

#### LEGAL DESCRIPTION

LOTS 12 13 AND 14, BLOCK 11, HALLER CITY, ACCORDING TO THE PLAT THEREOF, RECORDED - - - -IN VOLUME 2, OF PLATS, PAGE 22, RECORDS OF SNOHOMISH COUNTY, -WASHINGION;

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ARLINGTON, AS DISCLOSED BY STATUTORY WARRANTY DEED RECORDED UNDER RECORDING NO. 201010190577.

## CERTIFICATE OF OWNERSHIP AND DEDIGATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH \_-PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY OF ARLINGTON, THAT I HEREBY FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS STREETS, ALLEYS, WALKS, PARKS, OPEN \_-SPACE, AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT T WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY. ALL PROPERTY SHOWN ON THIS PLAT AS DEDICATED FOR A PUBLIC USE SHALL BE DEEMED TO BE DEDICATED FOR ANY OTHER PUBLIC USE AUTHORIZED BY LAW WHEN SUCH OTHER USE IS APPROVED BY THE ARLINGTON CITY COUNCIL IN THE PUBLIC INTEREST. I SHALL FURTHER UNDERTAKE TO DEFEND, PAY AND SAVE HARMLESS, ANY GOVERNMENTAL AUTHORITY, INCLUDING THE CITY OF ARLINGTON, IN RESPECT OF ALL CLAIMS FOR DAMAGES AGAINST ANY GOVERNMENTAL AUTHORITY INCLUDING THE CITY OF ARLINGTON WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION, DRAINAGE OR MAINTENANCE OF SAID RIGHT-OF-WAY OR OTHER AREAS SO DEDICATED.

VISTA PROPERTIES NW LLC A WASHINGTON LIMITED LIABILITY COMPANY DISMIT

WHIDBOY ISLAND BANK, INC. A WASHINGTON CORPORATION

# ACKNOWLEDGMENTS

STATE OF WASHINGTON

DEBORAH A. LIBBING NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES MAY 4, 2011

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT TODAL PODE TOOMS IS 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 VICA- PROJECT OF VISTA PROPERTIES NW LLC, TO BE HIS/HER FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

04.07.2011

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT MARKELLE MY APPOINTMENT EXPIRES: 05.04.20//

STATE OF WASHINGTON

DEBORAH A. LIBBING NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES MAY 4, 2011

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT KOODIE MODEL SATISFACTORY IS 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 VICE PRESIDENT OF WHIDBEY ISLAND BANK, INC., TO BE HIS/HER FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

04-07-201

PRINT NAME: LABORER A L'Abbite NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT TRANSLE

MY APPOINTMENT EXPIRES. 05-04-20/

### CITY OF ARLINGTON VISTA TOWNHOMES FILE NO: PLN2010016

A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SECTION 2, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.

### CONDITIONS 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 DESCRIBED DIVISION OF LAND APPROVED AS SHORT PLAT NUMBER PLN20110016 ON THIS\_\_\_\_\_ DAY OF\_ THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT OF THE CITY OF ARLINGTON, SUBJECT TO THE FOLLOWING COVENANTS AND CONDITIONS:

THIS LAND IS WITHIN THE INFLUENCE OF THE ARLINGTON MUNICIPAL AIRPORT, ON WHICH AERONAUTICAL ACTIVITIES AS DEFINED IN RCW CHAPTER 14.00 AND ARLINGTON MUNICIPAL CODE TITLE 14 ARE AND MAY BE CONDUCTED. THIS LAND MAY EXPERIENCE LOW OVERHEAD FLIGHTS, ODOR, NOISE, VIBRATION, AND OTHER AVIATION RELATED IMPACTS;

SINCE AIRCRAFT WILL BE FLYING OVER THE PROPOSED AREA, ANY OUTDOOR LIGHTING SHALL BE "DOWNSHIELDED AS TO REDUCE ANY TYPE OF GLARE, WHICH COULD INTERFERE WITH FLIGHT OPERATIONS; NO-USE MAY BE MADE OF THE PREMISES WHICH CAN OR DOES INTERFERE WITH USE OF THE AIRPORT BY AIRCRAFT BY REASON OF:

A. - ELECTRICAL INTERFERENCE WITH NAVIGATIONAL SIGNALS OR RADIO COMMUNICATIONS AT THE AIRPORT OR WITH RADIO OR ELECTRONIC COMMUNICATIONS BETWEEN THE AIRPORT AND AIRCRAFT OR AIRCRAFT TO AIRCRAFT:

THE EMISSION OF FLY ASH, DUST, VAPOR, GASES, OR OTHER FORMS OF EMISSIONS THAT "CONFLICT WITH THE PLANNED OPERATIONS OF THE AIRPORT;

LIGHTING CONDITIONS, HEIGHT OF ANY STRUCTURE OR APPURTENANCE, OR ANY USE WHICH MAY ATTRACT BIRDS;

4. A PERPETUAL EASEMENT AND RIGHT-OF-WAY IS HEREBY GRANTED TO THE CITY OF ARLINGTON, STATE OF . Washington, its successors and assigns ("grantee"), for use and benefit of the public, over the -PLAT STARTING AT 2017 MEAN SEA LEVEL (MSL), FOR THE PURPOSE OF THE PASSAGE OF ALL AIRCRAFT "AIRCRAFT" BEING-DEFINED FOR THE PURPOSE OF THIS INSTRUMENT AS ANY DEVICE NOW KNOWN OR HEREAFJER INVENTED, USED OR DESIGNATED FOR NAVIGATION OF, OR FLIGHT IN THE AIR) BY WHOMSOEVER OWNED AND OPERATED IN THE AIR SPACE TO AN INFINITE HEIGHT ABOVE THE SURFACE OF THE GRANTOR'S -- PROPERTY, TOGETHER WITH THE RIGHT TO CAUSE IN SAID AIR SPACE NOISE, VIBRATION AND ALL OTHER EFFECTS THAT MAY BE-CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM, OR OPERATED AT, OR ON ARLINGTON MUNICIPAL AIRPORT, LOCATED IN SNOHOMISH COUNTY, STATE OF \_-Washington. Upon-said property no development or construction shall be permitted which will INTERFERE IN ANY WAY WITH THE SAFE OPERATION OF AIRCRAFT IN THE AIR SPACE OVER THE LAND - DESCRIBED HEREIN OR AT OR ON THE ARLINGTON MUNICIPAL AIRPORT;

SCHOOL IMPACT FEES REQUIRED FOR THIS DEVELOPMENT HAVE BEEN PAID IN FULL AND PROOF OF PAYMENT . IS ON FILE AT CITY-HALL:

6. -PARK IMPACT FEES REQUIRED FOR THIS DEVELOPMENT HAVE BEEN PAID IN FULL AND PROOF OF PAYMENT IS ON FILE-AT CITY HALL; \_ - - "

TRAFFIC MITIGATION FEES REQUIRED BY THIS DEVELOPMENT HAVE BEEN PAID IN FULL AND PROOF OF PAYMENT -15 ON FILE AT CITY HALL:

ALL SCREENING AND SHADED ELEMENTS LOCATED WITHIN THE PUBLIC RIGHTS-QF-WAY SHALL BE MAINTAINED BY THE ABUTTING PROPERTY OWNER;

THIS SITE IS SUBJECT TO-ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCE LINE / BOUNDARY DISCREPANCIES, NOTES AND/OR PROVISIONS SHOWN OR DISCLOSED BY SHORT PLAT OR PLAT OF HALLER CITY RECORDED IN VOLUME 2 OF PLATS, PAGE 22. 10. THIS SITE IS SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS AS DISCLOSED BY

INSTRUMENT RECORDED UNDER AUDITOR'S FILE -NO. 201012220089;\_ - -. THIS SITE IS SUBJECT TO PROVISIONS OF THE ARTICLES OF INCORPORATION AND BY-LAWS OF THE VISTA TOWNHOMES HOMEOWNERS ASSOCIATION, AND ANY TAX, FEE, ASSESSMENTS- OR CHARGES AS MAY BE LEVIED

