CITY OF ARLINGTON SHORT PLAT FOR:
CURT HECLA, ET AL
FILE NO. MN-02-044 FSP
PORTAGE CREST
TAX ACCOUNT NO. 310514-001-015-00

PORT'N NE1/4, NE1/4, SEC.14, TWP.31N, RGE.5E, W.M.

DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS

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 MN-02-044 FSP ON THIS _____ DAY OF _____, 2002, BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT OF THE CITY OF ARLINGTON, SUBJECT TO THE FOLLOWING COVENANTS AND CONDITIONS: THE LAND DESCRIBED BY THIS DECLARATION MAY NOT BE FURTHER SUBDIVIDED IN ANY MANNER EXCEEDING A TOTAL OF FOUR(4) LOTS BY ANYONE WITHIN FIVE (5) YEARS OF THE DATE OF APPROVAL WITHOUT A FINAL PLAT, HAVING BEEN FILED FOR RECORD WITH THE AUDITOR OF SNOHOMISH COUNTY, PURSUANT TO THE PROVISIONS OF CHAPTER 58.17 RCW, AND THE ORDINANCES OF THE CITY OF ARLINGTON, AND SUBJECT TO THE PENALTIES ATTENDANT THERETO. IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS THIS 20th DAY OF December, 2002.

CURT HECLA

MELANIE JORDAN HECLA

PHILLIP B. BANNAN

DELTON E. DAVIS

CAROL LEE DAVIS

ACKNOWLEDGMENTS:

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DELTON E. DAVIS AND CAROL LEE DAVIS, 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 THE INSTRUMENT.

DATED: 12-20-02

Barbara L. Jones
(SIGNATURE)

Notary Public
(TITLE)

MY APPOINTMENT EXPIRES 1-14-06

BARBARA L. JONES NOTARY PUBLIC 1-14-06 STATE OF WASHINGTON

ACKNOWLEDGMENTS:

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT CURT HECLA AND MELANIE JORDAN HECLA, 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 THE INSTRUMENT.

DATED: 12-20-02

Barbara L. Jones
(SIGNATURE)

Notary Public
(TITLE)

MY APPOINTMENT EXPIRES 1-14-06

BARBARA L. JONES NOTARY PUBLIC 1-14-06 STATE OF WASHINGTON

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT PHILLIP B. BANNAN 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: 12-20-02

Barbara L. Jones
(SIGNATURE)

Notary Public
(TITLE)

MY APPOINTMENT EXPIRES 1-14-06

BARBARA L. JONES NOTARY PUBLIC 1-14-06 STATE OF WASHINGTON

ACKNOWLEDGMENTS:

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DELTON E. DAVIS AND CAROL LEE DAVIS, 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 THE INSTRUMENT.

DATED: 12-20-02

Barbara L. Jones
(SIGNATURE)

Notary Public
(TITLE)

MY APPOINTMENT EXPIRES 1-14-06

BARBARA L. JONES NOTARY PUBLIC 1-14-06 STATE OF WASHINGTON

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT CURT HECLA, MELANIE JORDAN HECLA, PHILLIP B. BANNAN, DELTON E. DAVIS AND CAROL LEE DAVIS, THE UNDERSIGNED OWNERS, IN FEE SIMPLE OF THE LAND HEREBY SHORT SUBDIVIDED, OR SHORT PLAT FILE NUMBER MN-02-002 SP, HEREBY DECLARE THIS SHORT 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 SHORT 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 CUTS AND FILLS UPON LOTS, BLOCKS, TRACTS, ETC., SHOWN ON THIS SHORT 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 ESTABLISHMENT, 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 PROPERLY ROAD DRAINAGE. THE OWNER OF ANY LOT OR LOTS, PRIOR TO MAKING AN ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE SHORT PLAT, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE CITY ENGINEER 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 DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES, IF REQUIRED, AND SUBJECT TO ANY OTHER EXISTING PERMITTING REQUIREMENTS THEREFORE.

PUBLIC WORKS APPROVAL:

EXAMINED AND APPROVED THIS 30th DAY OF Dec., 2002 AS TO THE ADEQUACY OF THE PROPOSED MEANS OF SEWAGE DISPOSAL AND WATER SUPPLY AND AS TO THE DESIGN OF SEWAGE AND WATER SYSTEM AND OTHER STRUCTURES AND AS TO THE SURVEY DATA, THE LAYOUT OF STREETS, ALLEYS AND OTHER RIGHTS-OF WAYS. NOTE - THE CITY OF ARLINGTON DOES NOT IN ANY WAY WARRANT NOR GUARANTEE THE ACCURACY OF THIS SURVEY.

