IN THE NW 1/4 OF THE SE 1/4 OF SECTION 10, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.
CITY OF ARLINGTON, SNOHOMISH COUNTY, WASHINGTON

HIGHLAND BLUFF
MJ-02-037-FP

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS THAT WE, THE UNDERSIGNED, HAVING AN INTEREST IN THE REAL PROPERTY DESCRIBED BY THIS DECLARATION, DO 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 PURPOSES. ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUT AND FILLS UPON LOTS, BLOCKS, TRACTS, ETC. SHOWN ON THIS PLAT IN THE REASONABLE ORIGINAL GRADING OF ALL THE STREETS, AVENUES, PLACES, 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.

TRACT 999 IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE CITY OF ARLINGTON.

TRACT 998 IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE OWNERS OF LOTS 1 THROUGH 10 WITH AN EQUAL AND UNDIVIDED INTEREST UPON THE RECORDING OF THIS PLAT TOGETHER WITH AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY OF ARLINGTON. THIS TRACT SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.

IN WITNESS WHERE, WE SET OUR HANDS AND SEALS THIS 13th DAY OF December 2002.

BENJAMIN D. MAGNUSON AND LILLIAN E. MAGNUSON, HUSBAND AND WIFE

BY: _____ BENJAMIN D. MAGNUSON BY: _____ LILLIAN E. MAGNUSON By Ben Magnuson att-in-fact

CRAIG B. PIERCE AND SUSAN M. PIERCE, HUSBAND AND WIFE

BY: _____ CRAIG B. PIERCE BY: _____ SUSAN M. PIERCE

DATED THIS 13th DAY OF December, 2002.

FRONTIER BANK
BY: Thomas W. Cave
ITS: Vice President

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT BENJAMIN D. MAGNUSON AND LILLIAN E. MAGNUSON BY BENJAMIN D. MAGNUSON, ATTORNEY-IN-FACT (IS/ARE) THE PERSON(S) WHO APPEARED BEFORE ME, AND SAID PERSON(S) ACKNOWLEDGED THAT (HE/SHE/THEY) SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE (HIS/HER/THEIR) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: Dec 13, 2002

SIGNATURE: Ben M. Kemp
(PRINT NAME) BEN M KEMP
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT LYNNWOOD
MY APPOINTMENT EXPIRES JUNE 15, 2004

BEN M. KEMP
STATE OF WASHINGTON
NOTARY PUBLIC
My Commission Expires 6-15-2004

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT CRAIG B. PIERCE AND SUSAN M. PIERCE (IS/ARE) THE PERSON(S) WHO APPEARED BEFORE ME, AND SAID PERSON(S) ACKNOWLEDGED THAT (HE/SHE/THEY) SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE (HIS/HER/THEIR) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: Dec 13, 2002

SIGNATURE: Ben M Kemp
(PRINT NAME) BEN M KEMP
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT LYNNWOOD
MY APPOINTMENT EXPIRES JUNE 15, 2004

BEN M. KEMP
STATE OF WASHINGTON
NOTARY PUBLIC
My Commission Expires 6-15-2004

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT THOMAS W CAVE 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 FRONTIER BANK TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: Dec 13, 2002

SIGNATURE: Ben M Kemp
(PRINT NAME) BEN M KEMP
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT LYNNWOOD
MY APPOINTMENT EXPIRES JUNE 15, 2004

BEN M. KEMP
STATE OF WASHINGTON
NOTARY PUBLIC
My Commission Expires 6-15-2004

RESTRICTIONS AND CONDITIONS:

(I) NO LOT OR PORTION OF A LOT IN THIS PLAT SHALL BE RE-DIVIDED AND SOLD EXCEPT IN CONFORMANCE WITH RCW CHAPTER 58.17, AND ALL APPLICABLE ZONING ORDINANCES OF THE CITY OF ARLINGTON.

