LEGAL DESCRIPTION

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LOT 3 AND AN UNDIVIDED 1/4 INTEREST IN PRIVATE ROAD, _SMOHOMISH COUNTY-SHORT PLAT NO. 138 (5-31) ACCORDING TO SHORT PLAT RECORDED JANUARY 28, 1982, UNDER RECORDING NUMBER 8201280175, IN SNOHOMISH COUNTY, WASHINGTON.

-DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS

L 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 PROYED AS SHORT PLAT NUMBER 05-126180 SP ON TMENT OF PLANMING AND DEVELOPMENT SERVICES OF THE CITY OF MILL CREEK, SUBJECT TO THE FOLLOWING COVENANTS AND

THE LAND DESCRIBED BY THIS DECLARATION MAY NOT BE FURTHER SUBDIVIDED IN ANY MANNER EXCEEDING A TOTAL OF-FOUR PARCELS BY ANYONE WITHIN FIVE YEARS OF THE ABOVE DATE OF APPROVAL WITHOUT - PROVISIONS SHOWN OR DISCLOSED BY THE FILED OR RECORDED MAP A FINAL PLATE 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 MILL CREEK, AND SUBJECT 20. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED TO THE PENALTIES ATTENDANT THERETO:

ALL SUBSEQUENT DEEDS WILL CONTAIN PROVISIONS FOR SHARED -DRIVEWAY ACCESS' IN THE MANNER DESCRIBED HEREIN: -ALL MAINTENANCE OF THE-SHARED DRIVEWAY-ACCESS DESCRIBED BY THIS DECLARATION SHALL BE BY THE OWNER(S) OF THE PARCELS HAVING 22. IN CONSIDERATION OF THE APPROVAL OF THE SHORT PLAT, THE LEGAL ACCESS THEREFROM OR THEIR SUCCESSOR(S), UNLESS AND UNTIL SUCH ROAD OR PORTIONS THEREOF, ARE IMPROVED-TO THE CITY OF AHLL CREEK PUBLIC ROAD STANDARDS AND ACCEPTED BY THE CITY OF MILL

THE MAINTENANCE OF A SHARED DRIVEWAY ACCESS SHALL PASS- TO THE HEIR, SUCCESSOR OR ASSIGN OF A PARCEL-HAVING ACCESS -THEREFROM AT CONVEYANCE.

THE SHARED DRIVEWAY ACCESS' ARE HEREBY SUBJECT TO A _ _ -UTILITIES EASEMENT IN FAVOR OF THE GRANTOR(S) OR THE SUCCESSOR(S) AND OF ANY ELECTRIC, TELEPHONE, TELEVISION CABLE, - EXPENSE TO THE CITY OF MILL CREEK, TO ACCOMPLISH THE DEDICATION GAS, WATER, OR SEWER COMPANY, PUBLIC OR PRIVATE, OR THEIR 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 ROAD SHOULD BECOME A PUBLIC ROAD 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;

WITH RESPECT TO THE SHARED DRIVEWAY ACCESS' DESCRIBED BY THIS DECLARATION. 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 PURSUAN' TO IMPROVEMENT FOR DEDICATION OF THE ROADS AND WAYS SHOWN HEREIN, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED EXPENSE TO THE CITY, TO ACCOMPLISH THE DEDICATION AND 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 THE CITY OF MILL CREEK. 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 CITY IF DEEMED NECESSARY FOR CITY ROAD PURPOSES. 9. DRAINAGE EASEMENTS DESIGNATED ON THE SHORT PLAT ARE HEREBY

RESERVED FOR AND GRANTED TO THE CITY OF MILL CREEK, EXCEPT THOSE DESIGNATED ON THE SHORT 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 STORMWATER CONVEYANCE SYSTEM AND/OR OTHER DRAINAGE FACILITIES, UNDER, UPON OR THROUGH THE DRAINAGE EASEMENT;

TRACT 999 IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL OBLIGATIONS TO MAINTAIN THE TRACT CONSISTENT WITH CITY CODE, TO LOTS 1 THROUGH 5 WITH AN EQUAL AND UNDIVIDED INTEREST UPON THE RECORDING OF THIS SHORT PLAT SUBJECT TO AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY OF MILI CREEK. THESE TRACTS SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.

