SHEET 1 OF 4

## NORTH HAVEN PRD A PLANNED RESIDENTIAL DEVELOPMENT

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER SECTION 12, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M. SNOHOMISH COUNTY, WASHINGTON

### **DEDICATION**

CC EDWARDS, OWNER

TIMBERLAND BANK

STATE OF WASHINGTON

COUNTY OF HEVE

manager

EDWARDS DEVELOPMENT GROUP, LLC

**ACKNOWLEDGMENT** 

KNOW ALL MEN (PERSONS) BY THESE PRESENTS THAT EDWARDS DEVELOPMENT GROUP LLC., THE UNDERSIGNED OWNER, IN FEE SIMPLE OF THE LAND HEREBY PLATTED, SSHI, LLC, AND TIMBERLAND BANK, THE MORTGAGEE THEREOF, HEREBY DECLARE THIS 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 PLAT AND THE USE FOR ANY AND ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY

ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON LOTS, BLOCKS, TRACTS 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 ESTABLISHED 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 ANY ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE PLAT, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS 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.

THAT SAID DEDICATION TO THE PUBLIC SHALL IN NO WAY BE CONSTRUED TO PERMIT A RIGHT OF DIRECT ACCESS TO NORTH ROAD FROM LOTS NUMBERED 1 & 2, NOR SHALL THE COUNTY OF SNOHOMISH OR ANY OTHER LOCAL GOVERNMENTAL AGENCY WITHIN WHICH THE PROPERTY IS OR MAY BECOME LOCATED EVER BE REQUIRED TO GRANT A PERMIT TO BUILD OR CONSTRUCT AN ACCESS OF APPROACH TO SAID STREET FROM SAID LOTS.

TRACTS 989-990, 995-999 ARE HEREBY GRANTED AND CONVEYED TO THE NORTH HAVEN HOMEOWNERS ASSOCIATION (HOA) UPON RECORDING OF THIS PLAT SUBJECT TO AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO SNOHOMISH COUNTY, OWNERSHIP AND MAINTENANCE OF SAID TRACTS CONSISTENT WITH COUNTY CODE SHALL BE THE RESPONSIBILITY OF THE HOA UNLESS AND UNTIL TRACT OWNERSHIP BY ALL LOTS WITHIN THIS SUBDIVISION IS AUTHORIZED PURSUANT TO A FINAL PLAT ALTERATION. USE OF SAID TRACTS IS RESTRICTED TO THAT SPECIFIED IN THE APPROVED FINAL PLAT. THE HOA AND THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION SHALL COMPLY WITH THOSE COUNTY REGULATIONS AND CONDITIONS OF FINAL SUBDIVISION APPROVAL SPECIFIED ON THE PLAT. THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS SUBDIVISION HAVE ASSUMED COMMON OWNERSHIP OF SAID TRACTS. IN THE EVENT THAT THE HOA SHOULD BE DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS PREVIOUSLY OWNED BY THE HOA AS WELL AS RESPONSIBILITY FOR MAINTAINING THE TRACTS. MEMBERSHIP IN THE HOA AND PAYMENT OF DUES OR OTHER ASSESSMENTS FOR MAINTENANCE PURPOSES SHALL BE A REQUIREMENT OF LOT OWNERSHIP, AND SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT. THIS COVENANT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HOA, THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION AND ALL OTHERS HAVING ANY INTEREST IN THE TRACTS OR LOTS.

TRACT 991 IS DESIGNATED AS A SHARED DRIVEWAY AND LOTS 2 AND 3 HAVE AN UNDIVIDED HALF INTEREST. TRACT 992 IS DESIGNATED AS A SHARED DRIVEWAY AND LOTS 6 AND 7 HAVE AN UNDIVIDED HALF INTEREST. TRACT 993 IS DESIGNATED AS A SHARED DRIVEWAY AND LOTS 10 AND 11 HAVE AN UNDIVIDED HALF INTEREST. TRACT 994 IS DESIGNATED AS A SHARED DRIVEWAY AND LOTS 14 AND 16 HAVE AN UNDIVIDED HALF INTEREST.