(II) THE IMPACT FEES FOR THE LAND USE PERMIT ARE BASED ON 1 DWELLING UNIT FOR EACH OF THE 10 PROPOSED LOTS, IF MORE THAN 1 DWELLING UNIT IS CONSTRUCTED PER LOT, THE BUILDER, PRIOR TO ISSUANCE OF THE BUILDING PERMIT, WILL BE LIABLE FOR IMPACT FEES FOR THOSE ADDITIONAL UNITS AT THE AMOUNT IN PLACE AT THE TIME OF BUILDING PERMIT ISSUANCE

(III) THE REQUIRED IMPACT AND/OR MITIGATION FEES FOR THE LAND USE PERMIT ARE BASED ON 1 DWELLING UNIT FOR EACH OF THE 10 PROPOSED LOTS; IF MORE THAN 1 DWELLING UNIT IS CONSTRUCTED PER LOT, THE BUILDER, PRIOR TO ISSUANCE OF THE BUILDING PERMIT, WILL BE LIABLE FOR IMPACT FEES FOR THOSE ADDITIONAL UNITS AT THE AMOUNT IN PLACE AT THE TIME OF BUILDING PERMIT ISSUANCE.

(IV) THIS LAND IS ADJACENT TO AGRICULTURAL ACTIVITIES ARE CONDUCTED WHICH ARE PROTECTED UNDER SNOHOMISH COUNTY CHAPTER 32.15.

(V) THIS LAND IS WITHIN THE INFLUENCE IF THE ARLINGTON MUNICIPAL AIRPORT, ON WHICH AERONAUTICAL ACTIVITIES AS DEFINED IN RCW CHAPTER 14.08 AND ARLINGTON MUNICIPAL CODE TITLE 14 ARE AND MAY BE CONDUCTED, INCLUDING OVER FLIGHT ACTIVITIES CREATING NOISE IMPACTS IN THE PROPERTY.

(VI) SINCE AIRCRAFT WILL BE FLYING OVER THE PROPOSED AREA, ANY OUTDOOR LIGHTING SHALL BE DOWN-SHIELDED AS TO REDUCE ANY TYPE OF GLARE, WHICH COULD INTERFERE WITH FLIGHT OPERATIONS.

(VII) NO USE MAY BE MADE OF THE PREMISES WHICH CAN OR DOES INTERFERE WITH USE OF THE AIRPORT BY AIRCRAFT BE REASON OF ELECTRICAL, ELECTRONIC, OR SMOKE EMANATIONS, LIGHTING CONDITIONS, HEIGHT OF ANY STRUCTURES OR APPURTENANCE, OR ANY USE WHICH MAY ATTRACT BIRDS.

(VIII) ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE OWNER(S) AND THEIR SUCCESSOR(S) AND MUST BE REDUCED OR ELIMINATED AT THE REQUEST OF THE CITY IF DEEMED NECESSARY FOR ROAD PURPOSES.

(IX) 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 COURSES, SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHT-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.

(X) DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY RESERVED FOR AND GRANTED TO CITY OF ARLINGTON, EXCEPT THOSE DESIGNATED ON THE PLAT AS PRIVATE EASEMENTS, 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.

(XI) [redacted]

(XII) SUBJECT TO A PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY EASEMENT FOR ELECTRIC DISTRIBUTION LINE UNDER AUDITOR'S FILE NO. 1301109 & 1301110 & NOTICE THAT PART OF EASEMENT IS EXTINGUISHED UNDER AUDITOR'S FILE NO. 200210080004.

(XIII) SUBJECT TO THE DECLARATION OF RECIPROCAL ACCESS AND UTILITY EASEMENT, COVENANTS, CONDITIONS, RESTRICTIONS AND NOTES AS RECORDED UNDER AUDITOR'S FILE NO. 200205150342.

(XIV) SUBJECT TO LATECOMER'S AGREEMENT AND THE TERMS AND CONDITIONS UNDER AUDITOR'S FILE NO. 9809300425 AND 9809300426.

