LEGAL DESCRIPTION

THE SOUTHERLY 377.00 FEET OF THE NORTHERLY 422.00 FEET OF THE WEST HALF
--OF THE EAST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.; EXCEPT THE EASTERLY 30.00 FEET THEREOF;

ALSO KNOWN_AS LOT 1 OF THE SHORT PLAT RECORDED UNDER AUDITOR'S FILE

TOGETHER WITH AN UNDIVIDED 1/4 INTEREST IN THE FOLLOWING DESCRIBED TRACT:

THE EASTERLY 30.00 FEET OF THE SOUTHERLY 1017.00 FEET OF THE NORTHERLY 1062.00 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEASI_QUARTER OF SAID SECTION 32; __ ----_

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS -

KNOW ALL PERSONS BY THESE PRESENTS: THAT WE, THE UNDERSIGNED HAVING AN INTEREST IN THE REAL PROPERTY DESCRIBED -BY THIS DECLARATION, DO HEREBY DECLARE THE HEREIN DESCRIBED DIVISION OF LAND APPROVED AS SHORT PLAT NUMBER PFN 98 108050 SP, ON-THIS

23 DAY OF OCTOBER. 2000, BY THE DEPARTMENT OF PLANNING. -AND DEVELOPMENT SERVICES OF SNOHOMISH COUNTY. SUBJECT TO THE FOLLOWING COVENANTS AND CONDITIONS:

- THE LAND DESCRIBED BY THIS DECLARATION MAY NOT BE FURTHER . SUBDIVIDED IN ANY MANNER EXCEEDING A TOTAL OF FOUR (4) PARCELS-BY ANYONE WITHIN FIVE (5) YEARS OF THE ABOVE DATE OF APPROVAL WITHOUT A FINAL PLAT, HAVING BEEN FILED FOR RECORD WITH THE AUDITOR OF SNOHOMISH COUNTY, PURSUANT TO THE PROVISIONS OF CHAPTER 58.17 RCW, AND THE ORDINANCES OF SNOHOMISH COUNTY, AND SUBJECT TO THE PENALTIES ATTENDANT THERETO;
- ALL SUBSEQUENT DEEDS WILL CONTAIN PROVISIONS FOR PRIVATE ROADS IN THE MANNER DESCRIBED HEREIN;
- ALL MAINTENANCE OF ANY PRIVATE ROAD DESCRIBED BY THIS DECLARATION SHALL BE BY THE OWNER(S) OF THE PARCELS HAVING LEGAL ACCESS THEREFROM OR THEIR SUCCESSOR(S), UNLESS AND UNTIL SUCH ROADS ARE IMPROVED TO SNOHOMISH COUNTY STANDARDS AND ACCEPTED BY SNOHOMISH COUNTY:
- THE PRIVATE ROAD IS HEREBY SUBJECT TO A UTILITIES EASEMENT IN FAVOR OF THE GRANTOR OR THE SUCCESSOR(S) AND OF ANY ELECTRIC, TELEPHONE, TELEVISION CABLE, GAS, WATER, OR SEWER COMPANY, PUBLIC OR PRIVATE, OR THE SUCCESSOR(S) TO INSTALL, CONSTRUCT, OPERATE, MAINTAIN, ALTER, AND REPAIR THEIR RESPECTIVE UTILITIES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SAID PURPOSES: PROVIDED THAT IF THE ROAD SHOULD BECOME A PUBLIC ROAD AT SOME TIME IN THE FUTURE, ALL EASEMENTS WITHIN THE ROAD SHALL BECOME NULL AND VOID, AND ANY UTILITY FACILITIES WHICH PHYSICALLY EXIST SHALL BECOME SUBJECT TO THE FRANCHISE REQUIREMENTS OF THE COUNTY;
- WITH RESPECT TO ANY PRIVATE ROAD DESCRIBED BY THIS DECLARATION, WHETHER IT REMAINS PRIVATE OR BECOMES A PUBLIC ROAD. THERE IS THE ADDITIONAL RIGHT 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 THE WATER MIGHT TAKE A NATURAL COURSE UPON REASONABLI GRADING PURSUANT TO IMPROVEMENT FOR DEDICATION OF THE ROADS AND WAYS SHOWN HEREIN. FOLLOWING REASONABLE GRADING PURSUANT TO IMPROVEMENTS FOR DEDICATION OF THE ROADS AND WAYS SHOWN HEREIN. 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 HAMPER PROPER ROAD DRAINAGE. WITHOUT THE APPROVAL OF SNOHOMISH
- ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE OWNER(S) OR THEIR SUCCESSOR(S), AND MUST BE REDUCED OR ELIMINATED AT THE REQUEST OF THE COUNTY IF DEEMED NECESSARY FOR COUNTY ROAD PURPOSES;
- ACCESS TO ALL LOTS WITHIN THE SHORT SUBDIVISION IS LIMITED TO THE PRIVATE ROAD. THERE SHALL BE NO DIRECT ACCESS TO SR 96. A STATE HIGHWAY.
- THE LOTS IN THIS SHORT SUBDIVISION DO NOT QUALIFY AS DUPLEX LOTS PER SNOHOMISH COUNTY CODE (SCC 20.36.025)
- IN CONSIDERATION OF THE SHORT SUBDIVISION ACCESS APPROVAL, WITH FILE NUMBER 98 108050, THE OWNERS OF THE LOTS OF THE SHORT SUBDIVISION. THEIR HEIRS, SUCCESSORS, AND ASSIGNS, COVENANT AND AGREE NOT TO PROTEST THE CONVERSION OF ANY PORTION OF THE THIRTY (30) FOOT EASEMENT AND PRIVATE ROAD. 30TH DR. SE. TO A PUBLIC ROAD AT ANY TIME THE COUNTY DETERMINES A PUBLIC ROAD IS NECESSARY. OR A PUBLIC ROAD IS REQUIRED FOR FURTHER DEVELOPMENT OF ANY LOTS THAT HAVE ACCESS TO SAID ROAD. THE OWNERS OF THE SHORT SUBDIVISION LOTS. THEIR HEIRS. SUCCESSORS. AND ASSIGNS FURTHER AGREE AND COVENANT TO PROVIDE ALL NECESSARY AUTHORIZATIONS AND TO EXECUTE ALL NECESSARY CONVEYANCE DOCUMENTS. AT NO COST AND EXPENSE TO THE COUNTY, TO ACCOMPLISH THE DEDICATION AND/OR CONVERSION OF THE PRIVATE ROAD TO THE COUNTY FOR PUBLIC ROAD PURPOSES. THIS COVENANT TOUCHES AND CONCERNS THE PROPERTY. RUNS WITH THE LAND, AND IS BINDING UPON ALL SUBSEQUENT PURCHASERS, HEIRS, SUCCESSORS, AND ASSIGNS. THIS COVENANT TO PROVIDE RIGHT-OF-WAY IN NO WAY OBLIGATES THE OWNERS TO FUND ANY CONSTRUCTION OR MAINTENANCE OF A PUBLIC ROAD.

