DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS, RESTRICTIONS-AND DEDICATION

KNOW ALL-PERSONS-BY THESE PRESENTS:

.. THAT WE, THE UNDERSIGNED, HAVING AN INTEREST IN THE REAL PROPERTY DESCRIBED BY THESE DECLARATION, DO HEREBY DECLARE THE HEREIN DESCRIBED DIVISION- OF LAND APPROVED AS SHORT PLAT NUMBER SP-00-01(PSP020006) BY THE CITY: OF MOUNTLAKE TERRACE, SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

I. PRIVATE ROAD (TRACT '999')

- A. ALL SUBSEQUENT DEEDS WILL CONTAIN-PROVISIONS FOR THE PRIVATE ROAD (TRACT '999') OF THIS SHORT PLAT IN THE MANNER DESCRIBED HEREIN:
- B. LOTS A, B, C AND D OF-THIS SHORT PLAT HAYE AN-UNDIVIDED EQUAL INTEREST IN AND THE RESPONSIBILITY FOR MAINTENANCE, - REPAIR AND REPLACEMENT OF THE ACCESS ROADWAY AND LIABILITY FOR DAMAGE DUE TO FAILURE OR LACK OF MAINTENANCE OF THE PRIVATE ROADWAY CONTAINED WITHIN SAID-SHORT PLAT. --IF THE OWNERS OF LOTS WITHIN THE SHORT PLAT FAIL TO MAINTAIN THE ROAD— WAY TO A DEGREE THAT PROHIBITS ACCESS BY-EMERGENCY-VEHICLES (AS DETER-MINED BY THE CITY OF MOUNTALAKE TERRACE IN ITS SOLE DISCRETION), SAID -CITY RESERVES THE RIGHT TO REPAIR THE ROADWAY. ANY AND ALL COSTS OF REPAIR AND APPLICABLE ADMINISTRATIVE COSTS. INCURRED BY THE-CITY. SHALL BE - IV. DEDICATIONS PAID BY THE OWNERS OF LOTS WITHIN (30)-DAYS OF THE BILLING BY THE CITY. -IN THE EVENT THAT SUCH COSTS ARE NOT PAID WITHIN THIRTY (30) DAYS OF BILLING BY THE CITY OF MOUNTALAKE TERRACE AS AFORESAID, SAID CITY SHALL HAVE THE RIGHT TO A FILE A LIEN AGAINST ALL SAID LOTS IN THE TOTAL AMOUNT. OF ANY UNPAID COSTS AS AFORESAID, 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 MATERIALMEN. EACH PROVISION OF ------THIS PARAGRAPH SHALL CONSTITUTE AN AGREEMENT RUNNING WITH THE LAND, AND BIND THE RESPECTIVE LOTS OWNERS, THEIR HEIRS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.
- C. THE PRIVATE ROAD (TRACT '999') IS HEREBY SUBJECT TO A UTILITIES. EASEMENT. _ IN FAVOR OF THE GRANTOR(S) OR THEIR SUCCESSOR(S) AND OF 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 RIGHT OF INGRESS AND EGRESS FOR SAID PURPOSES: PROVIDED, THAT IF THE ROAD SHOULD BECOME A PUBLIC ROAD AT SUCH TIME IN THE FUTURE, ALL EASEMENTS WITHIN THE ROAD SHALL BECOME NULL AND VOID, AND ANY UTILITY FACILITIES WHICH PHYSICALLY EXISTS SHALL BECOME SUBJECT TO THE FRANCHISE REQUIREMENTS OF THE CITY.

I. STORM DRAINAGE FACILITIES

- . LOTS A, B, C AND D OF THIS SHORT PLAT HAVE AN UNDIVIDED EQUAL INTEREST IN AND RESPONSIBILITY FOR MAINTENANCE, REPAIR AND REPLACEMENT OF THE STORM DRAINAGE SYSTEM THAT TREATS AND CONTROLS STORM WATER RUN-OFF FROM THE PRIVATE ROAD (TRACT '999'). THE PORTION OF UNDIVIDED EQUAL INTEREST IS COMPRISED OF THE STORM DRAINAGE FACILITIES WITHIN THE SHORT PLAT. MAINTENANCE WILL INCLUDE, BUT NOT BE LIMITED TO ANNUAL MAINTENANCE OF THE WET DETENTION TANK.
- . AN EXCLUSIVE PERPETUAL 20' EASEMENT FOR THE STORM WATER WET DETENTION TANK IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MOUNTLAKE TERRACE, A MUNICIPAL CORPORATION UNDER THE LAWS OF THE STATE OF WASHINGTON; ACROSS, ALONG, IN, UPON AND UNDER THE PROPERTY DESIGNATED ON THE SUBDIVISION FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING. MAINTAINING, AND REPAIR THE STORM DRAINAGE FACILITIES UPON THE FAILURE OF THE LOT OWNER(S) TO PERFORM AS SET FORTH IN THE FOLLOWING TERMS, CONDITIONS AND COVENANTS:
- 1B. THE LOT OWNER(S) AND THE CITY AT ALL TIMES CONDUCT THEIR RESPECTIVE ACTIVITIES AND ALL OTHER ACTIVITIES CONDUCTED ON SAID PROPERTY SO AS NOT TO INTERFERE WITH, OBSTRUCT OR ENDANGER THE USEFULNESS OF ANY IMPROVEMENTS, OR OTHER FACILITIES, NOW OR HEREAFTER MAINTAINED UPON OR ADJACENT TO THEIR EASEMENT, OR IN ANY WAY INTERFERE WITH, OBSTRUCT OR ENDANGER THE OWNER(S) OR THE CITY'S USE OF THE EASEMENT;
- 2B. THE LOT OWNER(S) AGREE TO INSPECT THE STORM WATER WET DETENTION TANK ON A REGULAR BASIS, BUT NOT LESS THAN ONCE A YEAR. THE OWNER(S) AGREE TO CORRECT ALL DEFECTS OR DEFICIENCIES FOUND IN A TIMELY MANNER;
- THE LOT OWNER(S) AGREE TO ASSUME FULL RESPONSIBILITY FOR THE COSTS ASSOCIATED WITH THE CONSTRUCTING, RECONSTRUCTING, OPERATING, MAINTAINING OR REPAIR, AND INSPECTION OF STORM INFILTRATION FACILITIES AS NEEDED TO MAINTAIN THE SAME SIZE, SHAPE, AND LOCATION.
- THE LOT OWNER(S) AGREE TO MAINTAIN SAID STORM INFILTRATION FACILITIES TO THE SATISFACTION OF THE CITY IN A TIMELY MANNER.
- 5B. ANY AND ALL COSTS OF CONSTRUCTION, RECONSTRUCTION, OPERATION, AND REPAIR AND APPLICABLE ADMINISTRATIVE COSTS INCURRED BY THE CITY SHALL BE PAID BY THE LOT OWNER(S) OF THE LOTS WITHIN THIRTY (30) DAYS OF BILLING BY SAID CITY. IN THE EVENT SUCH COSTS ARE NOT FULLY PAID WITHIN THIRTY (30) DAYS OF BILLING BY THE CITY OF MOUNTLAKE TERRACE AS AFORESAID, SAID CITY SHALL HAVE THE RIGHT TO FILE A LIEN AGAINST ALL SAID LOTS IN THE TOTAL AMOUNT OF ANY UNPAID COSTS AS AFORESAID, 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 MATERIALMEN.

