

COPY
ORIGINAL ON FILE IN THE
COUNTY AUDITOR'S OFFICE

DECLARATION OF SHORT SUBDIVISION, COVENANTS AND RESTRICTIONS

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 DIVISION OF LAND APPROVED AS SHORT SUBDIVISION NUMBER 95-02 BY THE CITY OF MOUNTLAKE TERRACE, SUBJECT TO THE FOLLOWING COVENANTS AND RESTRICTIONS:

I. ALL SUBSEQUENT DEEDS WILL CONTAIN PROVISIONS FOR THE PRIVATE ROAD (TRACT 998 AND TRACT 999 OF SHORT PLAT SP-95-01) IN THE MANNER DESCRIBED HEREIN;

II. THE MAINTENANCE OF THE PRIVATE ROAD (TRACT 998 AND TRACT 999) DESCRIBED BY THIS DECLARATION SHALL BE BY THE OWNER(S) OF THE PARCELS HAVING LEGAL ACCESS (LOTS 1 AND 2 OF SHORT SUBDIVISION NO. 95-02 AND LOTS 2, 3 AND 4 OF SHORT SUBDIVISION NO. 95-01) THEREFROM OR THEIR SUCCESSOR(S) AND IS SUBJECT TO THAT RECIPROCAL EASEMENT AS RECORDED UNDER AUDITOR'S FILE NO. 9806261129, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, UNLESS AND UNTIL SUCH ROAD IS IMPROVED TO CITY STANDARDS AND ACCEPTED BY THE CITY;

III. PRIVATE ROAD (TRACT 998):

LOTS 1 AND 2 OF THIS SHORT SUBDIVISION AND LOTS 2, 3 AND 4 OF SHORT SUBDIVISION NO. 95-01 HAVE AN UNDIVIDED EQUAL INTEREST IN AND THE RESPONSIBILITY FOR MAINTENANCE AND LIABILITY FOR DAMAGE DUE TO FAILURE OR LACK OF MAINTENANCE OF THE PRIVATE ROADWAY CONTAINED WITHIN SAID 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 ADMINISTRATIVE COSTS INCURRED BY THE CITY SHALL BE PAID BY THE OWNERS 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. 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.

IV. THE PRIVATE ROAD (TRACT 998) IS HEREBY SUBJECT TO A UTILITIES EASEMENT IN FAVOR OF THE GRANTOR(S) OR THE 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 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 THE ROAD SHALL BECOME NULL AND VOID, AND ANY UTILITY FACILITIES WHICH PHYSICALLY EXIST SHALL BECOME SUBJECT TO THE FRANCHISE REQUIREMENTS OF THE CITY;

V. WITH RESPECT TO THE PRIVATE ROAD (TRACT 998) 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 WATER MIGHT TAKE A NATURAL COURSE UPON REASONABLE GRADING PURSUANT TO IMPROVEMENT FOR DEDICATION OF THE ROAD(S) AND WAY(S) SHOWN HEREIN. FOLLOWING REASONABLE GRADING PURSUANT TO IMPROVEMENT FOR DEDICATION OF THE ROAD(S) AND WAY(S) SHOWN HEREIN, 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 OR HAMPER PROPER ROAD DRAINAGE, WITHOUT THE APPROVAL OF THE CITY OF MOUNTLAKE TERRACE;

VI. 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 ALL LOTS, 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;

VII. 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;

**HUGGINS SHORT SUBDIVISION NO. SP-95-02
SW 1/4, NE 1/4, SEC.28, T.27N., R.4E., W.M.
CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON**

DECLARATION OF SHORT SUBDIVISION, COVENANTS AND RESTRICTIONS (CONTINUED)

VIII. ALL LOTS SHALL BE LIMITED TO SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND USE PER CITY OF MOUNTLAKE TERRACE ZONING ORDINANCE NO. 2074, SECTION 4.8.F.4.

IX. SANITARY SEWER:

LOT 3 OF THIS SHORT SUBDIVISION SHALL BEAR THE RESPONSIBILITY FOR THE MAINTENANCE, REPAIR, AND REPLACEMENT OF THE SANITARY SEWER SYSTEM SERVING LOT 3, (THE WEST 10 FEET OF LOT 1). THE CITY'S OPERATION, MAINTENANCE, RECONSTRUCTION AND REPAIR RESPONSIBILITIES FOR SANITARY SEWER WITHIN THE PRIVATE ROAD ARE LIMITED TO THE 8" SEWER. THE LATERALS BETWEEN THE 8" DIAMETER SEWER MAIN AND LOTS 1, 2 AND 3 ARE THE RESPONSIBILITY OF THE PROPERTY OWNERS.

