

**SHORT PLAT PFN 00 102385 SP**  
**A PORTION OF THE S.E. 1/4, N.W. 1/4, SECTION 33, T. 28 N., R. 5 E., W.M.**  
**SNOHOMISH COUNTY, WASHINGTON**

**LEGAL DESCRIPTION**

LOT 1 OF SHORT PLAT NO. 31610-85 RECORDED UNDER RECORDING NUMBER 840180232, AND LOT 2 OF SHORT PLAT NO. 31610-85 RECORDED UNDER RECORDING NUMBER 840180232, ARE PARTS OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M. IN SNOHOMISH COUNTY, WASHINGTON.

**DECLARATION OF SHORT SUBDIVISION AND COVENANTS**

THE UNDERSIGNED, CHARLES A. RICHARDSON, HAS AN INTEREST IN THE REAL PROPERTY DESCRIBED BY THIS DECLARATION IN THE HEREIN DESCRIBED DIVISION OF LAND APPROVED BY SHORT PLAT NUMBER PFN 00 102385 SP ON THIS 22 DAY OF DECEMBER, 2003, IN THE COUNTY OF SNOHOMISH COUNTY, WASHINGTON. THE UNDERSIGNED HAS BEEN ADVISED BY THE AUDITOR OF SNOHOMISH COUNTY, PURSUANT TO THE PROVISIONS OF CHAPTER 64.47 RCW, AND THE ORDINANCES OF SNOHOMISH COUNTY, AND SUBJECT TO THE PENALTIES ATTENDING THEREOF:

- THE LAND DESCRIBED BY THIS DECLARATION MAY NOT BE FURTHER SUBDIVIDED IN ANY MANNER EXCEEDING A TOTAL OF FOUR PARCELS OR A TOTAL OF NINE PARCELS IF THE LAND IS TO BE USED FOR RESIDENTIAL PURPOSES. THE UNDERSIGNED HAS BEEN ADVISED BY THE AUDITOR OF SNOHOMISH COUNTY, PURSUANT TO THE PROVISIONS OF CHAPTER 64.47 RCW, AND THE ORDINANCES OF SNOHOMISH COUNTY, AND SUBJECT TO THE PENALTIES ATTENDING THEREOF.
- ALL SUBSEQUENT DEEDS WILL CONTAIN PROVISIONS FOR THE SHARED DRIVEWAY IN THE MANNER DESCRIBED HEREIN.
- ALL MAINTENANCE OF THE SHARED DRIVEWAY DESCRIBED BY THIS DECLARATION SHALL BE BY THE OWNER(S) OF THE PARCELS HAVING LEGAL ACCESS THEREFROM OR THEIR SUCCESSOR(S) UNLESS AND UNTIL SUCH ROAD OR PORTIONS THEREOF ARE IMPROVED TO SNOHOMISH COUNTY STANDARDS AND ACCEPTED BY SNOHOMISH COUNTY. (SEE SHARED DRIVEWAY EASEMENT PROVISION HEREIN, ON SHEET 2.)
- THE SHARED DRIVEWAY EASEMENT ON LOT 2 IS HEREBY SUBJECT TO A UTILITY EASEMENT IN FAVOR OF THE GRANTOR(S) OR THE SUCCESSOR(S), AND OF ANY UTILITY COMPANY, TELEVISION CABLE, GAS, WATER, OR SEWER COMPANY, PUBLIC UTILITY, 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 BOUNDARIES OF THIS DECLARATION SHALL BE SUBJECT TO THE REQUIREMENTS OF THE COUNTY.
- WITH RESPECT TO THE SHARED DRIVEWAY DESCRIBED BY THIS DECLARATION, THE UNDERSIGNED HEREBY AGREES TO MAINTAIN, REPAIR, REPLACE, AND IMPROVE THE SAME TO SNOHOMISH COUNTY STANDARDS. THE UNDERSIGNED SHALL BE RESPONSIBLE FOR THE COSTS OF SUCH MAINTENANCE, REPAIR, REPLACEMENT, AND IMPROVEMENT. THE UNDERSIGNED SHALL BE RESPONSIBLE FOR THE COSTS OF ANY PUBLIC ROAD RIGHTS OF WAY OR HAMPER PROPER ROAD DRAINAGE, WITHOUT APPROVAL OF SNOHOMISH COUNTY.
- ACCESS TO LOTS 2 AND 3 IS LIMITED TO THE SHARED DRIVEWAY EASEMENT. NO ACCESS TO THE SHARED DRIVEWAY EASEMENT IS PERMITTED FOR LOT 1.
- 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 COUNTY IF DEEMED NECESSARY FOR COUNTY ROAD PURPOSES.

