

DECLARATION

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 City of Mountlake Terrace short plat number 96-02, subject to the following covenants and conditions:

(i) The land described by this Declaration may not be further subdivided in any manner exceeding a total of four 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 the City of Mountlake Terrace, and subject to the penalties attendant thereto;

(ii) All landscaped areas in public rights-of-way shall be maintained by the owner(s) or their successors and must be reduced or eliminated at the request of the city if deemed necessary for public road purposes;

(iii) Drainage easements designated on the short plat are hereby reserved for and granted to the City of Mountlake Terrace, 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; and

(iv) Approval of this document does not constitute a transfer of ownership. It is the responsibility of the property owners to complete the conveyance process.

DEDICATION

Know all persons by these presence that Robert K. Gogert and Paula J. Gogert, husband and wife, the undersigned owners in fee simple of the land hereby short subdivided, City of Mountlake Terrace short plat file number 96-02, hereby declare this short plat and dedicate to the use of the public forever all streets, avenues, places and sewer easements or whatever public property there is shown on the short plat, and the use for any and all public purposes not inconsistent with the use thereof for public highway purposes. Also, the right to make all necessary slopes for cuts and fills upon lots, blocks, tracts, etc., shown on this short plat in the reasonable original grading of all 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 establishment, 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 their 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 Mountlake Terrace City Engineer. 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, subject to any permitting requirements therefor.

IN WITNESS WHEREOF, we set our hands and seals this 5th day of May, 1997.

Robert K. Gogert Paula J. Gogert
Robert K. Gogert Paula J. Gogert

AUDITOR'S CERTIFICATE

Filed for record at the request of Vern L. Bower, this 3rd day of June, 1997, at 09 minutes past 10 A. m., and recorded in Volume 4 of Short Plats, Pages, 126 thru 126, Records of Snohomish County, Washington.

BOB TERWILLIGER, County Auditor

Auditor Snohomish County

Deputy County Auditor

9706035002

NE 1/4 SECTION 33, T. 27 N., R. 4 E., W.M.

ACKNOWLEDGEMENTS

STATE OF WASHINGTON)

)ss (Individual)

COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Robert K. Gogert and Paula J. Gogert, 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: 5-5-97

Notary Public in and for the State of Washington
My Appointment Expires 11-9-00

STATE OF WASHINGTON)

) (Corporate)

COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Connie Jessler is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the City Manager of Mountlake Terrace for the uses and purposes mentioned in the instrument.

Dated: 5-25-97

Vikki Kirschner
Notary Public in and for the State of Washington
My Appointment Expires 5-25-99

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 Steven Charles MacKenzie in November, 1995.



Vern L. Bower
Vern L. Bower
Certificate Number 17658

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. Approved this 22 day of May, 1997.

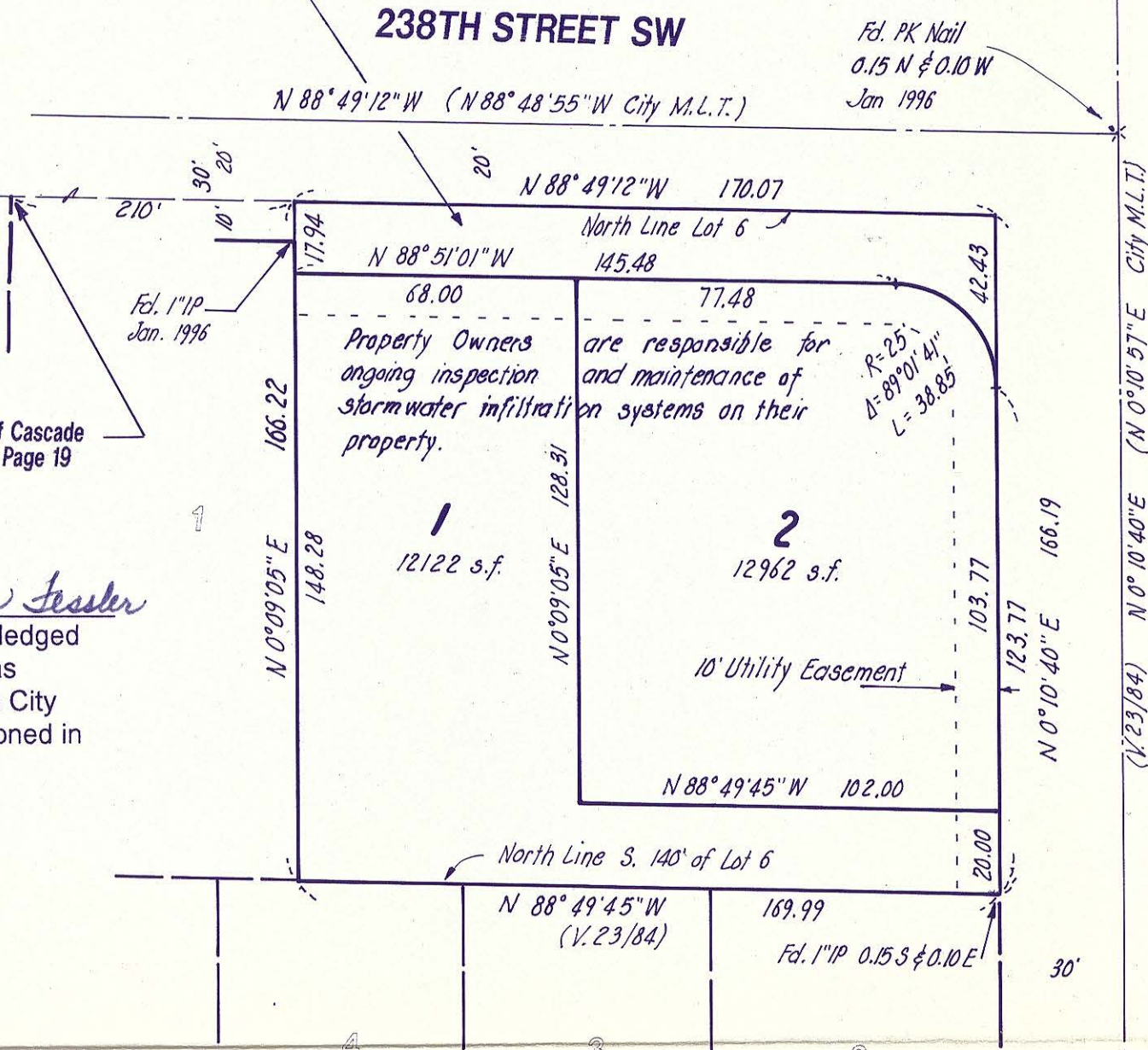
Connie L. Jessler
City Manager
City of Mountlake Terrace

