

DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS, THAT HE, THE UNDERSIGNED, HAVING AN INTEREST IN THE REAL PROPERTY DESCRIBED BY THIS DECLARATION, DO HEREBY DECLARE THE HEREIN DESCRIBED SHORT SUBDIVISION OF LAND APPROVED AS SHORT PLAT NUMBER P.F.N. 00-105867 SP, ON THIS _____ DAY OF _____, 2003, BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES OF SNOHOMISH COUNTY, SUBJECT TO THE FOLLOWING COVENANTS AND CONDITIONS:

- (i) THE LAND DESCRIBED BY THIS DECLARATION MAY NOT BE FURTHER SUBDIVIDED IN ANY MANNER EXCEEDING A TOTAL OF FOUR PARCELS (OR A TOTAL OF NINE PARCELS IF LOCATED IN THE URBAN GROWTH AREA) BY ANYONE WITHIN FIVE YEARS OF THE ABOVE DATE OF APPROVAL WITHOUT A FINAL PLAT, HAVING BEEN FILED FOR RECORD WITH THE AUDITOR OF SNOHOMISH COUNTY, PURSUANT TO THE PROVISIONS OF CHAPTER 35.01 RCW AND THE ORDINANCES OF SNOHOMISH COUNTY, AND SUBJECT TO THE PENALTIES ATTENDANT THERETO.
- (ii) ALL SUBSEQUENT DEEDS WILL CONTAIN PROVISIONS FOR SHARED DRIVEWAY IN THE MANNER DESCRIBED HEREIN;
- (iii) ALL MAINTENANCE OF THE SHARED DRIVEWAY DESCRIBED BY THIS DECLARATION SHALL BE BY THE OWNER(S) OF THE PARCELS HAVING LEGAL ACCESS THEREFROM OR THEIR SUCCESSOR(S), UNLESS AND UNTIL SUCH SHARED DRIVEWAY OR PORTIONS THEREOF, ARE IMPROVED TO SNOHOMISH COUNTY PUBLIC ROAD STANDARDS AND ACCEPTED BY SNOHOMISH COUNTY.
- (iv) THE SHARED DRIVEWAY 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 SHARED DRIVEWAY SHOULD BECOME A PUBLIC ROAD SOME TIME IN THE FUTURE, ALL EASEMENTS WITHIN THE SHARED DRIVEWAY SHALL BECOME NULL AND VOID, ANY UTILITY FACILITIES WHICH PHYSICALLY EXIST SHALL BECOME SUBJECT TO THE FRANCHISE REQUIREMENTS OF THE COUNTY;
- (v) WITH RESPECT TO THE SHARED DRIVEWAY DESCRIBED BY THIS DECLARATION, WHETHER IT REMAINS A SHARED DRIVEWAY 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 ROADS AND WAYS OVER AND ACROSS ANY LOT OR LOTS WHERE THE WATER MIGHT TAKE A NATURAL COURSE UPON REASONABLE GRADING PURSUANT TO IMPROVEMENT FOR DEDICATION OF THE ROADS AND WAYS SHOWN HEREIN, FOLLOWING REASONABLE GRADING PURSUANT TO IMPROVEMENTS FOR DEDICATION OF THE ROADS AND WAYS SHOWN HEREIN, NO DRAINAGE MATTERS 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 SNOHOMISH COUNTY;
- (vi) 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 COUNTY IF DEEMED NECESSARY FOR COUNTY ROAD PURPOSES;
- (vii) THE LOTS IN THIS SHORT SUBDIVISION DO NOT QUALIFY AS DUPLEX LOTS PER SNOHOMISH COUNTY CODE (SCC 20.36.02). TITLE 26B MITIGATION HAS BEEN BASED ON THE DEVELOPMENT OF SINGLE-FAMILY STRUCTURES, IN THE EVENT THAT DUPLEX BUILDING PERMITS ARE APPLIED FOR, ADDITIONAL TITLE 26B REVIEW AND MITIGATION WILL BE REQUIRED.
- (viii) TRACT 9991 IS HEREBY GRANTED AND CONVEYED TOGETHER WITH ALL MAINTENANCE OBLIGATIONS TO LOTS 1 THROUGH 4 WITH AN EQUAL AND UNDIVIDED INTEREST UPON THE RECORDING OF THIS SHORT PLAT. THIS TRACT SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.
- (ix) NATIVE GROWTH PROTECTION AREA IS TO 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 ACTIVITIES AS SET FORTH IN SCC 32.10.1002(A) (a,c,d) ARE ALLOWED WHEN APPROVED BY THE COUNTY.
- (x) THE LOTS WITHIN THIS SUBDIVISION SHALL BE SUBJECT TO SCHOOL IMPACT MITIGATION FEES FOR ARLINGTON SCHOOL DISTRICT NO. 16 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 26C.20.020. CREDIT SHALL BE GIVEN FOR THE PRE-EXISTING LOT. THE CREDIT SHALL BE APPLIED TO LOT 4, WHICH CONTAINS THE EXISTING RESIDENCE.
- (xi) SCC TITLE 26A REQUIRES THE PER NEH UNIT FEE IN THE AMOUNT OF \$1070.00 FOR MITIGATION OF IMPACTS ON THE COUNTY PARKS DISTRICT NO. 1. THE DEVELOPER OF THIS SHORT SUBDIVISION HAS ELECTED TO DEFER THIS FEE PAYMENT OBLIGATION TO A TIME PRIOR TO THE PRECEDING BUILDING PERMIT ISSUANCE. NOTICE OF THIS FEE PAYMENT OBLIGATION SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION OR THE LOT(S) THEREIN.