CITY ENGINEER
CITY OF ARLINGTON

PLANNING AND COMMUNITY DEVELOPMENT:

EXAMINED AND APPROVED THIS 30th DAY OF December, 2002 AS BEING IN COMPLIANCE WITH ALL TERMS OF PRELIMINARY APPROVAL OF THE PROPOSED SHORT SUBDIVISION AND IS IN CONFORMANCE WITH THE APPLICABLE CITY ZONING AND ALL OTHER LAND USE CONTROLS PRESENTLY IN EFFECT.

PLANNING MANAGER
CITY OF ARLINGTON

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE SUBDIVISION FOR CURT HECLA, ET AL IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., AS REQUIRED BY STATE STATUTES; THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT THE MONUMENTS HAVE BEEN SET AND LOT AND BLOCK CORNERS HAVE BEEN STAKED CORRECTLY ON THE GROUND; THAT I FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

WILLIAM J. LLOYD STATE OF WASHINGTON 19631 REGISTERED PROFESSIONAL LAND SURVEYOR EXPIRES 03-01-04

LICENSED LAND SURVEYOR LS 19631

12-20-02
DATE

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF CASCADE SURVEYING & ENGINEERING, INC., THIS 30th DAY OF December, 2002, AT 58 MINUTES PAST 2 O'CLOCK P.M. AND RECORDED IN VOLUME ____ OF PLATS, ON PAGE(S) ____, RECORDS OF SNOHOMISH COUNTY, STATE OF WASHINGTON.

Bob Terwilliger
AUDITOR

Campbell
DEPUTY COUNTY AUDITOR

AUDITOR'S FILE NO. 200212305006

SHEET 1 OF 3

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CASCADE SURVEYING & ENGINEERING, INC.

Engineers Surveyors Planners
ARLINGTON, WA
105 E. Division-PO Box 326 98223
(360)435-5551
FAX 435-4012

PORT'N NE1/4, NE1/4, SEC.14, TWP.31N, RGE.5E, W.M.
JOB# 14950 DRAWN BY: LAF FIELD BOOK # ARL 88
DATE: 8/29/2002 REVISED: 12/17/2002 CHECKED BY: JAT

CITY OF ARLINGTON SHORT PLAT FOR:
CURT HECLA, ET AL
FILE NO. MN-02-044 FSP
PORTAGE CREST
TAX ACCOUNT NO. 310514-001-015-00

PORT'N NE1/4, NE1/4, SEC.14, TWP.31N, RGE.5E, W.M.

SUBMITTED

LEGAL DESCRIPTION

LOT 3 OF CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NUMBER 9602265001, BEING ALL OF LOT 3, AND A PORTION OF LOT 4 OF CITY OF ARLINGTON SHORT PLAT NO. 19-16, RECORDED UNDER AUDITOR'S FILE NUMBER 8801065001, ALL IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

COVENANTS, CONDITIONS, AND RESTRICTIONS

1. SUBJECT TO THE TERMS AND CONDITIONS OF AN EASEMENT TO THE PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY FOR THE PURPOSE OF ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE AS RECORDED UNDER RECORDING NUMBER 1157613.

2. SUBJECT TO THE TERMS AND CONDITIONS INCLUDING BUT NOT LIMITED TO MAINTENANCE AND EASEMENT PROVISIONS AS SET FORTH IN AND DELINEATED ON THE FACE OF SURVEY RECORDED UNDER AUDITOR'S FILE NUMBER 8801065001, IN VOLUME 26 OF SURVEYS, PAGE 56, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

3. SUBJECT TO THE TERMS AND CONDITIONS OF CONCOMITANT ZONING AGREEMENT EXECUTED BY EAGLE INVESTMENTS, A GENERAL PARTNERSHIP AND THE CITY OF ARLINGTON AND RECORDED UNDER AUDITOR'S FILE NUMBER 8708200229, PERTAINING TO DEVELOPMENT OF SAID PREMISES IN ACCORDANCE WITH REQUIREMENTS AS SET FORTH IN SAID AGREEMENT, FURTHER REFERENCE TO THE RECORD OF WHICH IS HEREBY MADE FOR FULL PARTICULARS.

4. SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS, AND SETBACKS, IF ANY, SET FORTH IN OR DELINEATED ON CITY OF ARLINGTON SHORT PLAT NO. 19-16, RECORDED UNDER AUDITOR'S FILE NUMBER 8801065001, RECORDS OF SNOHOMISH COUNTY.

5. SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS AND SETBACKS, IF ANY SET FORTH IN OR DELINEATED ON THE BOUNDARY/LOT LINE ADJUSTMENT RECORDED UNDER RECORDING NUMBER 9602265001.

6. SUBJECT TO CONCOMITANT ZONING AGREEMENT, PORTAGE GREEN REZONE AND THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN AS RECORDED UNDER RECORDING NUMBER 8708200229.