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF DAVID R. DOWNING, THIS 35 CDAY OF OCTOBER, 2000, AT 44 MINUTES PAST ______ M., AND RECORDED IN VOL. , RECORDS OF SNOHOMISH COUNTY, WASHINGTON

BOD Ter Williger AUDITOR, SNOHOMISH COUNT

SHORT PLAT OF STARLITE RIDGE

A PORTION OF THE NW 1/4 OF THE NE 1/4 OF SEC 32, TWP. 28N., RNG 5E., W.M. SNOHOMISH COUNTY, WASHINGTON. PFN 98-108050 SP

-- DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS, CON'T.

(10) = - DRAINAGE-EASEMENTS DESIGNATED ON THE SHORT PLAT ARE - FIEREBY RESERVED FOR AND GRANTED TO SNOHOMISH COUNTY, EXCEPT THOSE DESIGNATED ON THE SHORT PLAT AS PRIVATE EASEMENTS, FOR THE RIGHT OF INGRESS AND EGRESS AND RIGHT TO EXCAVATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND/OR REBUILD AN ENCLOSED OR OPEN CHANNEL STORMWATER CONVEYANCE SYSTEM -AND/OR-OTHER-DRAINAGE FACILITIES, UNDER, UPON OR THROUGH THE

SCC_TIILE_26A_REQUIRES THE PER NEW UNIT FEE PAYMENI IN THE AMOUNT OF \$918.00 FOR MITIGATION OF IMPACTS ON THE COUNTY PARKS DISTRICT #10. THE DEVELOPER OF THIS "SUBDIVISION HAS ELECTED TO DEFER THIS FEE PAYMENT OBLIGATION TO A TIME PRECEDING BUILDING PERMIT ISSUANCE. NOTICE OF THIS FEE PAYMENT OBLIGATION SHALL BE CONTAINED IN ANY DEEDS_INVOLVING-_ THIS SUBDIVISION OR THE LOT(S) THEREIN.

TRACT 999 IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH-ALL MAINTENANCE OBLIGATIONS, TO LOTS 1_THROUGH 2 WITH AN EQUAL AND UNDIVIDED-INTĒREST UPON THE RECORDING OF THIS SHORT PLAT. THIS TRACT SHALL REMAIN AN APPURTENANCE TO AND -_ INSEPARABLE FROM EACH LOT = "

_ - - - - - _ _

TRACT 998 IS HEREBY GRANTED_AND_CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO LOTS I THROUGH 3 WITH AN EQUAL AND UNDIVIDED INTEREST UPON THE RECORDING OF THIS SHORT. PLAT. THIS TRACT SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.