1. CHAPTER 30.66B SCC MITIGATION HAS BEEN BASED ON THE DEVELOPMENT OF SINGLE-FAMILY STRUCTURES. IN THE EVENT THAT DUPLEX BUILDING PERMITS ARE APPLIED FOR, ADDITIONAL SUBTITLE 30.66B REVIEW AND MITIGATION WILL BE REQUIRED. 12. THE LOTS IN THIS SHORT SUBDIVISION DO NOT QUALIFY AS DUPLEX

LOTS PER SECTION 30.41B.835 SCC. 13. CHAPTER 30.66B REQUIRES THE NEW LOT MITIGATION PAYMENTS IN

THE AMOUNTS SHOWN BELOW; \$2,162.82 PER LOT FOR MITIGATION OF IMPACTS ON COUNTY ROADS PAID WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE

TO THE COUNTY, \$75.75 PER LOT FOR TRANSPORTATION DEMAND MANAGEMENT PAID TO

\$344.52 PER LOT FOR WASHINGTON STATE DEPARTMENT OF TRANSPORTATION. THESE PAYMENTS ARE DUE PRIOR TO OR AT THE TIME OF EACH BUILDING PERMIT ISSUANCE. NOTICE OF THESE MITIGATION PAYMENTS SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SHORT SUBDIVISION OF THE LOTS THEREIN. ONCE BUILDING PERMITS HAVE BEEN ISSUED ALL MITIGATION PAYMENTS SHALL BE DEEMED PAID BY PDS. 13. THE LOTS WITHIN THIS SUBDIVISION WILL BE SUBJECT TO SCHOOL IMPACT MITIGATION FEES FOR THE EVERETT SCHOOL DISTRICT 2 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 CHAPTER 30.66C.010 SCC. CREDIT SHALL BE GIVEN FOR THE PREEXISTING LOT. THE CREDIT SHALL BE APPLIED TO LOT 5,

WHICH CONTAINS THE EXISTING RESIDENCE." 14. THE DWELLING UNITS WITH THIS DEVELOPMENT ARE SUBJECT TO PARK IMPACT FEES IN THE AMOUNT OF \$1,361.22, PER NEWLY APPROVED DWELLING UNIT PURSUANT TO CHAPTER 30.66A. PAYMENT OF THESE

MITIGATION FEES IS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE; PROVIDED THAT THE BUILDING PERMIT HAS BEEN ISSUED WITHIN FIVE YEARS AFTER THE APPLICATION IS DEEMED COMPLETE. AFTER FIVE YEARS, PARK IMPACT FEES SHALL BE BASED UPON THE RATE IN EFFECT AT THE TIME OF THE BUILDING PERMIT ISSUANCE. 15. ELECTRIC TRANSMISSION EASEMENT, INCLUDING TERMS AND

PROVISIONS CONTAINED THEREIN RECORDED UNDER AUDITORS FILE NUMBER 1632603. 16. RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON SAID

PREMISES FOR COUNTY OF SNOHOMISH AS GRANTED BY DEED RECORDED MAY 13. 1969 UNDER RECORDING NO. 2092684. 17. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF FOR PRESENT AND FUTURE OWNERS AND THE COUNTY OF SNOHOMISH RECORDED UNDER AUDITORS FILE NUMBER 8112300084.

18. POWER OF ATTORNEY AND AGREEMENT NOT TO PROTEST FORMATION OF ROAD IMPROVEMENT RECORDED UNDER AUDITORS FILE NUMBER

19. ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCE LINE/BOUNDARY DISCREPANCIES, NOTES AND/OR REFERRED TO IN THE LEGAL DESCRIPTION AS SHOWN ON THE CORRECTION OF SHORT PLAT RECORDED UNDER AUDITORS FILE NUMBER 8204090229 ""RESTRICTIVE COVENANT" RECORDED UNDER AUDITORS FILE NUMBER