7. SUBJECT TO EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SHORT PLAT FOR THE PURPOSE OF INGRESS, EGRESS AND UTILITIES OVER, UNDER, AND ACROSS THE EAST 60 FEET.

8. PROPERTY IS SUBJECT TO A NO PROTEST AGREEMENT FOR SEWER SERVICE BENEFITING THE SITES.

9. SUBJECT TO CITY OF ARLINGTON SCHOOL MITIGATION FEES IN THE AMOUNT IN PLACE AT THE TIME OF THE ISSUANCE OF BUILDING PERMITS.

10. SUBJECT TO AN AGREEMENT REGARDING IMPROVEMENTS TO PROPERTY, POWER OF ATTORNEY AND COVENANT NOT TO PROTEST FORMATION OF IMPROVEMENT DISTRICT PER AGREEMENT RECORDED UNDER RECORDING NUMBER _____

RESERVATION OF EASEMENT:

KNOW ALL MEN BY THESE PRESENTS THAT THE OWNERS IN FEE SIMPLE OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT AND RESERVE FOR THE USE OF THE PUBLIC FOREVER ALL ACCESS AND UTILITY EASEMENT OR WHATEVER PUBLIC PROPERTY THERE IS SHOWN ON THE PLAT. 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 FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHTS-OF-WAY TO HAMPER PROPER 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 CITY ENGINEER FOR SAID ALTERATION. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR THE 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.

COMMON ACCESS ROAD MAINTENANCE COVENANTS

THE COST OF CONSTRUCTION AND MAINTAINING OF ALL ROADS NOT HEREIN DEDICATED AS PUBLIC ROADS SHALL BE THE OBLIGATION OF ALL OF THE OWNERS AS NOTED ON THE PLAT MAP, THEIR HEIRS AND ASSIGNS, AND THE OBLIGATION TO MAINTAIN SHALL BE CONCURRENTLY THE OBLIGATION OF ANY CORPORATION IN WHICH TITLE OF THE ROADS AND STREETS MAY BE HELD. IN THE EVENT THAT THE OWNERS OF ANY LOTS SERVED BY THE ROADS OR STREETS OF THIS PLAT SHALL PETITION THE COUNCIL TO INCLUDE THESE ROADS OR STREETS IN THE PUBLIC ROAD SYSTEM, THE PETITIONERS SHALL BE OBLIGATED TO BRING THE SAME TO CITY ROAD STANDARDS APPLICABLE AT THE TIME OF THE PETITION IN ALL RESPECTS, INCLUDING DEDICATION OF RIGHTS-OF-WAY.

EASEMENT PROVISIONS:

A 10' FOOT EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING THE SUBJECT PLAT, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER, AND UPON IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPES, AND WIRES, TOGETHER 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 AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

SUBMITTED

WILLIAM J. DOWNS
STATE OF WASHINGTON
19631
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES: 03-01-04

12-20-02

AUDITOR'S FILE NO. 200212305006

SHEET 2 OF 3

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CASCADE SURVEYING & ENGINEERING, INC.

Engineers Surveyors Planners
ARLINGTON, WA
105 E. Division-PO Box 326 98223
(360)435-5551
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PORT'N NE1/4, NE1/4, SEC.14, TWP.31N, RGE.5E, W.M.
JOB# 14950 DRAWN BY: LAF FIELD BOOK # ARL. 88
DATE: 8/29/2002 REVISED: 12/17/2002 CHECKED BY: JAT