X. AN EXCLUSIVE PERPETUAL EASEMENT FOR STORM DRAINAGE FACILITIES 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 SHORT SUBDIVISION FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, OPERATING, MAINTAINING, AND REPAIRING THE "STORM DRAINAGE FACILITIES" CONDITIONED UPON THE FOLLOWING TERMS, CONDITIONS AND COVENANTS:

- 1.) THE OWNER(S) AND THE "CITY" SHALL AT ALL TIMES CONDUCT THEIR RESPECTIVE ACTIVITIES AND ALL OTHER ACTIVITIES CONDUCTED ON THE 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 THE EASEMENT, OR IN ANY WAY INTERFERE WITH, OBSTRUCT OR ENDANGER THE OWNER(S) OR THE "CITY'S" USE OF THE EASEMENT;
- 2.) THE OWNER(S) AGREE TO INSPECT THE STORM DRAINAGE FACILITIES ON A REGULAR BASIS, BUT NOT LESS THAN ONCE PER YEAR. THE OWNER(S) AGREE TO CORRECT ALL DEFECTS OR DEFICIENCIES FOUND IN A TIMELY MANNER;
- 3.) THE OWNER(S) AGREE TO ASSUME FULL RESPONSIBILITY FOR ALL COSTS ASSOCIATED WITH THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE OR REPAIR, AND INSPECTION OF STORM DRAINAGE FACILITIES AS NEEDED TO MAINTAIN THE SAME SIZE, SHAPE, AND LOCATION, TO A CONDITION SIMILAR TO THOSE DESCRIBED ON THE ATTACHED SHORT SUBDIVISION MAP.
- 4.) THE OWNER(S) AGREE TO MAINTAIN SAID STORM DRAINAGE FACILITIES TO THE SATISFACTION OF THE "CITY" IN A TIMELY MANNER;
- 5.) THE OWNER(S) AGREE TO PERFORM ALL NECESSARY MAINTENANCE DUTIES TO SAID STORM DRAINAGE FACILITIES ON A REGULAR AND TIMELY BASIS. THOSE MAINTENANCE DUTIES SHALL INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING: CUTTING, TRIMMING, AND REMOVAL OF ANY AND ALL BRUSH, TREES AND OTHER VEGETATION OR DEBRIS, WHERE THESE DUTIES ARE NECESSARY TO MAINTAIN THE PROPER FUNCTION AND USE OF THE STORM DRAINAGE FACILITIES;
- 6.) SHOULD THE OWNER(S) FAIL TO PERFORM THE MAINTENANCE DUTIES DESCRIBED HEREIN TO THE "CITY'S" SATISFACTION, THE OWNER(S) HEREBY AUTHORIZES THE "CITY" TO ENTER SAID PROPERTY FOR THE PURPOSE OF REPAIRING OR MAINTAINING THE STORM DRAINAGE FACILITIES LISTED HEREIN. THE OWNER(S) HEREBY AGREES TO COMPENSATE THE "CITY" FOR THE ENTIRE COST ASSOCIATED WITH THOSE REPAIRS OR MAINTENANCE;
- 7.) THE OWNER(S) AGREE TO MAINTAIN ALL ESTABLISHED SETBACKS FROM THE STORM DRAINAGE FACILITIES AS DESCRIBED ON THE ATTACHED SHORT SUBDIVISION MAP.
- 8.) THE STORM DRAINAGE EASEMENTS RUN WITH THE LAND IN PERPETUITY, AND MAY BE RELOCATED ONLY UPON APPROVAL BY THE CITY.

APPROVALS

Connie L. Fessler
CONNIE L. FESSLER
CITY MANAGER

8/11/98
DATE

I CERTIFY THAT I KNOW OR HAVE EVIDENCE THAT Connie L. Fessler IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT, ON OATH STATED THAT THEY WERE 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.

DATED: 8-11-98



Vikki Kirschner
Vikki KIRSCHNER
PRINTED NAME
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT: Seattle, WA.
MY APPOINTMENT EXPIRES: 5-25-99

REGISTERED LAND SURVEYOR'S CERTIFICATE

I, KENNETH L. LONG, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THE SHORT SUBDIVISION FOR CHARLES & THELMA HUGGINS IS BASED ON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 28, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY AND THAT PROPER MONUMENTS HAVE BEEN SET AND LOT AND BLOCK CORNERS STAKED ON THE GROUND AS SHOWN ON THE LOT.



Kenneth Long
KENNETH L. LONG
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 16916

8-9-98
DATE

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF KENNETH L. LONG, THIS 11th DAY OF August, 1998, AT 53 MINUTES PAST 2P M., AND RECORDED IN VOLUME _____ OF SHORT PLATS, PAGES _____ THROUGH _____ RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

BOB TERWILLIGER
AUDITOR, SNOHOMISH COUNTY
BY: Georgia A. Forsberg
DEPUTY COUNTY AUDITOR

Scans: scans021661.pdf

A.F. NO. 9808115004 28/26SF

SHORT SUBDIVISION NO. SP-95-02

CITY OF MOUNTLAKE TERRACE SHORT PLAT FOR:
CHARLES & THELMA HUGGINS
SW 1/4, NE 1/4, SEC.28, T.27N., R.4E., W.M.