(14) PRIOR APPROVAL MUST BE OBTAÏNED FROM -THE DIRECTOR OF PUBLIC WORKS BEFORE ANY STRUCTURES, FILL OR OBSTRUCTIONS, INCLUDING FENCES, ARE LOCATED WHILIN ANY DRAINAGE EASEMENT, DELINEATED FLOOD PLAIN OR DRAINAGE SWALE.

THE PRIVATE DRAINAGE EASEMENT LOCATED ACROSS LOT NUMBER ? SHOWN HERON IS HEREBY RESERVED AND GRANTED FOR LOTS NUMBER 1 THROUGH 3 FOR THE PURPOSE OF CONSTRUCTING. RECONSTRUCTION OPERATING AND MAINTAINING THE PRIVATE DRAINAGE. THE COST OF THAT PORTION USED IN COMMON SHALL BE BORNE IN EQUAL SHARES, EXCEPT THAT THE OWNERS OF ANY LOWER PARCEL SHALL NOT BE RESPONSIBLE FOR THE DRAINAGE ABOVE THEIR CONNECTION, WITH RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.

THE MAILBOX EASEMENT LOCATED ON LOT NUMBER 4 SHOWN HERON IS HEREBY RESERVED AND GRANTED FOR LOTS NUMBER 1 THROUGH 4 FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTION OPERATING AND MAINTAINING MAILBOXES.

LOTS 1 TROUGH 3 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN WHICH REQUIRED IMPERVIOUS SURFACES AND DRAINS TO BE CONNECTED TO THE STORM WATER SYSTEM. SEE DRAINAGE PLAN FOR DETAILS.

LOTS 1 THROUGH 3 HAVE BEEN APPROVED BASED ON AN APPROVED SEWER PLAN WHICH REQUIRED THAT MINIMUM FLOOR ELEVATIONS BE ESTABLISHED FOR CONNECTION TO THE SEWER SYSTEM. SEE UTILITY FOR DETAILS.

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT SHORT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS. TRACTS AND COMMON AREAS 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 ELECTRIC. TELEPHONE. GAS. TELEVISION CABLE AND OTHER UTILITY SERVICES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED: PROVIDED, THAT IF ANY PRIVATE ROAD(S) SHOULD BECOME A PUBLIC ROAD(S) AT SOME TIME IN THE FUTURE, ALL ALL EASEMENTS WITHIN THE ROAD SHALL BECOME NULL AND VOID AND ANY UTILITY FACILITY WHICH PHYSICALLY EXISTS MUST BECOME SUBJECT TO THE FRANCHISE REQUIREMENTS OF THE COUNTY.

DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS, CON'T.

(20) THIS SHORT SUBDIVISION IS SUBJECT TO THE FOLLOWING RECORDED CONDITIONS: A) AN EASEMENT FOR PUD DISTRICT #1

AF NO. 8401040003 RERECORDED AS AF NO. 8304140132 AND AFN ZOCOOGO ZOZES. B) AN EASEMENT FOR OVERHANGING WIRES AF NO.9204140784

C) COVENANTS, CONDITIONS, RESTRICTIONS, DEDICATIONS, AGREEMENTS, NOTES, AND ROAD MAINTENANCE AGREEMENT AF NO.8303080252

THE 1/4 INTEREST OF THE PRIVATE ROAD DESCRIBED UNDER A.F. NO. 8303080252 AND REFERENCED IN THE LEGAL DESCRIPTION FOR THIS SHORT PLAT SHALL BE DIVIDED EQUALLY AMONG LOTS 1-4. THE RESPONSIBILITY AND MAINTENANCE OBLIGATIONS SHALL BE THE SAME AS DESCRIBED UNDER SAID A.F. NO. 8303080252.

