAY BUFFER/CUTTING PRESERVE AND FOR OPEN SPACE USES, IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE RESPONSIBILITIES, TO THE MILL CREEK EAST HOMEOWNERS ASSOCIATION UPON RECORDING OF THIS PLAT. EXCEPT THAT THE CITY OF MILL CREEK SHALL OPERATE AND MAINTAIN THE LIGHTING SYSTEM AND BE RESPONSIBLE FOR THE STRUCTURAL REPAIR AND/OR REPLACEMENT OF THE PUBLIC PEDESTRIAN FACILITIES WITHIN SAID TRACT.

TRACT 999 IS HEREBY RESERVED FOR FUTURE DEVELOPMENT AS MILL CREEK EAST DIVISION 2, AND OWNERSHIP IS RETAINED BY THE UNDERSIGNED OWNERS, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

THE DEDICATIONS SET FORTH ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND HEREBY PLATTED AND SHALL BE BINDING ON ALL SUBSEQUENT OWNERS.

MILL CREEK EAST, LLC, A DELAWARE LIMITED LIABILITY COMPANY

KAJIMA DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, MANAGING MEMBER

ROSS ADACHI

VICE PRESIDENT

DAVE FORMAN

SANDRA L. FORMAN

## OWNERS CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT OF MILL CREEK EAST DIVISION 1 IS SUBMITTED TO THE CITY OF MILL CREEK WITH MY CONSENT AND THAT I HAVE NO OBJECTIONS THERETO.

MILL CREEK EAST, LLC, A DELAWARE LIMITED LIABILITY COMPANY

KAJIMA DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, MANAGING MEMBER

ROSS ADACHI

ITS: VICE PRESIDENT

## ACKNOWLEDGMENTS

STATE OF WAShinston)
COUNTY OF Snahmish SS.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT TOSS ATACM
IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT
SIGNED THIS INSTRUMENT, ON OATH STATED THAT WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE VICE FVESIGENT
OF KAJIMA DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, THE MANAGING MEMBER OF MILL CREEK EAST, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: August 31 2006

(PRINT) KEIGHM HEMMESSEM
NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON RESIDING AT EVENET

HENANGE OF WASHING

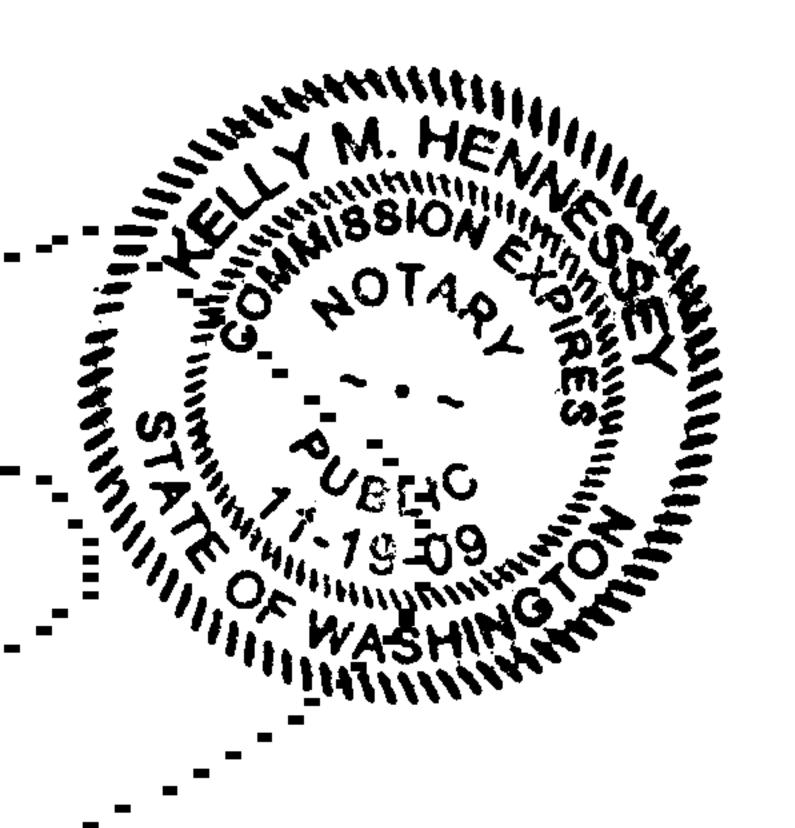
STATE OF WASHINGTON)
-----()SS
COUNTY OF SNOHOMISH)

T-CERTIFY THAT I KNOW OR SATISFACTORY EVIDENCE THAT DAVE FORMAN AND SANDRA L.
FORMAN, HUSBAND AND WIFE, ARE THE PERSONS WHO APPEARED BEFORE ME, AND SAID PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE THEIR FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: HUSUS+31,7006

(SIGN) - Leght Hemnessen

(PRINT) — (PRINT



## OWNERS COVENANT

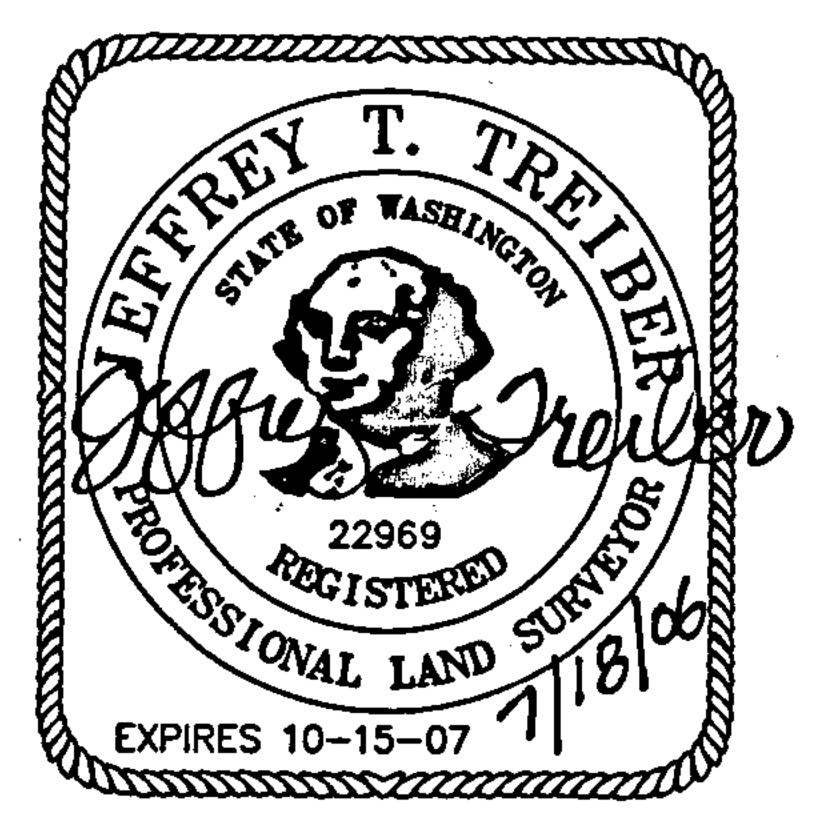
THE OWNER FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, RELEASES, INDEMNIFIES, AND HOLDS THE CITY OF MILL CREEK HARMLESS FROM ANY AND ALL LIABILITIES AND CLAIMS FOR DAMAGES, OR FOR INJUNCTIVE RELIEF OF WHATEVER NATURE ARISING FROM THE CONSTRUCTION OF THE PUBLIC IMPROVEMENTS AND FOR THE TERM OF THE OWNERS MAINTENANCE OBLIGATION AS DESCRIBED IN THE MILL CREEK MUNICIPAL CODE FOR THE MAINTENANCE OF THE PUBLIC IMPROVEMENTS.

## LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF "MILL CREEK EAST DIVISION 1" IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 32, TOWNSHIP 28 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, THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

JEFFREY T TREIBER
REGISTERED PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 22969

DATE 7/18/06



**-** - - - - -

## CITY OF MILL CREEK APPROVALS

I HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE CONDITIONS SET FORTH BY THE MILL CREEK CITY COUNCIL, THE DEDICATIONS AND EASEMENTS MADE HEREON ARE ACCEPTED, AND THAT THE PLAT IS DULY APPROVED THIS  $30^{12}$  DAY OF 0

MAYOR, CITY OF MILL CREEK

MAYOR, CITY OF MILL CREEK

ATTEST, CITY CLERK

EXAMINED AND APPROVED THIS 29 DAY OF AUGUST, 2006

DIRECTOR OF PUBLIC WORKS

EXAMINED AND APPROVED THIS 29th DAY OF August , 2006

DIRECTOR OF COMMUNITY DEVELOPMENT

## CITY TREASURER'S CERTIFICATE

REASURER, CITY OF MILL CREEK

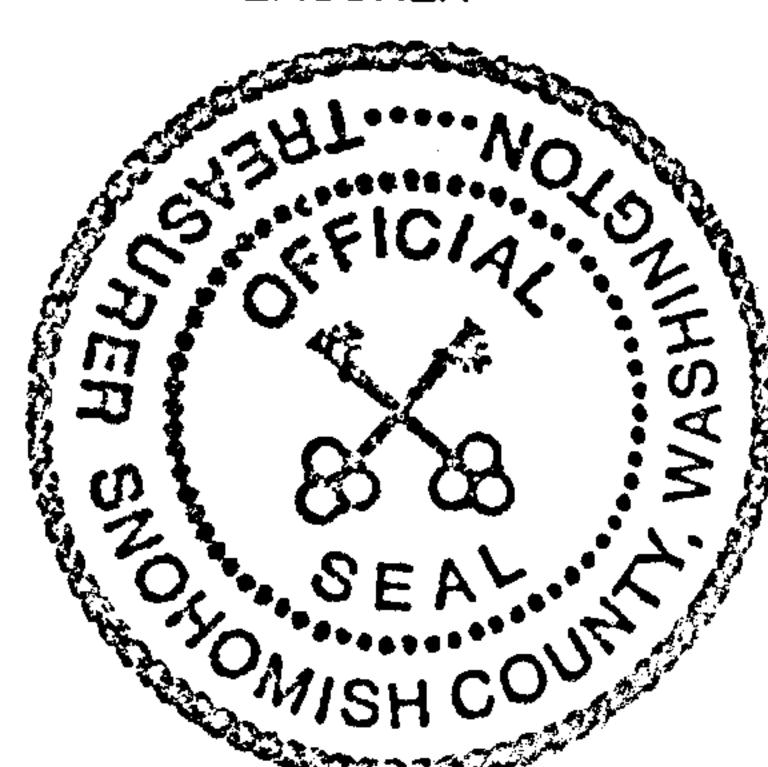
## COUNTY TREASURER'S CERTIFICATE

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 2007 TAXES.

TREASURER, SNOHOMISH COUNTY

BY: County treasurer

IN ACCORDANCE WITH RCW. 58-08-040,
ANY PERSON RECORDING A PLAT AFTER
MAY 3 ist MUST PAY ADVANCE TAXES
FOR THE NEXT YEAR.



## AUDITOR'S -CERTIFICATE

FILED FOR RECORD AT-THE REQUEST OF MILL CREEK EAST, LLC
THIS 131 DAY OF SEPTEMBER , 2006, AT 41 MINUTES
PAST 2 PM, AND RECORDED IN VOLUME OF PLATS, PAGES
AFN 2006 09019001 RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

BOB- LERWILLIGER-AUDITOR, SNOHOMISH COUNTY

BY: ARON COFFMAN
DEPUTY COUNTY AUDITOR

AFN 200609015004

IN THE SE1/4, NE1/4 AND THE NE1/4, SE1/4, ALL IN SECTION \$2, T.28N., R.5E.; W.M.