APPROVALS:

CITY ENGINEERING APPROVAL

EXAMINED AND APPROVED THIS 20th DAY OF December 2002, AS TO THE ADEQUACY OF THE PROPOSED MEANS OF SEWAGE DISPOSAL AND WATER SUPPLY AND AS TO THE DESIGN OF SEWAGE AND WATER SYSTEMS AND OTHER STRUCTURES AND AS TO THE SURVEY DATA THE LAYOUT OF STREETS, ALLEYS, AND OTHER RIGHT-OF-WAYS. THE CITY OF ARLINGTON DOES NOT IN ANY WAY WARRANT NOR GUARANTEE THE ACCURACY OF THIS SURVEY.

_____
CITY ENGINEER
CITY OF ARLINGTON

PLANNING MANAGER APPROVAL

EXAMINED AND APPROVED THIS 20th DAY OF December 2002, AS BEING IN COMPLIANCE WITH ALL TERMS OF PRELIMINARY APPROVAL OF THE PROPOSED LONG SUBDIVISION AND IS CONFORMANCE WITH THE APPLICABLE ZONING AND ALL OTHER LAND USE CONTROLS PRESENTLY IN EFFECT.

_____
PLANNING MANAGER
CITY OF ARLINGTON

PLANNING COMMISSION APPROVAL

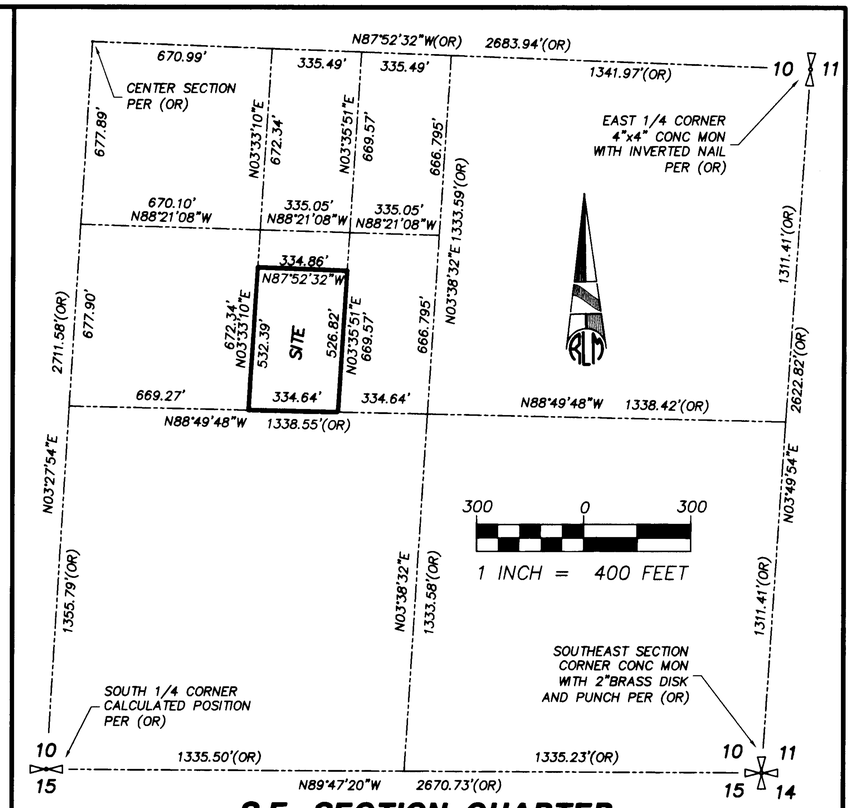
EXAMINED AND APPROVED THIS 20 DAY OF December 2002, AS BEING IN COMPLIANCE WITH ALL TERMS OF PRELIMINARY APPROVAL OF THE PROPOSED SUBDIVISION.