FABIS SHORT PLAT
SNOHOMISH COUNTY FILE NO. P.F.N. 00-105867 SP
A PORTION OF NW1/4 SE1/4
SECTION 16, TOWNSHIP 31 NORTH, RANGE 05 EAST, WM,
SNOHOMISH COUNTY, WASHINGTON

(xii) YOUR REAL PROPERTY IS WITHIN, ADJACENT TO, OR WITHIN 1300 FEET OF DESIGNATED FARMLAND; THEREFORE, YOU MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL ACTIVITIES, INCLUDING BUT NOT LIMITED TO NOISE, ODORS, FUMES, DUST, SHOCK, THE OPERATION OF MACHINERY OF ANY KIND (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL OR ORGANIC FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES, HOURS OF OPERATION AND OTHER AGRICULTURAL ACTIVITIES. SNOHOMISH COUNTY HAS ADOPTED A RIGHT OF FARM ORDINANCE WHICH MAY AFFECT YOU AND YOUR LAND. A COPY OF SAID ORDINANCE, CHAPTER 32.15 SCC, MAY BE OBTAINED FROM SNOHOMISH COUNTY.

AGRICULTURAL ACTIVITIES CONDUCTED ON DESIGNATED FARMLANDS IN COMPLIANCE WITH ACCEPTABLE AGRICULTURAL PRACTICES AND ESTABLISHED PRIOR TO SURROUNDING NON-AGRICULTURAL ACTIVITIES ARE PRESUMED TO BE REASONABLE AND SHALL NOT BE FOUND TO CONSTITUTE A NUISANCE UNLESS THE ACTIVITIES HAVE A SUBSTANTIAL ADVERSE EFFECT ON THE PUBLIC HEALTH AND SAFETY.

THIS DISCLOSURE APPLIES TO THE REAL PROPERTY WHICH IS SUBJECT TO A DEVELOPMENT OR BUILDING PERMIT AS OF THE DATE OF THE DEVELOPMENT OR BUILDING PERMIT APPROVAL OR, IN THE CASE OF REAL PROPERTY TRANSFERS, THE DISCLOSURE APPLIES TO THE SUBJECT PROPERTY AS OF THE DATE OF TRANSFER. THIS DISCLOSURE MAY NOT BE APPLICABLE THEREAFTER IF AREAS DESIGNATED FARMLAND ARE CHANGE FORM THE FARMLAND DESIGNATION.