LOVELL-SAUERLAND & ASSOCIATES, INC.
19400 33RD AVENUE W., SUITE 200
LYNNWOOD, WASHINGTON 98036 425.775.159

LSA FILE NO. 4700-00-04--

SHEET 1 QF-9

# SECTION 32, T.28N., R.5E., W.M. CITY OF MILL CREEK SNOHOMISH COUNTY, WASHINGTON

## EASEMENT PROVISIONS

. AN EASEMENT IS HEREBY-RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR-ASSIGNS, PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY, SILVER LAKE WATER DISTRICT, PUGET SOUND ENERGY, VERIZON NORTHWEST, INC., --- COMCAST CABLE COMMUNICATIONS, INC., AND ANY OTHER UTILITIES SERVING THIS PLAT, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF 35TH AVENUE S.E., UNDER AND UPON THE EXTERIOR 7 FEET PARALLEL-WITH AND ADJOINING THE STREET FRONTAGE SILVER CREST DRIVE, UNDER-AND UPON THE EXTERIOR 7 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL THE INTERIOR ROADS,-LOTS AND TRACTS, AND UNDER AND UPON TRACTS 100,- 101, 102, 103 AND 104, AS SHOWN HEREON, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPE - AND WIRES WITH NECESSARY FACILITIES, AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH STORM DRAINAGE SERVICE, ELECTRIC SERVICE, WATER SERVICE, SANITARY SEWER SERVICE, GAS SERVICE, TELEPHONE SERVICE, CABLE COMMUNICATION SERVICE, AND ANY OTHER UTILITY SERVICE WHICH IS REASONABLE AND NECESSARY FOR A RESIDENTIAL SUBDIVISION, TOGETHER WITH THE RIGHT TO ENTER UPON THE EASEMENT AREA OF-THE LOTS AND -TRACTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

2. THE PRIVATE DRAINAGE EASEMENT (PDE#1) UNDER AND UPON LOTS 4, 5 AND 6, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 3, 4, 5 AND 6, FOR THE PURPOSE OF OPERATING, MAINTAINING AND RECONSTRUCTING STORM WATER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

3. THE PRIVATE DRAINAGE EASEMENT (PDE#2) UNDER AND UPON LOTS 7 AND 8, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 7, 8 AND 9, FOR THE PURPOSE OF OPERATING, MAINTAINING AND REGONSTRUCTING STORM WATER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

4. THE PRIVATE DRAINAGE EASEMENT (PDE#3) UNDER AND UPON LOTS 28 THROUGH 38, INCLUSIVE, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF SAID LOTS 28 THROUGH 38, INCLUSIVE, FOR THE PURPOSE OF OPERATING, MAINTAINING AND RECONSTRUCTING STORM WATER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS-AND EGRESS FOR SUCH PURPOSES.

5. THE PRIVATE DRAINAGE EASEMENTS (PDE#1A AND PDE#2A) UNDER AND UPON TRACT A, AS SHOWN HEREON, ARE HEREBY RESERVED FOR AND GRANTED TO THE MILL CREEK EAST HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF OPERATING, MAINTAINING AND RECONSTRUCTING STORM WATER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

6. THE PRIVATE DRAINAGE EASEMENT (PDE#4) UNDER AND UPON TRACTS B AND 999, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE MILL CREEK EAST HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF OPERATING, MAINTAINING AND RECONSTRUCTING STORM WATER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

7. THE PRIVATE DRAINAGE EASEMENTS (PDE#5, PDE#6, PDE#7, PDE#8, PDE#9 AND PDE#10) UNDER AND UPON TRACT B, AS SHOWN HEREON, ARE HEREBY RESERVED FOR AND GRANTED TO THE MILL CREEK EAST HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF OPERATING, MAINTAINING AND RECONSTRUCTING STORM WATER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

8. PRIVATE LOT DRAINAGE EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 1 AND 2 (PLDE#1), OF LOTS 10 AND 11 (PLDE#2), OF LOTS 12, 13, 14 AND 15 (PLDE#3), OF LOTS 16, 17 AND 18 (PLDE#4), OF LOTS 20, 21, 22 AND 23 (PLDE#5), OF LOTS 24, 25 AND 26 (PLDE#6), OF LOTS 28 AND 29 (PLDE#7), OF LOTS 30 AND 31 (PLDE#8), OF LOTS 32, 33, 34, 35 AND 36 (PLDE#9), OF LOTS 37, 38, 39 AND 40 (PLDE#10), OF LOTS 41, 42 AND 43 (PLDE#11), OF LOTS 45, 46, 47 AND 48 (PLDE#12), OF LOTS 49 AND 50 (PLDE#13), AND OF LOTS 51, 52, 53 AND 54 (PLDE#14), UNDER AND UPON THE EXTERIOR SEVEN FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF PENNY CREEK CIRCLE, 33RD DRIVE S.E. AND 34TH AVENUE S.E., OF SAID LOTS FOR THE PURPOSE OF OPERATING, MAINTAINING AND RECONSTRUCTING STORM WATER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

9. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR ASSIGNS, OVER AND UPON THE EXTERIOR 2 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE ALONG 34TH AVENUE S.E. OF LOTS 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15 AND 16, TRACTS 100 AND 101, AND TRACT A, ALONG 136TH PLACE S.E. OF LOTS 7, 8, 9, 10 AND 27, ALONG 33RD DRIVE S.E. OF LOTS 9, 19 THROUGH 41, INCLUSIVE, AND TRACTS 101 AND 102, AND ALONG 139TH PLACE S.E. OF LOTS 48 AND 49, AND TRACTS 102 AND 103, AS SHOWN HEREON, FOR PUBLIC PEDESTRIAN ACCESS PURPOSES OVER AND UPON THE WALKWAYS AS CONSTRUCTED.

10. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR ASSIGNS, OVER AND UPON TRACTS E AND 999 FOR PUBLIC PEDESTRIAN ACCESS (NON-MOTORIZED) PURPOSES OVER AND UPON THE WALKWAYS AS CONSTRUCTED.

11. A 20 FOOT WIDE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR ASSIGNS, OVER AND UPON TRACTS 100, 101, 102, 103 AND 104, FOR PUBLIC EMERGENCY VEHICLE ACCESS. SAID EASEMENT AREA SHALL BE KEPT FREE FROM ANY OBSTRUCTIONS WHICH WILL INTERFERE WITH PUBLIC EMERGENCY VEHICLE USE.

12. THE MILL CREEK EAST HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE TO SERVICE AND MAINTAIN ALL DRAINAGE FACILITIES LOCATED ON ALL DRAINAGE EASEMENTS AND TRACT C. THE CITY SHALL RESERVE THE RIGHT, BUT NOT THE OBLIGATION, TO PERFORM ANY NEEDED INSPECTION, SERVICE AND MAINTENANCE ON THESE DRAINAGE FACILITIES NECESSARY TO INSURE THAT THE DRAINAGE FACILITIES ARE OPERATING PROPERLY. IT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION TO REIMBURSE THE CITY FOR ANY SERVICE AND MAINTENANCE COSTS INCURRED.

13. THE HOMEOWNER'S ASSOCIATION AND OWNERS OF ANY LOT WITHIN THIS PLAT SHALL BE RESPONSIBLE TO PROVIDE ROADSIDE MAINTENANCE TO THE BACK OF CURB ALONG ALL ROADWAY FRONTAGE PER MCMC 17.24.030. THIS INCLUDES ALL SERVICE AND MAINTENANCE, EXCEPT FOR STRUCTURAL SIDEWALK REPAIRS, WHICH SHALL BE THE RESPONSIBILITY OF THE CITY OF MILL CREEK.

### RESTRICTIONS

1. NO LOT OR PORTION OF A 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 IT IS LOCATED.

2. NO FURTHER DIVISION OF ANY LOT WITHIN THIS PLAT IS ALLOWED WITHOUT RESUBMITTING FOR FORMAL PLAT PROCEDURE.

3. DIRECT ACCESS TO SILVER CREST DRIVE AND 35TH AVENUE S.E. FROM ANY LOT WITHIN THIS PLAT IS PROHIBITED. ALL LOTS MUST TAKE ACCESS FROM INTERIOR ROADS.

4. APPROVAL MUST BE OBTAINED FROM THE CITY ENGINEER BEFORE ANY STRUCTURES, FILL OR OBSTRUCTIONS, INCLUDING FENCES, ARE LOCATED WITHIN ANY DRAINAGE EASEMENT OR DELINEATED FLOOD PLAIN AREA.

5. NO FENCE OR OBSTRUCTION SHALL BE CONSTRUCTED BETWEEN THE EDGE OF THE RIGHT-OF-WAY AND WATER METERS, FIRE HYDRANTS AND BLOW-OFF ASSEMBLIES WHICH RESTRICTS ACCESS BY SILVER LAKE WATER DISTRICT.

6. THIS SITE IS SUBJECT TO THE CONDITIONS OF APPROVAL FOR THE PRELIMINARY PLAT/PLANNED RESIDENTIAL DEVELOPMENT FOR MILL CREEK EAST (PP 01-56) BY THE CITY OF MILL CREEK AS DISCLOSED BY RESOLUTION NO. 2003-329, ADOPTED APRIL 22, 2003. ANY FUTURE MODIFICATIONS TO THE PRD SHALL MEET ALL CITY REQUIREMENTS.

7. WETLANDS AND REQUIRED BUFFER AREAS WITHIN TRACTS A AND B ARE TO BE LEFT PERMANENTLY UNDISTURBED, EXCEPT AS NOTED HEREIN AND EXCEPT AS AUTHORIZED UNDER U.S.E.P.A., REGION 10, DOCKET NO. CWA-10-2001-0231 ADMINISTRATIVE ORDER. NO CLEARING, GRADING, FILLING, BUILDING CONSTRUCTION OR PLACEMENT, OR ROAD CONSTRUCTION OF ANY KIND SHALL OCCUR, EXCEPT REMOVAL OF HAZARDOUS TREES UPON EXPRESS APPROVAL OF THE CITY OF MILL CREEK AND EXECUTION OF THE APPROVED WETLAND MITIGATION PLAN.

9. THE ROADWAY BUFFER/CUTTING PRESERVES WITHIN TRACTS A AND B, AS SHOWN HEREON, ARE SUBJECT TO THE CITY OF MILL CREEK CRITICAL AREA REGULATIONS. NO VEGETATION MAY BE REMOVED WITHOUT THE EXPRESS CONSENT OF THE CITY OF MILL CREEK.

10. LANDSCAPING WITHIN THE ROADWAY BUFFER/CUTTING PRESERVES IN TRACTS E AND 999,
SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED LANDSCAPE PLAN DATED MAY 5,
2006, ON FILE WITH THE CITY OF MILL CREEK. SAID LANDSCAPING SHALL BE MAINTAINED
BY THE MILL CREEK EAST HOMEOWNERS ASSOCIATION AS NOTED IN THE DECLARATION
REFERENCED HEREIN AS ITEM 19. NO VEGETATION, OTHER THAN REGULAR MAINTENANCE,
SHALL BE REMOVED WITHOUT THE EXPRESS CONSENT OF THE CITY OF MILL CREEK.

11. THE RESTORATION OF THE WETLAND WITHIN TRACT B SHALL BE IN ACCORDANCE TO THE U.S.E.P.A., REGION 10, DOCKET NO. CWA-10-2001-0231 ADMINISTRATIVE ORDER ON CONSENT DATED JANUARY 4, 2002.

12. ALL DEVELOPMENT OF BUILDINGS SHALL COMPLY WITH FLOOR AREA RATIOS, SETBACKS AND BUILDING HEIGHT STANDARDS ESTABLISHED IN THE PRELIMINARY PLAT PRD APPROVAL FILE NO. PP 01-56, UNLESS MODIFIED IN ACCORDANCE WITH CITY OF MILL CREEK STANDARDS.

13. THE CITY OF MILL CREEK DRAINAGE EASEMENTS, AS SHOWN ON THE FACE OF THE PLAT, HEREBY REPLACE AND SUPERSEDE THOSE EASEMENTS RECORDED UNDER RECORDING NO'S. 8412030220, 8608130290 AND 8412030222.

14. SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "DISTRIBUTION EASEMENT" AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200212040678.

15. SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "AFFIDAVIT REGARDING BOUNDARY LINE ADJUSTMENT UNDER CHAPTER 29 SCC", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 8710050049.

16. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN PERMANENT . - WATER EASEMENT", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200606280043.

17. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "PERMANENT SEWER EASEMENT", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMESH COUNTY RECORDING NO. 200606280044.

18. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "WETLAND MITIGATION AGREEMENT", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200606260045.

19. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF MILL CREEK EAST", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. \_\_\_\_\_\_.

### PRIVATE DRAINAGE MAINTENANCE PROVISIONS

1. THE PRIVATE DRAINAGE EASEMENT (PDE#1) UNDER AND UPON LOTS 4, 5 AND 6, AS SHOWN HEREON, IS FOR THE BENEFIT OF LOTS 3, 4, 5 AND 6. THE OWNERS OF SAID LOTS SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE DRAINAGE FACILITIES THEY BENEFIT FROM, EXCEPT NO OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE COMMONLY USED STORM SEWER LOCATED UPSTREAM FROM THE POINT OF CONNECTION OF THAT RESPECTIVE LOT OWNER.

2. THE PRIVATE DRAINAGE EASEMENT (PDE#2) UNDER AND UPON LOTS 7 AND 8, AS SHOWN HEREON, IS FOR THE BENEFIT OF LOTS 7, 8 AND 9. THE OWNERS OF SAID LOTS SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE DRAINAGE FACILITIES THEY BENEFIT FROM, EXCEPT NO OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE COMMONLY USED STORM SEWER LOCATED UPSTREAM FROM THE POINT OF CONNECTION OF THAT RESPECTIVE LOT OWNER.