DRAWN BY MC	DATE 3/25/98	REV MNR	DATE 8/3/98	PROJECT MANAGER T.L. QUALLY	SCALE 1" = 1"
DRAWING FILE NAME 941188DP1.DWG	CHK. BY JES	F.B. NO. 330	JOB NO. 94-118-B	SHT. NO. 1 of 3	

Western Surveyors, Inc.
(425) 356-2700 OR 742-5500
LAND USE CONSULTANTS
CIVIL ENGINEERS & LAND SURVEYORS
*** 13000 HWY 99 SOUTH • EVERETT • WA • 98204 ***

HUGGINS SHORT SUBDIVISION NO. SP-95-02
SW 1/4, NE 1/4, SEC.28, T.27N., R.4E., W.M.
CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON

DECLARATION OF SHORT SUBDIVISION,
COVENANTS AND RESTRICTIONS (CONTINUED)

XI. STORM DRAINAGE FACILITIES:

LOT 1 AND LOT 2 OF THIS SHORT SUBDIVISION HAVE AN UNDIVIDED EQUAL INTEREST IN AND RESPONSIBILITY FOR MAINTENANCE, REPAIR AND REPLACEMENT OF THE STORM DRAINAGE SYSTEM THAT TREATS AND CONTROLS WATER RUNOFF FROM TRACT 998. THE PORTION OF UNDIVIDED EQUAL INTEREST IS COMPRISED OF THE STORM DRAINAGE FACILITIES WITHIN THE SUBDIVISION; TOGETHER WITH THE STORM DRAINAGE FACILITIES WITHIN THE EASEMENTS. MAINTENANCE WILL NOT BE LIMITED TO, BUT WILL INCLUDE ANNUAL MAINTENANCE OF BIOFILTRATION (GRASS LINED) BIO-SWALE. THE "CITY'S" RIGHT TO REQUIRE MAINTENANCE, REPAIR, OR REPLACEMENT OF THE STORM DRAINAGE FACILITIES SHALL BE AS SET FORTH IN ORDINANCES, CODES AND LAW IN EFFECT AT THE TIME THE MAINTENANCE, REPAIR, OR REPLACEMENT IS REQUIRED.

XII. PRIVATE DRAINAGE EASEMENT "A" (THE WEST 10 FEET OF LOT 1) AS DESIGNATED ON THE SHORT SUBDIVISION IS HEREBY GRANTED AND CONVEYED WITH ALL MAINTENANCE OBLIGATIONS TO THE OWNERS OF LOT 3. ACCORDINGLY, THE OWNERS OF LOT 3 AGREE AND COVENANT THAT THEY AND THEIR HEIRS, SUCCESSORS AND ASSIGNS, WILL ANNUALLY INSPECT THE CATCH BASINS AND PIPING, AND CLEAN AND SERVICE THE DRAINAGE SYSTEM, AS REQUIRED TO MAINTAIN DESIGN OPERATION AS LONG AS THE APPROVED DRAINAGE FACILITIES REMAIN A PRIVATE STORM-WATER SYSTEM. THIS AGREEMENT SHALL BE CONSTRUED AS A RESTRICTIVE COVENANT AND/OR EQUITABLE SERVITUDE RUNNING WITH THE LAND, AND SHALL BE BINDING UPON THE UNDERSIGNED OWNERS, THEIR HEIRS, SUCCESSORS AND ASSIGNS, IN PERPETUITY, OR UNTIL THE PRIVATE SYSTEM IS DEDICATED TO THE PUBLIC, IF EVER. THIS COVENANT/SERVITUDE SHALL BE SOLE BINDING ON THE SUBJECT PROPERTY AND SHALL NOT BE CONSTRUED AS A COVENANT RELATING TO ANY OTHER PROPERTIES UPSTREAM OR DOWNSTREAM OVER WHICH PRESENT OR FUTURE OWNERS MAY HAVE NO CONTROL UNLESS SPECIFICALLY DETAILED HEREIN;

XIII. PRIVATE DRAINAGE EASEMENT "B" (THE SOUTH 5 FEET OF LOT 1) AS DESIGNATED ON THE SHORT SUBDIVISION IS HEREBY GRANTED AND CONVEYED WITH ALL MAINTENANCE OBLIGATIONS TO THE OWNERS OF LOTS 2 AND 3. ACCORDINGLY, THE OWNERS AGREE AND COVENANT THAT THEY, THEIR HEIRS, SUCCESSORS AND ASSIGNS, WILL ANNUALLY INSPECT THE CATCH BASINS AND PIPING, AND CLEAN AND SERVICE THE DRAINAGE SYSTEM, AS REQUIRED TO MAINTAIN DESIGN OPERATION AS LONG AS THE APPROVED DRAINAGE FACILITIES REMAIN A PRIVATE STORM-WATER SYSTEM. THIS AGREEMENT SHALL BE CONSTRUED AS A RESTRICTIVE COVENANT AND/OR EQUITABLE SERVITUDE RUNNING WITH THE LAND, AND SHALL BE BINDING UPON THE UNDERSIGNED OWNERS, THEIR HEIRS, SUCCESSORS AND ASSIGNS, IN PERPETUITY, OR UNTIL THE PRIVATE SYSTEM IS DEDICATED TO THE PUBLIC, IF EVER. THIS COVENANT/SERVITUDE SHALL BE SOLE BINDING ON THE SUBJECT PROPERTY AND SHALL NOT BE CONSTRUED AS A COVENANT RELATING TO ANY OTHER PROPERTIES UPSTREAM OR DOWNSTREAM OVER WHICH PRESENT OR FUTURE OWNERS MAY HAVE NO CONTROL UNLESS SPECIFICALLY DETAILED HEREIN;

