

# EMERALD HEIGHTS

DIV. 1

## S.E. 1/4 SEC. 6, TWP. 27 N., RGE. 5E., W.M.

### CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON

#### LEGAL DESCRIPTION

All that certain real property situate in the County of Snohomish, State of Washington, being a portion of the southeast quarter of Section 6; and a portion of the northeast quarter of Section 7, all in Township 27 North, Range 5 East, W.M., and being more particularly described as follows:

Beginning at the northeasterly corner of Martha Lake Garden Tracts, according to the plat recorded in Volume 8 of Plats, page 51, records of Snohomish County, Washington, said point also being on the southerly line of said Section 6, distant thereon N88°44'06"W 1307.68 feet from the southeast corner of said Section 6; thence from said point of beginning along the easterly line of said Martha Lake Garden Tracts S00°08'44"W 680.00 feet; thence leaving said easterly line S42°25'40"W 467.72 feet; thence N38°39'35"W 225.00 feet; thence N05°21'11"E 540.00 feet; thence N45°10'49"E 202.98 feet; thence N05°21'11"E 275.30 feet; thence S88°44'06"E 164.76 feet, to a point hereinafter called "Point A"; thence N01°15'54"E 179.14 feet; thence N11°37'45"W 303.76 feet to a point on the southerly right-of-way line of Penny Creek Road, said southerly right-of-way line being 40.00 feet southerly of and parallel to the centerline thereof as shown on survey number 1850 in the Snohomish County Engineer's Office; thence along said southerly right-of-way line from a tangent that bears N35°30'07"E along the arc of a curve to the right having a radius of 319.26 feet and a central angle of 33°25'48", an arc length of 186.28 feet; thence tangent to the preceding curve N68°55'54"E 323.49 feet; thence leaving said southerly right-of-way line S09°29'02"W 337.42 feet; thence S32°57'43"W 235.96 feet; thence S06°33'37"W 179.91 feet; thence S01°15'54"W 100.00 feet to a point on the southerly line of said Section 6; thence along said southerly line N88°44'06"W 109.94 feet to the point of beginning; EXCEPT that portion thereof lying southerly and southwesterly of a line beginning at the point of beginning; thence N35°42'52"W 125.18 feet to aforementioned "Point A" and the terminus of this described line; AND EXCEPT that portion thereof conveyed for Mill Creek Road.

Also known as a portion of Parcel 8, Large Tract segregation number "LTS 21-81" as recorded in Volume 15 of Surveys, page 56, under Snohomish County Auditor's File No. 8112075004.

#### RESTRICTIONS

No further subdivision of any lot without resubmitting for formal plat procedure. The sale or lease of less than a whole lot in any subdivision platted and filed under City of Mill Creek Subdivision Code is expressly prohibited except in compliance with City of Mill Creek Subdivision Code. Prior approval must be obtained from the City of Mill Creek Engineer before any structures, fill or obstructions, including fences are located within any drainage easement or delineated flood plain area. All landscaped areas in public rights-of-way shall be maintained by the adjacent lot owners and may be reduced or eliminated if deemed necessary for or detrimental to city road purposes. Restrictions contained in Instruments recorded under Recording Numbers: 733859, 2382420, 8006090130, 8012010277, 8112110138.

#### APPROVALS

Examined and approved this 21<sup>st</sup> day of November, 1985.

H. Allan Newbold  
City of Mill Creek Engineer

Examined and approved this 19 day of November, 1985.

Richard L. ...  
City of Mill Creek Planner

Examined and approved this 19 day of November, 1985.

Arl Hansen  
City of Mill Creek Mayor

I hereby certify that there are no delinquent special assessments and that all special assessments on any of the property herein contained dedicated as streets, alleys, or for other public use are paid in full.

This 19<sup>th</sup> day of November, 1985.

Nicholas ...  
City of Mill Creek Treasurer

COPY

ORIGINAL ON FILE CITY AUDITORS

#### TREASURER'S 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 been fully paid and discharged, including 1986 taxes. 12-20-85

Kirke Sievers  
Treasurer, Snohomish County

by: Dalwin D. Nauw, deputy

#### RECORDING CERTIFICATE

Filed for record at the request of PACIFIC COMMUNITY this 20 day of DEC, 1985, at 11 minutes past 1 p.m., and recorded in Volume 48 of Plats, page 214-215 records of Snohomish County, Washington.