6B. THE LOT OWNER(S) AGREE THAT THE RIGHTS AND OBLIGATIONS OF THE LOT OWNER(S) AND CITY SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THEIR HEIRS, SUCCESSORS AND ASSIGN.

III. 10' UTILITY EASEMENT

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING THE SUBJECT SHORT PLAT 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, CABLES, PIPE, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS 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 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

__KNOW ALL MEN BY THESE PRESENTS THAT RAYMOND R. WEBER AND CHERIE WEBER, THE UNDERSIGNED OWNERS IN FEE SIMPLE OF THE LAND HEREBY SHORT SUBDIVIDED. DEDICATE TO THE USE OF THE PUBLIC FOREVER THE EXCLUSIVE PERPETUAL 20' EASEMENT FOR THE STORM WATER WET DETENTION TANK AND A PERPETUAL 10' EASEMENT FOR UTILITIES AS SHOWN ON THE SHORT SUBDIVISION.

DATED THISDAY OF	March	
Beymond R. Web	Meu Hell-	
RAYMOND R. WEBER HUSBAND	CHERIE WEBER	

ACKNOWLEDGEMENT

STATE OF WASHINGTON

COUNTY OF SNOHOMISH

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT AND CHELLIRE CHUSBAND AND WIFE SIGEND THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE THEIR FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

NOTARY PUBLIC STATE OF WASHINGTON L COMMISSION EXPIRES MAY 19, 2003

SIGNATURE OF NOTARY

PRINTED NAME

RESIDING AT

MY APPOINTMENT EXPIRES:

CITY APPROVAL

SHORT PLAT APPROVAL EXAMINED AND APPROVED THIS Line DAY OF MUCH, 2003.

CONNIE L. FESSLER CITY MANAGER

ACKNOWLEDGEMENT

STATE OF WASHINGTON COUNTY OF SNOHOMISH

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT ____ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT SHE SIGNED THIS INSTRUMENT, ON OATH STATED THAT SHE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE MANAGER OF THE CITY OF MOUNTLAKE TERRACE, A MUNICIPAL CORPORATION. TO BE THE FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.

SIGNATURE OF NOTARY	
PRINTED NAME	
RESIDING AT	<u> </u>

SURVEYORS 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 RAYMOND R. WEBER IN NOVEMBER 2002.

RICHARD C. GIVENS REGISTERED PROFESSIONAL LAND SURVEYOR

2-25-03

REGISTRATION NO. 20698

FILED FOR RECORD AT THE REQUEST OF RICHARD C. GIVENS THIS-DAY OF __FIONUL -- -- , 2003_ AT _48_ MINUTES PAST_ AND RECORDED-UNDER AUDITOR'S FILE NO 200304085003. RECORDS -OF SNOHOMISH COUNTY, WASHINGTON.

AUDITOR, - SNOHOMISH COUNTY

DEPUTY COUNTY AUDITOR



CLIENT RAYMOND R. WEBER

11710 LARCH WAY ALDERWOOD MANOR, WASHINGTON 98037

MOUNTLAKE TERRACE SHORT PLAT NO. SP-00-01(PSP020006)

> 24000 BLOCK OF CEDAR WAY SOUTH MOUNTLAKE TERRACE, WASHINGTON

RICHARD GIVENS AND ASSOCIATES PROFESSIONAL LAND SURVEYORS

2219 NORTH 59TH ST. * SEATTLE, WA 98103 * TEL: (206) 524-2786

Drawn by:	DBA	Date: - DECEMBER, 2002	Job No.	G2216
Checked by:	RCG	Scole:	Sheet	1 of 2