-_-21. DRIVEWAY ACCESS FOR LOTS 1, 2, 3 AND 4 SHALL BE RESTRICTED TO 41ST AVENUE SOUTHEAST. OWNERS OF THE LOTS OF THE SHORT PLAT, THEIR HEIRS, SUCCESSORS AND ASSIGNS, SHALL AGREE AND COVENANT A "NO PROTEST" TO THE "-- CONVERSION OF THE 42ND AVENUE SE ROAD EASEMENT AND THE ENCOMPASSING PRIVATE ROAD TO A PUBLIC ROAD AT ANY TIME THE "CITY OF MILL-EREEK DETERMINES A PUBLIC ROAD IS NECESSARY. OR PUBLIC ROAD IS REQUIRED FOR FURTHER DEVELOPMENT OF ANY OF THE LQTS WITHIN THE SHORT PLATS. THE OWNERS OF THE SHORT PLAT LOTS, - THEIR_HEIRS, SUCCESSORS, AND ASSIGNS SHALL FURTHER AGREE AND COVENANT TO PROVIDE ALL-NECESSARY AUTHORIZATIONS AND TO AND JOR CONVERSION OF THE PRIVATE ROAD TO THE CITY FOR PUBLIC ROAD PURPOSES. THIS COVENANT TOUCHES AND CONCERNS THE PROPERTY, -RUNS WITH THE CAND, AND IS BINDING UPON ALL SUBSEQUENT PURCHASERS, HEIRS, SUCCESSORS, AND ASSIGNS.

_ 23. IN CONSIDERATION OF-THE APPROVAL OF THE SHORT PLAT. THE OWNERS-OF-LOT 5 OF-THE SHORT PLAT, THEIR HEIRS, SUCCESSORS, AND ASSIGNS. SHALL AGREE AND COVENANT A "NO PROTEST" TO THE CONVERSION AND DEDICATION OF THIS CUL-DE-SAC THRNAROUND EASEMENT AS SHOWN-ON THE PLAN AT THE NORTHEAST GORNER OF LOT 5 TO BECOME THE CITY OF MILL CREEK'S RIGHT-OE-WAY AT ANY TIME THE CITY DETERMINES. THAT A PUBLIC ROAD CONVERSION IS NECESSARY, OR A PUBLIC ROAD IS REQUIRED FOR FURTHER DEVELOPMENT OF ANY O' THE LOTS WITHIN THE SHORT PLATS. THE OWNERS OF THE SHORT PLAT. -THEIR HEIRS, SUCCESSORS, AND-ASSIGNS SHALL FURTHER AGREE AND COVENANT TO PROVIDE ALL NECESSARY AUTHORIZATIONS AND TO EXECUTE ALL NECESSARY CONVEYANCE DOCUMENTS, AT NO COST AND CONVERSION OF THE CUL-DE-SAC TURNAROUND EASEMENT TO THE CITY FOR PUBLIC ROAD PURPOSES. THIS COVENANT TOUCHES AND CONCERNS THE PROPERTY, RUNS WITH THE LAND, AND IS BINDING UPON ON ALL SUBSEQUENT PURCHASERS, HEIRS, SUCCESSORS, AND ASSIGNS.

24. THE 1/4 INTEREST IN 42ND AVENUE SOUTHEAST (PRIVATE ROAD) IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL OBLIGATIONS TO MAINTAIN THE PRIVATE ROAD CONSISTENT WITH CITY CODE, TO LOT 5 UPON THE RECORDING OF THIS SHORT PLAT SUBJECT TO AN EMERGENEY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY_OF MILL CREEK. THE PRIVATE ROAD SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM LOT 5.