DEAN V. WILLIAMS  
Auditor

BY: Miller Smith  
Deputy County Auditor

SHEET 1 OF 2 SHEETS

ASSOCIATES

EMERALD HEIGHTS PLAT

#### DEDICATION

Know all men by these presents that Capital Savings Bank, F.A., the undersigned owner, in fee simple of the land hereby platted, hereby declare this plat and dedicate to the use of the public forever all streets, avenues, alleys, 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 cuts and fills upon lots, blocks, tracts, etc. shown on this plat in the reasonable original grading of all the streets, avenues, and streets, 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.

IN WITNESS WHEREOF we set our hands and seals this 1<sup>st</sup> day of November, 1985.

Clark H. Deebach  
Joseph H. ...  
and Julia V.P.

#### ACKNOWLEDGMENT

STATE OF WASHINGTON  
COUNTY OF

This is to certify that on the 19 day of November, 1985, before me, the undersigned, a Notary Public, personally appeared Clark H. Deebach and Julia V.P. the Sole and Joint and Joint respectively, of CAPITAL SAVINGS BANK, F.A., a Washington corporation, to me known to be the individual(s) who executed the within dedication and acknowledged to me that they signed and sealed the same as their voluntary act and deed for the uses and purposes therein mentioned and on oath stated that they were authorized to execute said instrument and the seal affixed (if any) is the corporate seal of said corporation. WITNESS my hand and official seal the day and year first above written.

Jessie Louise Walkowski  
Notary Public in and for the State of Washington  
Residing at ...

#### EASEMENT PROVISIONS

1. An easement shall be reserved for and granted to all utilities serving subject plat and their respective successors and assigns, under and upon the exterior ten (10) feet parallel with and adjoining the street frontage of all lots 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 subdivision and other property with electric, telephone and utility service together with the right to enter upon the lots at all times for the purposes herein stated.

2. No lines or wires for the transmission of electric current or for telephone use, cable television, fire or police signals, or for other purposes shall be placed upon any lot outside the buildings thereon unless the same shall be underground or in conduit attached to the building.

3. Drainage easements designated on the plat are hereby reserved for and granted to City of Mill Creek for the right of ingress and egress for the purpose of maintaining and operating stormwater facilities.

#### COVENANTS

All lots within this plat are subject to the covenants recorded the 20<sup>th</sup> day of December, 1985, under receiving number 9512205018 records of Snohomish County, Washington.

#### SURVEYOR'S CERTIFICATE

I hereby certify that this plat is based upon an actual survey and subdivision of Section 6, Township 27 North, Range 5E East of W.M., that the courses and distances are shown correctly thereon; that the monuments will be set and the lot and block corners will be staked correctly on the ground as construction is completed and that I have fully complied with the provisions of the platting regulations.