3. THE PRIVATE DRAINAGE EASEMENT (PDE#3) UNDER AND UPON LOTS 28 THROUGH 38, INCLUSIVE, AS SHOWN HEREON, IS FOR THE BENEFIT OF LOTS 28 THROUGH 38, INCLUSIVE. THE OWNERS OF SAID LOTS SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE DRAINAGE FACILITIES THEY BENEFIT FROM, EXCEPT NO OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE COMMONLY USED STORM SEWER LOCATED UPSTREAM FROM THE POINT OF CONNECTION OF THAT RESPECTIVE LOT OWNER.

4. THE PRIVATE DRAINAGE EASEMENTS (PDE#1A AND PDE#2A) UNDER AND UPON TRACT A, AS SHOWN HEREON, ARE FOR THE BENEFIT OF THE MILL CREEK EAST HOMEOWNERS ASSOCIATION. MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THE DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF AND THE COSTS OF SAID MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION BORNE BY THE MILL CREEK EAST HOMEOWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS.

5. THE PRIVATE DRAINAGE EASEMENT (PDE#4) UNDER AND UPON TRACTS B AND 999, AS SHOWN HEREON, IS FOR THE BENEFIT OF THE MILL CREEK EAST HOMEOWNERS ASSOCIATION. MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THE DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF AND THE COSTS OF SAID MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION BORNE BY THE MILL CREEK EAST HOMEOWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS.

6. THE PRIVATE DRAINAGE EASEMENTS (PDE#5, PDE#6, PDE#7, PDE#8, PDE#9 AND PDE#10) UNDER AND UPON TRACT B, AS SHOWN HEREON, ARE FOR THE BENEFIT OF THE MILL CREEK EAST HOMEOWNERS ASSOCIATION. MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THE DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF AND THE COSTS OF SAID MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION BORNE BY THE MILL CREEK EAST HOMEOWNERS ASSOCIATION, ITS SUCCESSORS AND ASSIGNS.

7. THE PRIVATE LOT DRAINAGE EASEMENTS ACROSS LOT 2, ACROSS LOT 11, ACROSS LOTS 13, 14 AND 15, ACROSS LOTS 16 AND 17, ACROSS LOTS 21, 22 AND 23, ACROSS LOTS 24 AND 25, ACROSS LOT 29, ACROSS LOT 31, ACROSS LOTS 33, 34 AND 35, ACROSS LOTS 38, 39 AND 40, ACROSS LOTS 41 AND 42, ACROSS LOTS 46 AND 47, ACROSS LOT 50, AND ACROSS LOTS 52, 53 AND 54, AS SHOWN HEREON, ARE FOR THE BENEFIT OF LOTS 1 AND 2 (PLDE#1), OF LOTS 10 AND 11 (PLDE#2), OF LOTS 12, 13, 14 AND 15 (PLDE#3), OF LOTS 16, 17 AND 18 (PLDE#4), OF LOTS 20, 21, 22 AND 23 (PLDE#5), OF LOTS 24, 25 AND 26 (PLDE#6), OF LOTS 28 AND 29 (PLDE#7), OF LOTS 30 AND 31 (PLDE#8), OF LOTS 32, 33, 34, 35 AND 36 (PLDE#9), OF LOTS 37, 38, 39 AND 40 (PLDE#10), OF LOTS 41, 42 AND 43 (PLDE#11), OF LOTS 45, 46, 47 AND 48 (PLDE#12), OF LOTS 49 AND 50 (PLDE#13), AND OF LOTS 51, 52, 53 AND 54 (PLDE#14), RESPECTIVELY. THE OWNERS OF SAID LOTS SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE DRAINAGE FACILITIES THEY BENEFIT FROM, EXCEPT NO OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE COMMONLY USED STORM SEWER LOCATED UPSTREAM FROM THE POINT OF CONNECTION OF THAT RESPECTIVE LOT OWNER.

AFN -200609015004-

IN THE SE1/4, NE1/4 AND THE NE1/4, SE1/4, ALL IN SECTION 32, T.28N., R.5E., W.M.

LOVELL-SAUERLAND & ASSOCIATES, INC. 19400 33RD AVENUE W., SUITE 200 LYNNWOOD, WASHINGTON 98036- 425.775.15

LSA FILE NO. 4700-0σ-04-

SHEET 2 OF 9

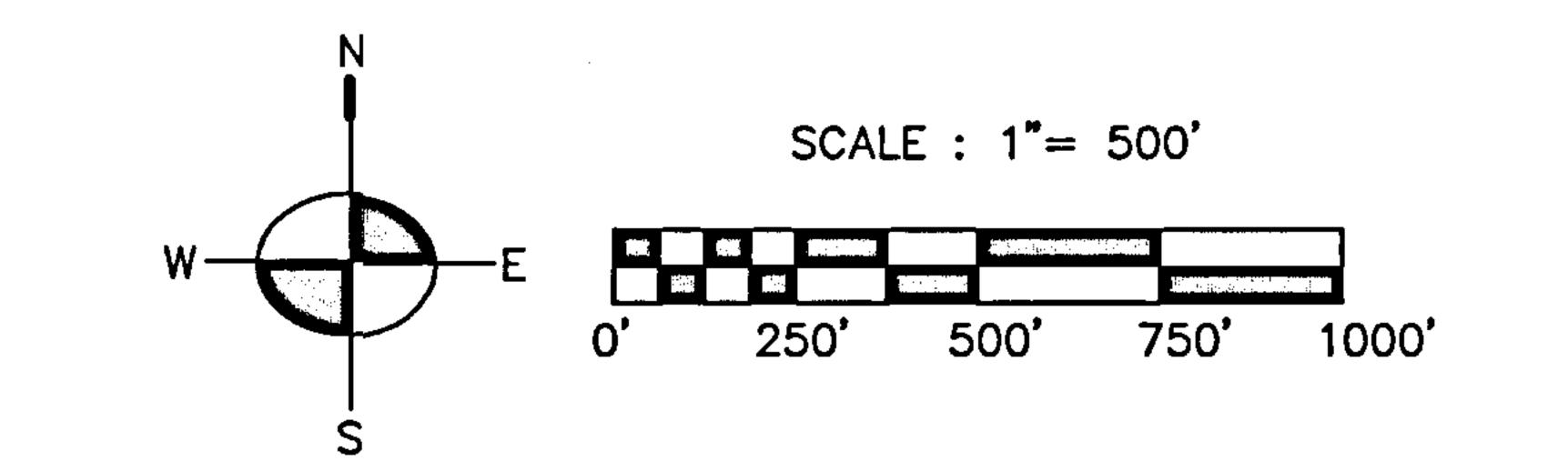
SECTION 32, T.28N., R.5E., W.M.
CITY OF MILL CREEK
SNOHOMISH COUNTY, WASHINGTON

EQUIPMENT: TRIMBLE 5600 / DR200+ GEODIMETER

ACCURACY: CONFORMS TO WAC 332-130-090

METHOD: FIELD TRAVERSE

MONUMENTS VISITED: AS SHOWN



19400 33RD AVENUE W., SUITE 200-

LYNNWOOD, WASHINGTON 98036-

LSA FILE NO. 4700-06-04.-

425.775.1591

SHEET 3 OF 9

## LEGAL DESCRIPTION

### PARGEL

THE NORTH - 3/4 OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.; EXCEPT THE SOUTH 561 FEET; EXCEPT 35TH AVENUE SOUTHEAST; AND EXCEPT ANY PORTION THEREOF WITHIN THE PLAT OF SILVER CREST ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 29 OF PLATS, PAGES 9 AND 10, RECORDS OF SNOHOMISH COUNTY, WASHINGTON:

LESS THAT PORTION CONVEYED TO THE COUNTY-OF SNOHOMISH BY DEED \_\_\_\_\_\_ RECORDED UNDER AUDITOR'S-FILE NUMBER 200105240466, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

## PARCEL B

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SUBDIVISION WHICH IS
SOUTH 0°17'24" EAST 434.44 FEET FROM THE NORTHEAST CORNER THEREOF
AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 89°57'46" WEST 790 FEET;
THENCE SOUTH 0°02'14" EAST 137.47 FEET;
THENCE NORTH 80°05'30" EAST 801.87 FEET TO THE TRUE POINT OF BEGINNING;
EXCEPT PORTION THEREOF LYING WITHIN SILVER GLEN, ACCORDING TO THE PLAT—
THEREOF, RECORDED IN VOLUME 30 OF PLATS, PAGE 62, RECORDS OF
SNOHOMISH COUNTY, WASHINGTON;

AND EXCEPT PORTION LYING WITHIN 35TH AVENUE SOUTHEAST. LESS THAT PORTION CONVEYED TO THE COUNTY OF SNOHOMISH BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200105240466, RECORDS OF \_\_\_\_\_\_\_\_SNOHOMISH COUNTY, WASHINGTON.

### PARCEL C

THE NORTH 363 FEET OF THE SOUTH 561 FEET OF THE NORTH 3/4THS OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.; EXCEPT THE WEST 700 FEET THEREOF; AND EXCEPT THAT PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SUBDIVISION WHICH IS

SOUTH 0°17'24" EAST 434.44 FEET FROM THE NORTHEAST CORNER THEREOF AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 89°57'46" WEST 790 FEET;
THENCE SOUTH 0°02'14" EAST 137.47 FEET;
THENCE NORTH 80°05'30" EAST 801.87 FEET TO THE TRUE POINT OF BEGINNING;
AND EXCEPT ANY PORTION THEREOF LYING WITHIN THOMAS LAKE ROAD
(35TH AVENUE SOUTHEAST)

LESS THAT PORTION CONVÉYED TO THE COUNTY OF SNOHOMISH BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200105240466, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

## PARCEL D

THE EAST 635 FEET OF THE SOUTH 198 FEET OF THE NORTH 3/4THS OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.; EXCEPT ANY PORTION THEREOF LYING WITHIN THOMAS LAKE ROAD (35TH AVENUE SOUTHEAST);

LESS THAT PORTION CONVEYED TO THE COUNTY OF SNOHOMISH BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200105240466, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

## PARCEL E

THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.; EXCEPT COUNTY ROADS; LESS THAT PORTION CONVEYED TO THE COUNTY OF SNOHOMISH BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200105240466, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

## PARCEL F

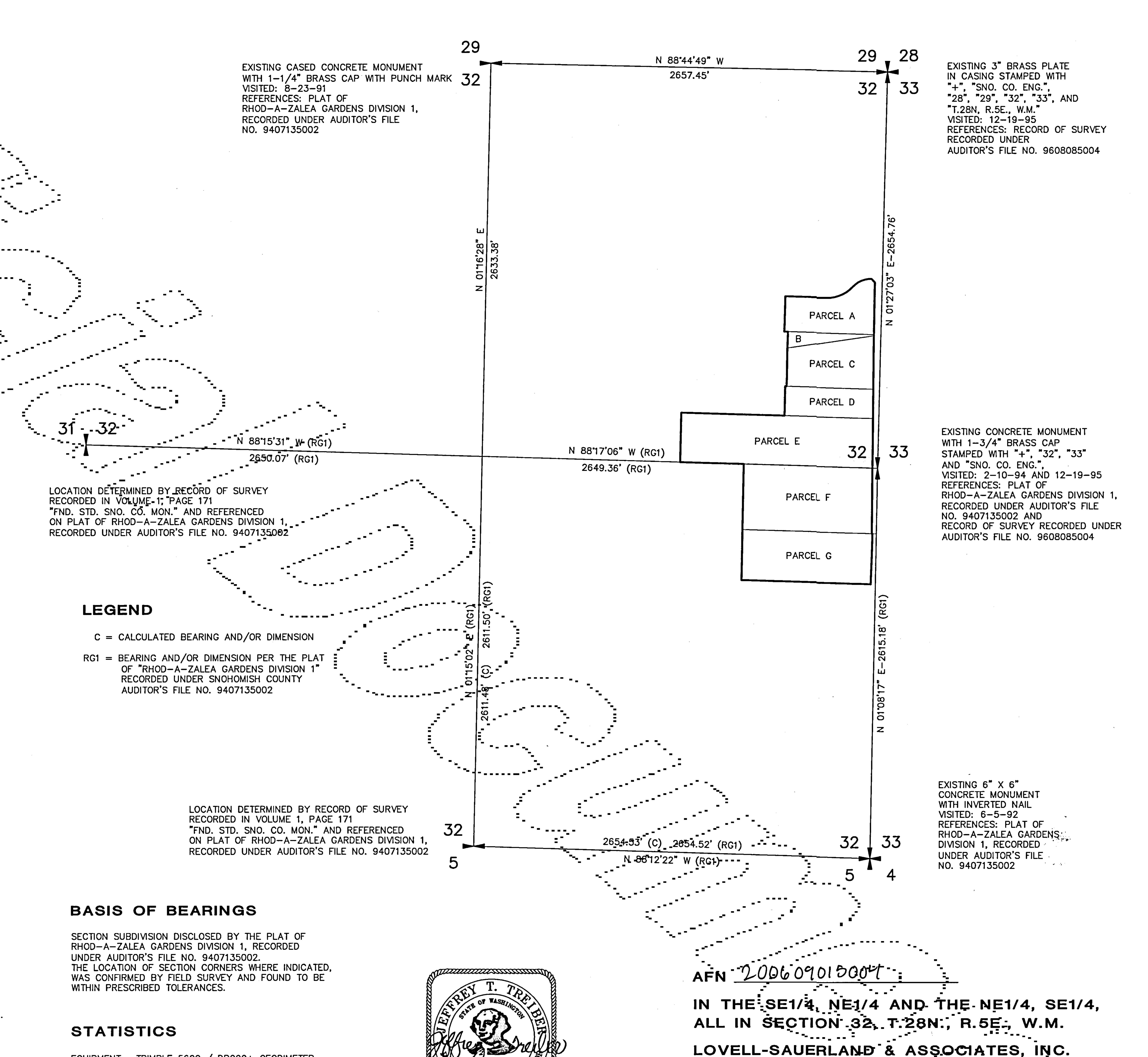
THE NORTH 439.95 FEET AS MEASURED ALONG THE EAST LINE OF THE EAST 899.21 FEET AS MEASURED ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.; EXCEPT THE EAST 30.0 FEET THEREOF FOR COUNTY ROAD;


LESS THAT PORTION CONVEYED TO THE COUNTY OF SNOHOMISH BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200105240466, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.


