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03/26/2014 9:51am \$74.00
SNOHOMISH COUNTY, WASHINGTON

Return Address

City of Mountlake Terrace
6100 219th Street SW, Suite 200
Mountlake Terrace, WA 98043

COVER SHEET FOR RECORDING

Document Title: Maintenance Agreement for Rain Gardens For Short Subdivision for 218th Street SW
Reference numbers(s) of documents assigned or released: (on page _____ of document(s))
Grantor: 53rd Avenue W LLC
Grantees: City of Mountlake Terrace
Legal description 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; (Also known as new Parcel A, City of Mountlake Terrace Boundary Line Adjustment No. PLL-12-0001, recorded under Recording Number 201212215002) And as recorded under AFN: 201401315002
Assessor's property tax parcel/account numbers: 00 5663 000 036 01 (parent parcel) – plat recorded 01/31/2014 - AFN: 201401315002
Lot 1 AFN (Assessor in process of assigning) Lot 3 AFN (Assessor in process of assigning) Lot 2 AFN (Assessor in process of assigning) Lot 4 AFN (Assessor in process of assigning)
The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

Maintenance Agreement for Rain Gardens

Short Subdivision for 218th Street SW

The rain gardens for each individual lot, Lots 1 through 4 of the 218th Street SW Short Subdivision, created under Assessor's Recording Number 201401315002, shown on Exhibit A, and described in the legal description, below, must remain functional in order to be in compliance with the Washington State Department of Ecology stormwater mitigation requirements and consistent with civil plans approved by the City of Mountlake Terrace ("City") on October 2, 2013 under C-13-0015. Maintenance, care, and replacement of stormwater controls, rain gardens, and rain garden landscaping is the responsibility of each individual lot owner. Any changes must be applied for and approved by the City of Mountlake Terrace. Individual lot owners that do not maintain their rain garden, as approved, will be out of compliance and notified as such by the City of Mountlake Terrace. Immediately upon notification by said City, the rain garden(s) shall be restored to the approved condition. Failure to restore said rain garden within 30 days of city notification grants the city the right to enter the property and complete the restoration at the owner's expense.

Legal Description

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;

(Also known as new Parcel A, City of Mountlake Terrace Boundary Line Adjustment No. PLL-12-0001, recorded under Recording Number 201212215002).

This Maintenance Agreement is binding upon the heirs, successors, and assigns of all property owners of Lots 1 through 4, in perpetuity, unless otherwise approved by the city.

Behnam Dadvar
53rd Avenue W LLC, by
Behnam Dadvar "Member"

Date: March 19, 2014

STATE OF WASHINGTON

)

) ss:

COUNTY OF SNOHOMISH

)

On this day personally appeared before me Behnam Dadvar, Member of 53rd
Avenue West LLC, to me known to be the individual, described in and who executed the
within and foregoing instrument, and acknowledged that he signed the same as his free
and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 19 day of March, 2014.



Susan K. Read

Print: Susan K. Read

Notary Public in and for the State of
Washington

Residing at Shoreline, WA 98133

Commission Expires: 11-09-17



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.

FILE NO. PSP-12-0002

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 INTO SHORT SUBDIVISIONS, SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

A) AN EASEMENT IS HEREBY RESERVED AND GRANTED TO ALL LOT 1, 2 AND 3 AND THEIR RESPECTIVE ACCESSORS, AND ASSOCIATED THEREWITH, THE RIGHT OF WAY UNDER AND UPON THE FACE OF ALL LOTS, IN WHICH TO INSTALL, LAY, CONSTRUCT, REPAIR, MAINTAIN, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPE AND WIRING WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSES OF SERVING THIS SHORT SUBDIVISION AND OTHER ADJACENT AREAS, INCLUDING 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 SHALL BE THE RESPONSIBILITY OF THE OWNER(S) OF LOTS 1 AND 2. THE EASEMENT 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 SUCH 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 PARTIES TO THIS DECLARATION, SUCCESSORS AND ASSIGNS. THE PARTIES TO THIS DECLARATION HAVE AGREED TO COMPLY 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 OTHER LAWFUL PROCEDURE AND TO RECOVER ANY DAMAGES RESULTING FROM SUCH VIOLATIONS.