## CERTIFICATE OF SURVEY AND ACCURACY

I HEREBY CERTIFY THAT THIS MAP DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURYEY MADE UNDER MY SUPERVISION; THAT THE EXTERIOR PLAT BOUNDARY, AND ALL INTERIOR LOT CORNERS HAVE BEEN SET UNDER MY SUPERVISION USING APPROPRIATE PERMANENT MATERĪALS, WITHE A FIELD TRAVĒRSE WITH A LINEAR CLOSURE OF 1:10,000 AND CORRESPONDING ANGULAR CLEOSURE AST-SPECIFIED IN W.A.C. 332:130.070 AND 332.130.090; THAT ALL STREET CENTERLINE MONUMENTS WITHIN THE PLAT AND ALL INTERSECTIONS------WITH EXISTING STREET CENTERLINES HAVE BEEN MONUMENTED WITH-CONCRETE MONUMENTS IN CASE OR OTHER PERMANENT MATERIAL APPROVED BY THE CITY; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN WITH A BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK 2, PAGE 22; AND\_THAT THIS MAR-WAS --PREPARED IN ACCORDANCE OF RCW 58.17.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS DAY OF MARCH 2011.

REGISTERED LAND SURVEYOR

- - - - - - -

# ACKNOWLEDGMENT

STATE OF WASHINGTON

BY SAID ASSOCIATION.

COUNTY OF SNOHOMISH

HARLEY C. PAWLEY, BEING FIRST ON OATH DULY SWORN, STATES THAT HE IS THE REGISTERED LAND SURVEYOR SIGNING THE ABOVE CERTIFICATE, THAT HE HAS EXAMINED THE PLANS AND SURVEY MAP AND BELIEVES THE CERTIFICATE TO BE A TRUE STATEMENT.

SUBSCRIBED AND SWORN TO ME THIS 10 DAY OF MARCH, 2011.

SIGNATURE:\_\_ (PRINT NAME): TERRY Y. OSTERGARRO /

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT MARYSVILLE MY APPOINTMENT EXPIRES 4-21-2013



PAGE 1 OF 2

EASEMENT PROVISIONS

AN EASEMENT IS HEREBY ESTABLISHED FOR AND GRANTED TO ALL UTILITIES SERVING THE 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, PIPES, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, WATER, SEWER, 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.

THE 10 FOOT WIDE PRIVATE STORM DRAINAGE EASEMENTS SHOWN ACROSS LOTS 1, 2, 3, 4, 5 & 6, ON PAGE 2 OF 2 HEREON, ARE TO THE BENEFIT OF SAID LOTS. MAINTENANCE, REPAIRS, OR RECONSTRUCTION OF SAID STORM DRAINAGE SYSTEMS ARE THE RESPONSIBILITY OF THE OWNERS OF SAID LOTS, THEIR SUCCESSORS AND ASSIGNS.

3. THE 5 FOOT WIDE AND 15 FOOT WIDE STORM DRAINAGE EASEMENTS SHOWN ACROSS LOT 6, ON PAGE 2 OF 2 HEREON, IS TO THE BENEFIT OF ALL LOTS, IN COMMON, OF THE VISTA TOWNHOMES HOMEOWNERS ASSOCIATION (INCLUDING DRACO TOWNHOMES TO THE EAST) AND THE CITY OF ARLINGTON FOR AN APPROVED STORM DRAINAGE CONVEYANCE AND INFILTRATION SYSTEM. MAINTENANCE, REPAIRS, OR RECONSTRUCTION OF SAID STORM DRAINAGE SYSTEM IS THE RESPONSIBILITY OF SAID H.O.A., IT'S SUCCESSORS AND ASSIGNS, TOGETHER WITH EMERGENCY MAINTENANCE PROVISIONS TO THE CITY OF ARLINGTON OVER SAID AREAS.

AN EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE CITY OF ARLINGTON OVER LOTS 1, 2, 3, 4, & 5, AS SHOWN ON PAGE 2 OF 2, OVER THE SOUTHERLY PAVED AREAS AS REQUIRED DURING CONSTRUCTION INSPECTION DURING NOVEMBER. 2010. THE CITY OF ARLINGTON IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF SAID PAVED AREAS.