## PARCEL G


THE SOUTH 340 FEET OF THE NORTH 779.95 FEET, AS MEASURED ALONG THE EAST LINE THEREOF OF THE EAST 899.21 FEET AS MEASURED ALONG THE NORTH LINE THEREOF, OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.; LESS THAT PORTION CONVEYED TO THE COUNTY OF SNOHOMISH BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 200105240466, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.


SITUATE IN THE CITY OF MILL CREEK, COUNTY OF SNOHOMISH, STATE OF WASHINGTON.








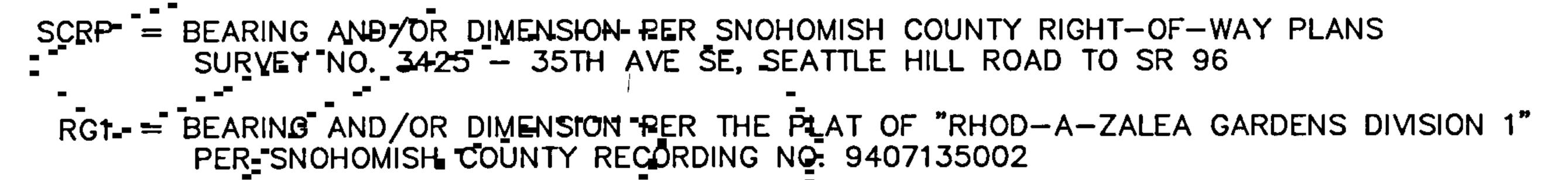


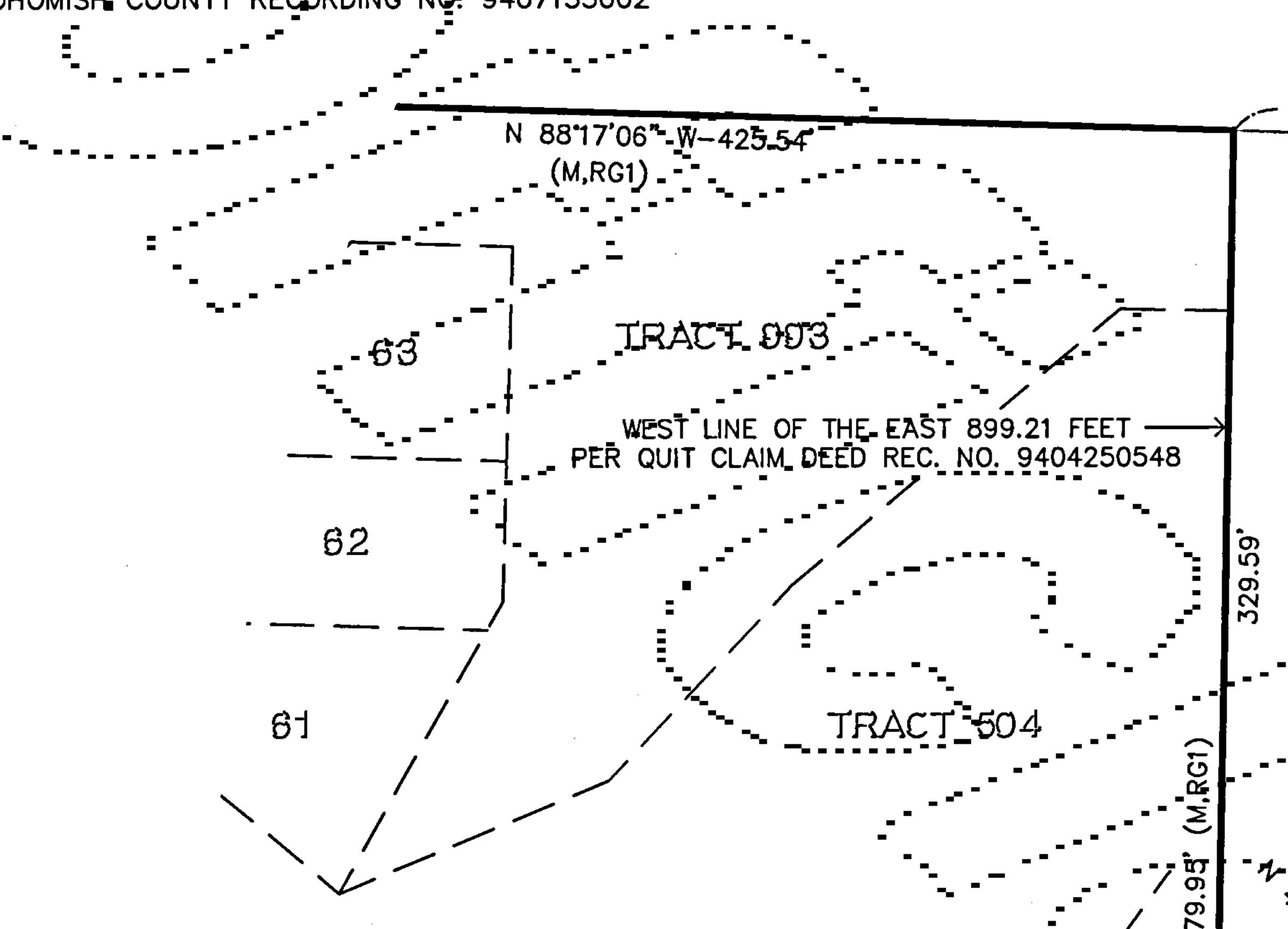




## LEGEND

- = SET STANDARD CITY OF MILL CREEK CONCRETE SURVEY CONTROL MONUMENT AND CASE, WITH 1-5/8" BRASS CAP STAMPED WITH "+" AND "LSA 22969"
- M = MEASURED BEARING AND/OR DIMENSION
- SC = BEARING AND OR DIMENSION PER THE PLAT OF "SILVER CREST"
  PER SNOHOMISH COUNTY RECORDING NO. 2058642
- SG = BEARING AND/OR DIMENSION PER THE PLAT OF "SILVER GLEN" -- PER SNOHOMISH COUNTY RECORDING NO. 2108949





CURVE DATA TABLE									
LOCATION	CURVE	RADIUS	LENGTH	DELTA					
TRACT B/PDE#5	C36	254.00'	93.10'	21'00'00"					
TRACT B/PDE#5	C37	214.00'	78.44	21'00'00"					
TRACT B/PDE#6	C38	237.18'	47.60'	11'30'00"					
TRACT B/PDE#6	C39	237.18'	99.35'	24'00'00"					
TRACT B/PDE#6	C40	197.18'	82.59'	24'00'00"					
TRACT B/PDE#8	C41	57.00'	40.41	40'37'25"					

	. <u> </u>						
LINE DATA TABLE							
LOCATION	LINE	BEARING	LENGTH				
TRACT B/PDE#5	L1	N 8'50'11" E~R	40.00'				
TRACT B/PDE#5	L2	N 29°50'11" E~R	40.00'				
TRACT B/PDE#6	L3	N 17'58'16" E~R	40.00'				
TRACT B/PDE#6	L4	N 6'01'44" W~R	40.00'				
TRACT B/PDE#7	L5	N 72'28'16" E	90.00				
TRACT B/PDE#7	L6	N 17'31'44" W	35.00'				
TRACT B/PDE#7	L7	N 72°28'16" E	90.00'				
TRACT B/PDE#7	L8	N 17'31'44" W	35.00'				
TRACT B/PDE#8	L9	N 15'35'51" E~R	44.59'				
TRACT B/PDE#8	L10	N 65°21'43" W	125.00'				
TRACT B/PDE#8	L11	N 1'08'17" E	38.17'				

TRACT 999

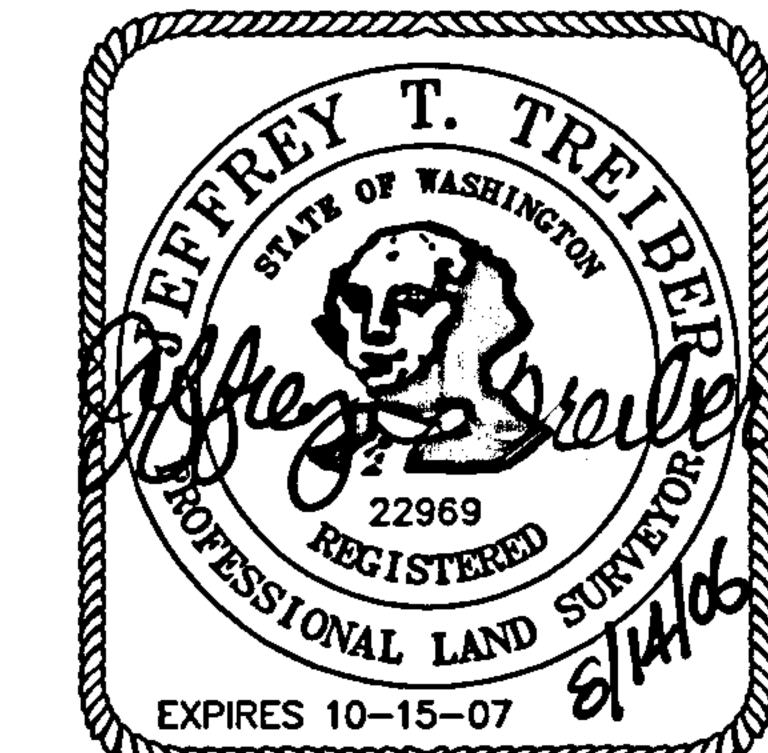
RHOD-A-ZALEA GARDENS DIVISION RECORDING NO. 9407135002

## PRIVATE EASEMENT LEGEND

PDE#4,#5,#6, = PRIVATE DRAINAGE EASEMENT TO BENEFIT #7,#8,#9,#10 MILL CREEK EAST HOMEOWNERS ASSOCIATION

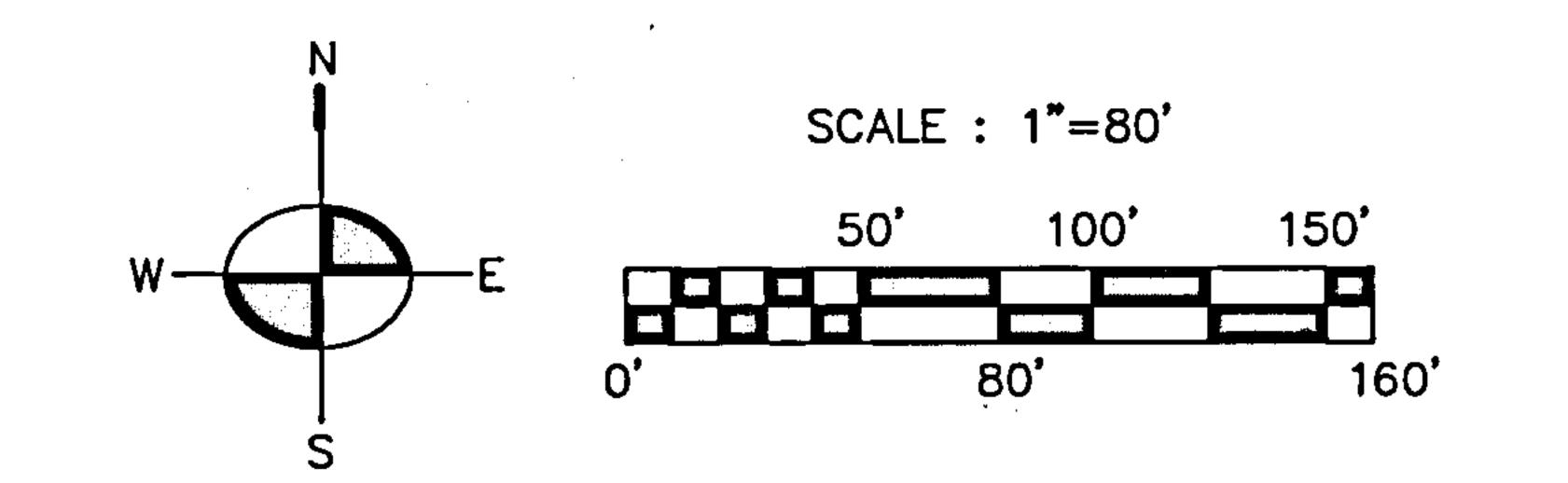
## NOTE

ALL LOT AND TRACT CORNERS ARE MARKED WITH 1/2" X 24" IRON PINS WITH PLASTIC CAPS NO'D. 22969 OR WITH NAIL WITH WASHER STAMPED "LSA 22969"



