

# Declaration of Short Subdivision, Covenants and Restrictions:

KNOW ALL PERSONS BY THESE PRESENTS:

THAT I, THE UNDERSIGNED, HAVING AN INTEREST IN THE REAL PROPERTY DESCRIBED BY THIS DECLARATION, DO HEREBY DECLARE THE HEREIN DIVISION OF LAND APPROVED AS SHORT SUBDIVISION NUMBER PSP050011 BY THE CITY OF MOUNTLAKE TERRACE, SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

I. AN EASEMENT IS HEREBY RESERVED FOR 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 LOTS 1 AND 2, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPES 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 SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED;

II. 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 CITY, IF DEEMED NECESSARY FOR CITY ROAD PURPOSES;

## PRIVATE ROAD:

THE PRIVATE ROAD EASEMENT IS HEREBY GRANTED AND TOGETHER WITH ALL MAINTENANCE OBLIGATIONS TO LOTS 3 AND 4 WITH AN EQUAL AND UNDIVIDED INTEREST UPON THE RECORDING OF THIS SHORT PLAT. THE EASEMENT SHALL REMAIN IN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.

A) LOTS 3 AND 4 OF THIS SHORT SUBDIVISION HAVE AN UNDIVIDED EQUAL INTEREST IN AND THE RESPONSIBILITY FOR MAINTENANCE AND LIABILITY FOR DAMAGES DUE TO FAILURE OR LACK OF MAINTENANCE OF THE PRIVATE ROADWAY CONTAINED WITHIN SAID SHORT SUBDIVISION. IF THE OWNERS OF LOTS WITHIN THE SHORT SUBDIVISION FAIL TO MAINTAIN THE ROAD TO A DEGREE THAT PROHIBITS ACCESS BY EMERGENCY VEHICLES (AS DETERMINED BY THE CITY OF MOUNTLAKE TERRACE IN ITS SOLE DISCRETION) SAID CITY RESERVES THE RIGHT TO REPAIR THE ROADWAY. ANY AND ALL COSTS OF REPAIR AND APPLICABLE ADMINISTRATION COSTS INCURRED BY THE CITY SHALL BE PAID BY THE OWNERS OF THE LOTS WITHIN THIRTY (30) DAYS OF BEING BILLED BY SAID CITY. IN THE EVENT SUCH COSTS ARE NOT FULLY PAID WITHIN AFORESAID, SAID CITY SHALL HAVE THE RIGHT TO FILE A LIEN AGAINST ALL SAID LOTS IN THE TOTAL AMOUNT OF ANY UNPAID COSTS AS FORESAID, WHICH SAID LIEN MAY BE FORECLOSED IN THE MANNER PROVIDED BY THE LAWS OF THE STATE OF WASHINGTON FOR THIS FORECLOSURE OF LIENS OF MECHANICS OR MATERIAL MEN. EACH PROVISION OF THIS PARAGRAPH SHALL CONSTITUTE AN AGREEMENT RUNNING WITH THE LAND, AND BIND THE RESPECTIVE LOT OWNERS, THEIR HEIRS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

B) THE PRIVATE ROAD WILL BE SUBJECT TO A UTILITIES EASEMENT IN FAVOR OF THE GRANTOR(S) OR THE SUCCESSOR(S) AND 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 THIS ROAD SHALL BECOME NULL AND VOID AND ANY UTILITY FACILITIES WHICH PHYSICALLY EXIST SHALL BECOME SUBJECT TO THE FRANCHISE REQUIREMENTS OF THE CITY.

C) WITH RESPECT TO THE 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 ROAD(S) AND WAY(S) OVER AND ACROSS ANY LOT OR LOTS WHERE THE WATER MIGHT TAKE A NATURAL COURSE UPON REASONABLE GRADING PURSUANT TO IMPROVEMENTS FOR DEDICATION OF THE ROAD(S) AND WAY(S) 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 OR BLOCKED FROM THEIR NATURAL COURSE SO AS THE DISCHARGE UPON ANY PUBLIC ROAD RIGHTS-OF-WAY OR HAMPER PROPER ROAD DRAINAGE, WITHOUT THE APPROVAL OF THE CITY OF MOUNTLAKE TERRACE.

## Consent:

I THE UNDERSIGNED OWNER IN FEE SIMPLE OF THE LAND REPRESENTED ON THIS SHORT SUBDIVISION AND HAVE NO RIGHT, TITLE, OR INTEREST OF ANY KIND IN ANY UNPLATTED LAND CONTIGUOUS TO THIS SHORT SUBDIVISION. THIS SHORT SUBDIVISION IS MADE WITH MY FREE CONSENT AND IN ACCORDANCE WITH MY DESIRE.