#### CERTIFICATE OF SUBDIVISION APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH TITLE 20 OF THE ARLINGTON MUNICIPAL CODE, AND THEREFORE THIS PLAT HAS BEEN APPROVED BY THE PLANNING MANAGER, SUBJECT TO ITS BEING RECORDED IN THE SNOHOMISH COUNTY REGISTER WITHIN 60 DAYS OF THE DATE BELOW.

COMMUNITY DEVELOPMENT DIRECTOR

### CERTIFICATE OF APPROVAL OF PUBLIC IMPROVEMENTS

I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAT ARE WITHIN THE CITY OF ARLINGTON PLANNING JURISDICTION, ALL STREETS AND OTHER PUBLIC IMPROVEMENTS SHOWN ON THIS PLAT HAVE BEEN INSTALLED OR COMPETED TO CITY STANDARDS OR THAT THEIR INSTALLATION OR COMPLETION (WITHIN 12 MONTHS AFTER THE DATE BELOW) HAS BEEN ASSURED BY THE POSTING OF A PERFORMANCE BOND OR OTHER SUFFICIENT SURETY, AND THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS ON COMPLIANCE WITH TITLE 20 OF THE ARLINGTON MUNICIPAL CODE, AND THEREFORE THIS PLAT HAS BEEN APPROVED BY THE CITY ENGINEER.

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|------|----------|---------|---------|-----------|----------|-----|----------|--------|-------|------|-----|--|
|      | WORKS    |         |         |           |          |     |          | DATE   |       |      |     |  |
| CEF  | RTIFIC   | ATE     | OF C    | BUNCI     | LAPE     | RC  |          |        |       |      |     |  |
| HERE | BY CERTI | FY THAT | THE CIT | Y COUNCIL | REVIEWED | AND | APPROVED | THIS I | FINAL | PLAT | FOR |  |

| RECORDATION ON | <u></u> |
|----------------|---------|
| Vola-          | 4-7-11  |
| MAYOR          | DATE    |

### CERTIFICATE OF CITY TREASURER

I HEREBY CERTIFY THAT ALL MONIES AND DEBTS PERTAINING TO THIS SUBDIVISION WERE PAID TO

| THE CITY OF ARCHINGTON AND THE   | 2011. (00461801101500) |
|--|------------------------|
| a de la companya della companya dell | 4/2/11                 |
| FINANCE DIRECTOR/CITY TREASURER  | DATE                   |

#### SNOHOMISH COUNTY TREASURER'S APPROVAL

I"-HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREON, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED, INCLUDING 2011 TAXES. (00461801101500)

| EXAMINED | THIS 84  | _DAY OF_ | Apri | 2011. |
|----------|----------|----------|------|-------|
| -        | <b>–</b> |          |      |       |

SNOHOMISH- COUNTY TREASURER BY: DEPUTY COUNTY TREASURER

# RECORDING CERTIFICATE

| ILED FOR RECORD | AT THE REQUEST OF HA | ARLEY C. PAWLEY, | PL5, ON | THIS DAY OF  |  |
|-----------------|----------------------|------------------|---------|--------------|--|
| April           | 2011, AT             | MINUTES PAST_    | 1       | o'CLOCK_P.M. |  |

OF SHORT PLATS PAGE(S)

| AROLYN WEIKEL         |    |  | 5 | Pac   | th | 01 |
|-----------------------|----|--|---|-------|----|----|
| NOHOMISH COUNTY AUDIT | OR |  |   | DEPUT |    |    |

VISTA TOWNHOMES. CITY-OF ARLINGTON SNOHOMISH COUNTY, WASHINGTON

A PORTION OF THE NE 1/4, SE 1/4 SEC. 2, TWP. 31 N., RGE. 5 E., WWW.ALPHASUB.COM\_ -

A.S.P.I. (ALPHA SUBDIVISION PRO'S\_INC.) 4532-B EVERGREEN WAY EVERETT, WA 98203 (425) 252-1884

