A PORTION OF THE S.E.1/4, N.W.1/4, SEC.33, T.28 N. R.5E., W.M. -SNOHOMISH COUNTY, WASHINGTON.

LEGAL DESCRIPTION:

(PER CHICAGO TITLE-INSURANCE COMPANY SHORT PLAT CERTIFICATE ORDER NO. 5724341 PC DATED FEBRUARY 8, 2005)

THE NORTH 180 FEET-OF THE SOUTH 210 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 28-NORTH, RANGE -5- EAST, W.M.;

EXCEPT THE SOUTH 30 FEET THEREOF CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER AUDITOR'S FILE NO. 2092684, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

TOGETHER WITH AN UNDIVIDED ONE-FOURTH INTEREST IN THE PRIVATE ROAD DESCRIBED

THE EAST 30 FEET OF THE SOUTH 540 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.; EXCEPT THE SOUTH 30 FEET THEREOF; TOGETHER WITH THE WEST 30 FEET OF THE EAST 60 FEET OF THE NORTH 30 FEET OF THE SOUTH 510 FEET OF SAID SUBDIVISION;

(ALSO KNOWN AS LOT 1 OF SNOHOMISH COUNTY SHORT PLAT 138 (5-81) RECORDED UNDER AUDITOR'S FILE NO. 8201280175) - -

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

DEDICATION OF SHORT SUBDIVISION:

KNOW BY ALL PERSONS BY THESE PRESENTS THAT BROOKS HOMES, ING., WASHINGTON CORPORATION, THE UNDERSIGNED OWNER, IN FEE SIMPLE OF THE LAND HEREBY SHORT SUBDIVIDED, OF SHORT PLAT FILE NUMBER 03 110495-SP, AND WASHINGTON FEDERAL SAVINGS, THE MORTGAGEE THEREOF, HEREBY DECLARE THIS SHORT PLAT AND DEDICATE TO THE USE OF THE PUBLIC --FOREVER ALL STREETS, AVENUES, PLACES AND SEWER EASEMENTS OR-USE FOR ANY AND ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE ---- ACT OF SUCH-PARTY FOR THE USES AND PURPOSES MENTIONED WITHIN THE THEREOF FOR PUBLIC HIGHWAY PURPOSES ALSO THE RIGHT TO MAKE ALL. WHATEVER PUBLIC PROPERTY THERE IS SHOWN ON THE SHORT PLAT, AND THE THEREOF FOR PUBLIC HIGHWAY PURPOSES. ALSO, THE RIGHT TO MAKE ALL---NECESSARY SLOPES FOR CUTS AND FILLS UPON LOTS, BLOCKS, TRACTS, ETG., THE STREETS, AVENUES, PLACES, ETC., SHOWN HEREON. ALSO, THE RIGHT TO DRAIN ALL STREETS OVER AND ACROSS ANY LOT OR LOTS WHERE WATER MIGHT TAKE A NATURAL COURSE AFTER THE STREET OR STREETS ARE GRADED. ALSO, ALL CLAIMS FOR DAMAGE AGAINST ANY GOVERNMENTAL AUTHORITY ARE WAIVED, WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION DRAINAGE AND MAINTENANCE OF SAID ROADS.

FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THE NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHTS OF WAY TO HAMPER PROPER ROAD DRAINAGE. THE OWNER OF ANY LOT OR LOTS, PRIOR TO MAKING AN ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE SHORT PLAT, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE DIRECTOR OF PUBLIC WORKS FOR SAID ALTERATION. 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, AFTER ACQUIRING A CULVERT PERMIT FROM THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES, IF REQUIRED, AND SUBJECT TO ANY OTHER EXISTING PERMITTING REQUIREMENTS THEREFORE.