## MILL CREEK EAST DIVISION 1

SECTION 32, T.28N., R.5E., W.M. CITY OF MILL CREEK SNOHOMISH COUNTY, WASHINGTON



see Sheets 5, 6, 7 and 8

	N 8817'06" W-899.21'	AND WE HE WAS TO SEE THE SECOND TO S
DRAINAGE EASEMENT	TRACT 999 687,512 SF	SILVER LAKE 10' PDE#4 1 SANITARY
SILVER LAKE WATER DISTRICT WATER WATER  WATER	TO BE RETAINED BY PRESENT OWNER FOR FUTURE DEVELOPMENT AS DIVISION 2	SEWER  EASEMENT  PER REC. NO.  200606280044  10' PUBLIC —
EASEMENT PER REC. NO. 200606280043		20, KONDANA BRILLIA SECTION SU CARDENS SU CA
		AND CITY OF MILL CREEK  PUBLIC PEDESTRIAN ACCESS EASEMENT  REFER TO RESTRICTION 10 AND  EASEMENT PROVISION 10 ON SHEET 2 OF 9  EASEMENT PROVISION 10 ON SHEET 2 OF 9
9.93. (W.RG)	7' PUBLIC UTILITY EASEMENT TYPICAL R=237.18'	STA: 103+05.92 (M,SCRP)
N 65:27. 13. 13. 13. 13. 13. 13. 13. 13. 13. 13	L=226.13' Δ=54'37'36"	EX. CENTERLIN. CENTERL
$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	PDE#6	R=214.00' L=105.49' \D=28'14'34"
PDE#8	10.0. 20.0.5 10.0.5 10.0.5 10.0.5 10.0.5 10.0.5	C37 N 88*51'43" W-226.56'  C36 TO' PDE#4  N 26*52'02" E  O 200' TO
10' CITY OF	EXISTING —	90.00' CENTERLINE  90.00' R=5795.99' L=178.24'
, 92.0   -	BOUNDARY :	T=89.13' Δ=1'45'43"  Δ=1'45'43"  (SCRP)  R=5729.78'
4	TRACT.B 364,571 SF	CAN CON CONTROL L=178.34'  T=89.18'
R	EXISTING WETLAND AND BUFFER TO REMAIN UNDISTURBED EFER TO RESTRICTIONS 7, 8 AND 11 ON SHEET 2 OF 9	50' ROADWAY BUFFER/
<b>→</b>		ON SHEET 2 OF 9  EX. 7' P.U.D. NO. 1 OF SNO. CO. & — — — — — — — — — — — — — — — — — —
		STA: -97+64.37 (M,SCRP)
	867.55' N 8817'06" W-899.21' (M,F	OFFSET: 45.00' L (M,SCRP)
N I	TRACT 999	STA: 97+64.26 (M,SCRP) OFFSET: 53.385 L (M,SCRP)
		EAST LINE OF NE1/4, SECTION 32 PER SECTION SUBDIVISION

IN THE SE1/4, NE1/4 AND THE NE1/4, SE1/4, ALL IN SECTION 32, T.28N., R.5E., W.M.

LOVELL-SAUERLAND & ASSOCIATES, INC. 19400 33RD AVENUE W:, SUITE 200. LYNNWOOD, WASHINGTON 98036- 425.775.1591 }

LSA FILE NO. 4700-00-04. --

SECTION 32, T.28N., R.5E., W.M.
CITY OF MILL CREEK
SNOHOMISH COUNTY, WASHINGTON

#### **DEDICATION**

KNOW ALL PERSONS THAT WE THE UNDERSIGNED OWNER(S) IN FEE SIMPLE OF THE LAND HEREBY PLATTED, AND THE MORTGAGEE(S) THEREOF, DO HEREBY DECLARE THIS PLAT AND DEDICATE TO THE PUBLIC FOREYER ALL ROADS, WAYS, AND EASEMENTS SHOWN HEREON FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF, TOGETHER WITH THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS OR FILLS IN THE ORIGINAL REASONABLE GRADING OF THE ROADS AND WAYS SHOWN HEREON, AND THE RIGHT TO CONTINUE TO DRAIN SAID ROADS AND WAYS OVER AND ACROSS ANY TRACTS, LOT OR LOTS WHERE WATER MIGHT TAKE A NATURAL COURSE.

FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC 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 SUCH OWNER.

TRACTS 105, 106, 107, 108 AND 109 FOR PRIVATE ACCESS AND UTILITIES, ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE RESPONSIBILITIES, TO THE MILL CREEK EAST HOMEOWNERS ASSOCIATION UPON RECORDING OF THIS PLAT, SUBJECT TO AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY OF MILL CREEK.

TRACT F, AS A ROADWAY BUFFER/CUTTING PRESERVE AND FOR OPEN SPACE USES, IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE RESPONSIBILITIES, TO THE MILL CREEK EAST HOMEOWNERS ASSOCIATION UPON RECORDING OF THIS PLAT, EXCEPT THAT THE CITY OF MILL CREEK SHALL OPERATE AND MAINTAIN THE LIGHTING SYSTEM AND BE RESPONSIBLE FOR THE STRUCTURAL REPAIR AND/OR REPLACEMENT OF THE PUBLIC PEDESTRIAN FACILITIES WITHIN SAID TRACT.

TRACT G, FOR COMMON OPEN SPACE AND A POCKET PARK, IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE RESPONSIBILITIES, TO THE MILL CREEK EAST HOMEOWNERS ASSOCIATION UPON RECORDING OF THIS PLAT.

THE DEDICATIONS SET FORTH ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND HEREBY PLATTED AND SHALL BE BINDING ON ALL SUBSEQUENT OWNERS.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS THIS 18th DAY OF DECEMBER , 2006.

MILL CREEK EAST, LLC, A DELAWARE LIMITED LIABILITY COMPANY

KAJIMA DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, MANAGING MEMBER

OAVE FORMAN

SANDRA L. FORMAN

### OWNERS CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT OF MILL CREEK EAST DIVISION 2 IS SUBMITTED TO THE CITY OF MILL CREEK WITH MY CONSENT AND THAT I HAVE NO OBJECTIONS THERETO.

MILL CREEK EAST, LLC, A DELAWARE LIMITED LIABILITY COMPANY

KAJIMA DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, MANAGING MEMBER

ROSS ADACHI, VICE PRESIDENT

### **ACKNOWLEDGMENTS**

STATE OF WASHINGTON)

COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT ROSS ADACHI IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE VICE PRESIDENT OF KAJIMA DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, THE MANAGING MEMBER OF MILL CREEK EAST, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: December 12, 2006

SIGN) Kelly & Mitchell

(PRINT) KELLY A. MITCHELL
NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON, RESIDING AT
MY APPOINTMENT EXPIRES 1.15.2010

NOTARY PUBLIC
STATE OF WASHINGTON
KELLY A. MITCHELL
My Appointment Expires
NOVEMBER 15, 2010

STATE OF WASHINGTON)
)SS
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR SATISFACTORY EVIDENCE THAT DAVE FORMAN AND SANDRA L. FORMAN, HUSBAND AND WIFE, ARE THE PERSONS WHO APPEARED BEFORE ME, AND SAID PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE THEIR FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRIMENT

DATED: December 13, 2006

(PRINT) KELLY A. MITCHELI NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT EXEMPTION MY APPOINTMENT EXPIRES ILLS. 2010 NOTARY PUBLIC STATE OF WASHINGTON KELLY A. MITCHELL My Appointment Expires NOVEMBER 15, 2010

### **OWNERS COVENANT**

THE OWNER FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, RELEASES, INDEMNIFIES, AND HOLDS THE CITY OF MILL CREEK HARMLESS FROM ANY AND ALL LIABILITIES AND CLAIMS FOR DAMAGES, OR FOR INJUNCTIVE RELIEF OF WHATEVER NATURE ARISING FROM THE CONSTRUCTION OF THE PUBLIC IMPROVEMENTS AND FOR THE TERM OF THE OWNERS MAINTENANCE OBLIGATION AS DESCRIBED IN THE MILL CREEK MUNICIPAL CODE FOR THE MAINTENANCE OF THE PUBLIC IMPROVEMENTS.

### LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF "MILL CREEK EAST DIVISION 2" IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., AS REQUIRED BY STATE STATUTES; THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT THE MOUNDENTS SHALL BE SET AND LOT AND BLOCK CORNERS SHALL BE STAKED CORRECTLY ON THE GROUND, THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

SACA SOLUTION

WEGISTERED PROFESSIONAL LAND SURVEYOR

EGISTERED PROFESSIONAL LAND SURVEYOR

EGITTICATE NO. 22969

DATE 12/11/06



#### CITY OF MILL CREEK APPROVALS

I HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE CONDITIONS SET FORTH BY THE MILL CREEK CITY COUNCIL, THE DEDICATIONS AND EASEMENTS MADE HEREON ARE ACCEPTED, AND THAT THE PLAT IS DULY APPROVED THIS 1313 DAY OF LICENSELV, 2006.

ONNA 6-17-Chelson LCLM He YOR, CITY OF MILL CREEK ATTEST, CITY CLERK

EXAMINED AND APPROVED THIS 13TH DAY OF DECEMBER , 2006.

DIRECTOR OF PUBLIC WORKS

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 DAY OF DAY OF

HEASURER SITY OF MILL CREEK POOLS
CITY MANAGER

### COUNTY 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 TAXES.

TREASURER, SNOHOMISH COUNTY

12-14-06

### AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF MILL CREEK EAST, LLC

THIS DAY OF , 2006, AT MINUTES

PAST , M, AND RECORDED IN VOLUME OF PLATS, PAGES

AFN , RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

AUDITOR, SNOHOMISH COUNTY

CONFORMED COPY 200612145190 7 PGS 12-14-2006 03:26pm \$98.00 SNOHOMISH COUNTY, WASHINGTON

ÁFN .

IN THE SE1/4, NE1/4 AND THE NE1/4, SE1/4, ALL IN SECTION 32, T.28N., R.5E., W.M.