Guslav B. Osterback  
Professional Land Surveyor. Certificate No. 18094

# EMERALD HEIGHTS

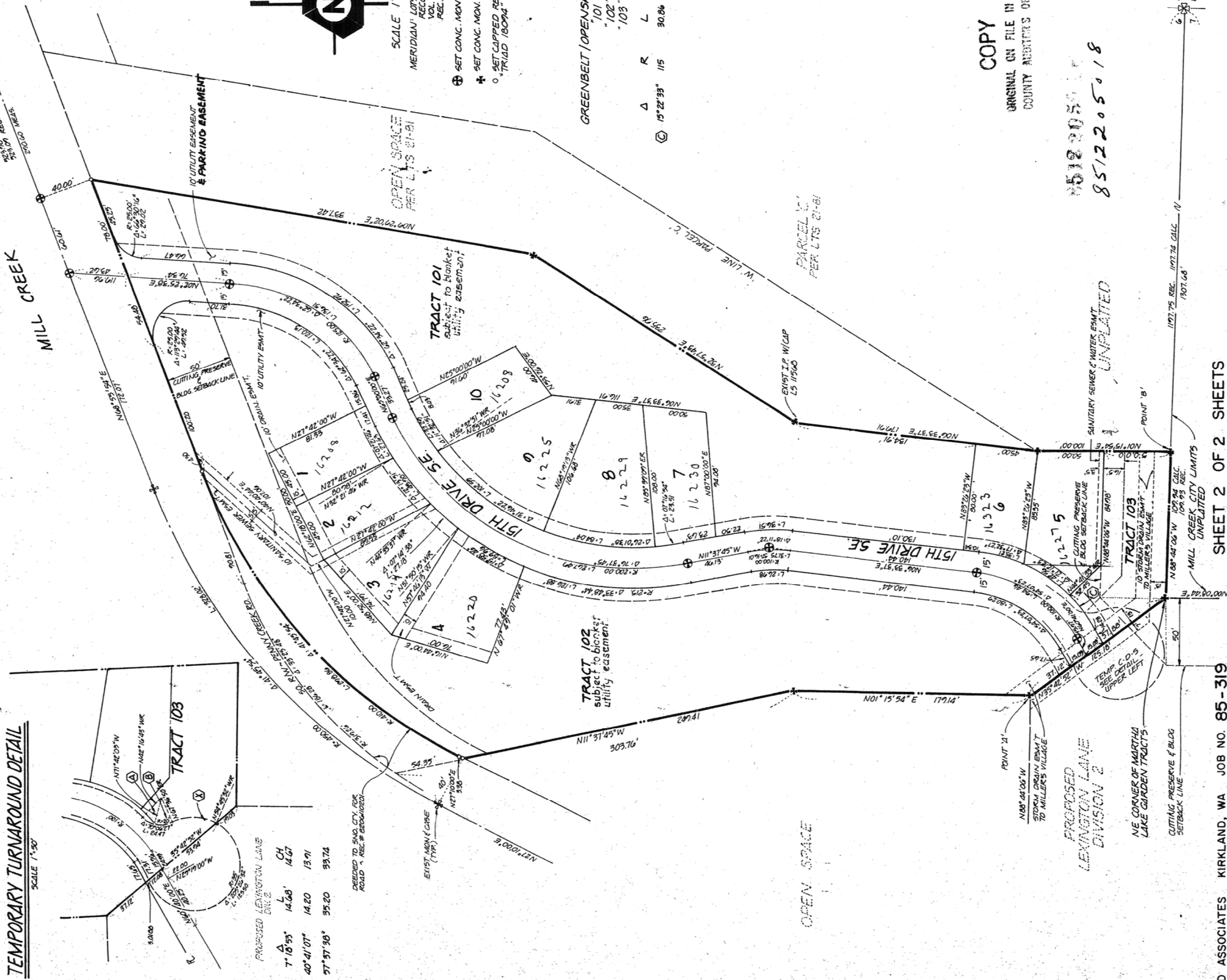
DIV. 1

S.E.1/4 SEC.6, TWP.27 N., RGE.5 E., W.M.

CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON

TEMPORARY TURNAROUND DETAIL

SCALE 1"=50'



SCALE 1"=50'  
 MERIDIAN: LOTS 21-81  
 RECORD OF SURVY  
 VOL. 15 PG. 56  
 REC.# 812075006  
 \* SET CONC. MON IN CASE  
 \* SET CONC. MON.  
 O SET CAPPED REBAR MARKER  
 O TRIAD 18094

GREENBELT / OPENSOURCE TRAC  
 "101"  
 "102"  
 "103"  
 Δ R L CH  
 ⊙ 15°22'33" 115 30.86 30.71

COPY  
 ORIGINAL ON FILE IN THE  
 COUNTY AUDITOR'S OFFICE

1512205  
 8512205018

UNPLATTED

No. 86-02  
DATE 11/5/86  
BY

# EMERALD HEIGHTS DIV. 2

SE. 1/4 SEC. 6 & NE. 1/4 SEC. 7, TWP. 27N, R5E, WM.  
CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON

### DEDICATION

Know all men by these presents that we, the undersigned owners in fee simple of the land hereby platted, do hereby declare this plat and dedicate to the public forever all roads, ways, and easements shown hereon and the use thereof for all public purposes not inconsistent with the use thereof for public highway purposes with the 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 water might take a natural course, in the original reasonable grading of the roads and ways shown hereon.