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT NORTH COUNTY BANK, THE UNDERSIGNED OWNER IN FEE SIMPLE OF THE LAND HEREBY SHORT SUBDIVIDED. OF SHORT PLAT FILE NUMBER 05-126180 SP, HEREBY DECLARES THIS SHORT PLAT AND DEDICATES 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 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 PROPER 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 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, AFTER ACQUIRING A CULVERT PERMIT FROM THE DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES, IF REQUIRED, AND SUBJECT TO ANY OTHER EXISTING PERMITTING REQUIREMENTS THEREFORE.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS THIS

SERVIOR VICE PRESIDENT FOR: NORTH COUNTY BANK

DRAINAGE FACILITY MAINTENANCE COVENANT

WE, THE OWNERS AND CONTRACT PURCHASERS OF THE LANDS HEREIN SHORT 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 THE CITY OF MILL CREEK (CITY) 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. THE CITY 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 SHORT SUBDIVISION. HEREBY COVENANTS TO PERFORM REGULAR MAINTENANCE UPON THE DRAINAGE FACILITIES INSTALLED. OR TO BE INSTALLED. UPON GRANTOR'S PROPERTY. REGULAR MAINTENANCE SHAL INCLUDE, AT A MINIMUM, ANNUAL INSPECTION OF THE STORM WATER DRAINAGE SYSTEM. AS APPLICABLE. THE SYSTEM SHALL INCLUDE THE STORMWATER CONVEYANCE SYSTEM PIPES. DITCHES, SWALES, AND CATCH BASINS: STORMWATER 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 STORMWATER DRAINAGE SYSTEM. AND SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS: 1. THE CITY SHALL HAVE THE PERPETUAL RIGHT OF ENTRY ACROSS ADJACENT LANDS OF THE GRANTOR FOR THE PURPOSES OF INSPECTING, AUDITING, OR CONDUCTING REQUIRED MAINTENANCE OF THE DRAINAGE FACILITY. 2. IF THE CITY INSPECTION DETERMINES THAT MAINTENANCE IS NOT BEING PERFORMED. THE CITY SHAL 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 PERIOD OF TIME, THE CITY SHALL HAVE THE RIGHT TO PERFORM OR CONTRACT WITH OTHERS TO PERFORM IT AT THE SOLE EXPENSE OF THE - GRANTOR. IF THE CITY 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, THE CITY 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 THE CITY OR PAY THE CLTY'S VENDORS DIRECTLY FOR ALL REASONABLE FEES, CHARGES, AND -- EXPENSES IDENTIFIED IN THE CITY'S STATEMENT. 3. IF THE CITY IS REQUIRED TO ACT AS A RESULT OF GRANTOR'S FAILURE TO COMPLY WITH THIS COVENANT, THE CHY MAY REMOVE ANY OBSTRUCTIONS AND/OR INTERFERENCES THAT IN THE SOLE-OPINION OF THE CITY IMPAIR THE - OPERATION OF-THE DRAINAGE FACILITY OR THE MAINTENANCE THEREOF. GRANJOR AGREES TO HOLD THE CITY, 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 ATTORNEY'S 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, THE CITY 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 SHORT 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 COVENANTE

EASEMENTS, COVENANTS

LOTS 2, 4, AND 5 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN WHICH REQUIRED IMPERVIOUS SURFACES AND DRAINS TO BE-CONNECTED TO THE STORM WATER SYSTEM. SEE DRAINAGE-PLAN FOR-

AN EASEMENT IS HEREBY RESERVED FOR AND-GRANTED TO ALL UTILITIES SERVING THE SUBJECT SHORT PLAT AND THEIR SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET PARALLEL WITH-AND ADJOINING THE STREET FRONTAGE ON ALL LOTS, TRACTS, 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 COUNTY

ACKNOWLEDGMENTS

STATE OF WASHINGTON

COUNTY OF SNOHOMISH I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT WE COUNTS M. KUNGA 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 SEX YOU VICK ROJES OF NORTH COUNTY BANK TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: SOVICE B. 2007 PRINT NAME: TEXCOOL VE. YOUVEDILA NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT: PROMONISM