TRACT 999 IS HEREBY GRANTED AND CONVEYED TOGETHER WITH ALL OBLIGATIONS TO MAINTAIN THE TRACT CONSISTENT WITH COUTNY CODE, TO LOTS 1 THROUGH 5 WITH EQUAL AND UNDIVIDED INTEREST UPON RECORDING OF THIS PLAT SUBJECT TO AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO SNOHOMISH COUNTY. THIS TRACT SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS THIS 20th DAY OF -August____, 2008

Edward R. Brooks EDWARD L. BROOKS, PRESIDENT BROOKS HOMES, INC., A WASHINGTON CORPORATION

NAME: E. Craig Wilson WASHINGTON FEDERAL SAVINGS

EASEMENTS PROVISIONS:

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING THE SUBJECT SHORT PLAT INCLUDING SILVER LAKE SEWER AND WATER DISTRICT 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, CABLE, PIPE AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THE SHORT SUBDIVISION AND OTHER PROPERTY WITH ELECTRICITY, TELEPHONE, GAS, TELEVISION, CABLE AND OTHER UTILITY SERVICE, 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 THE 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.

PRIVATE DRAINAGE EASEMENTS PROVISIONS:

SEE PRIVATE DRAINAGE EASEMENT PROVISIONS ON SHEET 2 OF 3.

STATE OF WASHINGTON

HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT EDWARD L. BROOKS: IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDIGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS '---AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS PRESIDENT OF

Sadhua North NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT

ACKNOWLEDGMENT:

STATE OF WASHINGTON

COUNTY OF SNOHOMISH

HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT-E.Craia Wison 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 --Snr. Vice Pres. OF WASHINGTON FEDERAL SAVINGS, A WASHINGTON CORPORATION, BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES --MENTIONED WITHIN THE INSTRUMENT.

Gadhia North NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT

Everett, wat MY APPOINTMENT EXPIRES_59.13.06

CITY OF MILL CREEK APPROVAL:

EXAMINED AND APPROVED THIS 20TH DAY OF AUGUST . 2008

CITY OF MILL CREEK DIRECTOR OF PUBLIC WORKS EXAMINED AND APPROVED THIS DAY OF LYMUST, 2025

CITY OF MILL CREEK DIRECTOR OF COMMUNITY DEVELOPMENT

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 PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

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 BROOKS SP LLC IN ___AUGUST___,

PROFESSIONAL LAND SURVEYOR CERTIFICATE NO. 14490 DATE: Aubano8

AUDITOR'S CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF JACKIE H. SIEBERT, P.L.S. THIS DAY OF Bugust 2008, AT 33 MINUTES PAST LEM, AND RECORDED IN VOL. ____ OF SHORT PLATS, PAGE(S) , RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