THE COST OF MAINTENANCE OF THE PRIVATE ROAD LYING WITHIN THIS SHORT PLAT SHALL BE SHARED EQUALLY BY LOTS 1 AND 2 OF THIS SHORT SUBDIVISION. THE USE OF THE ROAD BY ANY OWNER SHALL NOT UNREASONABLY INTERFERE WITH THE USE OF THE ROAD BY ANY OTHER OWNER OR UNREASONABLY INTERFERE WITH THE USE OF EITHER PARCEL WITHIN THIS SHORT SUBDIVISION. THE ACCESS ROAD SHALL NOT BE IMPROVED, REPAIRED OR EXTENDED BEYOND ITS PRESENT CONDITION WITHOUT APPROVAL OF ALL LOT OWNERS BENEFITING FROM AND USING SAID ACCESS ROAD. IN THE EVENT ANY LOT OWNER WITHIN THE SHORT SUBDIVISION DOES NOT PAY HIS OR HER SHARE OF THE COST OF REPAIRING OR REBUILDING THE ACCESS ROAD, THE UNPAID PORTION SHALL BECOME A LIEN AGAINST HIS OR HER PARCEL. A LIEN MAY BE ENFORCED OR FORECLOSED BY THE OWNER OF EITHER PARCEL FOR THEIR BENEFIT OR BY ANY PERSON THAT HAS PAID FOR THE REPAIRS OR REBUILDING AND REMAINS UNPAID FOR THEIR WORK PERFORMED. THE PREVAILING PARTY-SHALL BE ENTITLED TO REASONABLE ATTORNEY'S FEES, TOGETHER WITH COSTS AND INTERESTS AT THE MAXIMUM LEGAL RATE FROM THE DATE_THE REPAIRING OR REBUILDING WAS COMPLETE. THESE CONDITIONS-SHALL BE PERPETUAL, AND AT ALL TIMES SHALL BE CONSTRUED AS A CONENANT RUNNING WITH THE LAND, UNLESS AND "Until such road is improved to public road standards and is ACCEPTED FOR-MAINTENANCE AND CONVEYED TO THE PUBLIC ENTITY HAVING_JURISDICTION THEREON_ -ANY SELLER IS HEREBY REQUIRED TO GIVE OF THE PRIVATE ROAD AND SHARED DRIVEWAY AND ARE HEREBY REQUIRED TO INCLUDE SUCH NOTICE IN DEEDS OR-CONTRACTS RELATING TO THE SALE.

(23) _ THESE COVENANTS ARE FOR THE MUTUAE BENEFIT OF THE GRANTOR AND HIS (THEIR) HEIRS, SUCCESSORS AND ASSIGNS AND ARE FOR THE FURTHER PURPOSE OF COMPLIANCE WITH THE ORDINANCES AND REGULATIONS OF SNOHOMISH COUNTY, AND THE COUNTY AND SUCH PERSONS ARE SPECIFICALLY GIVEN THE RIGHT TO ENFORCE THESE RESTRIGIZONS AND RESERVATIONS BY INJUNCTION OR OTHER LAWFUL . PROCEDURE AND TO RECOVER ANY DAMAGE RESULTING FROM SUCH VIOLATION;

DATED THIS LE DAY OF OCT = , 2000 MICHAEL D. RISTIG BETH C. RISTIG

STARLITE CONSTRUCTION.

ITS: MANAGING GENERAL PARTNER

DON L. HARDY JR.

ITS: MANAGING GENERAL PARTNER

LAND SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AT THE REQUEST OF MICHAEL D. RISTIG AND BETH C. RISTIG ON: MAY 8, 1998.

LAND SURVEYOR

REGISTRATION NO.

10/17/00

ACKNOWLEDGMENTS

STATE OF WASHINGTON COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT MICHAEL D. RISTIG AND BETH C. RISTIG ARE THE PERSONS WHO APPEARED BEFORE ME, AND SAID-* > PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT AND ACKNOWLEDG IT TO BE THEIR FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSE MENTIONED IN THE INSTRUMENT.

一点等有是

DATED: Och 16, 2000 SIGNATURE: Janes

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT Edmond 5

STATE OF WASHINGTON COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DON L. HARDY AND DON L. HARDY JR. ARE THE PEOPLE WHO APPEARED BEFORE ME, AND SAID PEOPLE ACKNOWLEDGED THAT (HE/SHE/THEY) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE/THEY) WAS/WERE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE GENERAL PARTNERS OF STARLITE CONSTRUCTION. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN

THE INSTRUMENT. NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

APPROVALS

PLANNING AND DEVELOPMENT SERVICES APPROVAL

I HEREBY APPROVE THIS SHORT SUBDIVISION AND FIND FROM THE FILE THAT THE SHORT PLAT MEETS ALL APPLICABLE ZONING AND LAND USE -_CONTROLS, AND MAKES APPROPRIATE PROVISIONS FOR THE PUBLICAD THEALTH SAFELY, AND GENERAL WELFABE. APPROVED THIS DAY OF

A.I. INU: DECIDE

STARLIFE RIDGE SHORT PLAT A PORTION OF THE NW 1/4 OF THE NE 1/4 OF SEC 32, TWP. 28N., RNG 5E., W.M. PFN 98-108050 SP

- SHEET PROFESSIONAL LAND SURVEYOR

4229 76th ST. N.E. -MARYSVILLE, WA. 98270

98 - 048DRAWN BY 7/11/00 FIELD BOOK 30

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