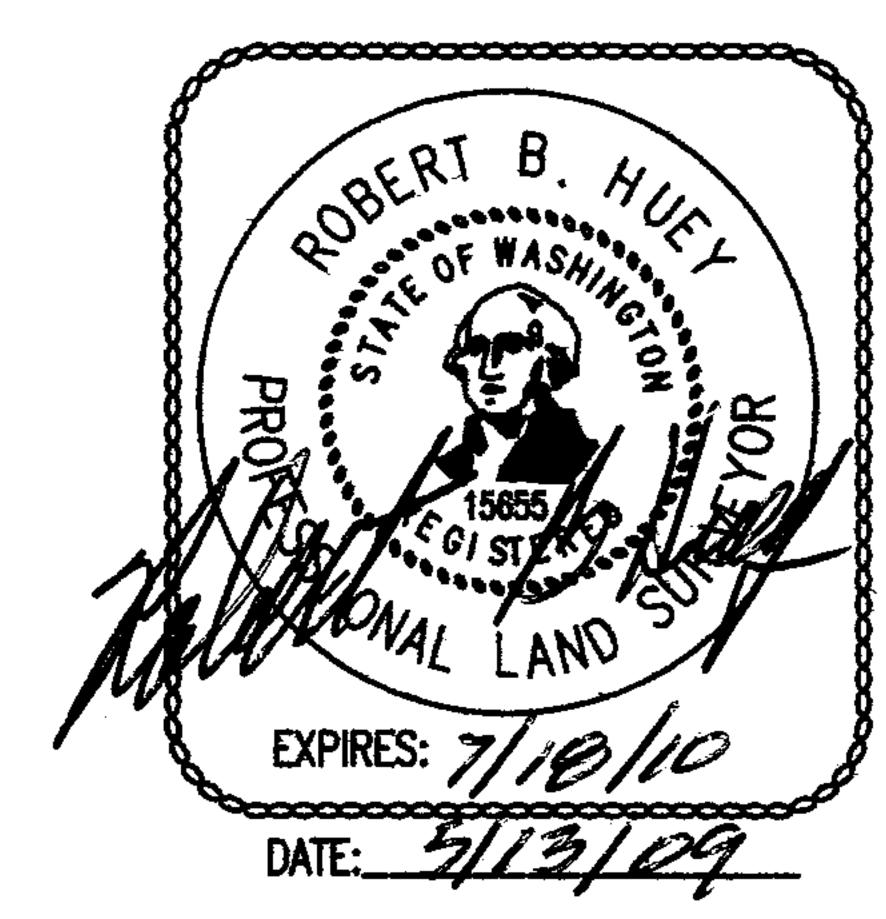
SNOHOMISH COUNTY PLANNING AND DEVELOPMENT SERVICES APPROVAL

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

SNOHOMISH COUNTY PLANNING & DEVELOPMENT SERVICES DIRECTOR

CITY OF MILL CREEK APPROVAL: CVTY OF MILL CREEK DIFFECTOR OF PUBLIC WORKS CITY OF MILL CREEK DIRECTOR OF COMMUNITY DEVELOPMENT

209 Taxes paid in full on Tax Parcel(s) # 38053300202300, Date/1/2/29 Q. 10-28-09



SE 1/4, NW 1/4 OF SECTION 33, TOWNSHIP 28 NORTH.

SHORT-SUBDIVISION NO. PFN 05-126180 SP

Short Plat for: NORTH COUNTY BANK

IN THE SE1/4 OF THE NW 1/4 OF SECTION 33 TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M. COUNTY OF SNOHOMISH, STATE OF WASHINGTON

Huey Surveying & Land Consulting, Inc. 18933 59th Avenue Northeast, Suite 115 Arlington, Washington 98223 Tel: (360) 474-9945; Fax: (360) 435-7360 SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE WASHINGTON STATE SURVEY RECORDING ACT, AT THE REQUEST OF NORTH COUNTY BANK ON THIS 13TH DAY OF MAY, 2009.

PROFESSIONAL LAND SURVEYOR

15655

9/3/09 DATE

RECORDING CERTIFICATE FILED FOR RECORD THIS 28 DAY OF OCTOBER _MINUTES PAST

VOLUME / OF SHORT PLATS, ON PAGE(S) OF SNOHOMISH COUNTY, WASHINGTON.

BY: M-0 745 CAROLYN WEIKEL AUDITOR, SNOHOMISH COUNTY DEPUTY COUNTY AUDITOR CHECKED BY: R. HUEY
- FIELD BOOK: 168 & 174 JOB NUMBER: 1346