NOTHING IN CHAPTER 32.15 SCC SHALL AFFECT OR IMPAIR ANY RIGHT TO SUE FOR DAMAGES.
(xiii) SUBJECT TO EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF WASHINGTON RECORDED APRIL 3, 1908 UNDER RECORDING NUMBER 125735 AS FOLLOWS: "THE GRANTOR HEREBY EXPRESSLY SAVES, EXCEPTS AND RESERVES OUT OF THE GRANT HEREBY MADE, UNTO ITSELF, ITS SUCCESSORS AND/OR ASSIGNS FOREVER, ALL OILS, GASES, COAL, ORES, MINERALS AND FOSSILS OF EVERY NAME, KIND (KIND) OR DESCRIPTION, AND WHICH MAY BE IN OR UPON SAID LANDS ABOVE DESCRIBED, OR ANY PART THEREOF, ETC."

(xiv) SUBJECT TO WAIVER AND RELINQUISHMENT OF ALL CLAIMS FOR DAMAGE ARISING FROM THE ESTABLISHMENT OF A PUBLIC ROAD AS SET FORTH BY INSTRUMENT RECORDED MARCH 22, 1921 UNDER RECORDING NUMBER 282629.

(xv) THE LANDS DESCRIBED HEREIN HAVE BEEN CLASSIFIED AS FARM AND AGRICULTURAL AND ARE SUBJECT TO THE PROVISIONS OF RCW 84.34, WHICH INCLUDE THE REQUIREMENT OF A CONTINUATION OF RESTRICTED USE IN ORDER TO CONTINUE THE PRESENT ASSESSMENT RATE. A CHANGE IN USE CAN CAUSE AN INCREASE ASSESSMENT RATE FOR PRESENT AND PAST YEARS. NOTICE OF APPLICATION RECORDED APRIL 6, 1916 UNDER RECORDING NUMBER 1604060042.

(xvi) SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, DEDICATIONS, AGREEMENTS, EASEMENTS, MAINTENANCE PROVISIONS AND NOTES, AS CONTAINED IN SNOHOMISH COUNTY SHORT PLAT NUMBER 5022-86, RECORDED UNDER RECORDING NUMBER 8703020043.

(xvii) SUBJECT TO TERMS, CONDITIONS AND PROVISIONS OF CITY OF ARLINGTON UTILITY EXTENSION AGREEMENT RECORDED NOVEMBER 15, 2001 UNDER RECORDING NUMBER 20001150274.

(xviii) LOTS 1 THROUGH 4 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN WHICH REQUIRED IMPERVIOUS SURFACES AND DRAINS TO BE CONNECTED TO AN INDIVIDUAL LOT DRAINAGE SYSTEM. SEE DRAINAGE PLAN FOR DETAILS.

(xix) THIS SHORT PLAT IS WITHIN THE INFLUENCE OF THE ARLINGTON AIRPORT. AVIATION PRACTICES OCCUR NEAR AND AROUND THIS SHORT PLAT.

THESE COVENANTS ARE FOR THE MUTUAL BENEFIT OF THE GRANTOR AND HIS/HER/IT/HEIRS, SUCCESSORS AND ASSIGNS AND ARE FOR THE FURTHER PURPOSE OF COMPLIANCE WITH THE ORDINANCES AND REGULATIONS OF SNOHOMISH COUNTY, AND THE COUNTY AND SUCH A PERSONS ARE SPECIFICALLY GIVEN THE RIGHT TO ENFORCE THESE RESTRICTIONS AND RESERVATIONS BY INJUNCTION OR OTHER LAWFUL PROCEDURE AND TO RECOVER ANY DAMAGES RESULTING FROM SUCH VIOLATION.

DATED THIS 4TH DAY OF NOVEMBER, 2003.

David Allen Fabis
DAVID ALLEN FABIS

Julia M. Biringer
JULIA M. BIRINGER

EASEMENTS

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, REPAIR, 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 PURPOSE 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 COUNTY.