Ruth E. Gonzales
CHAIRMAN, PLANNING COMMISSION

CITY COUNCIL APPROVAL

EXAMINED AND APPROVED THIS 23rd DAY OF December 2002, THE CITY COUNCIL FINDS IN ADDITION THAT PLAT OF HIGHLAND BLUFF IS IN CONFORMANCE WITH THE APPLICABLE CITY ZONING AND ALL OTHER LAND USE CONTROLS PRESENTLY IN EFFECT.

CITY COUNCIL
_____ MAYOR
ATTEST: _____ CITY CLERK



S.E. SECTION QUARTER
REF: OSTERGAARD-ROBINSON (OR) SURVEY AFN 9711255005

TREASURER 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 FULLY PAID AND DISCHARGED, INCLUDING 2003 TAXES.

APPROVED THIS 23rd DAY OF December 2002.

Bob Dantini
TREASURER, SNOHOMISH COUNTY

R Young 12/23/2002
DEPUTY COUNTY TREASURER

LAND SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE PLAT OF HIGHLAND BLUFF IS BASED ON AN ACTUAL SURVEY AND SUBDIVISION OF SECTIONS 10, TOWNSHIP 31 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN AS REQUIRED BY STATE STATUTES; THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT MONUMENTS SHALL BE SET AND LOT AND BLOCK CORNERS SHALL BE STAKED CORRECTLY ON THE GROUND, THAT I FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING. BLOCK CORNERS SHALL BE STAKED CORRECTLY ON THE GROUND, THAT I FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

Omar Galeano SR.
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 37541
DATE 12/5/2002

SIGNED Omar Galeano SR
STATE OF WASHINGTON
37541
REGISTERED PROFESSIONAL LAND SURVEYOR
EXPIRES 6/07/2003

AUDITOR'S CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF OMAR GALEANO SR.,
THIS 23rd DAY OF DECEMBER 2002, AT 5-1 MINUTES PAST 2:00 P.M.,
AND RECORDED IN VOL. ___ OF PLATS, PAGE ___, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