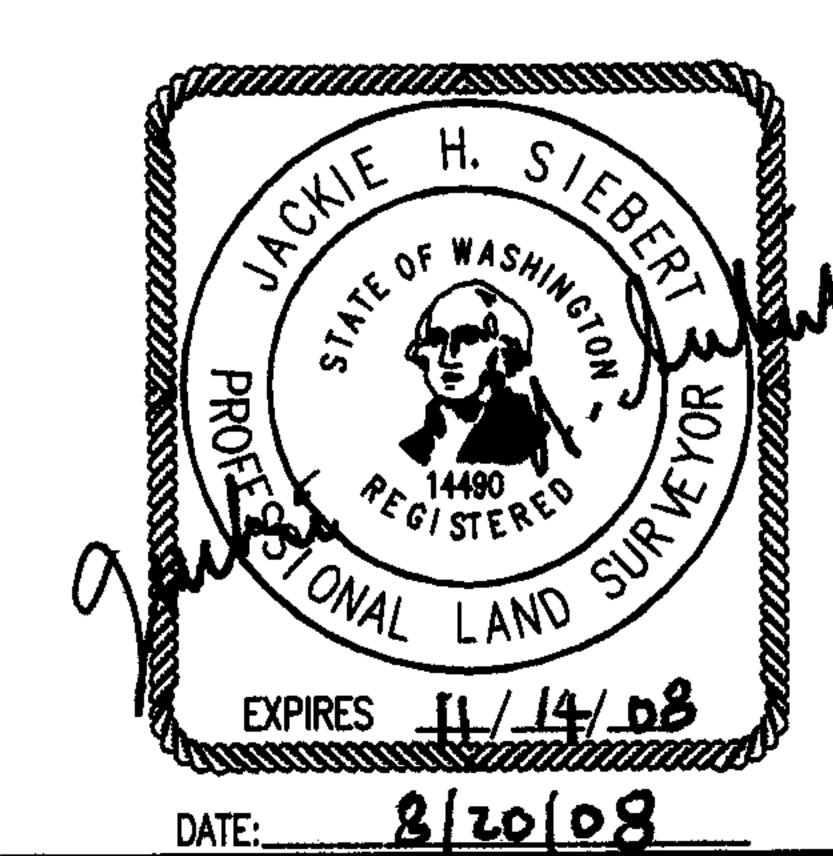
Tri-County Land Surveying Company

Lynnwood, Wa. 98036 (425)776-2926 Fax:776-2850

JOB NO. 06-100 DATE FEBRUARY 2008

WESTLING SHORT PEAT

SNOHOMISH-CO., WASHINGTON



4610 200th St. S.W., Suite A DRAWN BY AJS SHEET CHECKED BY R.S. SCALE N/A 1 OF 3

A PORTION OF THE S.E.1/4, N.W.1/4, SEC.33, T.28 N. R.5E., W.M. SNOHOMISH COUNTY, WASHINGTON.

DRAINAGE FACILITY MAINTENANCE COVENANT:

WE THE OWNERS AND CONTRACT PURCHASERS OF THE LAND HEREIN PLATTED (GRANTOR), AGREE THAT THE OBLIGATIONS OF GRANTOR SHALL INURE TO THE BENEFIT OF AND BE-BINDING UPON THE HEIRS, SUCCESSORS AND ASSIGNS. GRANTOR AGREES THAT THIS COVENANT TOUCHES AND CONCERNS THE LAND DESCRIBED HEREIN AND

GRANTOR BY EXECUTION OF THIS COVENANT ACKNOWLEDGES THAT THE BENEFITS OF THIS COVENANT INURE TO GRANTOR, DOWNSTREAM PROPERTY OWNERS, AND THE GENERAL PUBLIC, AND THAT THE CITY OF MILL CREEK (CITY) AS THIRD-PARTY BENEFICIARY OF THIS COVENANT HAS THE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THIS COVENANT ON BEHALF- OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC. CITY REQUIRES IHIS COVENANT TO PROTECT PRIVATE AND PUBLIC PROPERTY, PRIVATE AND PUBLIC DRAINAGE INFRASTRUGTURE, AND-NATURAL RESOURCES OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC.

GRANTOR, IN CONSIDERATION OF THE APPROVAL OF THIS SUBDIVISION, HEREBY COVENANTS TO PERFORM REGULAR-MAINTENANCE UPON THE DRAINAGE FACILITIES INSTALLED, OR TO BE INSTALLED, UPON GRANTOR'S PROPERTY. REGULAR MAINTENANCE SHALL INCLUDE, AT A MINIMUM, ANNUAL INSPECTION OF THE STORMWATER DRAINAGE SYSTEM. AS APPLICABLE, THE SYSTEM SHALL INCLUDE THE STORMWATER CONVEYANCE SYSTEM PIPES, DITCHES, SWALES AND CATCH-BASINS; STORMWATER FLOW REGULATION SYSTEM DETENTION PONDS, VAULIS, PIPES, RETENTION PONDS, VAULIS, PIPES, RETENTION PONDS, FLOW REGULATION AND CONTROL STRUCTURES, INFILTRATION SYSTEMS AND WATER QUALITY CONTROL SYSTEM.