IN WITNESS WHEREOF I SET MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

Kevin W. Merriam  
KEVIN W. MERRIAM  
Karen Merriam  
KAREN MERRIAM  
Libby Denise Castillo  
LIBBY DENISE CASTILLO

WASHINGTON MUTUAL BANK

BY: \_\_\_\_\_

ITS: \_\_\_\_\_

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. "MERS"  
SOLELY AS A NOMINEE FOR FIRST HORIZON HOME LOAN CORPORATION, A KANSAS CORPORATION

BY: Blake Buford  
ITS: Assistant Vice President

# Mountlake Terrace Short Plat No. PSP050011

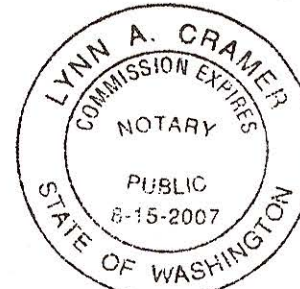
## Acknowledgment:

STATE OF WASHINGTON }  
COUNTY OF SNOHOMISH } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT

KEVIN W. MERRIAM

SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE (HIS/HER/THIER) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.



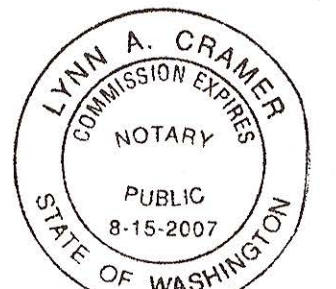
SIGNATURE OF NOTARY PUBLIC Lynn A. Cramer  
DATED 5-4-07  
MY APPOINTMENT EXPIRES 8-15-2007

STATE OF WASHINGTON }  
COUNTY OF SNOHOMISH } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT

KAREN MERRIAM

SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE (HIS/HER/THIER) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.



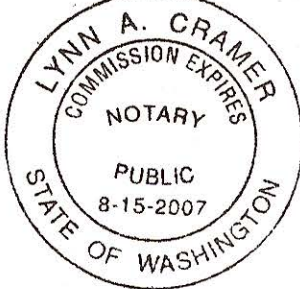
SIGNATURE OF NOTARY PUBLIC Lynn A. Cramer  
DATED 5-4-07  
MY APPOINTMENT EXPIRES 8-15-2007

STATE OF WASHINGTON }  
COUNTY OF SNOHOMISH } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT

LIBBY DENISE CASTILLO

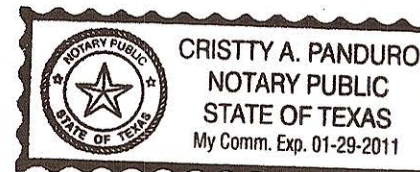
SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE (HIS/HER/THIER) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.



SIGNATURE OF NOTARY PUBLIC Lynn A. Cramer  
DATED 5-5-2007  
MY APPOINTMENT EXPIRES 8-15-2007

STATE OF WASHINGTON }  
COUNTY OF SNOHOMISH } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Blake Buford 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 Assistant Vice President of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.



SIGNATURE OF NOTARY PUBLIC Cristy A. Panduro  
DATED July 16, 2007  
MY APPOINTMENT EXPIRES Jan 29, 2011

## Acknowledgment: (con't.)

STATE OF WASHINGTON }  
COUNTY OF SNOHOMISH } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT 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 MUTUAL BANK TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

SIGNATURE OF NOTARY PUBLIC

DATED

MY APPOINTMENT EXPIRES

## City Approvals:

SHORT PLAT APPROVAL EXAMINED AND APPROVED THIS 27th DAY OF July, 2007.

John J. Caulfield  
JOHN J. CAULFIELD  
CITY MANAGER

## 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 BUILDER INVEST. GROUP IN SEPTEMBER 2005

David G. West, Jr.  
DAVID G. WEST, JR. PLS #30442  
DATE: 5/11/07

## Treasurer Certificate:

2007 TAXES PAID IN FULL ON TAX PARCEL(S)  
#00 5240 000 093 00  
#00 5240 000 094 00

BY: D. G. West, Jr. DATE: 8-2-07  
DEPUTY TREASURER

## Auditor's Certificate:

FILED FOR RECORD AT THE REQUEST OF THE WEST GROUP, INC.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007 AT \_\_\_\_\_ MINUTES  
PAST \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. AND RECORDED IN VOLUME \_\_\_\_\_ OF  
SHORT PLATS, PAGES \_\_\_\_\_ THROUGH \_\_\_\_\_ RECORDS OF  
SNOHOMISH COUNTY, WASHINGTON.