XIV. THE PRIVATE DRAINAGE EASEMENT DESIGNATED ON THE SHORT SUBDIVISION IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MOUNTLAKE TERRACE AS AN EMERGENCY MAINTENANCE EASEMENT ONLY, FOR THE RIGHT OF INGRESS AND EGRESS AND THE RIGHT TO EXCAVATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND/OR REBUILD AN ENCLOSED OR OPEN-CHANNEL STORM-WATER CONVEYANCE SYSTEM AND/OR OTHER DRAINAGE FACILITIES, UNDER, UPON OR THROUGH THE DRAINAGE EASEMENT;

XV. THE PRIVATE SIDEWALK EASEMENT DESIGNATED ON THE SHORT SUBDIVISION IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 1, 2, AND 3 OF SHORT SUBDIVISION SP 95-02. ACCORDINGLY, THE OWNERS AGREE AND COVENANT THAT THEY, THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL PROVIDE MAINTENANCE AND ANY COSTS THEREOF SHALL BE SHARED EQUALLY.

DECLARATION OF SHORT SUBDIVISION,
COVENANTS AND RESTRICTIONS (CONTINUED)

XVI. THE BIO-SWALE DESIGNED FOR BIO-FILTRATION MUST BE FUNCTIONAL AT ALL TIMES. IMPROPER FUNCTIONING, INCLUDING CHANNEL HYDRAULICS, VEGETATION, EROSION, SEDIMENT DEPOSITION, AND INLET-OUTLET STRUCTURES MUST BE REPAIRED WITHIN 15 DAYS. THE PROPERTY OWNERS OF LOTS 1 AND 2 OF SHORT SUBDIVISION SP-95-01 ARE RESPONSIBLE FOR ROUTINE MAINTENANCE WORK. A DESIGNATED CITY OFFICIAL WILL INSPECT THE SWALE PERIODICALLY AND MAY REQUIRE ADDITIONAL MAINTENANCE WORK. ANY ADDITIONAL RECONSTRUCTION, REPAIR OR REHABILITATION NOT CONSIDERED ROUTINE, SHALL BE THE OBLIGATION OF THE OWNERS, THEIR HEIRS, SUCCESSORS AND ASSIGNS OF SHORT SUBDIVISIONS SP-95-01 AND SP-95-02, AND ANY COSTS SHALL BE SHARED EQUALLY. IF THE PROPERTY OWNERS FAIL OR REFUSE TO PERFORM MAINTENANCE WORK, THE CITY WILL PERFORM THE WORK AND THE PROPERTY OWNERS WILL BE LIABLE FOR PAYMENT OF ALL LABOR, EQUIPMENT, MATERIALS, ADMINISTRATION, AND LEGAL COST OF THE MAINTENANCE WORK.

XVII. BIO-SWALE MAINTENANCE PROCEDURES:

- (A.) GRASS MUST BE MAINTAINED AT ALL TIMES. ERODED GRASS-LINED SWALES MUST BE REVEGETATED WITHIN 15 DAYS. ERODED AREAS OR GULLIES WILL BE FILLED WITH SUFFICIENTLY COMPACTED TOPSOIL AND MUST BE SEEDED OR COVERED WITH SOD AND PINNED IN PLACE. SEEDING OR SODDING MUST BE DONE IN ACCORDANCE WITH MOUNTLAKE TERRACE ENGINEERING STANDARDS.
- (B.) SEDIMENT OR DEBRIS WILL BE CAREFULLY REMOVED BY HAND, WITHOUT CAUSING ANY EROSION.
- (C.) CHANNEL HYDRAULICS MUST BE MAINTAINED. SLOPE AND BANK FAILURES MUST BE CORRECTED TO PROVIDE DESIGNED CONVEYANCE CAPACITY. ALL EARTHWORK MUST BE COMPACTED, THEN SEEDED OR SODDED. DURING CHANNEL IMPROVEMENT WORK, BY-PASS FLOW AROUND THE WORK SITE.
- (D.) ABSOLUTELY NO DUMPING IS ALLOWED IN THE SWALE. GRASS-LINED SWALE MUST NOT BE USED FOR ANY OTHER ACTIVITIES WHICH MAY IMPACT THE SWALE, GRASS, ENERGY DISSIPATORS, WATER QUALITY, AND INLET-OUTLET STRUCTURES.
- (E.) CLOGGED INLETS OR OUTLET PIPES MUST BE CLEANED TO ASSURE THE DESIGNED FLOW RATE.
- (F.) GRASS MUST BE MOWED AS NECESSARY TO MAINTAIN HEIGHT BETWEEN TWO INCHES AND NINE INCHES. CUT GRASS SHALL BE REMOVED FROM THE SWALE.

XVIII. TRACT 998 IS HEREBY GRANTED AND CONVEYED TO LOTS 1 AND 2 OF THIS SHORT SUBDIVISION, WITH AN UNDIVIDED 1/2 INTEREST AND AN UNDIVIDED 1/5 INTEREST IN MAINTENANCE OF SAID TRACT. SAID TRACT SHALL REMAIN AN APPURTENANCE AND INSEPARABLE FROM EACH LOT.

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 SUBDIVISION, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE CITY OF MOUNTLAKE TERRACE FOR SAID ALTERATION. 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, AFTER ACQUIRING A CULVERT PERMIT FROM THE CITY OF MOUNTLAKE TERRACE, IF REQUIRED, AND SUBJECT TO ANY OTHER EXISTING PERMITTING REQUIREMENTS THEREFOR.