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, or to hamper proper road drainage. Any enclosing of drainage water 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.

IN WITNESS WHEREOF we have set our hands and seals.

PACIFIC COMMUNITY BUILDERS, INC.

\_\_\_\_\_  
President  
\_\_\_\_\_  
Secretary

### ACKNOWLEDGEMENTS

State of Washington ss  
County of \_\_\_\_\_

This is to certify that on this \_\_\_\_\_ day of \_\_\_\_\_, 1986, before me the undersigned a Notary Public, personally appeared Peter N. VanGiesen and Susan VanGiesen, the President and secretary respectively of the corporation that executed the within dedication, and acknowledged to me that they signed and sealed the same as their voluntary act and deed for the uses and purposes therein mentioned and that on oath stated that they were authorized to execute said dedication and that the seal affixed (if any) is the corporate seal of said corporation.

WITNESS my hand and official seal the day and year first above written.

Notary Public in and for the State of Washington \_\_\_\_\_  
Residing at \_\_\_\_\_ my Commission expires \_\_\_\_\_

State of Washington  
County of \_\_\_\_\_

I certify that I know or have satisfactory evidence that stated that (he/she) signed this instrument, on oath instrument and acknowledged it as the \_\_\_\_\_ of \_\_\_\_\_ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Notary Public in and for the State of Washington \_\_\_\_\_  
Residing at \_\_\_\_\_ my Commission expires \_\_\_\_\_

### LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat Emerald Heights Division No. 2 is based upon an actual survey and subdivision of section 6 and 7, Township 27 North, Range 5 East of W.M., that the courses and distances are shown correctly thereon; that the monuments will be set and the lot and block corners will be staked correctly on the ground as construction is completed and that I have fully complied with the provisions of the platting regulations.



*Gustav B. Osterback*  
Gustav B. Osterback, Professional  
Land Surveyor Certificate No.  
18084

### APPROVALS

I hereby certify that this plat complies with the conditions set forth by the Mill Creek City Council, and is duly approved this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

City of Mill Creek Mayor \_\_\_\_\_  
Attest: City Clerk \_\_\_\_\_  
Examined and approved this \_\_\_\_\_ day of \_\_\_\_\_, 1986.  
Mill Creek City Engineer \_\_\_\_\_  
Examined and approved this \_\_\_\_\_ day of \_\_\_\_\_, 1986.  
Mill Creek Planning Commission Chairman \_\_\_\_\_

### TREASURERS CERTIFICATE

I hereby certify that there are no delinquent special assessments and that all special assessments on any of the property herein contained dedicated as streets, alleys, or for other public use are paid in full.

This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

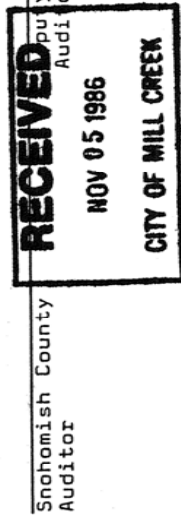
\_\_\_\_\_  
City of Mill Creek Treasurer

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 been fully paid and discharged, including \_\_\_\_\_ taxes.

\_\_\_\_\_  
Treasurer, Snohomish County

### RECORDING CERTIFICATE

Filed for record at the request of Pacific Community Builders, Inc., this \_\_\_\_\_ minutes past \_\_\_\_\_ day of \_\_\_\_\_, 1986, at \_\_\_\_\_ of Plats, pages \_\_\_\_\_ and recorded in Volume \_\_\_\_\_ of Plats, records of Snohomish County, Washington, through \_\_\_\_\_ inclusive, records of Snohomish County, Washington.



Snohomish County Auditor  
Snohomish County

NOV 05 1986



# EMERALD HEIGHTS DIV. 2

SE 1/4 SEC. 6 & NE 1/4 SEC. 7, TWP. 27N, R5E, WM.  
CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON

## LEGAL DESCRIPTION

Tract B of large tract segregation number "LTS 21-81" As recorded in Volume 15 of Surveys, Page 56, under Snohomish County Auditor's file No. 8112075004; EXCEPT that portion platted as Emerald Heights Division 1 as recorded in Volume 46 of Plats, Pages 214 and 215, Records of Snohomish County, Washington.