LOVELL-SAUERLAND & ASSOCIATES, INC. 19400 33RD AVENUE W., SUITE 200 LYNNWOOD, WASHINGTON 98036 425.775.1591

DEPUTY COUNTY AUDITOR

LSA FILE NO. 4700-00-04

SHEET 1 OF 7

### SECTION 32, T.28N., R.5E., W.M. CITY OF MILL CREEK SNOHOMISH COUNTY, WASHINGTON

### **EASEMENT PROVISIONS**

- 1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR ASSIGNS, PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY, SILVER LAKE WATER DISTRICT, PUGET SOUND ENERGY, VERIZON NORTHWEST, INC., COMCAST CABLE COMMUNICATIONS, INC., AND ANY OTHER UTILITIES SERVING THIS PLAT, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR ROADS, LOTS AND TRACTS, UNDER AND UPON TRACTS 105, 106, 107, 108 AND 109, AND UNDER AND UPON THE PUBLIC UTILITY EASEMENTS ACROSS LOTS 66 THROUGH 91, ACROSS LOTS 92 THROUGH 97, ACROSS LOTS 175 THROUGH 184, ACROSS LOTS 185 THROUGH 194, ACROSS LOTS 195 THROUGH 204, ACROSS LOTS 205 THROUGH 214, AND ACROSS LOTS 215 THROUGH 223, AS SHOWN HEREON, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPE, AND WIRES WITH NECESSARY FACILITIES, AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH STORM DRAINAGE SERVICE, ELECTRIC SERVICE, WATER SERVICE, SANTARY SEWER SERVICE, GAS SERVICE, TELEPHONE SERVICE, CABLE COMMUNICATION SERVICE, AND ANY OTHER UTILITY SERVICE WHICH IS REASONABLE AND NECESSARY FOR A RESIDENTIAL SUBDIVISION, TOCETHER WITH THE RIGHT TO ENTER UPON THE EASEMENT AREA OF THE LOTS AND TRACTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.
- 2. THE PRIVATE SIDE SEWER EASEMENT UNDER AND UPON LOT 118, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 117 FOR THE PURPOSE OF OPERATING, MAINTAINING, AND RECONSTRUCTING SIDE SEWER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.
- 3. PRIVATE LOT DRAINAGE EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 55 THROUGH 62 (PLDE#15), OF LOTS 63 THROUGH 69 (PLDE#16), OF LOTS 70 THROUGH 73 (PLDE#17), OF LOTS 71 THROUGH 73 (PLDE#17), OF LOTS 74 THROUGH 76 (PLDE#21), OF LOTS 107 THROUGH 103 (PLDE#22), OF LOTS 107 THROUGH 103 (PLDE#22), OF LOTS 107 THROUGH 103 (PLDE#23), OF LOTS 109 THROUGH 113 (PLDE#24), OF LOTS 114 THROUGH 117 (PLDE#25), OF LOTS 118 AND 119 (PLDE#26), OF LOTS 120 THROUGH 125 (PLDE#27), OF LOTS 126 THROUGH 128 (PLDE#28), OF LOTS 131, 132, 150 AND 151 (PLDE#29), OF LOTS 133 THROUGH 136 (PLDE#30), OF LOTS 137 THROUGH 141 (PLDE#31), OF LOTS 142 THROUGH 146 (PLDE#32), OF LOTS 147 THROUGH 149 (PLDE#33), OF LOTS 152, 153, 173 AND 174 (PLDE#34), OF LOTS 154 THROUGH 166 (PLDE#35), OF LOTS 168 THROUGH 167 (PLDE#35), OF LOTS 167 AND 168 (PLDE#38), AND OF LOTS 169 THROUGH 171 (PLDE#39), UNDER AND UPON THE EXTERIOR SEVEN FEET PRABLEL WITH AND ADJOINING THE STREET FRONTAGE OF 139TH PLACE S.E., 315T DRIVE S.E., 34TH DRIVE S.E., 32ND DRIVE S.E., 33RD AVENUE S.E., 33RD DRIVE S.E., 34TH DRIVE S.E. AND 141ST STREET S.E., OF SAID LOTS FOR THE PURPOSE OF OPERATING, MAINTAINING AND RECONSTRUCTING STORM WATER FACILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.
- 4. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR ASSIGNS, OVER AND UPON THE EXTERIOR 2 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE ALONG 139TH PLACE S.E. OF LOTS 55 THROUGH 69, OF LOTS 88, 89, 94 AND 95, OF LOTS 118 THROUGH 120, AND LOT 141, ALONG 31ST DRIVE S.E. OF TRACT 105, LOTS 73 THROUGH 75, AND LOTS 86 THROUGH 88, ALONG 32ND DRIVE S.E. OF LOTS 95 AND 118, AND ALONG 33TD AVENUE S.E. OF LOTS 120 AND 141, AS SHOWN HEREON, FOR PUBLIC PEDESTRIAN ACCESS PURPOSES OVER AND UPON THE WALKWAYS AS CONSTRUCTED.
- 5. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR ASSIGNS, OVER AND UPON TRACTS F AND G FOR PUBLIC PEDESTRIAN ACCESS (NON-MOTORIZED) PURPOSES OVER AND UPON THE WALKWAYS AS CONSTRUCTED.
- 6. A 20 FOOT WIDE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR ASSIGNS, OVER AND UPON TRACTS 107, 108 AND 109, FOR PUBLIC EMERGENCY VEHICLE ACCESS. SAID EASEMENT AREA SHALL BE KEPT FREE FROM ANY OBSTRUCTIONS WHICH WILL INTERFERE WITH PUBLIC EMERGENCY VEHICLE USE.
- 7. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, AND/OR THEIR ASSIGNS, OVER AND UPON TRACTS 105 AND 106, FOR PUBLIC EMERGENCY VEHICLE ACCESS. SAID EASEMENT AREA SHALL BE KEPT FREE FROM ANY OBSTRUCTIONS WHICH WILL INTERFERE WITH PUBLIC EMERGENCY VEHICLE USE.
- 8. THE HOMEOWNER'S ASSOCIATION AND OWNERS OF ANY LOT WITHIN THIS PLAT SHALL BE RESPONSIBLE TO PROVIDE ROADSIDE MAINTENANCE TO THE BACK OF CURB ALONG ALL ROADWAY FRONTAGE PER MCMC 17.24.030. THIS INCLUDES ALL SERVICE AND MAINTENANCE, EXCEPT FOR STRUCTURAL SIDEWALK REPAIRS, WHICH SHALL BE THE RESPONSIBILITY OF THE CITY OF MILL CREEK.
- 9. THE MILL CREEK EAST HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE TO SERVICE AND MAINTAIN ALL DRAINAGE FACILITIES LOCATED ON ALL DRAINAGE EASEMENTS AND TRACT C OF MILL CREEK EAST DIMISION 1, AS RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200609015004. THE CITY SHALL RESERVE THE RIGHT, BUT NOT THE OBLIGATION, TO PERFORM ANY NEEDED INSPECTION, SERVICE AND MAINTENANCE ON THESE DRAINAGE FACILITIES NECESSARY TO INSURE THAT THE DRAINAGE FACILITIES ARE OPERATING PROPERLY. IT SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION TO REIMBURSE THE CITY FOR ANY SERVICE AND MAINTENANCE COSTS INCURRED.

### RESTRICTIONS

- 1. NO LOT OR PORTION OF A 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 IT IS LOCATED.
- 2. NO FURTHER DIVISION OF ANY LOT WITHIN THIS PLAT IS ALLOWED WITHOUT RESUBMITTING FOR FORMAL PLAT PROCEDURE.
- 3. DIRECT ACCESS TO 35TH AVENUE S.E. FROM ANY LOT WITHIN THIS PLAT IS PROHIBITED. ALL LOTS MUST TAKE ACCESS FROM INTERIOR ROADS.
- 4. APPROVAL MUST BE OBTAINED FROM THE CITY ENGINEER BEFORE ANY STRUCTURES, FILL OR OBSTRUCTIONS, INCLUDING FENCES, ARE LOCATED WITHIN ANY DRAINAGE EASEMENT OR DELINEATED FLOOD PLAIN AREA.
- 5. NO FENCE OR OBSTRUCTION SHALL BE CONSTRUCTED BETWEEN THE EDGE OF THE RIGHT-OF-WAY AND WATER METERS, FIRE HYDRANTS AND BLOW-OFF ASSEMBLIES WHICH RESTRICTS ACCESS BY SILVER LAKE WATER DISTRICT.
- 6. THIS SITE IS SUBJECT TO THE CONDITIONS OF APPROVAL FOR THE PRELIMINARY PLAT/PLANNED RESIDENTIAL DEVELOPMENT FOR MILL CREEK EAST (PP 01-56) BY THE CITY OF MILL CREEK AS DISCLOSED BY RESOLUTION NO. 2003-329, ADOPTED APRIL 22, 2003. ANY FUTURE MODIFICATIONS TO THE PRD SHALL MEET ALL CITY REQUIREMENTS.
- 7. LANDSCAPING WITHIN THE ROADWAY BUFFER/CUTTING PRESERVE IN TRACT F, SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED LANDSCAPE PLAN DATED MAY 5, 2006, ON FILE WITH THE CITY OF MILL CREEK. SAID LANDSCAPING SHALL BE MAINTAINED BY THE MILL CREEK EAST HOMEOWNERS ASSOCIATION AS NOTED IN THE DECLARATION. NO VEGETATION, OTHER THAN REQULAR MAINTENANCE, SHALL BE REMOVED WITHOUT THE EXPRESS CONSENT OF THE CITY OF MILL CREEK.
- 8. TRACT G, AS SHOWN HEREON, SHALL BE PERMANENTLY ESTABLISHED AS A POCKET PARK/COMMON OPEN SPACE, TO BE MAINTAINED BY THE MILL CREEK EAST HOMEOWNER'S ASSOCIATION, AND SHALL BE SUBJECT TO A POTENTIAL FUTURE TRAIL ACCESS TO THE ADJACENT PROPERTY.
- 9. ALL DEVELOPMENT OF BUILDINGS SHALL COMPLY WITH FLOOR AREA RATIOS, SETBACKS AND BUILDING HEIGHT STANDARDS ESTABLISHED IN THE PRELIMINARY PLAT PRD APPROVAL FILE NO. PP 01-56, UNLESS MODIFIED IN ACCORDANCE WITH CITY OF MILL CREEK STANDARDS.
- 10. SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "DISTRIBUTION EASEMENT" AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200212040678.
- 11. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "PERMANENT WATER EASEMENT", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200606280043.
- 12. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "PERMANENT SEWER EASEMENT". AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200606280044.
- 13. THIS SITE IS SUBJECT TO ALL THE TERMS, CONDITIONS, RESTRICTIONS, EASEMENT PROVISIONS AND MAINTENANCE PROVISIONS AS SHOWN ON THAT CERTAIN PLAT OF "MILL CREEK EAST DIVISION 1", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200609015004.
- 14. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF MILL CREEK EAST", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200609260699.
- 15. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "AFFIDAVIT OF CORRECTION TO PLAT", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. 200609260700.
- 16. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN "AMENDMENT NO. 1 TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF MILL CREEK EAST", AS DISCLOSED BY INSTRUMENT RECORDED UNDER SNOHOMISH COUNTY RECORDING NO. #\_\_\_\_\_\_\_

### \*\* 2006/2140603

### PRIVATE DRAINAGE MAINTENANCE PROVISIONS

1. THE PRIVATE SIDE SEWER EASEMENT ACROSS LOT 118 IS FOR THE BENEFIT OF LOT 117. THE OWNERS OF SAID LOT 117 SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THAT PORTION OF THE SIDE SEWER FACILITIES THEY BENEFIT FROM.

2. THE PRIVATE LOT DRAINAGE EASEMENTS ACROSS LOTS 56, 57, 58, 59, 60 AND 61, ACROSS LOTS 64, 65, 66, 67 AND 68, ACROSS LOTS 71 AND 72 AND TRACT 105, ACROSS LOTS 75 AND 76 AND TRACT 106, ACROSS LOT 79, ACROSS LOTS 82 AND 83, ACROSS LOTS 99, 100, 101 AND 102, ACROSS LOTS 105 AND 106, ACROSS LOTS 108 AND 129, ACROSS LOTS 110, 111 AND 112, ACROSS LOTS 105 AND 106, ACROSS LOTS 105 AND 173, ACROSS LOTS 110, 111 AND 112, ACROSS LOTS 115 AND 116, ACROSS LOTS 113, 134 AND 135 AND 124, ACROSS LOTS 135, 139, 140 AND 141, ACROSS LOTS 143, 144 AND 145, ACROSS LOTS 148, AND 145, ACROSS LOTS 153, AND 126, ACROSS LOTS 153, AND 126, ACROSS LOTS 154, 155 AND 156 AND TRACT 109, ACROSS LOTS 159, 160, 161 AND 162, ACROSS LOTS 154, 155 AND 156 AND TRACT 109, ACROSS LOTS 159, 160, 161 AND 162, ACROSS LOT 165, ACROSS LOT 166, AND ACROSS LOTS 169 AND 170, AS SHOWN HEREON, ARE FOR THE BENEFIT OF LOTS 57, 58, 59, 60, 61 AND 62 (PLDE#15), OF LOTS 63, 64, 65, 66, 67, 68 AND 69 (PLDE#16), OF LOTS 70, 71, 72 AND 73 (PLDE#17), OF LOTS 74, 75, 76 AND 77 (PLDE#18), OF LOTS 78, 79 AND 80 (PLDE#21), OF LOTS 81, 82, 83 AND 84 (PLDE#20), OF LOTS 107, 108, 129 AND 130 (PLDE#23), OF LOTS 109, 110, 111, 112 AND 113 (PLDE#24), OF LOTS 107, 108, 129 AND 130 (PLDE#23), OF LOTS 118 AND 119 (PLDE#26), OF LOTS 114, 115, 116 AND 117 (PLDE#25), OF LOTS 126, 127 AND 126 (PLDE#28), OF LOTS 131, 132, 150 AND 151 (PLDE#29), OF LOTS 133, 134, 135 AND 136 (PLDE#30), OF LOTS 137, 138, 139, 140 AND 141 (PLDE#33), OF LOTS 152, 153, 173 AND 174 (PLDE#35), OF LOTS 154, 155 156 AND 157 (PLDE#33), OF LOTS 158, 159, 160, 161 AND 162 (PLDE#36), OF LOTS 154, 165 AND 166 (PLDE#33), OF LOTS 158, 159, 160, 161 AND 162 (PLDE#35), OF LOTS 164, 165 AND 166 (PLDE#33), OF LOTS 158, 159, 160, 161 AND 162 (PLDE#36), OF LOTS 164, 165 AND 166 (PLDE#33), OF LOTS 158, 159, 160, 161 AND 162 (PLDE#36), OF LOTS 164, 165 AND 166 (PLDE#37), OF LOTS 158, 159, 160, 161 AND 162 (PLDE#36), OF LOTS 164, 165 AND 166 (PLDE#37), OF LOTS 158, 159, 160, 161 AND 162 (PLDE#36), OF LOTS 164, 165 AND 166 (P