AUDITOR'S FILE NO. 2002-12235003

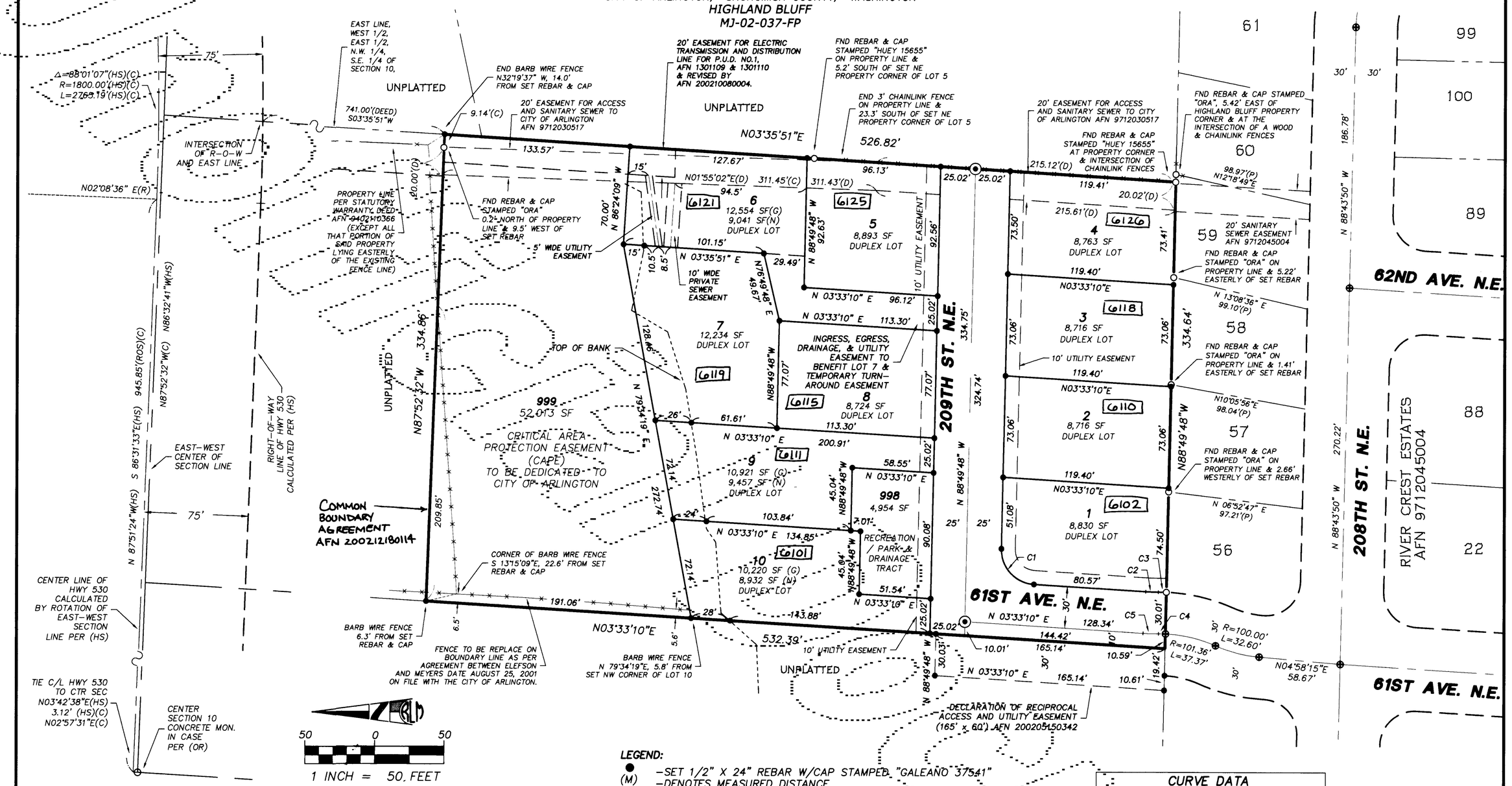
BOB TERWILLIGER
AUDITOR
BY MICHAEL R SHEEHAN
DEPUTY AUDITOR

HIGHLAND BLUFF
MJ-02-037-FP
IN THE NW 1/4 OF THE SE 1/4 OF
SECTION 10, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.
CITY OF ARLINGTON, SNOHOMISH COUNTY, WASHINGTON

R.L. McDUFFY & ASSOCIATES, INC.
LAND USE CONSULTANTS
SURVEYORS • PLANNERS • MANAGEMENT
3605 COLBY AVENUE EVERETT, WASHINGTON 98201 (425) 258-4438 FAX: (425) 258-1616

DATE 12/05/2002
DWG BY KG
JOB NO. 2001009
SHT 1 OF 2

IN THE NW 1/4 OF THE SE 1/4 OF SECTION 10, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.
CITY OF ARLINGTON, SNOHOMISH COUNTY, WASHINGTON
HIGHLAND BLUFF
MJ-02-037-FP



LEGAL DESCRIPTION:
THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M. IN SNOHOMISH COUNTY, WASHINGTON;
EXCEPT THE NORTH 741.0 FEET, AS MEASURED ALONG THE EAST LINE OF THAT PORTION OF SAID WEST HALF OF THE EAST HALF LYING SOUTH OF STATE ROAD (SR 530).

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

EASEMENTS:
1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING THE SUBJECT SUBDIVISION AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (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 CITY OF ARLINGTON.