## EASEMENT PROVISIONS

An easement is hereby reserved for and dedicated to the Public and Alderwood Water District and Public Utility District No. 1 of Snohomish County and General Telephone Company of the Northwest, Inc., and the Franchised Television Cable Company and Washington Natural Gas, their respective successors and assigns, under and upon the exterior seven (7) feet, parallel with and adjoining the Public Street frontage for all lots and tracts, in which to install, lay, construct, renew, operate and maintain underground conduits, cables and wires with necessary facilities and other equipment for the purpose of serving this subdivision and other property with electric, telephone, cable television, natural gas, water, sewer, storm drainage and any other utility which is reasonable and necessary for a residential subdivision.

Furthermore, the seven foot strip may be utilized by the Public for necessary roadway slopes, cuts and fills.

## RESTRICTIONS

No lines or wires for transmission of electric current or for telephone use, cable television, or fire or police signals or for other purposes shall be paced or permitted to be placed upon any lot or tract outside the buildings thereon unless the same shall be underground or in conduit attached to the building.

All common areas noted are subject to public utility easement provisions for the purpose of serving this subdivision and other property with electric, telephone, cable television, natural gas, water, sewer, and storm drainage, and any other utility which is reasonable and necessary for a residential subdivision.

Drainage easements designated on the plat are hereby reserved for and granted to City of Mill Creek for the right of ingress and egress for the purpose of maintaining and operating stormwater facilities.

No lot or portion of a lot in this plat shall be divided and sold or resold or ownership changed or transferred whereby the ownership of any portion of this plat shall contain less than the area required for the use district in which located.

Further that said plat is subject to declaration of restrictive covenants as recorded under Auditor's File No. 2382420 and as amended under Auditor's File Nos. 8006090130, 8207095009, 8305160277, 8505010054 and 8604250170 and 8512200228.

Further that said plat is not subject to the amendment of said restrictive covenants as recorded under Auditor's File No. 7603090126, Volume 951 O.R. pages 194-196.

No further subdivision of any lot without resubmitting for formal plat procedure.

## DEDICATION OF COMMON AREAS

The undersigned Owners, in recording this Plat of Emerald Heights, Division 2 designated as common areas certain tracts of land shown as Tracts 101, 102, 103, 104 and 105 intended for use by members of the community in Mill Creek for recreation parking facilities and other related activities.

The designated areas are not dedicated hereby for use by the general public but are dedicated to the common use and enjoyment and benefit of the members of the community as more fully provided in the Declaration of Restrictive Covenants applicable to Emerald Heights and Mill Creek dated 21 April 1975 and recorded under Auditor's File No. 2382420 and as amended under Auditor's File Nos. 8006090130, 8207095009, 8305160277, 8505010054 and 8604250170 and 851220228. Said Declaration of Restrictive Covenants is hereby incorporated and made part of this Plat.

Also, each lot (tracts are excluded) is subject to an easement for the above stated purposes, which is 2.5 feet in width parallel with and adjoining all side lot line which adjoin another lot, and five (5) feet in width, parallel with and adjoining all rear lot lines which adjoin another lot.

Provided, however, the grant of easement set forth herein with respect to side lot line and rear lot lines of adjoining lots in this plat is subject to the condition that in the event transferees from the Pacific Community Builders, Inc. of more than one lot in this plat on a contiguous basis, own or hold said lots for the purpose of constructing buildings thereon, which buildings would cross or abutt platted lot or tract lines such construction shall be permitted irrespective of the existence of the plat easement contained in this paragraph, provided such easement areas have not been utilized for their easement purposes to receive line or utilities at the time such construction is sought by such ownership and a building permit applied for. Subsequent transferees from the grantees of Pacific Community Builders, Inc. shall have the same rights with respect to property which is held on a contiguous basis in the event that such easement areas have not been utilized by the beneficiaries named in the first paragraph, and beneficiaries shall be under an obligation to obtain written consent to installation of utilities in the easement area from the ownerships of contiguous help properties within the plat.

