

218TH STREET S.W. SHORT SUBDIVISION
A PORTION OF THE S.E.1/4, N.W.1/4, SEC.28, T.27 N. R.4E., W.M.
SNOHOMISH COUNTY, WASHINGTON.

**DECLARATION OF SHORT SUBDIVISION,
COVENANTS AND RESTRICTIONS**

KNOW ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED HAVING AN INTEREST IN THE REAL PROPERTY DESCRIBED BY THIS DECLARATION, DO HEREBY DECLARE THE HEREIN DIVISION OF LAND APPROVED AS SHORT PLAT SUBDIVISION NUMBER PSP-11-0002 BY THE CITY OF MOUNTLAKE TERRACE, SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

A) AN EASEMENT IS HEREBY RESERVED AND GRANTED TO ALL UTILITIES AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS SERVING THIS SHORT SUBDIVISION, UNDER AND UPON THE EXTERIOR TEN (10) FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, 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 SHORT SUBDIVISION AND OTHER PROPERTY WITH ELECTRICITY, TELEPHONE, TELEVISION CABLE, GAS AND OTHER UTILITY SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

B) A PRIVATE SANITARY SEWER EASEMENT OVER A PORTION OF LOTS 2 AND 3 OF THIS SHORT SUBDIVISION IS FOR THE BENEFIT OF LOTS 1 AND 2. THE MAINTENANCE, REPAIR AND REPLACEMENT OF THE SANITARY SEWER SYSTEM SHALL BE THE RESPONSIBILITY OF THE OWNER(S) OF LOTS 1 AND 2 OF THIS SHORT SUBDIVISION. THE OWNER(S) OF LOT 2 AND 3 SHALL RETAIN THE RIGHT TO USE THE SURFACE OF SAID EASEMENT, SO LONG AS SAID USE DOES NOT INTERFERE WITH THE INSTALLATION, OPERATION AND MAINTENANCE OF EASEMENT USAGE.

THESE COVENANTS CONSTITUTE AGREEMENT RUNNING WITH THE LAND AND ARE FOR THE MUTUAL BENEFIT OF THE GRANTOR AND HIS HEIRS, SUCCESSORS AND ASSIGNS AND ARE FOR THE FURTHER PURPOSE OF COMPLIANCE WITH THE ORDINANCES AND REGULATIONS OF THE CITY OF MOUNTLAKE TERRACE, AND THE "CITY" AND SUCH PERSONS ARE SPECIFICALLY GIVEN THE RIGHT TO ENFORCE THESE RESTRICTIONS AND REGULATIONS BY INJUNCTION OR THEIR LAWFUL PROCEDURE AND TO RECOVER ANY DAMAGES RESULTING FROM SUCH VIOLATIONS.

53RD AVENUE WEST LLC

BY: Behnam Dadvar
BEHNAME DADVAR "MEMBER"

EXCEPTIONS:

1. SUBJECT TO TERMS AND PROVISIONS AS CONTAINED IN INSTRUMENT RECORDED UNDER AUDITOR'S FILE NUMBER 201306200539.
2. SUBJECT TO AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM EASEMENT AS RECORDED UNDER AUDITOR'S FILE NUMBER 201311190201. INFORMATION PROVIDED NOT SUFFICIENT TO PLOT ITS EXACT LOCATION.

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
COUNTY OF WA, KING) SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT BEHNAME DADVAR IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH AND STATED THAT HE IS AUTHORIZED TO EXECUTE THE INSTRUMENT, AS A MEMBER OF 53RD AVENUE WEST LLC.

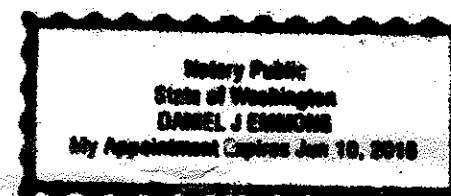
DATE: JANUARY 27TH 2014

Daniel J. Emmons
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

DANIEL J. EMMONS
NOTARY NAME TO BE PRINTED

RESIDING AT: WA, KIRKLAND

MY APPOINTMENT EXPIRES: JUNE 10, 2016



LEGAL DESCRIPTION:

(FIRST AMERICAN TITLE CO. GUARANTEE NO. 4229-2022597)

TRACT 36, SEATTLE HEIGHTS GARDENS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGE 16, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE WEST 77.25 FEET THEREOF;