THE SCOPE OF THIS COVENANT AND RIGHT OF ENTRY SHALL BE ADEQUATE TO PROVIDE FOR THE ACCESS, INSPECTION AND MAINTENANCE OF THE STORMWATER DRAINAGE SYSTEM, AND SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- 1. CITY SHALL HAVE THE PERPETUAL RIGHT OF ENTRY ACROSS-ADJACENT LANDS OF THE GRANTOR FOR THE PURPOSES OF INSPECTING, AUDITING, OR CONDUCTING REQUIRED MAINTENANCE OF THE DRAINAGE FACILITY.
- 2. IF CITY INSPECTION DETERMINES THAT MAINTENANCE IS NOT BEING-PERFORMED . -CITY SHALL ENDEAVOR TO PROVIDE GRANTOR REASONABLE ADVANCE NOTIFICATION OF THE NEED TO PERFORM THE MAINTENANCE AND A REASONABLE OPPORTUNITY FOR --------GRANTOR TO PERFORM IT. IN THE EVENT THAT GRANTOR FAILS TO COMPLETE IHE REQUIRED MAINTENANCE WITHIN A REASONABLE TIME PERIOD, CITY SHALL HAYE THE RIGHT TO PERFORM OR CONTRACT WITH OTHERS TO PERFORM IT AT THE SOLE EXPENSE OF THE GRANTOR. IF CITY IN ITS SOLE DISCRETION DETERMINES THAT AN IMMINENT OR -----BECOME SUBJECT TO THE-FRANCHISE REQUIREMENTS OF THE COUNTY; PRESENT DANGER EXISTS, REQUIRED MAINTENANCE AND/OR REPAIR MAY BEGIN IMMEDIATELY AT GRANTOR'S EXPENSE WITHOUT PRIOR NOTICE TO GRANTOR. IN SUCH --EVENT, CITY SHALL PROVIDE GRANTOR WITH A WRITTEN STATEMENT AND ACCOUNTING ----OF ALL WORK PERFORMED AND THE FEES, CHARGES, AND EXPENSES INCURRED IN MAKING SUCH REPAIRS. GRANTOR SHALL AGREE TO REIMBURSE CITY OR PAY CITY'S VENDORS DIRECTLY FOR ALL REASONABLE FEES, CHARGES AND EXPENSES IDENTIFIED IN CITY'S STATEMENT.
- 3. IF CITY IS REQUIRED TO ACT AS A RESULT OF GRANTOR'S FAILURE TO COMPLY WITH THIS COVENANT, CITY MAY REMOVE ANY OBSTRUCTIONS AND/OR INTERFERENCE THAT IN THE SOLE OPINION OF COUNTY IMPAIR THE OPERATION OF THE DRAINAGE FACILITY OR THE MAINTENANCE THEREOF. GRANTOR AGREES TO HOLD COUNTY, ITS OFFICERS, EMPLOYEES AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS, ACTIONS, SUITS, LIABILITY, LOSS, EXPENSES, DAMAGES AND JUDGMENTS OF ANY NATURE WHATSOEVER, INCLUDING COSTS AND ATTORNEY'S FEES, INCURRED BY THE REMOVAL OF VEGETATION OR PHYSICAL INTERFERENCE FROM THE DRAINAGE FACILITY.
- 4. WHEN EXERCISING THE MAINTENANCE PROVISIONS OF THE COVENANT, IN THE EVENT OF NONPAYMENT, CITY MAY BRING SUIT TO RECOVER SUCH COSTS, INCLUDING ATTORNEY'S FEES, AND UPON OBTAINING A JUDGMENT, SUCH AMOUNT SHALL BECOME A LIEN AGAINST THE PROPERTY OF THE GRANTOR AS PROVIDED IN RCW 4.56.190.
- 5. GRANTOR COVENANTS THAT ALL OF THE OWNERS, CONTRACT PURCHASERS AND LIEN HOLDERS OF THE PROPERTY DESCRIBED HEREIN HAVE SIGNED THE DEDICATION AND/OR THE DECLARATION OF THIS SUBDIVISION, THAT THEY HAVE THE RIGHT TO GRANT THIS COVENANT ON THE PROPERTY, AND THAT THE TITLE TO THE PROPERTY IS FREE AND CLEAR OF ANY ENCUMBRANCES WHICH WOULD INTERFERE WITH THE ABILITY TO GRANT THIS COVENANT.

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 03-110495 SP ON THIS ____ DAY OF ____, 20__, BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES OF SNOHOMISH COUNTY, SUBJECT TO THE FOLLOWING COVENANTS AND CONDITIONS:

1.) THE LAND DESCRIBED BY THIS DECLARATION MAY NOT BE FURTHER SUBDIVIDED IN ANY MANNER EXCEEDING A TOTAL OF FOUR PARCELS (OR A TOTAL OF NINE PARCELS IF LOCATED IN THE URBAN GROWTH AREA) BY ANYONE WITHIN FIVE 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:

3). 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;

DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS, CONTINUED:

4.) DRAINAGE EASEMENTS DESIGNATED ON THE SHORT PLAT ARE HEREBY 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 THE 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 DRAINAGE EASEMENT.

5.) LOTS 1 THROUGH 5 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN. SEE DRAINAGE PLAN FOR DETAILS.