## OWNER'S COVENANT

The owner shall grant the city a covenant releasing and indemnifying and holding the city harmless from any and all claims for damages or injunctive relief of whatever nature from the construction and maintenance of the public improvements throughout the term of the owner's maintenance obligation as described i Chapter 16.16 of the Mill Creek Municipal Code.

# EMERALD HEIGHTS DIV. 2

SE 1/4 SEC. 6 & NE 1/4 SEC. 7, TWP. 27N, R5E, WM.  
CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON

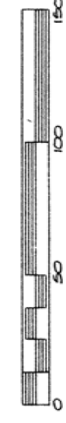
OPEN SPACE

**LEGEND**

- FOUND CONCRETE MON
- SET CONCRETE MON & CASE
- SET ESB&E WITH YELLOW NYLON CAP MARKED "TEAD 18004", OR TRACK IN LEAD SET AT R EXTENDED IN CONCRETE CURB (APPLIES TO FRONT LOT CORNERS.)

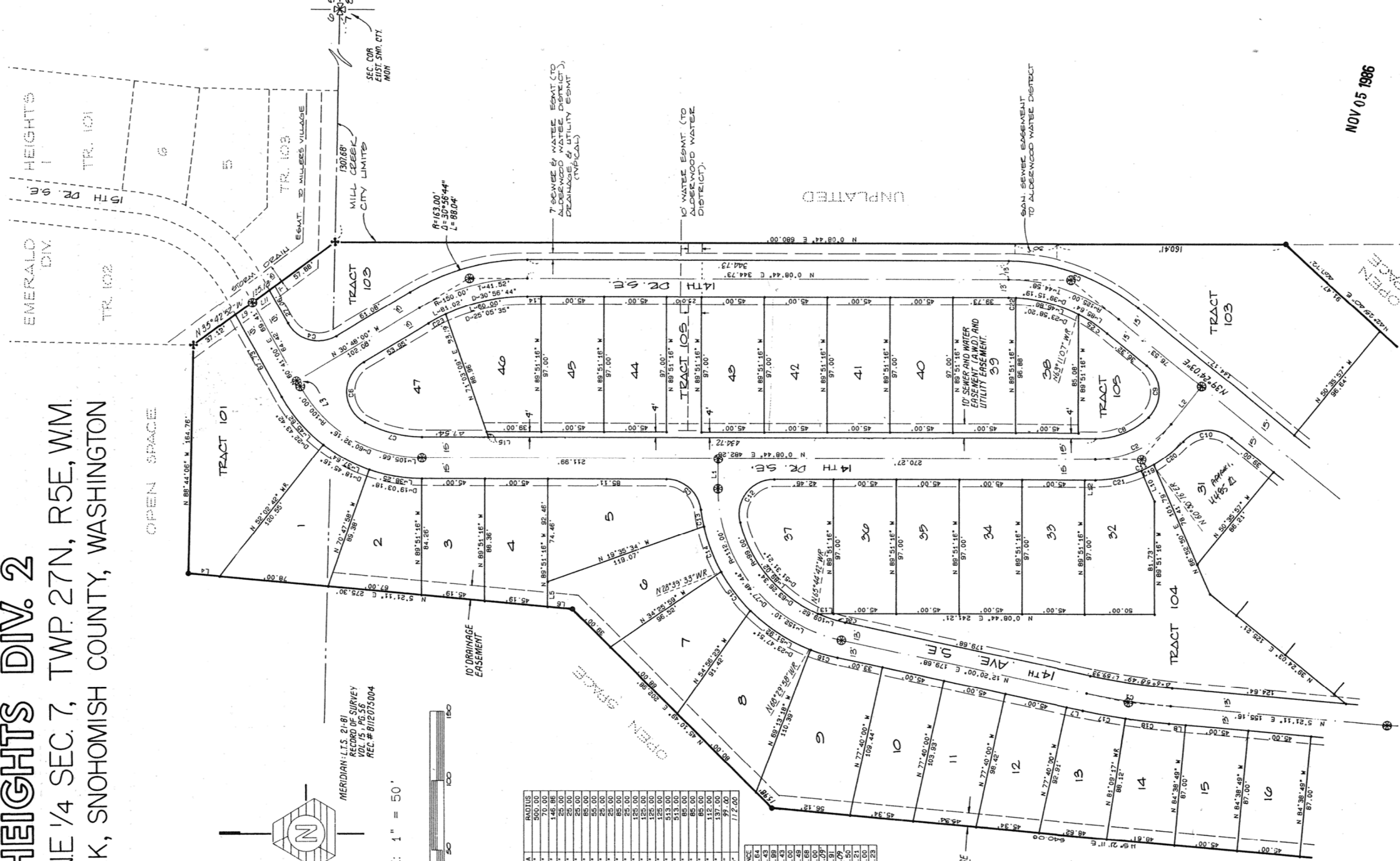
MERIDIAN: L.T.S. 21-81  
RECORD OF SURVEY  
VOL. 15, PG. 56  
REG. # B112075004

SCALE: 1" = 50'



CURVE	ARC	RADIUS	DELTA
C1	60.91	500.00	6°58'48"
C2	62.00	70.00	90°44'41"