THESE COVENANTS CONSTITUTE AGREEMENTS 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 OTHER LAWFUL PROCEDURE AND TO RECOVER ANY DAMAGES RESULTING FROM SUCH VIOLATION.

LEGAL DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.;

THENCE WEST 195 FEET;
THENCE NORTH 150 FEET;
THENCE EAST 195 FEET;
THENCE SOUTH 150 FEET TO THE POINT OF BEGINNING;
LESS THE EAST 30 FEET FOR ROAD;
AND EXCEPT ROADS.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.
PER S.W.D AUDITOR'S FILE NO. 1190650.

CONSENT

WE THE UNDERSIGNED, ATTEST THAT WE ARE THE CONTRACT PURCHASERS OR OWNERS 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 OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS THIS 3RD

DAY OF August, 1998.

Charles A. Huggins Thelma F. Huggins
CHARLES A. HUGGINS THELMA F. HUGGINS

ACKNOWLEDGEMENT

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH)

Scans: scans021662.pdf

I CERTIFY THAT I KNOW OR HAVE EVIDENCE THAT THELMA F. HUGGINS AND CHARLES A. HUGGINS, 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 THIS INSTRUMENT.

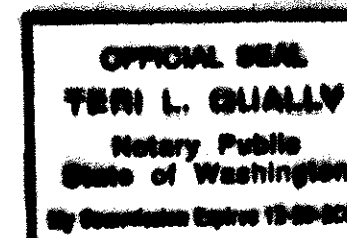
DATED: 8-3-98

Teri L. Qually
TERI L. QUALLY

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT: MOUNTED

MY APPOINTMENT EXPIRES: 12-29-2000

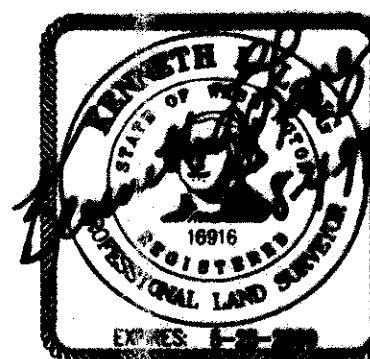


A.F. NO. 98D8115006

SHORT SUBDIVISION NO. SP-95-02

CITY OF MOUNTLAKE TERRACE SHORT PLAT FOR:
CHARLES & THELMA HUGGINS
SW 1/4, NE 1/4, SEC.28, T.27N., R.4E., W.M.

DRAWN BY MC	DATE 3/25/98	BY MNR	DATE 8/3/98	PROJECT MANAGER T.L. QUALLY	SCALE 1" = 1"
DRAWING FILE NAME 94118BDP2.DWG	CHK. BY [Signature]	F.B. NO. 330	JOB NO. 94-118-B	SHT. NO. 2 of 3	



Western Surveyors, Inc.
(425) 356-2700
OR 742-5500
LAND USE CONSULTANTS
CIVIL ENGINEERS & LAND SURVEYORS
*** 13000 HWY 99 SOUTH • EVERETT • WA • 98204 ***

COPY
ORIGINAL ON FILE IN THE
COUNTY AUDITOR'S OFFICE

<u>NO.</u>	<u>BEARING</u>	<u>DISTANCE</u>
L1	N 88° 46' 21" W	9.00
L2	S 00° 02' 28" W	15.47
L3	N 88° 46' 21" W	30.01
L4	S 00° 02' 28" W	15.00
L5	S 00° 02' 28" W	15.00
L6	N 48° 38' 04" E	35.72

NO.	DELTA	RADIUS	LENGTH
C1	88°48'48"	25.00	39.75
C2	91°11'11"	25.00	39.79

NOTES:

1.) THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF PARTIES WHOSE NAMES APPEAR HEREON ONLY, AND DOES NOT EXTEND TO ANY UNNAMED THIRD PARTIES WITHOUT EXPRESS REAFFIRMATION BY THE LAND SURVEYOR.

2.) BOUNDARY LINES SHOWN AND CORNERS SET REPRESENT DEED LOCATIONS; OWNERSHIP LINES MAY VARY. NO GUARANTEE OF OWNERSHIP IS EXPRESSED OR IMPLIED. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF AN AMENDED SHORT PLAT CERTIFICATE BY EVERGREEN TITLE COMPANY, INC. ORDER NO. 087378.





HUGGINS SHORT SUBDIVISION NO. SP-95-02
SW 1/4, NE 1/4, SEC.28, T.27N, R.4E, W.M.
CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON

NOTE:

NOTE:
CALCULATED INTERSECTION ESTABLISHED BY
BEARING/BEARING INTERSECTION - HOLDING
PLAT MONUMENTS IN 219TH ST. S.W. &
THE PLAT BEARING OF 48TH AVE. W.

217TH ST. S.W.