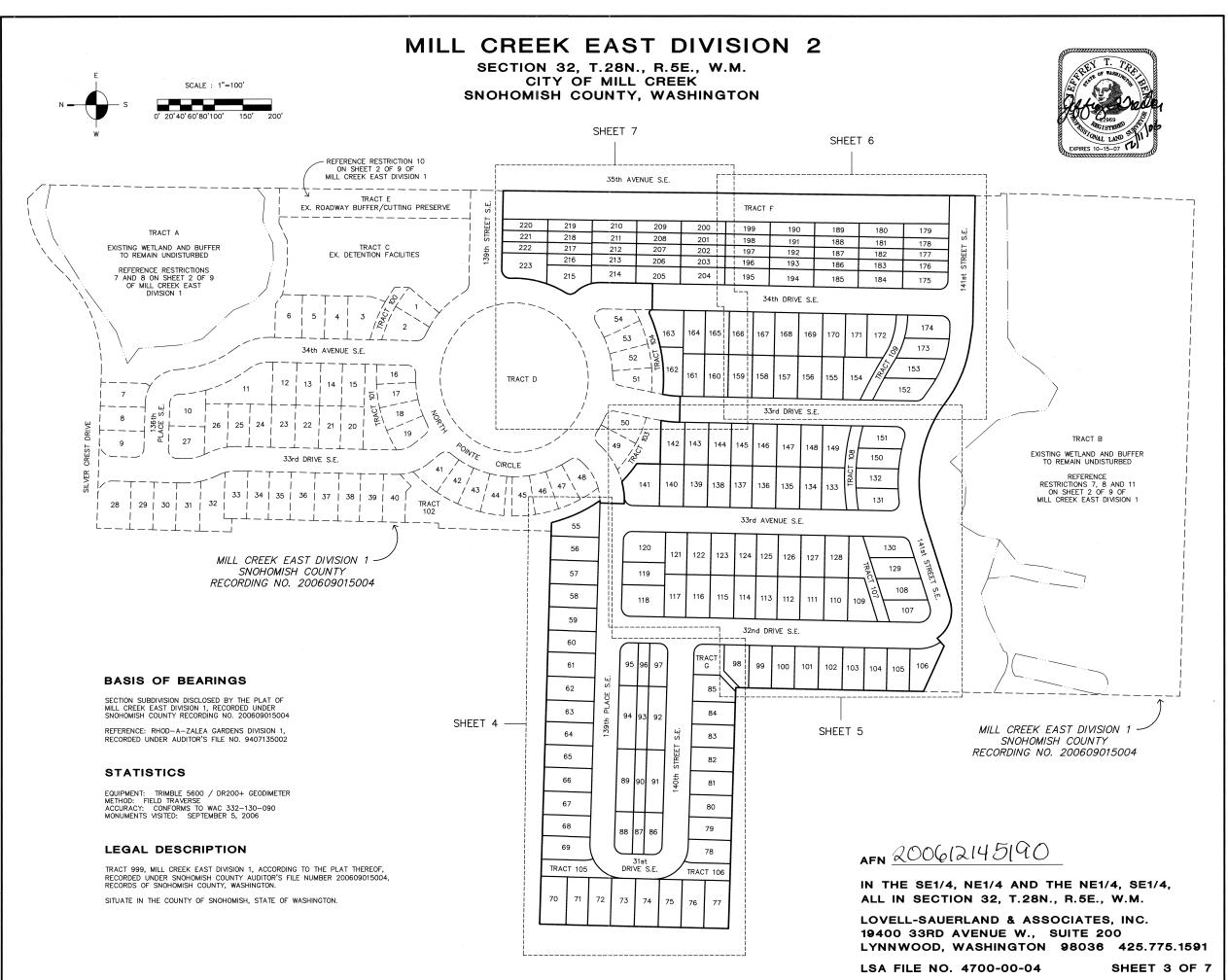
AFN 200612145190

IN THE SE1/4, NE1/4 AND THE NE1/4, SE1/4, ALL IN SECTION 32, T.28N., R.5E., W.M.

LOVELL-SAUERLAND & ASSOCIATES, INC. 19400 33RD AVENUE W., SUITE 200 LYNNWOOD, WASHINGTON 98036 425.775.1591

LSA FILE NO. 4700-00-04

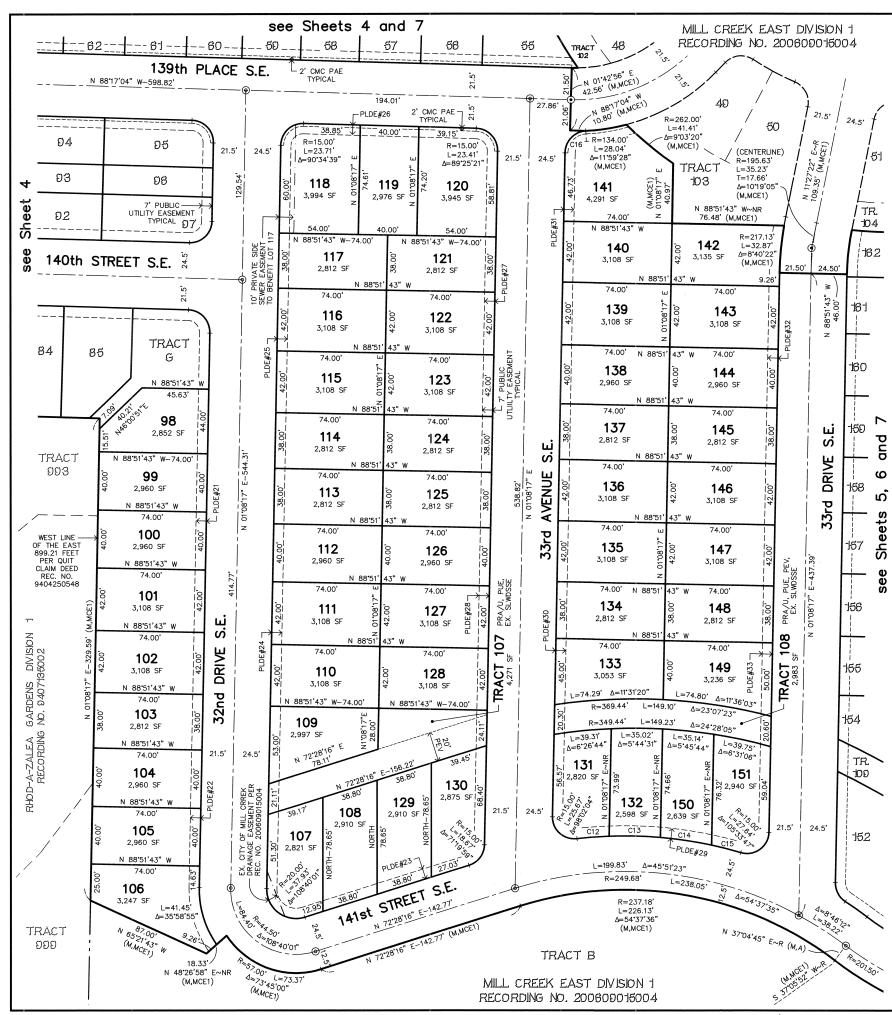
SHEET 2 OF 7



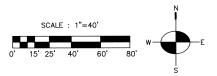
PLDE#20 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 81 THROUGH 84

SHEET 4 OF 7

LSA FILE NO. 4700-00-04



SECTION 32, T.28N., R.5E., W.M.
CITY OF MILL CREEK
SNOHOMISH COUNTY, WASHINGTON



### PRIVATE EASEMENT LEGEND

PLDE#21 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 98 THROUGH 103
PLDE#22 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 104 THROUGH 106

PLDE#23 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 107, 108, 129 AND 130

PLDE#24 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 109 THROUGH 113

PLDE#25 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 114 THROUGH 117

PLDE#26 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 118 AND 119

PLDE#27 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 120 THROUGH 125

PLDE#28 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 126 AND 128

PLDE#29 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 131, 132, 150 AND 151

PLDE#30 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 133 THROUGH 136

PLDE#31 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 137 THROUGH 141

PLDE#32 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 142 THROUGH 146

PLDE#33 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 147 THROUGH 149

CURVE DATA TABLE									
LOCATION	CURVE	RADIUS	LENGTH	DELTA					
LOT 131	C12	274.18'	22.02'	4*36'06"					
LOT 132	C13	274.18'	35.02'	719'08"					
LOT 150	C14	274.18'	35.33'	7*23'01"					
LOT 151	C15	274.18'	20.54	417'33"					
LOT 141	C16	15.00'	22 50'	85*57'25"					

### **LEGEND**

#### SET STANDARD CITY OF MILL CREEK CONCRETE SURVEY CONTROL MONUMENT AND CASE, WITH 1-5/8" BRASS CAP STAMPED WITH "+" AND "LSA 22989"

● EXISTING STANDARD CITY OF MILL CREEK CONCRETE SURVEY CONTROL MONUMENT AND CASE, WITH 1-5/8" BRASS CAP STAMPED WITH "+" AND "LSA 22969" PER MILL CREEK EAST DIVISION 1

M = MEASURED BEARING AND/OR DIMENSION

MCE1 = BEARING AND/OR DIMENSION PER THE PLAT OF "MILL CREEK EAST DIVISION 1" PER SNOHOMISH COUNTY RECORDING NO. 200609015004

CMC = CITY OF MILL CREEK

PEV = PUBLIC EMERGENCY VEHICLE ACCESS EASEMENT

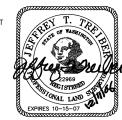
PAE = PUBLIC PEDESTRIAN ACCESS EASEMENT

PUE = PUBLIC UTILITY EASEMENT

PRA/U = PRIVATE ACCESS AND UTILITIES

SLWDSSE = EX. SILVER LAKE WATER DISTRICT SANITARY SEWER EASEMENT PER SNOHOMISH COUNTY RECORDING NO. 200606280044

> A = BEARING PER AFFIDAVIT OF CORRECTION TO PLAT PER SNOHOMISH COUNTY RECORDING NO. 200609260700



NOTE

ALL LOT AND TRACT CORNERS ARE MARKED WITH

1/2" X 24" IRON PINS WITH PLASTIC CAPS NO'D. 22969 OR WITH NAIL WITH WASHER

STAMPED "LSA 22969"

### AFN 200612145190

IN THE SE1/4, NE1/4 AND THE NE1/4, SE1/4, ALL IN SECTION 32, T.28N., R.5E., W.M.