UTILITIES, ROAD MAINTENANCE AND SHARED DRIVEWAY EASEMENT:

- 1.) THE COST AND MAINTENANCE OF THE SHARED DRIVEWAY SHOWN ACROSS THE PÁNHANDLE PORTION OF LOT 2 SHALL BE SHARED EQUALLY BY LOTS 1 AND 2.
- 2.) ALL SUBSEQUENT DEEDS WILL CONTAIN PROVISIONS FOR SHARED DRIVEWAY IN THE MANNER DESCRIBED HEREIN:
- 3.) ALL MAINTENANCE OF THE SHARED DRIVEWAY DESCRIBED BY THIS DECLARATION SHALL BE THE OWNER(S) OF THE PARCELS HAVING LEGAL ACCESS THEREFROM OR THEIR-SUCCESSOR(S), UNLESS AND UNTIL SUCH PORTIONS THEREOF, ARE IMPROVED TO _SNOHOMISH COUNTY PUBLIC ROAD STANDARDS AND ACCEPTED BY SNOHOMISH COUNTY.
- 4.) THE SHARED DRIVEWAY IS HEREBY SUBJECT TO A UTILITIES EASEMENT IN FAVOR OF _-THE GRANTOR(S) OF THE SUCCESSOR(S) AND OF ANY ELECTRIC, TELEPHONE, TELEVISION CABLE-GAS, WATER, OR SEWER COMPANY, PUBLIC OR PRIVATE, OR THEIR 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 SHARED DRIVEWAY SHALL BECOME A PUBLIC ROAD AT SOME TIME IN THE FUTURE, ALL ELASEMENTS WITHIN THE SHARED DRIVEWAY SHALL -BECOME NULL AND VOID, AND ANY UTILITY FACILITIES WHICH PHYSICALLY EXIST SHALL
- 5.) WITH RESPECT TO THE SHARED DRIVEWAY 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 ROAD AND WAYS OVER AND TOOSS ANY LOTS WHERE THE WATER MIGHT TAKE A NATURAL COURSE UPON REASONABLE GRADING PURSUANT TO IMPROVEMENT FOR DEDICATION OF THE ROADS AND WAYS SHOWN HEREIN. FOLLOWING REASONABLE GRADING PURSUANT TO IMPROVEMENT FOR DEDICATION OF THE ROADS AND WAYS SHOWN HEREIN, NO DRAINAGE WATERS ON-ANY LOT OR LOTS SHALL BE DIVERTED OF BLOCKED FROM THEIR NATURAL-COURSES SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHT-OF-WAY HAMPER PROPER ROAD DRAINAGE, WITHOUT THE APPROVAL OF SMOHOMISH COUNTY:

PRIVATE DRAINAGE EASEMENTS PROVISIONS: - .

THE 10' WIDE PRIVATE DRAINAGE EASEMENT ACROSS THE EASTERLY PORTION OF LOT 5 IS FOR THE BENEFIT OF LOT 3 AND THE 10' WIDE PRIVATE DRAINAGE EASEMENT ACROSS THE SOUTHERLY PORTION OF LOT 5 IS FOR THE BENEFIT OF LOT 4. THE PRIVATE STORM DRAINAGE EASEMENT ACROSS LOT 1-15 FOR THE BENEFIT OF LOT 2.

THE EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED THE TOWNERS OF LOTS WHICH BENEFIT FROM THEM FOR THE PURPOSE OF OPERATING, MAINTAINING AND ... RECONSTRUCTION OF STORM WATER FACILITIES. COST IN PORTION USED IN COMMON-BORNE IN EQUAL SHARES. OWNERS OF LOWER PARCEL NOT RESPONSIBLE FOR DRAINAGE ABOVE THEIR CONNECTION.