2. A CRITICAL AREA PROTECTION EASEMENT (CAPE): THIS OPEN SPACE TRACT IS INTENDED TO PROTECT THE STEEP SLOPES AND A TRIBUTARY OF PORTAGE CREEK – POTENTIAL HABITAT FOR BULL TROUT, AN ENDANGERED SPECIES – AND ITS ASSOCIATED WETLANDS, AND SHALL PRECLUDE: GRADING OR ANY RE-CONTOURING OF THE LAND; PLACEMENT OF STRUCTURES, WELLS, LEACH FIELDS, UTILITY LINE AND/OR EASEMENTS, AND ANY OTHER THING; VEHICLE ACTIVITY; GRAZING; DUMPING; AND THE ADDITION OR REMOVAL OF VEGETATION, EXCEPT THAT VEGETATION MAY BE SELECTIVELY REMOVED UPON WRITTEN ORDER OF THE CITY'S FIRE CHIEF FOR THE EXPRESS PURPOSE OF REDUCING AN IDENTIFIED HAZARD, AND EXCEPT THAT UNDERGROUND UTILITY LINES MAY BE PLACED IN THE BUFFER AREAS IN LOCATIONS APPROVED BY THE PLANNING MANAGER. IN ADDITION, STREAM RESTORATION ACTIVITIES MAY OCCUR PER A RESTORATION PLAN APPROVED BY THE PLANNING MANAGER.

3. AN AVIGATION EASEMENT OVER THE PROPERTY BEGINS AT 287 FEET MEAN SEA LEVEL (MSL) AND EXTENDS UPWARD. (NO OBJECTS ARE TO BE CONSTRUCTED SO TO PENETRATE THIS SURFACE/EASEMENT).

LEGEND:
● –SET 1/2" X 24" REBAR W/CAP STAMPED "GALEANO 37541"
(M) –DENOTES MEASURED DISTANCE
(P) –DENOTES PLAT OF RIVER CREST ESTATES DISTANCE
(D) –DENOTES DEED DISTANCE
(RCE) –DENOTES DISTANCE FROM RIVER CREST ESTATES, AFN 9712045004.
(OR) –DENOTES DISTANCE FROM OSTERGARD-ROBINSON, SURVEY AFN 9711255005.
(HS) –DENOTES DISTANCE FROM HUEY SURVEYING, SURVEY AFN 9604295003.
⊕ –FOUND BRASS DISK ON CONCRETE MONUMENT IN CASE VISITED AUG. 2001
⊙ –SET CASED CONCRETE MONUMENT WITH 3" BRASS DISK
XXX – LOT ADDRESS

MERIDIAN:
RIVER CREST ESTATES, AFN 9712045004.

BASIS OF BEARING:
THE MONUMENT CENTER LINE OF 208TH STREET N.E., AS THE BEARING OF N 88°43'50" W.

REFERENCES:
1) SECTION SUBDIVISION PER RECORD OF SURVEY RECORDED UNDER AFN 9711255005.
2) HIGHWAY 530 CALCULATED PER RECORD OF SURVEY RECORDED UNDER AFN 9604295003.

METHOD OF SURVEY:
FIELD TRAVERSE OF EXISTING MONUMENTATION ON AUGUST 1999.

INSTRUMENTATION:
LIETZ SET 3 ELECTRONIC TOTAL STATION.

PRECISION:
MEETS OR EXCEEDS WAC 332-130-090 REQUIREMENTS.

A.F. NO. 200212235003

CURVE DATA			
CURVE	LENGTH	RADIUS	DELTA
C1	38.23'	25.00	Δ 87°37'02"
C2	9.08'	135.00	Δ 3°51'06"
C3	5.77'	131.36	Δ 2°30'56"
C4	5.00'	101.36	Δ 2°49'31"
C5	11.09'	165.00	Δ 3°51'06"

STATE OF WASHINGTON GALEANO 37541 REGISTERED PROFESSIONAL LAND SURVEYOR
EXPIRES 6/07/2003

HIGHLAND BLUFF
MJ-02-037-FP
IN THE NW 1/4 OF THE SE 1/4 OF SECTION 10, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.
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