CITY OF ARLINGTON SHORT PLAT FOR:
CURT HECLA, ET AL
FILE NO. MN-02-044-FSP
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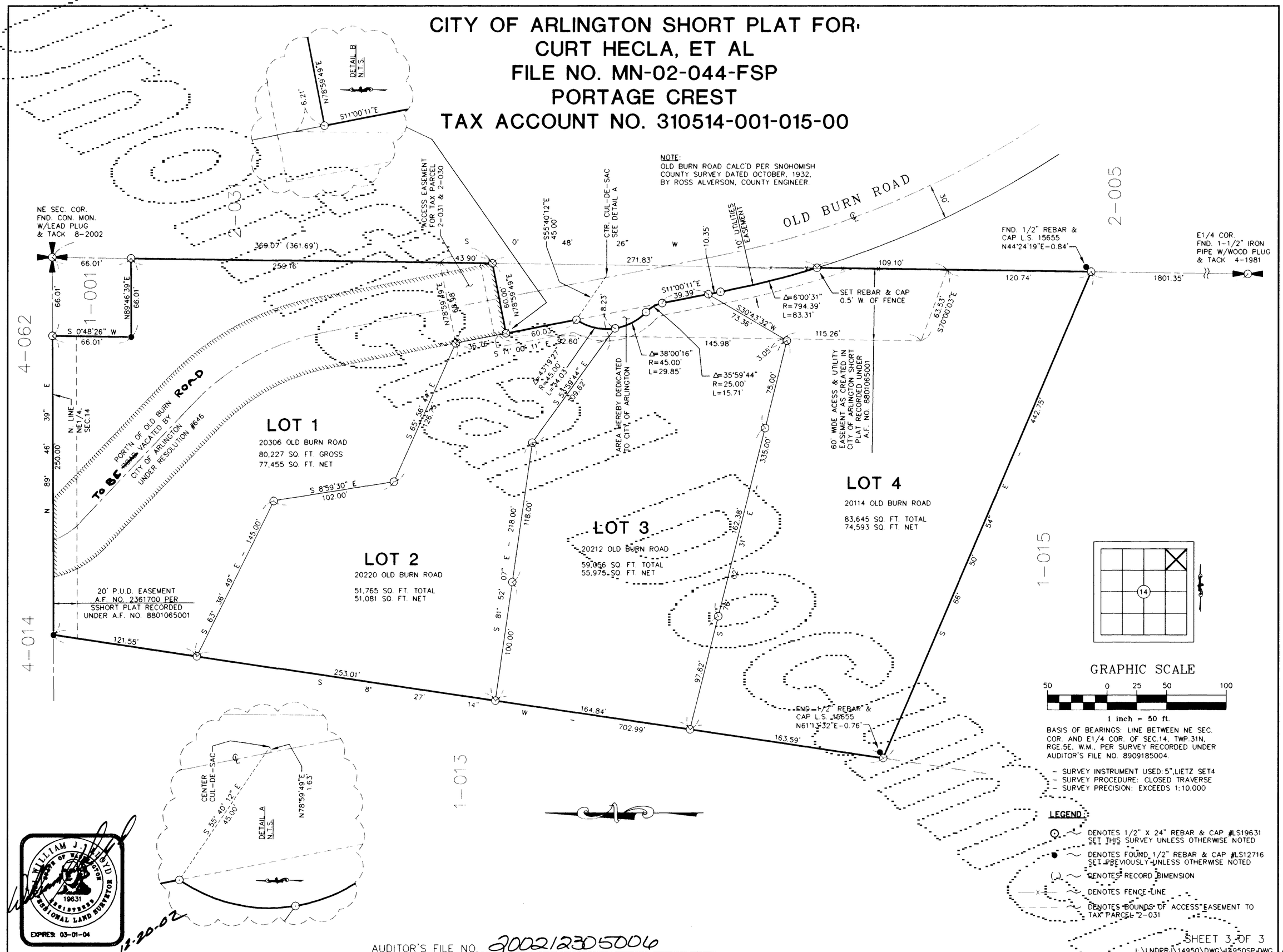

AUDITOR'S FILE NO. 200212305006

SHEET 3 OF 3

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CASCADE SURVEYING & ENGINEERING, INC.

Engineers Surveyors Planners

ARLINGTON, WA
105 E. Division-PO Box 326 98223
(360)435-5551
FAX 435-4012

PORT'N NE1/4, NE1/4, SEC.14, TWP.31N, RGE.5E, W.M.

JOB# 14950 DRAWN BY: LAF FIELD BOOK # ARL 88

DATE: 8/26/2002 REVISED: 12/17/2002 CHECKED BY: JAT

COPY

After recording return to:
Cascade Surveying & Eng, Inc.
P. O. Box 326
Arlington, Washington 98223

200301170070 1 PG
01-17-2003 09:15am $65.00
SNOHOMISH COUNTY, WASHINGTON

NOTICE OF CORRECTION OF SHORT SUBDIVISION

This document hereby corrects the section reference for the short subdivision MN-02-044 FSP for Curt Hecla, et al recorded under Auditor's File No. 200212305006, Records of Snohomish County, Washington. The heading on the final short plat references the tax account number incorrectly. The tax account number should read **310514-001-014-00** rather than 310514-001-015.00.

Dated this 14th day of January 2003

William J. Lloyd

WILLIAM J. LLOYD
STATE OF WASHINGTON
19631
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES 3-01-04

1-14-03

State of Washington)
ss)
County of Snohomish)

On this day personally appeared before me William J. Lloyd to me known the individual described in and who executed the within and foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed for the purposes therein mentioned.

Given under my hand and official seal this 14th day of January, 2003.

BARBARA L JONES
COMMISSION EXPIRES
NOTARY PUBLIC
1-14-06
STATE OF WASHINGTON

Barbara L Jones
NOTARY PUBLIC in and for the State of Washington, residing in Marysville.
Commission Expires 1-14-06.

Approved this 15th day of January, 2003 by City of Arlington Planning and Community Development.

For
Planning Manager, City of Arlington

200301170070

COPY