NATIVE GROWTH PROTECTION AREA EASEMENT

IN CONSIDERATION OF SNOHOMISH COUNTY CODE (SCC) 32.10.240(B)(B) REQUIREMENTS, A NON-EXCLUSIVE NATIVE GROWTH PROTECTION AREA (NGPA) EASEMENT IS HEREBY GRANTED TO SNOHOMISH COUNTY, ITS SUCCESSORS OR ASSIGNS. SAID EASEMENT AREA IS DEPICTED ON THE SUBDIVISION. THE NATIVE GROWTH PROTECTION AREA EASEMENT 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 WITHIN SAID EASEMENT AREA, EXCEPT THE ACTIVITIES SET FORTH IN SNOHOMISH COUNTY CODE 32.10.1002(A), (C) AND (D) ARE ALLOWED, WHEN APPROVED BY THE COUNTY. SOME ACTIVITIES WHICH MAY BE PERMITTED ARE: (1) UNDERGROUND UTILITY CROSSINGS AND DRAINAGE DISCHARGE SHALES WHICH UTILIZE THE SHORTEST ALIGNMENT POSSIBLE AND FOR WHICH NO ALIGNMENT THAT WOULD AVOID SUCH A CROSSING IS FEASIBLE; (2) FENCES, WHEN THE CRITICAL AREA AND ITS BUFFER ARE NOT DETRIMENTALLY AFFECTED; (3) REMOVAL OF HAZARDOUS TREES BY THE PROPERTY OWNER; (4) EXISTING DRIVEWAY TO BE MAINTAINED AT PRESENT LOCATION; AND (5) OTHER USES AND DEVELOPMENT ACTIVITY AS ALLOWED BY SAID CODE. THE RIGHT TO USE AND POSSESS THE EASEMENT AREA IS RETAINED, PROVIDED THAT THE USE DOES NOT INTERFERE WITH, OBSTRUCT OR ENDANGER PURPOSE OF SAID EASEMENT.

THE COUNTY, ITS SUCCESSORS AND ASSIGNS, SHALL HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM THIS EASEMENT AND ACROSS THE ADJACENT PROPERTY IN THIS SUBDIVISION FOR THE PURPOSE OF MONITORING AND ENFORCING PROPER OPERATION AND MAINTENANCE OF THE NATIVE GROWTH PROTECTION AREA EASEMENT.

THE LOT OWNER(S) SHALL BE RESPONSIBLE FOR OPERATION, MAINTAINING, REPAIRING AND RESTORING THE CONDITION OF THE NGPA IF ANY UNAUTHORIZED DISTURBANCE OCCURS.

BY ACCEPTANCE OF THE EASEMENT FOR THE PURPOSES DESCRIBED, SNOHOMISH COUNTY DOES NOT ACCEPT OR ASSUME ANY LIABILITY FOR ACTS OR OMISSIONS OF THE LOT OWNER, HIS OR HER INVITEES, LICENSEES OR OTHER THIRD PARTIES WITHIN THE EASEMENT AREA. THE LOT OWNER HOLDS SNOHOMISH COUNTY HARMLESS FROM ANY CLAIM OF DAMAGE OR INJURY TO ANY PROPERTY OR PERSON BY ANY PERSON ENTERING THE EASEMENT AREA NOT EXPRESSLY AUTHORIZED TO DO SO BY SNOHOMISH COUNTY. THIS EASEMENT IS CREATED, GRANTED AND ACCEPTED FOR THE BENEFIT OF THE SUBDIVISION AND THE GENERAL PUBLIC, BUT SHALL NOT BE CONSTRUED TO PROVIDE OPEN OR COMMON SPACE FOR OWNERS WITHIN THE SUBDIVISION OR MEMBERS OF THE PUBLIC.