5340 AVENUE WEST LLC
BY: Bethann Duhon
BETHANN DUHON, VICE PRESIDENT

EXCEPTIONS:
1. SUBJECT TO TERMS AND PROVISIONS AS CONTAINED IN INSTRUMENT RECORDED UNDER AUDITOR'S FILE NUMBER 201306200335.
2. SUBJECT TO AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM EASEMENT AS RECORDED UNDER AUDITOR'S FILE NUMBER 201311180201. INFORMATION PROVIDED NOT SUFFICIENT TO PLOT ITS EXACT LOCATION.

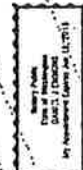
ACKNOWLEDGMENT:

STATE OF WASHINGTON)
COUNTY OF WA) SS

I CERTIFY THAT I KNOW OR HAVE SUFFICIENT EVIDENCE THAT BETHANN DUHON IS THE PERSON WHO HAS SIGNED THIS INSTRUMENT, ON BEHALF OF 5340 AVENUE WEST LLC, THAT HE IS AUTHORIZED TO EXECUTE THE INSTRUMENT, AS A MEMBER OF 5340 AVENUE WEST LLC.

DATE: JANUARY 27, 2014
NOTARY PUBLIC FOR THE STATE OF WASHINGTON
DANIEL J. EMMONS
NOTARY NAME TO BE PRINTED
RESIDING AT: WA, KIRKLAND

ANY APPOINTMENT EXPIRES: JUNE 10, 2016



APPROVAL
EXAMINED AND APPROVED THE 30 DAY OF JANUARY
2014

CITY OF MOUNTLAKE TERRACE
SCOTT BOCK, INTERIM CITY MANAGER

TREASURER'S CERTIFICATE
I, LACKE NORDEN, TREASURER OF SNOHOMISH COUNTY, WASHINGTON, DO HEREBY CERTIFY THAT ALL ASSESSED TAXES ON THE TRACT HAVE BEEN FULLY PAID-UP, INCLUDING THE YEAR 2013 AND INCLUDING THE YEAR 2014.

BY: [Signature] 2/11/2014
TREASURER, SNOHOMISH COUNTY

BY: [Signature] 2/11/2014
DEPUTY TREASURER, SNOHOMISH COUNTY

LEGAL DESCRIPTION:
(FIRST AMERICAN TITLE CO. GUARANTEE NO. 4229-3082497)
TRACT 36, SEATTLE HEIGHTS GARDEENS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS, PAGE 10, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

EXCEPT THE WEST 77.25 FEET THEREOF;
TOGETHER WITH THE SOUTH 18.33 FEET OF THE EAST 151.5 FEET OF TRACT 32, SNOHOMISH HEIGHTS GARDEENS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8 OF PLATS, PAGE 16, RECORDS OF SNOHOMISH COUNTY, WASHINGTON. (ALSO KNOWN AS NEW PACEL A, CITY OF MOUNTLAKE TERRACE, BOUNDARY LINE ADJUSTMENT NO. PL-12-0004, RECORDED UNDER RECORDING NUMBER 20121215001)

RECORDING CERTIFICATE

FILED FOR RECORD BY: [Signature]
THIS 27 DAY OF JAN, 2014
MINUTES PAST 10 O'CLOCK A.M.
PLACED IN THE RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY [Signature] IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF THE ABOVE REFERENCED PARTY'S. THIS 27 DAY OF JAN, 2014



Tri-County
Land Surveying Company
4810 200th St. S.W., Suite A
Lynnwood, WA 98036 (425) 776-2936 Fax: 776-2850
DRAWN BY: B.N. DATE: JANUARY 27, 2014 JOB NO. 12-002