THE UNDERSIGNED OWNER OR OWNERS OF THE INTEREST IN THE REAL ESTATE DESCRIBED HEREIN HEREBY DECLARE THIS MAP AND DEDICATE THE SAME FOR A COMMON INTEREST COMMUNITY NAMED NORTH HAVEN, A PLAT COMMUNITY, AS THAT TERM IS DEFINED IN THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT AND NOT FOR ANY PUBLIC PURPOSE. THIS MAP AND PORTION THEREOF IS RESTRICTED BY LAW AND THE DECLARATION FOR , RECORDS OF SNOHOMISH NORTH HAVEN RECORDED UNDER AUDITOR'S FILE NO. 202001150237

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS THIS 8 DAY OF TANLIANY 2021.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT <u>CC Edwards</u> is the person who appeared before me, and said person acknowledged that (he/she/they) signed this instrument on out to said person. (HE/SHE/THEY) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE/THEY) WAS/WERE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE

OF Edwards Dev. Ardup to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

NOTARY PUBLIC

TRACT NOTES

TRACT 999 IS DESIGNATED AS A CRITICAL AREA, WETLAND, BUFFER, & OPEN SPACE TRACT, AND IS DEDICATED TO THE NORTH HAVEN HOMEOWNERS ASSOCIATION. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF SAID TRACT.

TRACT 998 IS DESIGNATED AS OPEN SPACE/PARK TRACT, AND IS DEDICATED TO THE NORTH HAVEN HOMEOWNERS ASSOCIATION. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF SAID TRACT.

TRACTS 997 AND 996 ARE DESIGNATED AS OPEN SPACE TRACTS, AND IS DEDICATED TO THE NORTH HAVEN HOMEOWNERS ASSOCIATION. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF SAID TRACT.

TRACT 995 IS DESIGNATED AS OPEN SPACE/STORM TRACT, AND IS DEDICATED TO THE NORTH HAVEN HOMEOWNERS ASSOCIATION. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF SAID TRACT.

TRACTS 991-994 ARE DESIGNATED AS PRIVATE SHARED DRIVEWAY TRACTS FOR THE EXCLUSIVE USE OF THE BENEFITED OWNERS AND SAID OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR. AND REPLACEMENT OF IMPROVEMENTS CONTAINED IN SAID TRACT, WITH SUCH COSTS TO BE ALLOCATED TO THE BENEFITED UNIT OWNERS AS A SPECIALLY ALLOCATED EXPENSE AS FOLLOWS:

TRACT 991: BENEFITS LOTS 2 & 3 TRACT 992: BENEFITS LOTS 6 & 7 TRACT 993: BENEFITS LOTS 10 & 11 TRACT 994: BENEFITS LOTS 14 & 16

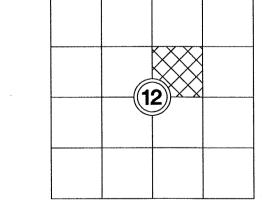
TRACT 990 IS DESIGNATED AS SHARED DRIVEWAY TRACT AND IS DEDICATED TO THE NORTH HAVEN HOMEOWNERS ASSOCIATION. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF SAID TRACT.

TRACT 989 IS DESIGNATED FUTURE ACCESS TRACT AND IS DEDICATED TO THE NORTH HAVEN HOMEOWNERS ASSOCIATION. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF SAID TRACT.

### GENERAL NOTES

- ALL LOTS MUST ACCESS FROM INTERNAL PLAT ROADS.
- NO DIRECT VEHICULAR ACCESS ALLOWED FROM LOTS 1 AND 2 TO NORTH ROAD
- NO DIRECT VEHICULAR ACCESS ALLOWED FROM LOTS 2, 3, 6, 7, 10, 11, 14 AND 16 TO 169TH STREET SOUTHWEST (A PRIVATE ROAD).

**202101133002** PLAT Rec: \$187.50 1/15/2021 10:48 AM 4 PG SNOHOMISH COUNTY, WA



SITE ADDRESS: 212 169TH PLACE SW. BOTHELL, WA 98012

> INDEX: THE SW 1/4 OF THE NE 1/4 OF SECTION 12, IN TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.

## **APPROVALS**

### COUNTY ENGINEER APPROVAL

EXAMINED AND APPROVED THIS 1315 DAY OF January

### PLANNING AND DEVELOPMENT SERVICES APPROVAL

EXAMINED, FOUND TO CONFORM TO ALL TERMS OF PRELIMINARY PLAT APPROVAL, THE 

COUNTY PLANNING AND DEVELOPMENT SERVICES DIRECTOR.

### TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED,

PARCEL NUMBERS: 00508900004304, 00508900004301 & 00508900002803

TAX PARCEL NUMBERS MAY CHANGE AFTER RECORDING, NUMBERS LISTED HERE ARE FOR ORIGINAL PARCELS BEING SUBDIVIDED OR

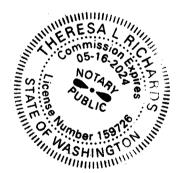
## ACKNOWLEDGMENT

INCLUDING **2020** 

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT  $\cancel{KCVIN}$ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED (HE/SHE/THEY) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE/THEY) WAS/WERE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE

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FOR THE STATE OF WASHINGTON



### ACKNOWLEDGMENT

STATE OF WASHINGTON COUNTY OF PICTOR

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DOUG ROHNEY IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE/THEY) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE/THEY) WAS/WERE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE

OF Timberland, Bank TO BE THE FREE AND VOLUNTARY ACT OF

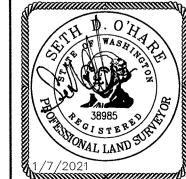
MY APPOINTMENT EXPIRES 5/16/2024



# LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT OF NORTH HAVEN PRD IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 12, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M. AS REQUIRED BY STATE STATUTES. THAT THE COURSES, DISTANCES, AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT ALL THAT THE MONUMENTS SHALL BE SET AND LOT AND BLOCK CORNERS SHALL BE STAKED CORRECTLY ON THE GROUND, THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

SETH D.O'HARE, PLS CERTIFICATE NO. 38985



429 29TH STREET, SUITE D PUYALLUP, WA 98372

CIVIL ENGINEERING & SURVEYING Bus: (253) 848-4282 ceservices@cesnwinc.com

JOB# 17131

PFN 18-117480 PSD

### AUDITOR'S CERTIFICATE FILED FOR RECORD AT THE REQUEST OF EDWARDS DEVELOPMENT GROUP LLC THIS 15

MY APPOINTMENT EXPIRES 5/16/2024

DAY OF January 2021, AT 48 MINUTES PAST 10AM, AND RECORDED IN \_\_\_OF PLATS, PAGE \_\_\_\_, AFN \_202101155002 \_\_\_RECORDS

of snohomish county, washington.

AUDITOR, SNOHOMISH COUNTY
BY: DIANA WIX

### SHEET 2 OF 4

## NORTH HAVEN PRD A PLANNED RESIDENTIAL DEVELOPMENT

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER SECTION 12. TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M. SNOHOMISH COUNTY, WASHINGTON

### LEGAL DESCRIPTION

### PARCEL A:

THAT PORTION OF LOTS 28 AND 29, MARTHA LAKE ACREAGE TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 12 OF PLATS, PAGE(S) 23, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, LYING WEST OF A LINE WHICH IS 360 FEET EAST, AS MEASURED AT RIGHT ANGLES, FROM THE WEST LINE OF SAID LOT 29;

EXCEPT THE SOUTH 139 FEET THEREOF; AND EXCEPT THE WEST 180 FEET THEREOF: AND ALSO EXCEPT THE SOUTH 31 FEET OF THE REMAINING PORTION OF SAID LOT 29 LYING WEST OF A LINE WHICH IS 270 FEET EAST OF THE WEST LINE OF SAID LOT 29;

TOGETHER WITH THAT PORTION OF LOT 43, OF SAID MARTHA LAKE ACREAGE TRACTS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 43;

THENCE NORTH 87"27"51" WEST, ALONG THE SOUTHERLY LINE THEREOF 225 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 1455918, WHICH POINT IS THE TRUE POINT OF BEGINNING;

THENCE CONTINUE NORTH 87.27.51" WEST ALONG SAID SOUTHERLY LINE 200 FEET; THENCE NORTH AT RIGHT ANGLES TO SAID SOUTHERLY LINE, 80 FEET;

THENCE SOUTH 87'27'51" EAST, PARALLEL TO SAID SOUTHERLY LINE, 200 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THAT CERTAIN TRACT REFERRED TO ABOVE;

THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID TRACT TO THE TRUE POINT OF BEGINNING; TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER AND ACROSS THE EXISTING ROAD LOCATED ON THE NORTH 40 FEET OF THE SOUTH 120 FEET OF THE SAID TRACT 43, MARTHA LAKE ACREAGE TRACTS, EXCEPT THE WEST 200 FEET THEREOF;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