LOVELL-SAUERLAND & ASSOCIATES, INC. 19400 33RD AVENUE W., SUITE 200 LYNNWOOD, WASHINGTON 98036 425.775.1591

LSA FILE NO. 4700-00-04

SHEET 5 OF 7

SET STANDARD CITY OF MILL CREEK
 CONCRETE SURVEY CONTROL MONUMENT

SCALE : 1"=40'

AND CASE, WITH 1-5/8" BRASS CAP STAMPED WITH "+" AND "LSA 22969"

M = MEASURED BEARING AND/OR DIMENSION

MCE1 = BEARING AND/OR DIMENSION PER THE PLAT OF "MILL CREEK EAST DIVISION 1"

PER SNOHOMISH COUNTY RECORDING

NO. 200609015004

CMC = CITY OF MILL CREEK

PAE = PUBLIC PEDESTRIAN ACCESS EASEMENT

PEV = PUBLIC EMERGENCY VEHICLE ACCESS EASEMENT

PUE = PUBLIC UTILITY EASEMENT

PRPA/UE = PRIVATE PEDESTRIAN ACCESS AND UTILITY EASEMENT

PRA/UE = PRIVATE ACCESS AND UTILITY EASEMENT

PRA/U = PRIVATE ACCESS AND UTILITIES

PDE = EX. PRIVATE DRAINAGE EASEMENT TO MILL CREEK EAST HOMEOWNERS ASSOCIATION PER MILL CREEK EAST DIVISION 1

A = BEARING PER AFFIDAVIT OF CORRECTION TO PLAT PER RECORDING NO. 200609260700

NR = NON RADIAL BEARING AS SHOWN

EX. SLWDE = EX. SILVER LAKE WATER DISTRICT

15' SANITARY SEWER EASEMENT (E#1)
PER SNOHOMISH COUNTY RECORDING
NO. 200606280044 & EX. SILVER LAKE
WATER DISTRICT 15' WATER EASEMENT
(E#2) PER SNOHOMISH COUNTY
RECORDING NO. 200606280043

EX. SLWDSSE = EX. SILVER LAKE WATER DISTRICT
SANITARY SEWER EASEMENT PER
SNOHOMISH COUNTY RECORDING NO. 200606280044

### PRIVATE EASEMENT LEGEND

PLDE#34 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 152, 153, 173 AND 174

PLDE#35 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 154 THROUGH 157

PLDE#36 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 158 THROUGH 162

PLDE#37 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 164 THROUGH 166 PLDE#38 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 167 AND 168

PLDE#39 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 169 THROUGH 171

AFN 200612145190

IN THE SE1/4, NE1/4 AND THE NE1/4, SE1/4, ALL IN SECTION 32, T.28N., R.5E., W.M.

LOVELL-SAUERLAND & ASSOCIATES, INC. 19400 33RD AVENUE W., SUITE 200 LYNNWOOD, WASHINGTON 98036 425.775.1591

LSA FILE NO. 4700-00-04

SHEET 6 OF 7

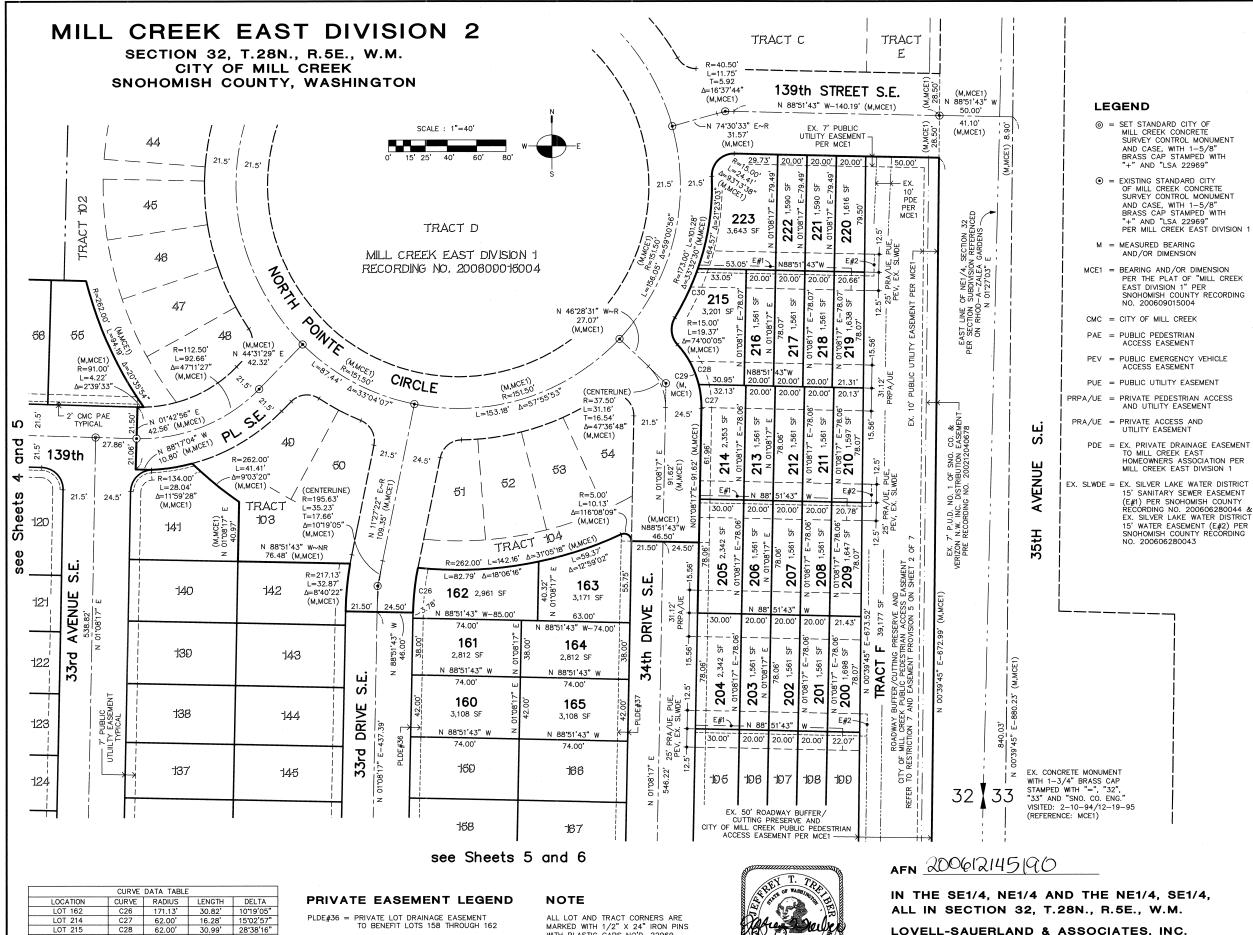
						ı	VIILL	SECTION		EAS T 28N		M M	1 2
								CI	TY OF	= MILL	CREEK		
				see	Sheets 5 and	7		SNOHOMI:	SH CC	JUNIY,	WASHIN	IGION	
	- <u> </u> 44		36 ]	160 N 88'51'43" W	765 N 88'51'43" W	T PLDE	204 E#1	203 202 20 - N 88' 51'43" W - 20.00' 20.00' 20.00	E#2-	MENT EET 2 OF 7	(M,MCE1)	840.03' 880.23' N 00'39'45" E (M.MCE1)	
	145		PLDE#36	74.00'  159 3,108 SF W N 88'51'43" W	1 i 1	SIVE	12 8.06' 2,342 7" E-78	1,561 SF   S17" E   O6'     S17" E     S17" E     S17" E     S17" E     S17" E   S17	." E-78.06' 1,748 SF  -	39,177 SF	45" E-672.99'	33	
	146	21.5'	24.5'	74.00' % 5 % 5 % 74.00' % 5 % 74.00' %	N 88'51'43" W 74.00'  167  2,812 SF  N 88'51'43" W	34th D 34th D 31.12' PRPA/UE	15.56   195   01.08	96 2 88 76 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	z	TRACT F FER/CUTTING PRE UBLIC PEDESTRAN DELSEMENT PRO TENSEMENT PRO TENS	.000 N	EX. CONCRETE WITH 1-3/4" E STAMPED WITH "33" AND "SNO	BRASS CAP H "=", "32", O. CO. ENG." 1-94/12-19-95
4 and 5	147		E-437.39	N 88*51'43" W	74.00'  168 3,108 SF N 88'51'43" W	01'08'17" E 546.22'	15.56'— 78.06' 2,342 SF   17" E-78.06'	3 1,561 SF   01'08'17" E   78.06'   2 1,561 SF   81'17" E - 78.06'   1,561 SF   1,561 SF	E	E-673.52' NADWAY BUF CREEK P	EASEMENT PER MCEI		
Sheets 4	-148	DRIVE S.E.	17,	74.00'  156	74.00'  169 3,108 SF N 88'51'43" W	PLDE#39 		N 88' 51'43" W	E#2	N 00'39'45" RC CITY OF MII	SEMENT 678	=	
See	-149	33rd D		74.00' 8	74.00'  170  2,960 SF  N 88'51'43" W	,	3.06' 2,342 7" E-78	186 1,561 SF N 010817" E 78.06' 187 1,561 SF 010817" E-78.06 188 1,561 SF	01'08'17" E-78.06 <b>189</b> 1,850 SF 78.07'		40. 1 OF SNO. CO. & DISTRIBUTION EASEMENT-S NO. 200212040678		E S.E.
	TRACT 108	7' PUBLIC TYPICAL	02,	154 99 3,438 SF	N 88*51'43" W	09 PRA/U, PUE, PEV, EX. SLWDSSE	z	N 88' 51'43" W 20.00' 20.00' 20.00'	24.02'	X. 50' ROADWAY BUFFER/CUTTING PRESERVE ND CITY OF MILL CREEK PUBLIC PEDESTRIAN ACCESS EASEMENT PER MCE1	EX. 7' P.U.D. NO. VERIZON N.W. INC. DIS PRE RECORDING N	35H	AVENUE
	151	1 7 P		4=3.77, 6.03, 4=6.05.57, 6.05.	172 172 024 024 03,237 SF 03 03 03 03 03 03 03 03 03 03	<b>KAC! 1</b> 3,232 SF 3,232 SF		183 1,561 SF N 01'08'17" E N 01'08'17" E N 01'08'17" E-78.06 1,561 SF N 1,561	80 1,902 SF 47.56'	MAY BUFFER/CU MILL CREEK PUE SS EASEMENT PI	(M,MCE1) STA: 103+05.9 OFFSET: 50.00	4, SECTION 32 SION REFERENCED EA GARDENS	35th
	24.5,	21.5'		3,429 SF	L=83,30',4=31',12',32"   S	25' PRA/UE, PUE, PEV, EX. SLWDE 12.5' + 12	E#1 30.00' 2	N 88 51'43" W	Z E#2 24.80'	- iiii∢ 'l	40E1)	E1/ DIVIS ZAL 27'0	
	R=237.18' L=226.13'	68'	! 1.	C17 C18 Z 153 80 80 80 80 80 80 80 80 80 80 80 80 80	173	1.5' 24.5'	2,337 7" E-7	176 1,590 SF N 01'08'17" E 79.50' 177 1,590 SF 01'08'17" E - 79.50 178 1,590 SF	79 2,012 SF 79.51' 79.51'	EX.   10°   PDE	E-155.55' (M,MCE	EAST LINE OF N PER SECTION SUBL	
	Δ=54°37'36" (M,MCE1)	٠.	<b>\</b>	© PLOE#34 7-1-	C21 C21		C25 z 15.00' 20	20.00' 20.00' 20.00'	z 25.82' √	PER   MCE1   50.00'	N 00.24'16"	1	
		8/2/	18/ 2/	R=214.00°		<del>(0)</del>	17.0' 28.0'	141st STRE	ET S.E	•	30.98' 18.4 49.38'		
				L=105.49' ∆=28'14'34" (M,MCE1)	36.54' N 81'06'09" W (M,MCE1)	RACT B		3" W-226.56' (M,MCE1	)	12	49.38' / N 88'51'43" w	40.21	
				MILL CR	EEK EAST DIVISION		ORDING N	D. 2006090 <del>1</del> 50	004			+	
	S	gramma	ZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZ							1	. 1	ı	

MILL CREEK EAST DIVISION 2



CURVE DATA TABLE								
LOCATION	LENGTH	DELTA						
LOT 152	C17	273.00'	18.20'	3*49'08"				
LOT 152	C18	177.00'	20.15'	6'31'16"				
LOT 153	C19	177.00'	38.19'	12*21'42"				
LOT 173	C20	177.00'	35.76'	11*34'31"				
LOT 174	C21	177.00'	24.66'	7*59'00"				
LOT 153	C22	152.92'	6.05'	2"16'07"				
LOT 153	C23	733.20'	34.32'	2*40'55"				
LOT 172	C24	753.20'	5.97'	0°27'16"				
LOT 175	C25	15.00'	23.56'	90,00,00,				





### C29 62.00' 47.27' 43'41'13"

C30 173.00' 36.71' 12°09'27"

BOUNDARY

ADJACENT TO

LOTS 214/215

TO BENEFIT LOTS 158 THROUGH 162

PLDE#37 = PRIVATE LOT DRAINAGE EASEMENT TO BENEFIT LOTS 164 THROUGH 166

ALL LOT AND TRACT CORNERS ARE MARKED WITH 1/2" X 24" IRON PINS WITH PLASTIC CAPS NO'D. 22969 OR WITH NAIL WITH WASHER STAMPED "LSA 22969"

LOVELL-SAUERLAND & ASSOCIATES, INC. 19400 33RD AVENUE W., SUITE 200 LYNNWOOD, WASHINGTON 98036 425.775.1591

LSA FILE NO. 4700-00-04

SHEET 7 OF 7