EASEMENT PROVISION

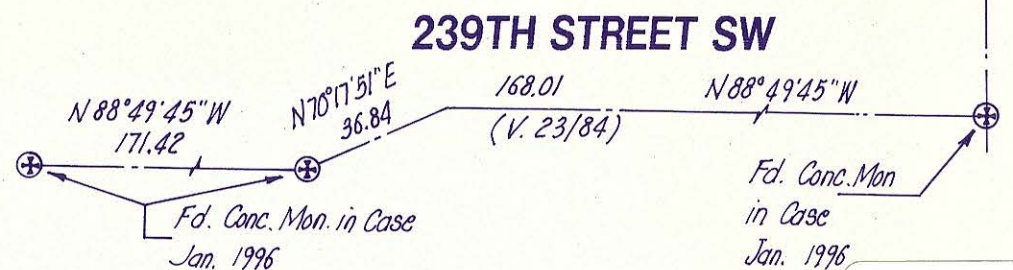
An easement is hereby reserved for and granted to all utilities and their respective successors and assigns serving this short plat, under and upon the exterior ten feet parallel with and adjoining the street frontage of all lots, in which to install, lay, construct, renew, operate and maintain underground 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 and other utility service, together with the right to enter upon the lots at all times for the purposes herein stated.

EQUIPMENT & ACCURACY: Wild T-16 Theodolite and DI 1000 EDM used for field traverse. Accuracy meets or exceeds WAC 332-130-090.

Dedicated to the City of Mountlake Terrace for Right-of-Way by Warranty Deed recorded January 10, 1997 under AF #9701100366, Records of Snohomish County



ALPINE VILLAGE
(V. 23, P. 84)



LEGAL DESCRIPTION - Plat Boundary

That portion of the east 3/5 of the east half of Lot 6, Hanbury's North Race Track Addition, according to the plat thereof recorded in Volume 7 of Plats, page 8, Records of Snohomish County, Washington, described as follows:

Commencing at the northeast corner of the Plat of Cascade View, according to the plat thereof recorded in Volume 13 of Plats, page 19, Records of Snohomish County, Washington; thence East (S 88° 49' 12" E) along the north line of Lot 6, said plat of Hanbury's North Race Track Addition, 210 feet; thence South (S 0° 09' 05" W), parallel with the east line of said plat of Cascade View, 177.94 feet to the point of beginning; thence East (S 88° 51' 01" E), to the beginning of a 25 foot radius tangent curve concave to the southwest; thence along said curve, through a central angle of 89° 01' 41", 38.85 feet to a point on the east line of said Lot 6; thence South (S 0° 10' 40" W), along said east line, 123.77 feet to a point 140 feet North of the south line of said Lot 6; thence West (N 88° 49' 45" W) parallel with the south line of said Lot 6, 169.99 feet to a point South (S 0° 09' 05" W) of the point of beginning; thence North (N 0° 09' 05" E), 148.28 feet to the point of beginning. Containing 25085 square feet (0.576 acres).

NE 1/4 SECTION 33, T. 27 N., R. 4 E., W.M.

INTENSUS

ENGINEERING • SURVEYING

15425 BROADWAY AVE SE
PO BOX 1486, SNOHOMISH, WA 98291
(206) 481-7282 • (360) 668-7534

MACKENZIE SHORT PLAT 96-02
City of Mountlake Terrace

Steven & Michelle MacKenzie
4802 - 238th St SW
Mountlake Terrace, WA 98043
PH: 206-778-0829

BASIS OF BEARINGS:
Centerline of 48th Ave W
N 0° 10' 40" E, Plat of Alpine Village

⊕ Indicates Monument Found as Noted

Set 1/2" x 24" long Rebar w/Plastic Cap "INTENSUS", 17658 at all lot corners

Scans: scans021730.pdf

Scale: 1" = 40'