TOGETHER WITH THE SOUTH 19.32 FEET OF THE EAST 151.5 FEET OF TRACT 37, SEATTLE HEIGHTS GARDENS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGE 16, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

(ALSO KNOWN AS NEW PARCEL A, CITY OF MOUNTLAKE TERRACE BOUNDARY LINE ADJUSTMENT NO. PLL-12-0001, RECORDED UNDER RECORDING NUMBER 201212215002)

APPROVAL

EXAMINED AND APPROVED THE 30 DAY OF JANUARY 2014

CITY OF MOUNTLAKE TERRACE

Scott McGill
SCOTT MCGILL, INTERIM CITY MANAGER

TREASURER'S CERTIFICATE

I, _____ TREASURER OF SNOHOMISH COUNTY, WASHINGTON, DO HEREBY CERTIFY THAT ALL THE TAXES AND DELINQUENT ASSESSMENTS ON THE ABOVE DESCRIBED TRACT HAVE BEEN FULLY PAID-UP TO AND INCLUDING THE YEAR _____.

BY: _____
TREASURER, SNOHOMISH COUNTY

BY: _____
DEPUTY TREASURER

A.F. NO. _____

201401315002 CONFORMED COPY
01/31/2014 11:52am \$136.00 PGS
SNOHOMISH COUNTY, WASHINGTON

RECORDING CERTIFICATE

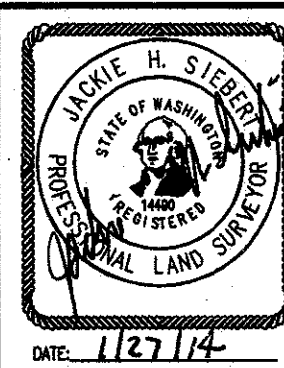
FILED FOR RECORD BY _____
THIS _____ DAY OF _____, 2014, A.D. AT _____
MINUTES PAST _____ O'CLOCK _____ M. AND
RECORDED IN VOLUME _____ OF SURVEYS, ON
PAGE _____ RECORDS OF SNOHOMISH COUNTY,
WASHINGTON.

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 THE ABOVE REFERENCED PARTY'S