PRIVATE SIDE SEWER EASEMENT PROVISION:

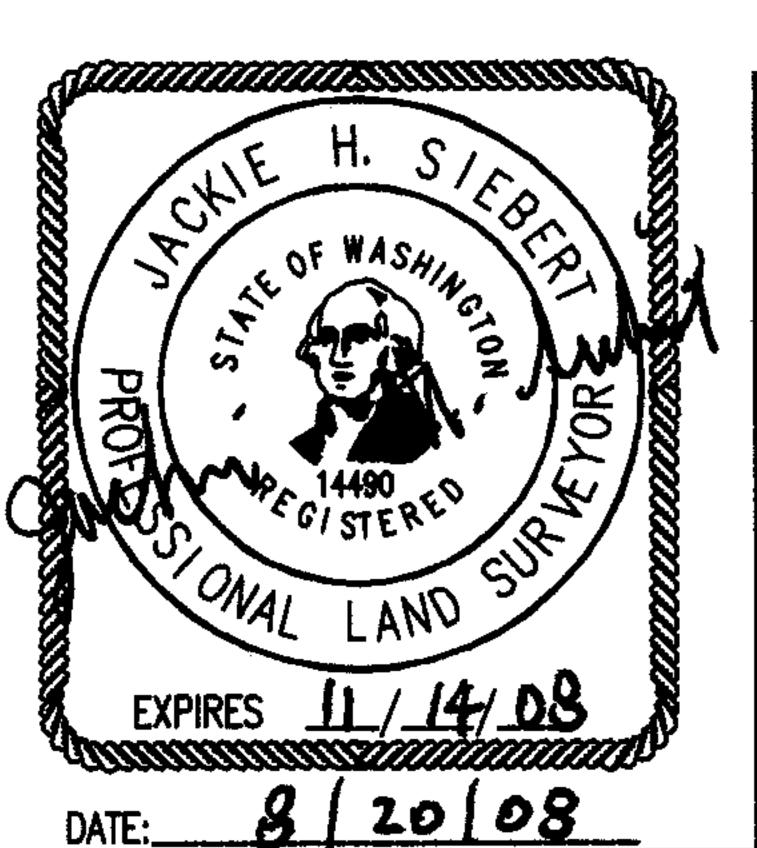
THE 10' WIDE PRIVATE SIDE SEWER EASEMENT AS SHOWN ACROSS A PORTION OF LOT = 3 AND LOT 5 IS FOR THE BENEFIT OF LOT 4. THE 10 FOOT WIDE PRIVATE SANITARY SEWER EASEMENT AS SHOWN ACROSS A PORTION OF THE PANHANDLE OF LOT 2 IS FOR THE BENEFIT OF LOT 1.

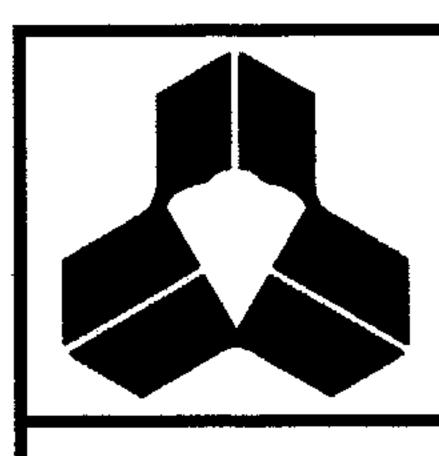
RESTRICTIONS:

- a.) CHAPTER 30.66B SCC MITIGATION HAS BEEN BASED ON THE DEVELOPMENT OF SINGLE-FAMILY STRUCTURES. NO DUPLEXES ARE PERMITTED.
- b.) LOT 1 SHALL NOT BE PERMITTED TO ACCESS 41ST AVENUE S.E.
- c.) LOT 4 SHALL ACCESS 138TH STREET S.E. ONLY.
- d.) THERE IS A 15 FOOT BUILDING SETBACK FROM THE DETENTION POND ON
- e.) CHAPTER 30.66A SCC REQUIRES THE PER NEW DWELLING UNIT FEE PAYMENT IN THE AMOUNT OF \$918.00 FOR MITIGATION OF IMPACTS ON THE COUNTY PARKS SYSTEM. THE DEVELOPER OF THIS SHORT 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.
- f.) CHAPTER 30.66B REQUIRES THE NEW LOT MITIGATION PAYMENTS IN THE AMOUNTS SHOWN BELOW FOR A SINGLE FAMILY RESIDENCE:
- \$2,162.82 PER LOT FOR MITIGATION OF IMPACTS ON COUNTY ROADS PAID TO THE

\$75.75 PER LOT FOR TRANSPORTATION DEMAND MANAGEMENT PAID TO THE COUNTY, \$344.52 PER LOT FOR MITIGATION OF IMPACTS ON STATE HIGHWAYS PAID TO THE