SHEET INDEX

- SHEET 1 DECLARATION, COVENANTS, EASEMENT PROVISIONS
- SHEET 2 LEGAL DESCRIPTION, SUBDIVISION SOLUTION, ACKNOWLEDGMENTS, APPROVALS
- SHEET 3 FINAL PLAT MAP

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF THOMAS E. BARRY, THIS 05TH OF NOVEMBER, 2003, AT 39 MINUTES PAST 11 A.M. AND RECORDED IN VOLUME _____ OF SHORT PLATS, PAGE _____ A.F.N. 200311055174 RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

BOS TERWILLIGER BY *Janelle Gorman*
AUDITOR, SNOHOMISH COUNTY DEPUTY COUNTY AUDITOR

A.F.N. 2.00311055174

REV 02 JUN 94/03

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 DAVID FABIS IN JUNE, 2003.

Thomas E. Barry DATE: 11-3-03
THOMAS E. BARRY, P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR CERTIFICATE NO. 28067



METRON
and ASSOCIATES INC.
LAND SURVEYS, MAPS, AND LAND USE PLANNING
307 N. OLYMPIC, SUITE 205
ARLINGTON, WASHINGTON 98223
(360) 435-3777 FAX (360) 435-4822

DATE: JUNE 2003 BY: J.S.M. SCALE: ----
PROJECT NO. 00145A F.B. 5-32

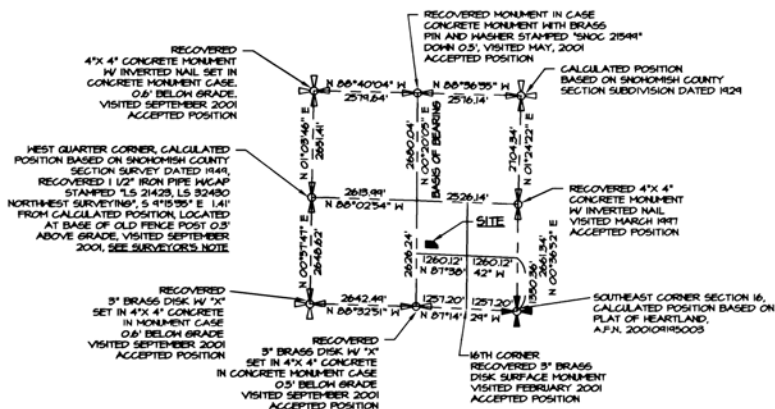
SNOHOMISH COUNTY FILE NO. P.F.N. 00-105867 SP

SHORT PLAT

FOR
DAVID FABIS
A PORTION OF NW1/4 SE1/4
SECTION 16, TOWNSHIP 31 NORTH, RANGE 05 EAST, WM,
SNOHOMISH COUNTY, WASHINGTON

SHEET 1 OF 3

FABIS SHORT PLAT
 SNOHOMISH COUNTY FILE NO. PPN 00-105867 SP
 A PORTION OF N1/4 S.E.1/4
 SECTION 16, TOWNSHIP 31 NORTH, RANGE 05 EAST, W.M.,
 SNOHOMISH COUNTY, WASHINGTON



SECTION 16, TWP.31 N., RGE.5 E., W.M.
 SCALE 1" = 2000'

LEGAL DESCRIPTION

ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNINGS AT THE SOUTHEAST CORNER OF SAID SUBDIVISION;
 THENCE NORTH 84° 06' 00" WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION FOR A DISTANCE OF 35.02 FEET TO INTERSECT WITH THE WEST RIGHT-OF-WAY LINE OF 4TH AVENUE NE.;
 THENCE NORTH 0°58'45" WEST ALONG SAID RIGHT-OF-WAY, PARALLEL WITH THE EAST LINE OF SAID SUBDIVISION, FOR A DISTANCE OF 325.14 FEET;
 THENCE SOUTH 85°33'55" WEST FOR A DISTANCE OF 705.56 FEET;
 THENCE SOUTH 4°26'05" EAST FOR A DISTANCE OF 15.00 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE CONTINUE SOUTH 4°26'05" EAST FOR A DISTANCE OF 90.00 FEET;
 THENCE NORTH 84°06'00" WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, FOR A DISTANCE OF 30.00 FEET;
 THENCE NORTH 0°54'00" EAST FOR A DISTANCE OF 167.10 FEET;
 THENCE SOUTH 84°06'00" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SUBDIVISION, FOR A DISTANCE OF 206.65 FEET TO A POINT ON A CURVE TO THE LEFT, THE RADIUS POINT OF WHICH BEARS NORTH 65°54'50" EAST AND 185.00 FEET DISTANT;
 THENCE ALONG THE ARC OF SAID CURVE, IN A SOUTHEASTERLY DIRECTION, THROUGH A CENTRAL ANGLE OF 71°33'09" FOR A DISTANCE OF 160.54 FEET TO THE TRUE POINT OF BEGINNING.