C3	100.62	146.86	39°15'19"
C4	91.29	25.00	91°29'00"
C5	36.20	25.00	85°58'03"
C6	32.96	25.00	150°58'00"
C7	45.14	55.00	45°14'19"
C8	42.25	25.00	96°50'22"
C9	38.00	25.00	87°05'46"
C10	70.97	85.00	47°50'27"
C11	45.54	25.00	104°22'10"
C12	12.50	125.00	5°43'46"
C13	35.00	125.00	16°02'34"
C14	35.00	125.00	16°02'34"
C15	35.00	125.00	16°02'34"
C16	20.00	125.00	9°10'02"
C17	31.23	513.00	3°29'17"
C18	31.27	513.00	3°29'32"
C19	10.02	85.00	6°45'14"
C20	27.00	85.00	18°11'39"
C21	33.95	85.00	22°33'14"
C22	11.50	137.00	5°11'09"
C23	20.60	137.00	11°35'13"
C24	24.60	112.00	17°55'10"

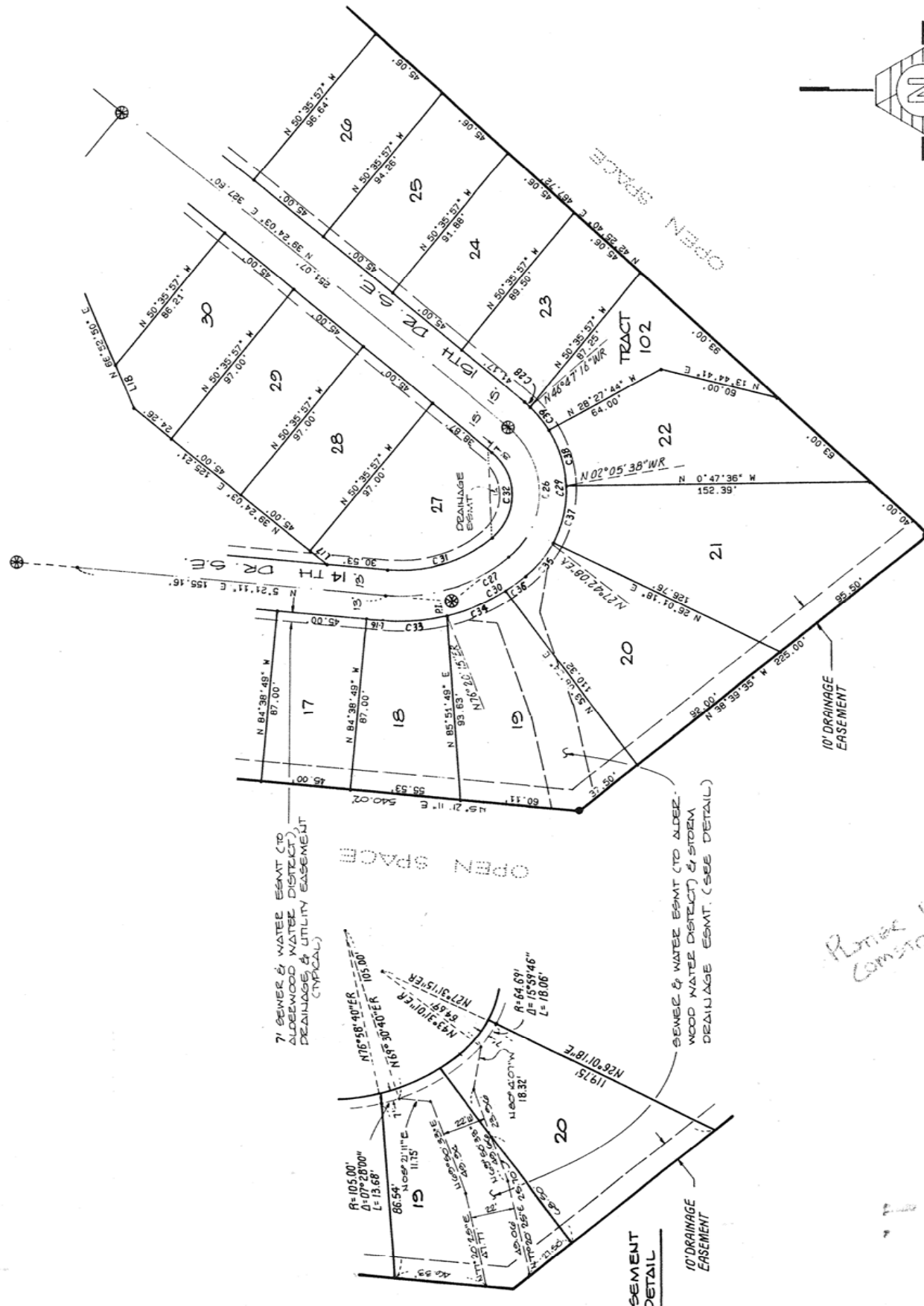
LINE	BEARING	DISTANCE
L1	N 89°51'16" W	21.64
L2	N 50°35'57" W	34.43
L3	N 60°41'00" E	4.99
L4	N 5°21'11" E	22.43
L5	N 89°51'16" W	18.00
L6	N 5°21'11" E	17.48
L7	N 12°50'00" E	11.68
L8	N 89°51'16" W	16.09
L9	N 65°52'50" E	23.91
L10	N 39°47'37" W	15.09
L11	N 0°08'44" E	7.50
L12	N 0°08'44" E	11.21
L13	N 0°08'44" E	10.00
L14	N 0°08'44" E	10.00
L15	N 71°03'09" E	4.23