- THESE PAYMENTS ARE DUE PRIOR TO OR AT THE TIME OF BUILDING PERMIT ISSUANCE FOR EACH SINGLE FAMILY RESIDENCE. NOTICE OF THESE MITIGATION PAYMENT OBLIGATIONS SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION OF THE LOTS THEREIN. ONCE BUILDING PERMIT HAS BEEN ISSUED ALL MITIGATION PAYMENTS SHALL BE DEEMED PAID BY PDS.
- g.) IN CONSIDERATION OF THE APPROVAL OF THE SHORT SUBDIVISION THE OWNERS OF THE LOTS OF THE SHORT SUBDIVISION, THEIR HEIRS, SUCCESSORS, AND ASSIGNS, COVENANT AND AGREE NOT TO PROTEST THE CONVERSION OF THE THIRTY (30) FOOT EASEMENTS (TOTAL 60 FEET) AND PRIVATE ROAD KNOWN AS 42ND AVE. S.E., CREATED AND CONVEYED IN THE SHORT SUBDIVISIONS RECORDED UNDER A.F. NO. 8201280175 AND 8201280177, TO A PUBLIC ROAD AT ANY TIME THE CITY DETERMINES A PUBLIC ROAD IS NECESSARY, OR A PUBLIC ROAD IS REQUIRED FOR FURTHER DEVELOPMENT OF ANY OF THE LOTS WITHIN THE SHORT PLATS. THE OWNERS OF THE SHORT SUBDIVISION LOTS, THEIR HEIRS, AND ASSIGNS FURTHER AGREE AND CONVENT TO PROVIDE ALL NECESSARY AUTHORIZATIONS AND TO EXECUTE ALL NECESSARY CONVEYANCE DOCUMENTS, AT NO COST AND EXPENSE TO THE CITY, TO ACCOMPLISH THE DEDICATION AND/OR CONVERSION OF THE PRIVATE ROAD TO THE CITY 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.
- h.) THE LOTS WITHIN THIS SUBDIVISION WILL BE SUBJECT TO SCHOOL IMPACT MITIGATION FEES FOR THE EVERETT SCHOOL DISTRICT #2 TO BE DETERMINED BY THE CERTIFIED AMOUNT WITHIN THE BASE FEE SCHEDULE IN EFFECT AT A THE TIME OF BUILDING PERMIT APPLICATION, AND TO BE COLLECTED PRIOR TO BUILDING PERMIT ISSUANCE, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 30.66C.010. CREDIT SHALL BE GIVEN FOR THE PRE-EXISTING LOT. THE CREDIT SHALL BE APPLIED TO LOT 3, WHICH CONTAINS THE EXISTING RESIDENCE.
- i.) SUBJECT TO PUBLIC UTILITY DISTRICT NO. 1 TELEPHONE/DISTRIBUTION LINE EASEMENT RECORDED UNDER A.F. NO. 1632603. THE DESCRIPTION PROVIDED INS NOT SUFFICIENT TO PLOT IT'S EXISTING LOCATION.
- j.) SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, DEDICATIONS, AGREEMENTS AND EASEMENTS AS CONTAINED IN SNOHOMISH COUNTY SHORT PLAT (5-81), RECORDED UNDER RECORDING NO. 8201280175.
- k.) SUBJECT TO AGREEMENT WITH SILVER LAKE WATER DISTRICT RECORDED UNDER A.F. NO. -8210250186 AND 8210250187.
- .) SUBJECT TO RIGHT TO MAKE NECESSARY SLOPES, CUTS OR FILLS UPON PROPERTY HÉREIN DESCRIBES AS GRANTED IN DEED RECORDED UNDER .F. NO. 2092684.
- m.)- SUBJECT TO SANITARY SEWER EASEMENT TO SILVER LAKE SEWER AND WATER





Tri-County Land Surveying Company 4610 200th St. S.W., Suite A

Lynnwood, Wa. 98036 (425)776-2926 Fax:776-2850

JOB NO. 06-100 DATE FEBRUARY 2008 DRAWN BY AJS CHECKED BY R.S. SHEET SCALE N/A 2 OF 3

WESTLING SHORT PEAT.

SNOHOMISH-TCO.