### PARCEL B:

TRACT 43, MARTHA LAKE ACREAGE TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 12 OF PLATS, PAGE 23, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,

EXCEPT THE WEST 200 FEET THEREOF: AND

EXCEPT THE SOUTH 80 FEET OF THE WEST 200 FEET OF THE EAST 425 FEET THEREOF; AND ALSO

THE EAST 10 FEET THEREOF CONVEYED TO SNOHOMISH COUNTY BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 201204270180, RECORDS OF SNOHOMISH COUNTY WASHINGTON;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

### PARCEL C:

THAT PORTION OF TRACT 29, MARTHA LAKE ACREAGE TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 12 OF PLATS, PAGE 23, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, LYING WEST OF A LINE DISTANT 180 FEET EAST, AS MEASURED AT RIGHT ANGLES FROM THE WEST LINE OF SAID LOT 29;

EXCEPT THE SOUTH 139 FEET THEROF.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

### PARCEL D:

THE WEST 200 FEET OF TRACT 43, MARTHA LAKE ACREAGE TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 12 OF PLATS, PAGE 23, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,

EXCEPT THE NORTH 99.47 FEET THEREOF.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

### PARCEL E:

A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL D FOR INGRESS AND EGRESS UNDER, OVER, THROUGH AND ACROSS THE NORTH 40 FEET OF THE SOUTH 120 FEET OF TRACT 43, MARTHA LAKE ACREAGE TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 12 OF PLATS, PAGE 23, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,

EXCEPT THE WEST 200 FEET THEREOF.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

### PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY

- 1. EASEMENT NO. 1: ALL STREETS, TRACTS AND ROAD RIGHTS-OF-WAY (BOTH PRIVATE AND PUBLIC) AS NOW OR HEREAFTER DESIGNED, PLATTED, AND/OR CONSTRUCTED WITHIN THE ABOVE DESCRIBED PROPERTY. (WHEN/IF SAID STREETS AND ROADS ARE DEDICATED TO THE PUBLIC, THIS CLAUSE SHALL BECOME NULL AND VOID.)
- 2. FASEMENT NO. 2: A STRIP OF LAND TEN FEET (10') IN WIDTH ACROSS ALL LOTS. TRACTS AND OPEN SPACES LOCATED WITHIN THE ABOVE DESCRIBED PROPERTY BEING PARALLEL TO AND COINCIDENT WITH THE BOUNDARIES OF ALL PRIVATE AND PUBLIC STREETS, TRACTS AND ROAD RIGHTS-OF-WAY,
- EASEMENT NO. 3: A STRIP OF LAND FIVE FEET (5') IN WIDTH ACROSS ALL LOTS, TRACTS AND OPEN SPACES LOCATED WITHIN THE ABOVE DESCRIBED PROPERTY BEING PARALLEL TO AND COINCIDENT WITH THE BOUNDARIES OF ALL ALLEYWAYS AND PRIVATE DRIVES.
- 4. EASEMENT NO. 4: A RIGHT OF WAY TEN FEET (10') IN WIDTH, WITH 5 FEET ON EACH SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS: THE CENTERLINE OF GRANTEE'S FACILITIES AS NOW CONSTRUCTED, TO BE CONSTRUCTED. EXTENDED OR RELOCATED LYING WITHIN THE ABOVE DESCRIBED REAL PROPERTY, LESS THOSE AREAS LYING WITHIN EASEMENT AREA NO. 1, 2 AND 3.

### DRAINAGE FACILITY MAINTENANCE COVENANT

WE, THE OWNERS AND CONTRACT PURCHASERS OF THE LANDS HEREIN PLATTED (GRANTOR). AGREE THAT THE OBLIGATIONS OF GRANTOR SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE HEIRS, SUCCESSORS, AND ASSIGNS. GRANTOR AGREES THAT THIS COVENANT TOUCHES AND CONCERNS THE LAND DESCRIBED HEREIN AND SHALL RUN WITH THE LAND.