LEGEND

- SET 5/8" x 24" REBAR/CAP WSI 18016 (APRIL, 1906)
-  SET MONUMENT MON/CASE STAMPED WSI 18016
-  MONUMENT NOT FOUND
- FOUND REBAR/CAP OR I.P. (IRON PIPE) (DEC., 1904)
-  FOUND MONUMENT/CASE (DEC., 1904)
- (C) CALCULATED
- (D) DEED
- (M) MEASURED
-  CENTERLINE
- (TOP) TERRACE CREEK PLACE (VOL 48, PG. 223)
- (FW) FORESTWOOD (VOL 22, PG. 121)
- — — — — PROPERTY LINE
- X — X — X FENCE LINE

MEETS OR EXCEEDS
SURVEY STANDARD AS PER:
WAC 332-130-050
WAC 332-130-090

MAC 332-130-100
INSTRUMENT USED: WILD TC-1010
SURVEY PERFORMED BY FIELD TRAVERSE

STREET NAME: 48th AVENUE WEST

LOT 1 - 21916-48th AVENUE WEST
(EXISTING HOME)
LOT 2 - 21914-48th AVENUE WEST
LOT 3 - 21912-48th AVENUE WEST

SCALE: 1" = 50'

MERIDIAN: PLAT OF FORESTWOOD
 BASIS OF BEARING: CENTERLINE 48TH AVE. W.

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH
HALF OF THE SOUTH HALF OF THE SOUTHEAST
QUARTER OF THE SOUTHWEST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 27
NORTH, RANGE 4 EAST, W.M.:

THENCE WEST 195 FEET;
THENCE NORTH 150 FEET;
THENCE EAST 195 FEET;
THENCE SOUTH 150 FEET TO THE POINT OF BEGINNING;

LESS THE EAST 30' FOR ROAD:

AND EXCEPT ROADS.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PER S.W.D. AUDITOR'S FILE NO. 1190850

Scans: scans021663.pdf

A.F. NO. 98D8115006

SHORT SUBDIVISION NO. SP-95-02

CITY OF MOUNTLAKE TERRACE SHORT PLAT FOR:

CHARLES & THELMA HUGGINS

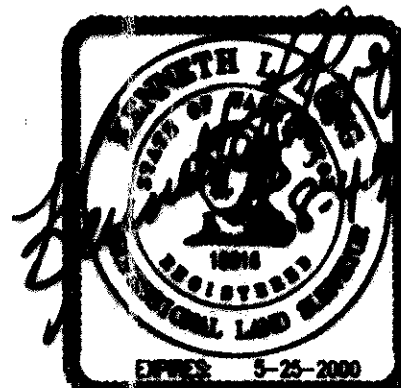
SW 1/4, NE 1/4, SEC.28, T.27N., R.4E., W.M

DRAWN BY	DATE	BY	DATE	PROJECT MANAGER	SCALE
DAW	1/27/05	AWB	2/15/05	DAW	1" = 20'

RKL	1/27/95	MNR	8/3/98	T.L. QUALLY	1" = 50'
DRAWING FILE NAME	CHK. BY	F.B. NO.	JOB NO.	SHT. NO.	

** 94118B-FSP.DWG	330	94-118-B 3 of 3
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COPY
ORIGINAL ON FILE IN THE
COUNTY AUDITOR'S OFFICE



**LAND USE CONSULTANTS
CIVIL ENGINEERS & LAND SURVEYORS**

*** 13000 HWY 99 SOUTH * EVERETT * WA * 98204 ***

LINE TABLE

NO.	BEARING	DISTANCE
L1	N 88°46'21" W	9.00
L2	S 00°02'28" W	15.47
L3	N 88°46'21" W	30.01
L4	S 00°02'28" W	15.00
L5	S 00°02'28" W	15.00
L6	N 45°38'04" E	35.72

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH
C1	88°46'48"	25.00	38.73
C2	91°11'11"	25.00	39.79

NOTES:

1.) THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF PARTIES WHOSE NAMES APPEAR HEREON ONLY, AND DOES NOT EXTEND TO ANY UNNAMED THIRD PARTIES WITHOUT EXPRESS RECERTIFICATION BY THE LAND SURVEYOR.

2.) BOUNDARY LINES SHOWN AND CORNERS SET REPRESENT DEED LOCATIONS. OWNERSHIP LINES MAY VARY. NO GUARANTEE OF OWNERSHIP IS EXPRESSED OR IMPLIED. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF AN AMENDED SHORT PLAT CERTIFICATE BY EVERGREEN TITLE COMPANY, INC., ORDER NO. 087378.

HUGGINS SHORT SUBDIVISION NO. SP-95-02 SW 1/4, NE 1/4, SEC.28, T.27N, R.4E, W.M. CITY OF MOUNTLAKE TERRACE, SNOHOMISH COUNTY, WASHINGTON

217TH ST. S.W.

NOTE:

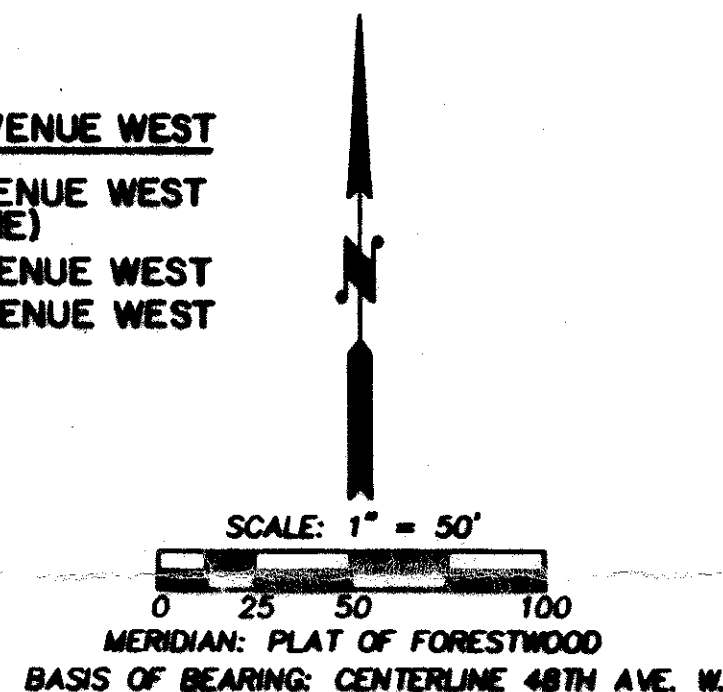
CALCULATED INTERSECTION ESTABLISHED BY BEARING/BEARING INTERSECTION - HOLDING PLAT MONUMENTS IN 219TH ST. S.W. & THE PLAT BEARING OF 48TH AVE. W.

LEGEND

- SET 5/8" x 24" REBAR/CAP W/ 16816 (APRIL, 1986)
- ⊗ SET STANDARD MON/CASE STAMPED W/ 16816
- ⊗ MONUMENT NOT FOUND
- FOUND REBAR/CAP OR L.P. (IRON PIPE) (DEC., 1984)
- ⊗ FOUND MONUMENT/CASE (DEC., 1984)
- (C) CALCULATED
- (D) DEED
- (M) MEASURED
- CENTERLINE
- (TOP) TERRACE CREEK PLACE (VOL. 48, PG. 223)
- (FW) FORESTWOOD (VOL. 22, PG. 121)
- — — — — PROPERTY LINE
- — — — — FENCE LINE