NOV 05 1986

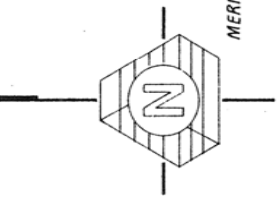
# EMERALD HEIGHTS DIV. 2

SE 1/4 SEC. 6 & NE 1/4 SEC. 7, TWP. 27N, R5E, WM.  
CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON



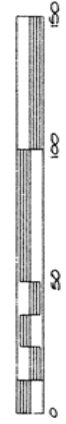
LINE	BEARING	DISTANCE
L16	N5°21'17"E	8.76
L17	N39°24'03"E	10.85
L18	N66°52'50"E	23.38

CURVE	ARC	DELTA	RADIUS
C26	75.52	100.37.57'	43.00
C27	67.23	45.19.11"	65.00
C28	8.64	3°48'4"	57.69
C29	101.32	100.37.58"	57.69
C30	77.52	45.19.11"	65.00
C31	66.85	45.19.11"	72.00
C32	48.73	100.37.57'	28.51
C33	32.52	19.00.56"	98.00
C34	32.48	18.59.12"	98.00
C35	22.48	22.19.53"	57.69
C36	12.52	7.19.03"	98.00
C37	30.00	28.47.46"	57.69
C38	30.00	28.47.46"	57.69
C39	15.00	14.53.52"	57.69



MERIDIAN: L.T.S. 21-81  
RECORD OF SURVEY  
VOL. 15, PG. 56  
REC. # B112075004

SCALE: 1" = 50'



- LEGEND**
- ✦ FOUND CONCRETE MON
  - ⊙ SET CONCRETE MON & CASE
  - SET REBAR WITH YELLOW NYLON CAP MARKED "TEIAD 18024", OR TAKE IN LEAD SET @ 1' EXTENDED IN CONC. CURB (APPLIES TO FRONT LOT CORNERS).

NOV 05 1986