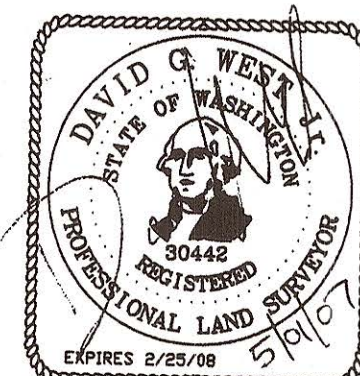
AUDITOR, SNOHOMISH COUNTY

DEPUTY COUNTY AUDITOR

Scans: scans021858.pdf

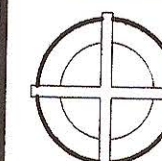
A.F. #

N.E. 1/4, S.E. 1/4, SECTION 29, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.



Mountlake Terrace Short Plat  
No. PSP050011  
22202 & 22204 62ND AVE. W., MOUNTLAKE TERRACE

for  
**Builders Investment Group**  
12728-BOTHELL-EVERETT HWY., EVERETT, WA. 98208



**The West Group, Inc.**  
Professional Land Surveyors & Planners

2120-Hewitt Ave.  
Everett, Wa. 98201

425-252-7088 Office  
425-252-7403 Fax

DRAWN BY:  
D.G.W. Jr.

DATE:  
3/27/07

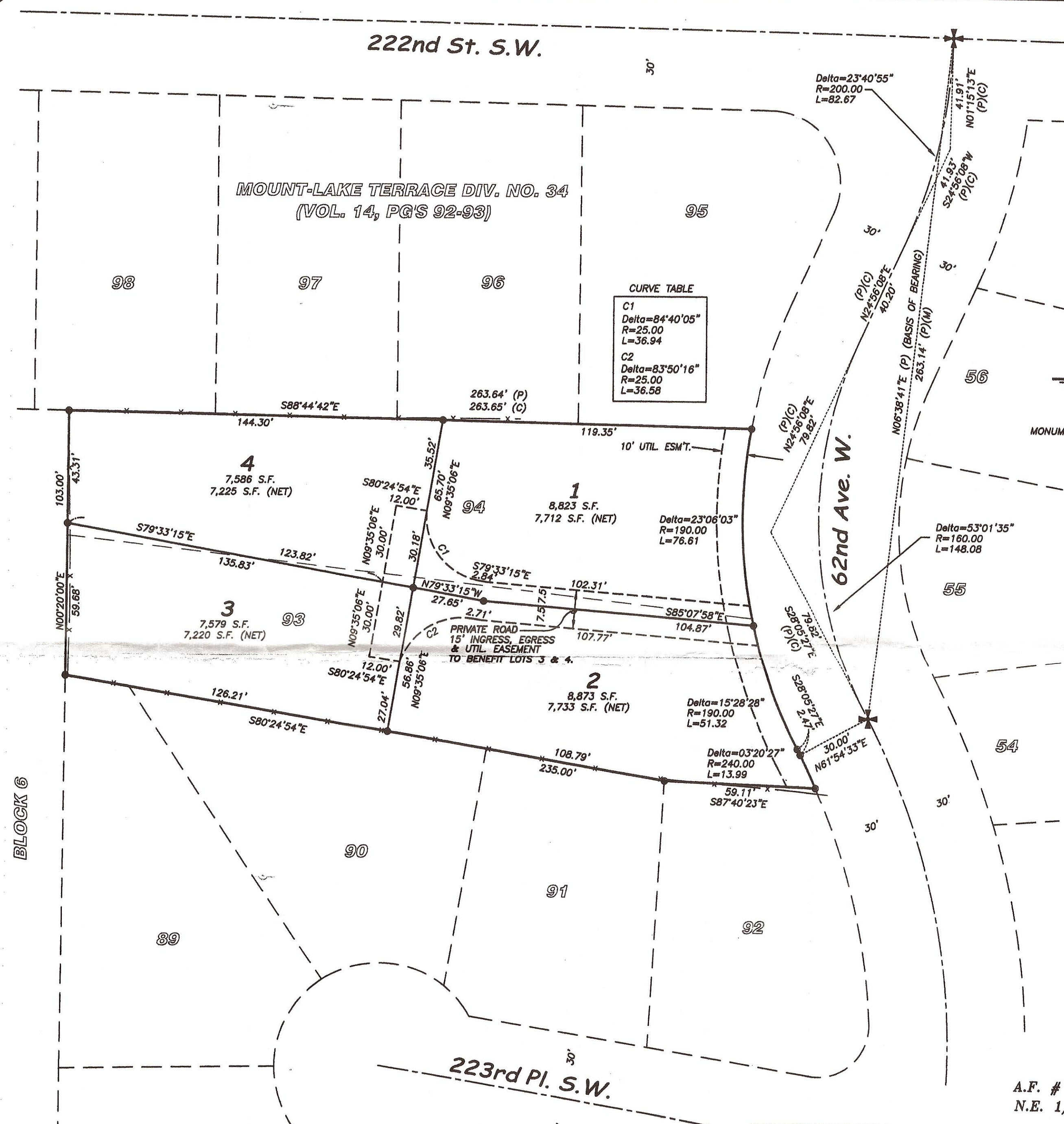
JOB NO:  
2005-86

CHECKED BY:  
D.G.W. Jr.