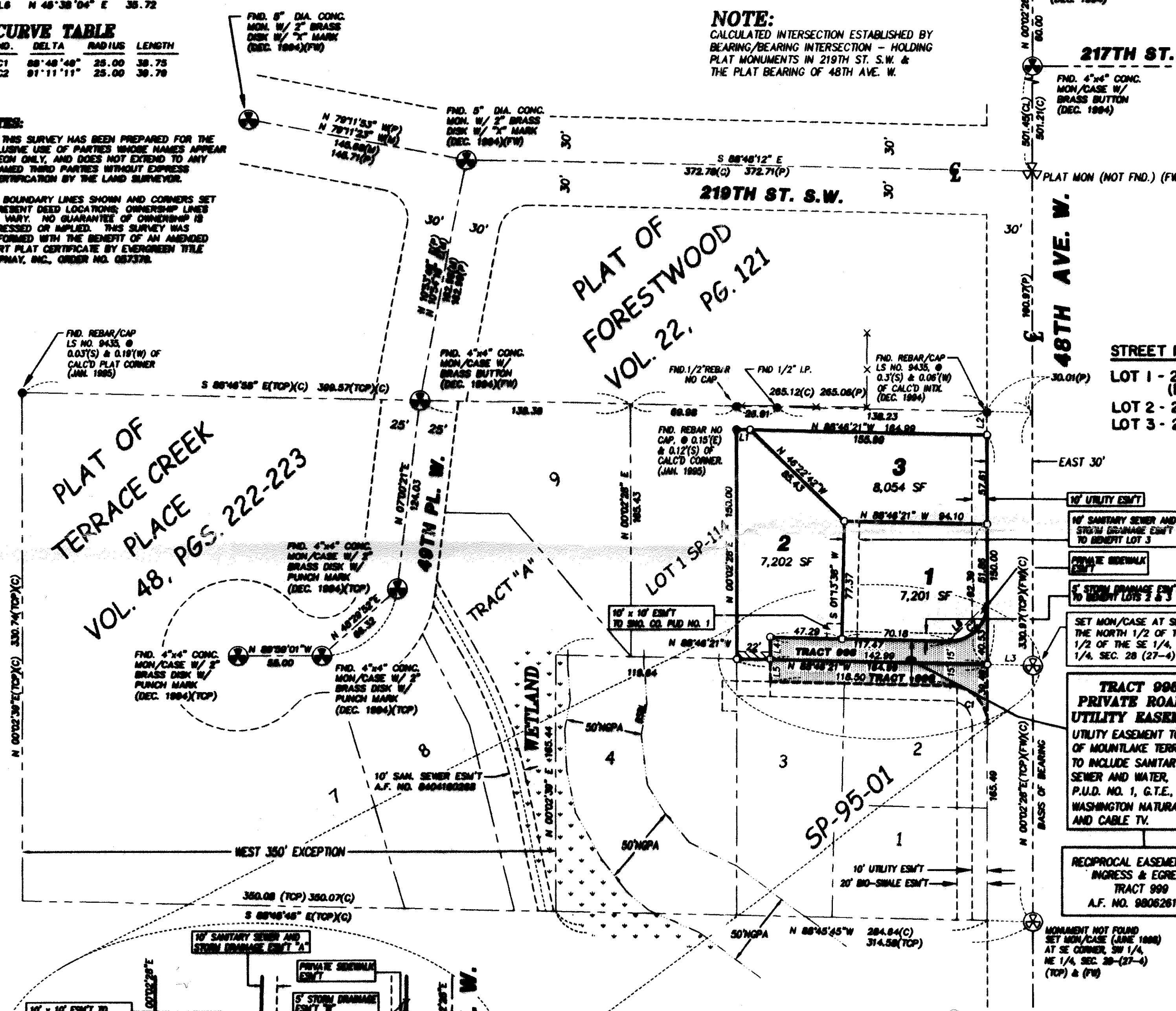
MEETS OR EXCEEDS
SURVEY STANDARD AS PER:
WAC 332-130-050
WAC 332-130-080

WAC 332-130-100
INSTRUMENT USED: WILD TC-1010
SURVEY PERFORMED BY FIELD TRAVERSE



STREET NAME: 48th AVENUE WEST

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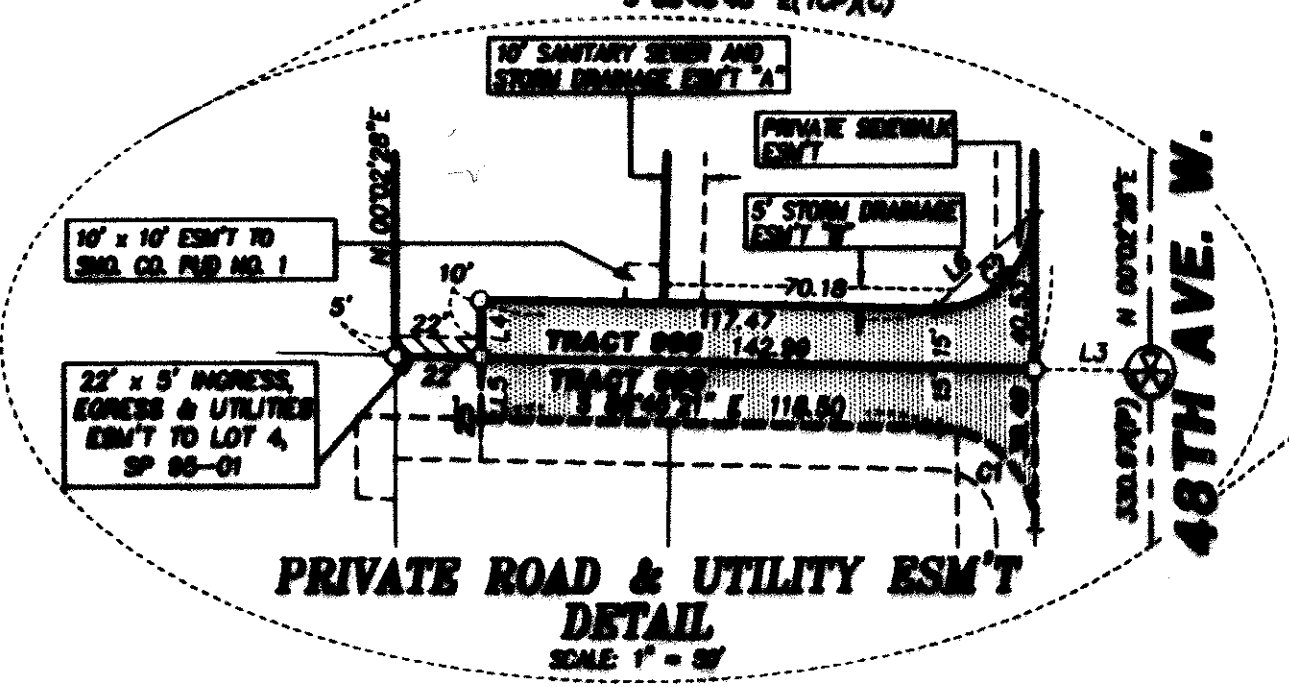
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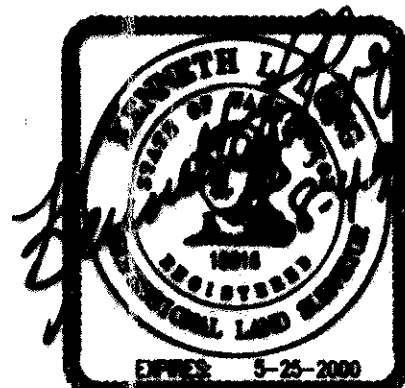
SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PER S.W.D. AUDITOR'S FILE NO. 1190650

Scans: scans021663.pdf



PRIVATE ROAD & UTILITY ESM'T
DETAIL
SCALE: 1" = 50'



LAND USE CONSULTANTS
CIVIL ENGINEERS & LAND SURVEYORS
*** 13000 HWY 99 SOUTH * EVERETT * WA * 98204 ***

(425)
356-2700
OR
742-5500

A.F. NO. 9808115006

SHORT SUBDIVISION NO. SP-95-02

CITY OF MOUNTLAKE TERRACE SHORT PLAT FOR:

CHARLES & THELMA HUGGINS

SW 1/4, NE 1/4, SEC.28, T.27N, R.4E, W.M.

DRAWN BY	DATE	BY	DATE	PROJECT MANAGER	SCALE
RKL	1/27/95	MNR	8/3/98	T.L. QUALLY	1" = 50'
DRAWING FILE NAME	CHK. BY	F.B. NO.	JOB NO.	SHY. NO.	
94118B-FSP.DWG		330	94-118-B	3 of 3	