GRANTOR BY EXECUTION OF THIS COVENANT ACKNOWLEDGES THAT THE BENEFITS OF THIS COVENANT INURE TO GRANTOR, DOWNSTREAM PROPERTY OWNERS, AND THE GENERAL PUBLIC, AND THAT SNOHOMISH COUNTY AS THIRD-PARTY BENEFICIARY OF THIS COVENANT HAS THE RIGHT, BUT NOT THE OBLIGATION. TO ENFORCE THIS COVENANT ON BEHALF OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC. COUNTY REQUIRES THIS COVENANT TO PROTECT PRIVATE AND PUBLIC PROPERTY, PRIVATE AND PUBLIC DRAINAGE INFRASTRUCTURE, AND NATURAL RESOURCES OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC.

GRANTOR, IN CONSIDERATION OF THE APPROVAL OF THIS SUBDIVISION, HEREBY COVENANTS TO PERFORM REGULAR MAINTENANCE UPON THE DRAINAGE FACILITIES INSTALLED, OR TO BE INSTALLED. UPON GRANTOR'S PROPERTY. REGULAR MAINTENANCE SHALL INCLUDE, AT A MINIMUM, ANNUAL INSPECTION OF THE STORM WATER DRAINAGE SYSTEM. AS APPLICABLE, THE SYSTEM SHALL INCLUDE THE STORM WATER CONVEYANCE SYSTEM PIPES, DITCHES, SWALES, AND CATCH BASINS; STORM WATER FLOW REGULATION SYSTEM DETENTION PONDS, VAULTS, PIPES, RETENTION PONDS, FLOW REGULATION AND CONTROL STRUCTURES; INFILTRATION SYSTEMS AND WATER QUALITY CONTROL SYSTEM.

THE SCOPE OF THIS COVENANT AND RIGHT OF ENTRY SHALL BE ADEQUATE TO PROVIDE FOR THE ACCESS, INSPECTION, AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM, AND SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- 1. COUNTY SHALL HAVE THE PERPETUAL RIGHT OF ENTRY ACROSS ADJACENT LANDS OF THE GRANTOR FOR PURPOSES OF INSPECTING, AUDITING, OR CONDUCTING REQUIRED MAINTENANCE OF THE DRAINAGE FACILITY.
- 2. IF COUNTY INSPECTION DETERMINES THAT MAINTENANCE IS NOT BEING PERFORMED, COUNTY SHALL ENDEAVOR TO PROVIDE GRANTOR REASONABLE ADVANCE NOTIFICATION OF THE NEED TO PERFORM THE MAINTENANCE AND A REASONABLE OPPORTUNITY FOR GRANTOR TO PERFORM IT. IN THE EVENT THAT GRANTOR FAILS TO COMPLETE THE REQUIRED MAINTENANCE WITHIN A REASONABLE TIME PERIOD, COUNTY SHALL HAVE THE RIGHT TO PERFORM OR CONTRACT WITH OTHERS TO PERFORM IT AT THE SOLE EXPENSE OF THE GRANTOR. IF COUNTY IN ITS SOLE DISCRETION DETERMINES THAT AN IMMINENT OR PRESENT DANGER EXISTS, REQUIRED MAINTENANCE AND/OR REPAIR MAY BEGIN IMMEDIATELY AT GRANTOR'S EXPENSE WITHOUT PRIOR NOTICE TO GRANTOR. IN SUCH EVENT, COUNTY SHALL PROVIDE GRANTOR WITH A WRITTEN STATEMENT AND ACCOUNTING OF ALL WORK PERFORMED AND THE FEES, CHARGES, AND EXPENSES INCURRED IN MAKING SUCH REPAIRS. GRANTOR SHALL AGREE TO REIMBURSE COUNTY OR PAY COUNTY'S VENDORS DIRECTLY FOR ALL REASONABLE FEES, CHARGES, AND EXPENSES IDENTIFIED IN COUNTY'S STATEMENT.
- 3. IF COUNTY IS REQUIRED TO ACT AS A RESULT OF GRANTOR'S FAILURE TO COMPLY WITH THIS COVENANT, COUNTY MAY REMOVE ANY OBSTRUCTIONS AND/OR INTERFERENCES THAT IN THE SOLE OPINION OF COUNTY IMPAIR THE OPERATION OF THE DRAINAGE FACILITY OR THE MAINTENANCE THEREOF. GRANTOR AGREES TO HOLD COUNTY, ITS OFFICERS, EMPLOYEES, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS, ACTIONS, SUITS, LIABILITY, LOSS, EXPENSES. DAMAGES AND JUDGMENTS OF ANY NATURE WHATSOEVER, INCLUDING COSTS AND ATTORNEYS FEES, INCURRED BY THE REMOVAL OF VEGETATION OR PHYSICAL INTERFERENCE FROM THE DRAINAGE FACILITY.
- 4. WHEN EXERCISING THE MAINTENANCE PROVISIONS OF THE COVENANT, IN THE EVENT OF NONPAYMENT, COUNTY MAY BRING SUIT TO RECOVER SUCH COSTS, INCLUDING ATTORNEY'S FEES, AND UPON OBTAINING A JUDGMENT, SUCH AMOUNT SHALL BECOME A LIEN AGAINST THE PROPERTY OF GRANTOR AS PROVIDED IN RCW 4.56.190.
- 5. GRANTOR COVENANTS THAT ALL OF THE OWNERS, CONTRACT PURCHASERS AND LIEN HOLDERS OF THE PROPERTY DESCRIBED HEREIN HAVE SIGNED THE DEDICATION AND/OR DECLARATION OF THIS SUBDIVISION, THAT THEY HAVE THE RIGHT TO GRANT THIS COVENANT ON THE PROPERTY, AND THAT THE TITLE TO THE PROPERTY IS FREE AND CLEAR OF ANY ENCUMBRANCES WHICH WOULD INTERFERE WITH THE ABILITY TO GRANT THIS COVENANT.