THIS 27 DAY OF JAN, 2014

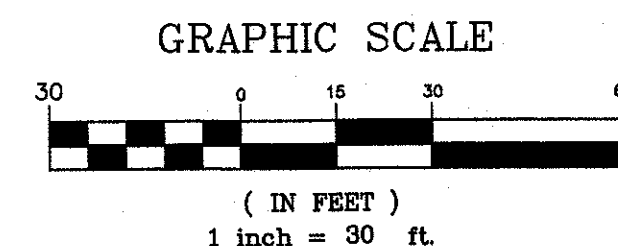
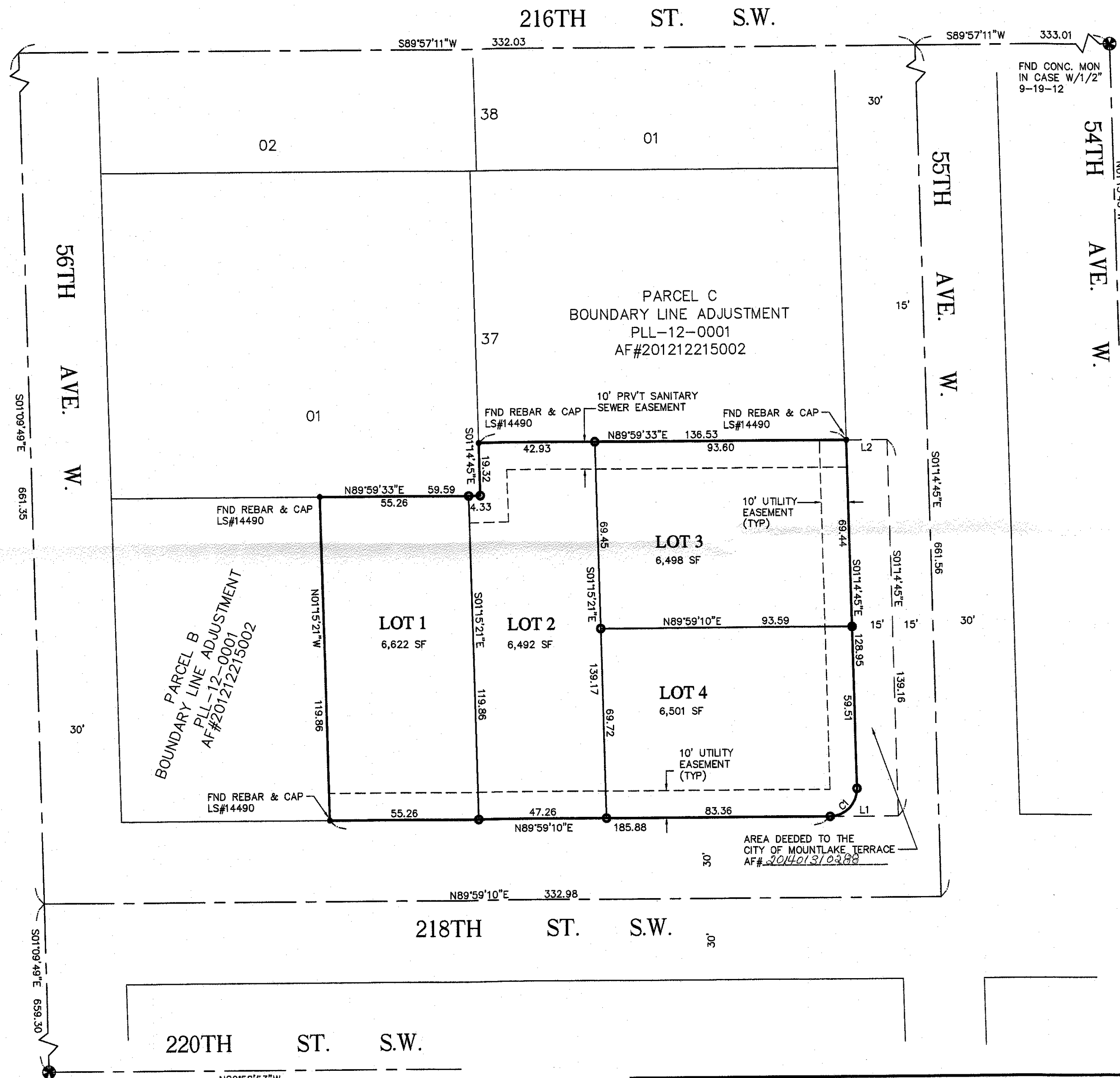
Jackie H. Sierber L.S. NO. 14490
REGISTERED LAND SURVEYOR



Tri-County Land Surveying Company 4610 200th St. S.W., Suite A Lynnwood, Wa. 98036 (425)776-2926 Fax: 776-2850		
DRAWN BY B.H.	DATE JANUARY 27, 2014	JOB NO. 12-082
CHECKED BY R.S.	SCALE N/A	SHEET
1 OF 2		

SHORT SUBDIVISION FOR
218TH STREET S.W.
SHORT PLAT FILE NO. PSP-12-0002

218TH STREET S.W. SHORT SUBDIVISION
A PORTION OF THE S.E.1/4, N.W.1/4, SEC.28, T.27 N. R.4E., W.M.
SNOHOMISH COUNTY, WASHINGTON.



LEGEND

- ⊕ FOUND MONUMENT AS DESCRIBED
- FOUND PROPERTY CORNER AS DESCRIBED
- SET 1/2" x 24" REBAR & CAP LS#14490

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	15.92	10.00	91°13'55"

LINE TABLE		
LINE	LENGTH	BEARING
L1	25.22	N89°59'10"E
L2	15.00	N89°59'33"E

BASIS OF BEARING:

THE PLAT OF SEATTLE HEIGHTS RECORDED IN VOLUME 9, PAGE 16, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

INSTRUMENTATION NOTE:

INSTRUMENTATION FOR THIS SURVEY WAS A ONE SECOND TOTAL STATION. PROCEDURES USED IN THIS SURVEY WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090.



Tri-County Land Surveying Company
4610 200th St. S.W., Suite A
Lynnwood, Wa. 98036 (425)776-2926 Fax: 776-2850

DRAWN BY B.H.	DATE JANUARY 27, 2014	JOB NO. 12-082
CHECKED BY R.S.	SCALE 1" = 30'	SHEET
2 OF 2		

A.F. NO. _____

SHORT SUBDIVISION FOR
218TH STREET S.W.
SHORT PLAT FILE NO. PSP-12-0002