(LEGAL DESCRIPTION PER CHICAGO TITLE INSURANCE COMPANY ORDER NO. 512001 DATED JUNE 5, 2003.)

SURVEYOR'S NOTE

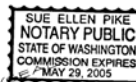
THE WEST QUARTER CORNER POSITION MONUMENTED BY NORTHWEST SURVEYING IS DOCUMENTED BY R.O.S. A.F.N. 4712085001. THIS SURVEY HOLDS A RECOVERED FENCE CORNER POST AS THE WEST QUARTER CORNER POSITION.
 METRON & ASSOCIATES, INC. HAS ALSO REVIEWED THE HUEY LAND SURVEYING RECORDS OF R.O.S. A.F.N. 8401075013 AND R.O.S. A.F.N. 4710125007. HUEY LAND SURVEYING IS HOLDING THE SNOHOMISH COUNTY SECTION SURVEY DATED 1944 AS THE BASIS FOR THE WEST QUARTER CORNER POSITION.
 THE 1944 SURVEY IS DEFENDED BY ITS PRECISION TO MEASURED DISTANCES. METRON CONSIDERS THE FENCE CORNER POST RECOVERED BY NORTHWEST SURVEYING A MEMORIAL TO THE ORIGINAL G.L.O. CORNER LOCATION, THEREFORE THE FENCE POST IS NOT AN EXACT LOCATION. IT IS METRON'S OPINION THAT THE CORNER IS OBLITERATED AND THE SNO. CO. 1944 SURVEY IS THE BEST RECORD EVIDENCE TO REESTABLISH THE WEST QUARTER CORNER POSITION.

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
 COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DAVID ALLEN FABIS IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED November 4, 2003.



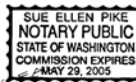
Sue Ellen Pike
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
Sue Ellen Pike
 (NOTARY NAME TO BE PRINTED)
 RESIDING AT: Marysville
 MY APPOINTMENT EXPIRES 5-29-05

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
 COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT JILL M. BIRINGER IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT SHE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HER FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED November 4, 2003.



Sue Ellen Pike
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
Sue Ellen Pike
 (NOTARY NAME TO BE PRINTED)
 RESIDING AT: Marysville
 MY APPOINTMENT EXPIRES 5-29-05

SHORT SUBDIVISION APPROVAL

I HEREBY APPROVE THIS SHORT SUBDIVISION AND FIND FROM THE FILE THAT THE SHORT PLAT MEETS ALL THE APPLICABLE ZONING AND LAND USE CONTROLS, AND MAKES APPROPRIATE PROVISIONS FOR THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE. APPROVED THIS ____ DAY OF _____, 2003.

[Signature]
 SNOHOMISH COUNTY PLANNING AND DEVELOPMENT SERVICES DIRECTOR

SHEET INDEX

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A.F.N. 200311055174

REV 02 JSM 9/1/03



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SHORT PLAT
 FOR
DAVID FABIS
 A PORTION OF N1/4 S.E.1/4
 SECTION 16, TOWNSHIP 31 NORTH, RANGE 05 EAST, W.M.,
 SNOHOMISH COUNTY, WASHINGTON

SHEET 2 OF 3