SCALE:  
N/A

SHEET/OF:  
1/2





**CURVE TABLE**

|    |                 |
|----|-----------------|
| C1 | Delta=84°40'05" |
|    | R=25.00         |
|    | L=36.94         |
| C2 | Delta=83°50'16" |
|    | R=25.00         |
|    | L=36.58         |

**Basis of Bearing:**

PLAT  
MOUNT-LAKE TERRACE DIV. NO. 34  
(VOL. 14, PG'S 92 AND 93)  
MONUMENTED CENTERLINE OF 62ND AVE. W. AS SHOWN

**Legend:**

- ✦ EX. STD. SNO. CO. MONUMENT IN CASE
- SET 1/2" x 24" REBAR/CAP STAMPED "30442"
- (P) PLAT OF MOUNT-LAKE TERRACE DIV. NO. 34
- (C) CALCULATED DATA
- (M) MEASURED DATA
- (D) DEED DATA
- x — EXISTING FENCE

**Equipment & Procedure:**

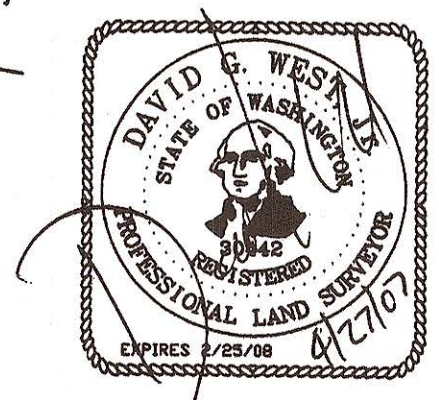
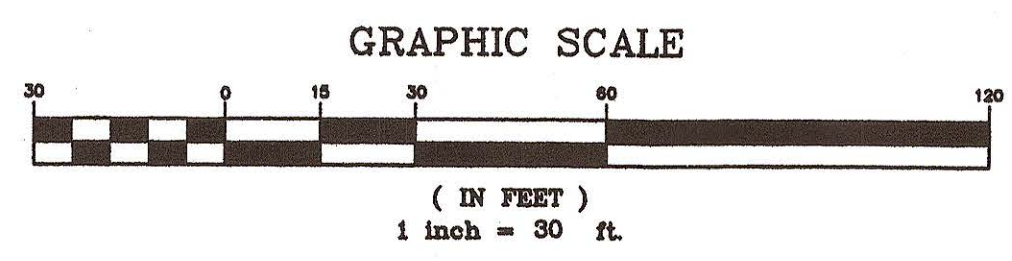
LEICA TC 1800, 3 SECOND TOTAL STATION FOR  
FIELD TRAVERSE.  
MONUMENTS VISITED APRIL 2005  
PRECISION EXCEEDS STATE STANDARDS.  
PER: W.A.C. 332-130-090.

**Legal Description:**

LOT 93, MOUNT-LAKE TERRACE DIV. NO. 34,  
ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 14 OF  
PLATS, PAGES 92 AND 93, IN SNOHOMISH COUNTY, WASHINGTON;  
  
LOT 94, MOUNT-LAKE TERRACE DIV. NO. 34,  
ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 14 OF  
PLATS, PAGES 92 AND 93, IN SNOHOMISH COUNTY, WASHINGTON;

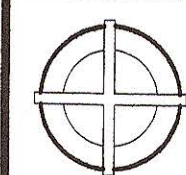
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A.F. # \_\_\_\_\_  
N.E. 1/4, S.E. 1/4, SECTION 29, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.



**Mountlake Terrace Short Plat**  
**No. PSP050011**  
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for  
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**The West Group, Inc.**  
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2120-Hewitt Ave. 425-252-7088 Office  
Everett, Wa. 98201 425-252-7403 Fax

|                           |                  |                    |
|---------------------------|------------------|--------------------|
| DRAWN BY:<br>D.G.W. Jr.   | DATE:<br>3/27/07 | JOB NO:<br>2005-86 |
| CHECKED BY:<br>D.G.W. Jr. | SCALE:<br>N/A    | SHEET/OF:<br>2/2   |