### **EASEMENT NOTES**

- AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT 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 SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, TELEVISION CABLE AND OTHER UTILITY SERVICES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSES HEREIN STATED. DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY RESERVED FOR AND GRANTED TO SNOHOMISH COUNTY, EXCEPT THOSE DESIGNATED ON THE PLAT AS PRIVATE EASEMENTS. TOGETHER WITH 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.
- THE PRIVATE DRAINAGE EASEMENTS WITHIN LOTS 3-14, 20, 21, 24 AND 25 AS SHOWN ON SHEET 3 & 4 HEREON, ARE HEREBY GRANTED AND CONVEYED TO LOTS 1-14, 16, 23, 24 AND 25. THE OWNERS OF LOTS 1-14, 16, 20, 21, 23, 24, AND 25 SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND/OR RECONSTRUCTION OF THAT PORTION OF THE DRAINAGE FACILITIES THEY HAVE THE BENEFIT OF USE, EXCEPT THAT NO OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND OR RECONSTRUCTION OF THAT PORTION OF THE COMMONLY USED STORM DRAINAGE LOCATED UPSTREAM FROM THE POINT OF CONNECTION OF THAT RESPECTIVE OWNER.
- 3. THE PRIVATE DRAINAGE EASEMENT WITHIN TRACTS 989 & 998 AS SHOWN ON SHEET 3 & 4 HEREON, IS HEREBY GRANTED AND CONVEYED TO THE NORTH HAVEN HOMEOWNERS ASSOCIATION. THE NORTH HAVEN HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE STORM DRAINAGE FACILITIES WITHIN SAID EASEMENT.