A.F. NO. AD00000000

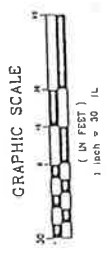
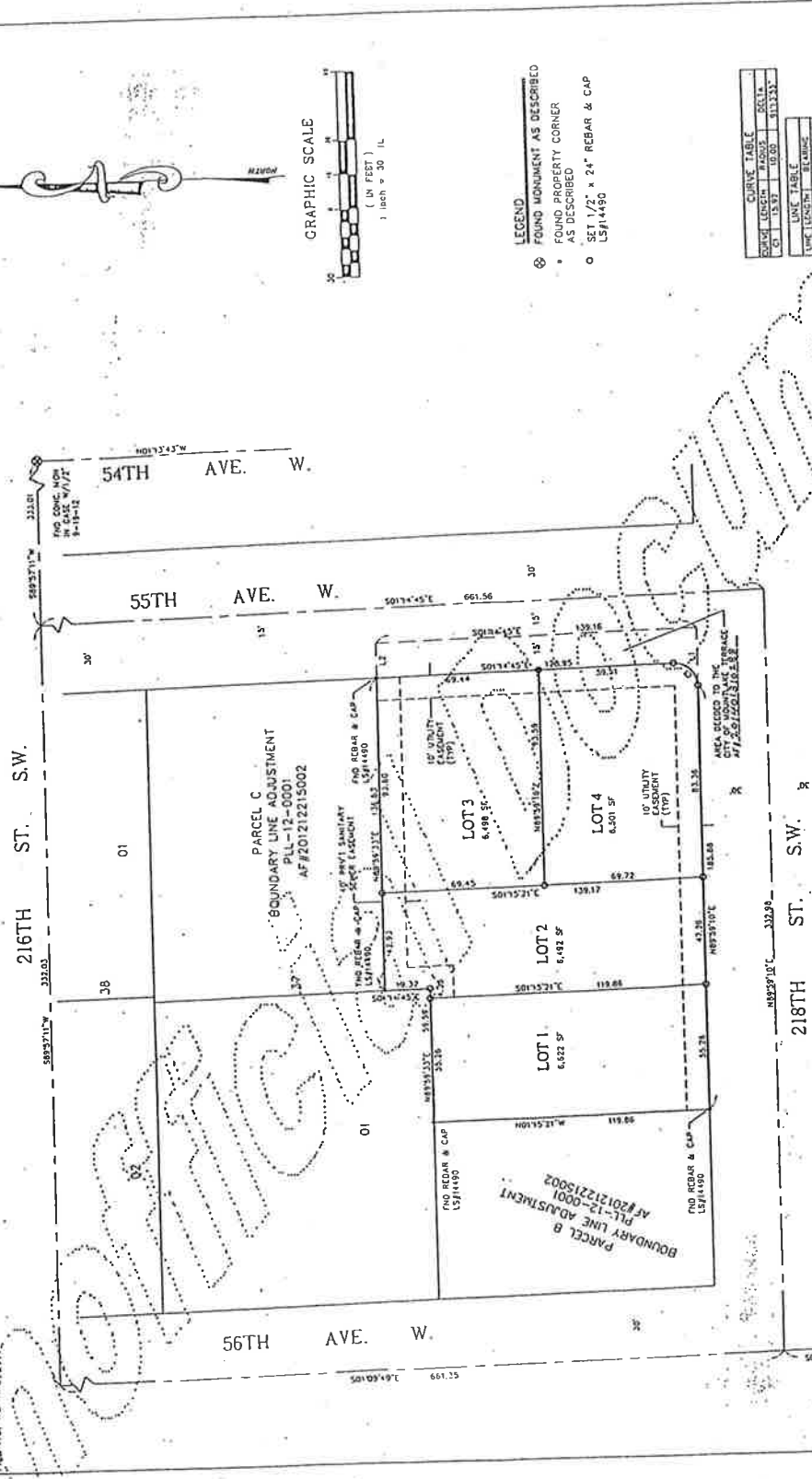
SHORT SUBDIVISION FOR
218TH STREET S.W.

SHORT PLAT FILE NO. PSP-12-0002

EXHIBIT A



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 LSF/14480

CURVE TABLE		
CHORD LENGTH	RADIUS	ANGLE
10.00	10.00	90.00
15.00	15.00	135.00
20.00	20.00	180.00
25.00	25.00	225.00
30.00	30.00	270.00

LINE TABLE		
LINE LENGTH	BEARING	ANGLE
1.00	N 89° 59' 10" E	89.986111
1.00	S 89° 59' 10" W	90.013889
1.00	S 89° 59' 10" W	90.013889
1.00	N 89° 59' 10" E	89.986111

A.F. NO. 2044215002
SHORT SUBDIVISION: ROR
218TH STREET S.W.
SHORT PLAT FILE NO. PSP-12-0002

Tri-County
Land Surveying Company
4400 200th St. S.W., Suite A
Lynnwood, WA 98036 (425) 776-2226 Fax: 776-2650
JOB NO. 12-082
DATE JANUARY 22, 2014
DRAWN BY B.A.



INSTRUMENTATION NOTE:
INSTRUMENTATION FOR THIS SURVEY WAS A
TRIPLET TOTAL STATION. PROCEDURES
USED IN THIS SURVEY WERE FIELD

BASIS OF BEARING:
THE PLAT OF SEATTLE HEIGHTS RECORDED IN
VOLUME 9, PAGE 16, RECORDS OF SNOHOMISH