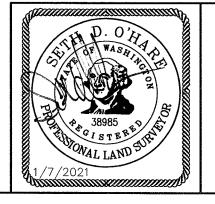
### RESTRICTIONS AND COVENANTS

- 1. NO FURTHER DIVISION OF ANY LOT IS ALLOWED WITHOUT SUBMITTING FOR A NEW SUBDIVISION OR SHORT SUBDIVISION.
- THE SALE OR LEASE OF LESS THAN A WHOLE LOT IN ANY SUBDIVISION PLATTED AND FILED UNDER CHAPTER 30.41A SCC IS EXPRESSLY PROHIBITED EXCEPT IN COMPLIANCE WITH CHAPTER 30.41A SCC.
- ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE DEVELOPER OR HIS SUCCESSOR(S) AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO COUNTY ROAD PURPOSES.
- LOTS 1 THROUGH 25 HAVE BEEN ON AN APPROVED DRAINAGE PLAN. SEE DRAINAGE PLAN FOR DETAILS. CHAPTER 30.66B SCC REQUIRES NEW LOT MITIGATION PAYMENT FOR EACH SINGLE FAMILY RESIDENCE (TWICE THE AMOUNT FOR EACH DUPLEX) OF (1) \$2,092.00 FOR MITIGATION OF IMPACTS ON COUNTY ROADS FOR A TOTAL OF \$52,300.00 AND (2) \$321.75/SFR FOR A TOTAL OF \$8,043.75 FOR TRANSPORTATION DEMAND MANAGEMENT. CREDIT FOR CERTAIN EXPENDITURES MAY BE ALLOWED AGAINST SAID PAYMENTS TO THE EXTENT AUTHORIZED BY COUNTY CODE. PAYMENT OF THESE FEES IS DUE PRIOR TO OR AT THE TIME OF BUILDING PERMIT ISSUANCE, UNLESS DEFERMENT IS ALLOWED PURSUANT TO CHAPTER 30.66B SCC, FOR EACH SINGLE-FAMILY RESIDENCE. NOTICE OF THESE MITIGATION PAYMENTS
- SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION OR THE LOTS THEREIN.
  THE LOTS WITHIN THIS SUBDIVISION WILL BE SUBJECT TO SCHOOL IMPACT MITIGATION FEES FOR EDMONDS SCHOOL DISTRICT NO. 15 TO BE DETERMINED BY THE CERTIFIED AMOUNT WITHIN THE BASE FEE SCHEDULE IN EFFECT AT THE TIME OF BUILDING PERMIT APPLICATION, AND TO BE COLLECTED PRIOR TO BUILDING PERMIT ISSUANCE, IN ACCORDANCE WITH THE PROVISIONS OF SCC 30.66C.010. CREDIT SHALL BE GIVEN FOR THREE EXISTING LOTS. LOTS 1, 2, AND 3 SHALL RECEIVE CREDIT.
- ALL RESIDENCES CONSTRUCTED WITHIN THIS DEVELOPMENT SHALL COMPLY WITH THE APPROVED PRD SITE PLAN (18-117480 SPA) AND THE REQUIREMENTS OF SCC 30.23A.040.
- THE DWELLING UNITS WITHIN THIS DEVELOPMENT ARE SUBJECT TO PARK IMPACT FEES PER NEWLY APPROVED DWELLING UNIT AS MITIGATION FOR IMPACTS TO THE NAKEETA BEACH PARK SERVICE AREA NO. 307 OF THE COUNTY PARKS SYSTEM, IN ACCORDANCE WITH CHAPTER 30.66A SCC. IMPACT MITIGATION FEES SHALL BE DETERMINED BASED UPON THE IMPACT FEE SCHEDULE AT THE TIME OF FILING OF A COMPLETE BUILDING PERMIT APPLICATION FOR EACH RESIDENTIAL STRUCTURE OR DWELLING UNIT. THE IMPACT FEES SHALL BE PAID PRIOR TO BUILDING PERMIT ISSUANCE UNLESS PDS APPROVES DEFERRAL OF PAYMENT PURSUANT TO SCC 30.66A.020(4).
- MEMBERSHIP IN THE HOMEOWNERS' ASSOCIATION AND PAYMENT OF DUES OR OTHER ASSESSMENTS FOR MAINTENANCE PURPOSES SHALL BE A REQUIREMENT OF LOT OWNERSHIP, AND SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.
- ALL OPEN SPACE SHALL BE PROTECTED AS OPEN SPACE IN PERPETUITY. USE OF THE OPEN SPACE TRACTS WITHIN THIS SUBDIVISION IS RESTRICTED TO THOSE USES APPROVED FOR THE PLANNED RESIDENTIAL DEVELOPMENT, TO INCLUDE OPEN PLAY AREAS, PICNIC AREAS, RECREATION TRAIL SYSTEM, VIEWING PLATFORM, DRAINAGE FACILITIES, BENCHES, AND REQUIRED LANDSCAPE IMPROVEMENTS AS SHOWN ON THE APPROVED SITE PLAN AND THE APPROVED LANDSCAPE PLAN. COVENANTS, CONDITIONS, AND RESTRICTIONS AS RECORDED WITH THE PLAT, AND AS MAY BE AMENDED IN THE FUTURE, SHALL INCLUDE PROVISIONS FOR THE CONTINUING PRESERVATION AND MAINTENANCE OF THE USES, FACILITIES, AND LANDSCAPING, WITHIN THE OPEN SPACE AS APPROVED AND CONSTRUCTED.
- SHARED DRIVEWAYS SHALL HAVE A MINIMUM DRIVING SURFACE AND EASEMENT WIDTH OF 10 FEET.
- ALL CRITICAL AREA PROTECTION AREAS SHALL BE LEFT PERMANENTLY UNDISTURBED IN A SUBSTANTIALLY NATURAL STATE. NO CLEARING, GRADING, FILLING, BUILDING CONSTRUCTION OR PLACEMENT, OR ROAD CONSTRUCTION OF ANY KIND SHALL OCCUR, EXCEPT REMOVAL OF HAZARDOUS TREES. THE FOLLOWING ARE ALLOWED IN CAPAS: EXISTING LEGALLY ESTABLISHED USES AND STRUCTURES (SEE SITE PLAN); NON-GROUND DISTURBING INTERIOR OR EXTERIOR BUILDING IMPROVEMENTS; ROUTINE LANDSCAPE MAINTENANCE OF ESTABLISHED, ORNAMENTAL LANDSCAPING; NON-GROUND DISTURBING NORMAL MAINTENANCE OR REPAIR; REMOVAL OF NOXIOUS WEEDS CONDUCTED IN ACCORDANCE WITH CHAPTER 16-750 WAC; MAINTENANCE OR REPLACEMENT THAT DOES NOT EXPAND THE AFFECTED AREA OF EXISTING SEPTIC TANKS AND DRAIN FIELDS, WELLS, AND INDIVIDUAL UTILITY SERVICE CONNECTIONS; DATA COLLECTION BY NON-MECHANICAL MEANS; AND NON-MECHANICAL SURVEY AND MONUMENT PLACEMENT.
- A PERFORMANCE MITIGATION BOND IN THE AMOUNT OF 120% OF THE ESTIMATED COST OF CONSTRUCTION SHALL BE REMITTED TO PDS FOR ACCEPTANCE IN THE AMOUNT ESTABLISHED ON THE LAND DISTURBING ACTIVITY PERMIT, BASED ON THE REVISED SEPTEMBER 2018 WETLAND AND FISH AND WILDLIFE HABITAT ASSESSMENT AND BUFFER REDUCTION AND ENHANCEMENT PLAN BY SOUNDVIEW CONSULTANTS.
- 14. TREES TO BE PLANTED TO MEET THE TREE CANOPY REQUIREMENTS OF SCC 30.25.016(3) (LOCATIONS INDICATED ON THE APPROVED LANDSCAPE PLANS FOR THE PROJECT) MAY NOT BE REMOVED WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES AND SUBMITTAL OF DOCUMENTATION FROM A CERTIFIED ARBORIST STATING THAT REMOVAL OF ANY OF THE TREES IS NECESSARY TO PREVENT AN IMMINENT SAFETY HAZARD. ANY TREES REMOVED WITHOUT AUTHORIZATION SHALL BE SUBJECT TO A FINE AS DETERMINED UNDER CHAPTER 30.85 SCC.
- 15. ANY DWELLING IN EXCESS OF 3,600 SQUARE FEET SHALL MEET THE MINIMUM REQUIRED FIRE FLOW OF APPENDIX B OF THE INTERNATIONAL FIRE CODE IN EFFECT AT THE TIME OF BUILDING PERMIT APPLICATION. IF THE REQUIRED FIRE FLOW CANNOT BE MET, INSTALLATION OF AN NFPA 13D AUTOMATIC FIRE SPRINKLER SYSTEM WILL REDUCE THE REQUIRED FIRE FLOW BY 50%.

## SURVEYOR NOTES

- 1. BASIS OF BEARINGS: NORTH 87°24'05" WEST ALONG THE MONUMENTED CENTERLINE OF 164TH STREET SW (ALSO THE NORTH LINE OF THE NE 1/4 OF SECTION 12, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M.) PER THE WASHINGTON STATE REFERENCE NETWORK, NAD 83/91, WASHINGTON STATE PLANE NORTH ZONE.
- 2. EQUIPMENT USED: CARLSON ZOOM 80 TOTAL STATION AND CARLSON BRX6+ GPS RECEIVER.
- 3. THIS SURVEY COMPLIES WITH THE STANDARDS AND GUIDELINES OF THE "SURVEY RECORDING ACT" CHAPTER 58.09 RCW AND WAC 332-130.
- 4. METHOD: FIELD TRAVERSE AND GPS OBSERVATIONS IN AUGUST. 2018. SECTION GEOMETRY AND BASE CONTROL WERE ESTABLISHED WITH RTK GPS METHODS. WORKING CONTROL AND ADJACENT MONUMENT WAS TIED WITH A ROBOTIC TOTAL STATION.

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