**DRAINAGE FACILITY MAINTENANCE COVENANT**

WE, THE OWNERS AND CONTRACT PURCHASERS OF THE LANDS HEREIN SHORT PLATED HEREIN TO THE BENEFIT OF AND BE BINDING UPON THE HEIRS, SUCCESSORS, AND ASSIGNS, OF 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 GRANTORS, DOWNSTREAM PROPERTY OWNERS, AND THE GENERAL PUBLIC, AND THAT SNOHOMISH COUNTY (COUNTY) 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. COUNTY 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 SUBDIVISION, HEREBY COVENANTS TO PERFORM REGULAR MAINTENANCE UPON THE DRAINAGE FACILITIES INSTALLED, OR TO BE INSTALLED, UPON GRANTOR'S PROPERTY. REGULAR MAINTENANCE SHALL INCLUDE, AT A MINIMUM, ANNUAL INSPECTION OF ALL DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO, STORMWATER FLOW REGULATION SYSTEMS, DETENTION POND WALLS, AND CATCH BASINS; STORMWATER FLOW REGULATION SYSTEMS, DETENTION POND WALLS, PIPES, RETENTION POND WALLS, PIPES, RETENTION POND WALLS, AND CONTROL STRUCTURES; INFILTRATION SYSTEMS AND WATER QUALITY CONTROL SYSTEMS.

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:

- COUNTY SHALL HAVE THE PERPETUAL RIGHT OF ENTRY ACROSS ADJACENT LANDS OF THE GRANTOR FOR PURPOSES OF INSPECTING, AUDITING, OR CONDUCTING REQUIRED MAINTENANCE OF THE DRAINAGE FACILITY.
- IF COUNTY INSPECTION DETERMINES THAT MAINTENANCE IS NOT BEING PERFORMED, COUNTY SHALL ENDEAVOR TO PROVIDE GRANTOR REASONABLE NOTICE TO COMPLETE THE REQUIRED MAINTENANCE WITHIN A REASONABLE TIME PERIOD. COUNTY SHALL HAVE THE RIGHT TO PERFORM OR CONTRACT WITH OTHERS TO PERFORM IT AT THE SOLE EXPENSE OF THE GRANTOR. IF COUNTY IN ITS SOLE DISCRETION DETERMINES THAT AN IMMINENT OR PRESENT DANGER EXISTS, REQUIRED MAINTENANCE AND/OR REPAIR MAY BEGAIN IMMEDIATELY AT GRANTOR'S EXPENSE WITHOUT PRIOR NOTICE TO GRANTOR. IN SUCH CASES, COUNTY SHALL REQUIRE GRANTOR WITH A WRITTEN STATEMENT AND ACCOUNTING OF ALL WORK PERFORMED AND THE FEES, CHARGES, AND EXPENSES INCURRED, AND EXPENSES IDENTIFIED IN COUNTY'S STATEMENT.
- IF COUNTY IS REQUIRED TO ACT AS A RESULT OF GRANTOR'S FAILURE TO COMPLY WITH THIS COVENANT, COUNTY MAY REMOVE ANY OBSTRUCTIONS AND/OR INTERFERE WITH THE SOLE OPERATION OF COUNTY IMPAIR THE OPERATION OF THE DRAINAGE FACILITY OR THE MAINTENANCE THEREOF. COUNTY SHALL BE ENTITLED TO RECOVER THE COSTS OF SUCH REMOVAL AND/OR INTERFERENCE, INCLUDING COSTS AND ATTORNEY'S FEES, INCURRED BY THE REMOVAL OF VEGETATION OR PHYSICAL INTERFERENCE FROM THE DRAINAGE FACILITY.
- WHEN EXERCISING THE MAINTENANCE PROVISIONS OF THE COVENANT, SUCH AMOUNT SHALL BECOME A LIEN AGAINST THE PROPERTY OF GRANTOR AS PROVIDED 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.
- COUNTY 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 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 COVENANT.

- TRACTS 998 AND 999 ARE HEREBY GRANTED AND CONVEYED TOGETHER WITH ALL OBLIGATIONS TO MAINTAIN THE TRACTS CONSISTENT WITH COUNTY CODE. TO LOTS 3 THROUGH 30, THE TRACTS SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT. THESE TRACTS SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT.
- THE LOTS IN THIS SHORT SUBDIVISION DO NOT QUALIFY AS DUPLEX LOTS PER SNOHOMISH COUNTY CODE (SCC 20.36.025).
- SCC TITLE 26A REQUIRES THE PER NEW DWELLING UNIT FEE PAYMENT IN THE AMOUNT OF \$1844.00 FOR MITIGATION OF IMPACTS ON THE EVERETT SCHOOL DISTRICT. NOTICE OF THIS FEE PAYMENT OBLIGATION SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION OR THE LOTS) THEREIN.
- SCC TITLE 26C REQUIRES THE PER NEW DWELLING FEE IN THE AMOUNT OF \$1844.00 FOR MITIGATION OF IMPACTS ON THE EVERETT SCHOOL DISTRICT. NOTICE OF THIS FEE PAYMENT OBLIGATION SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION OR THE LOTS) THEREIN.
- LOTS 1 THROUGH 3 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN WHICH SEE DRAINAGE PLAN FOR DETAILS.
- THIS SHORT PLAT IS SUBJECT TO THE RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS, UPON PROPERTY HEREIN DESCRIBED AS GRANTED IN DEED RECORDED UNDER RECORDING NO. 2092884.
- THIS SHORT PLAT IS SUBJECT TO POWER OF ATTORNEY AND AGREEMENT NOT TO PROTEST FORMATION OF ROAD IMPROVEMENT DISTRICT, PER RECORDING NO. 8302250172.
- THIS SHORT PLAT IS SUBJECT TO RESTRICTIVE COVENANTS AND THE TERMS AND CONDITIONS THEREOF, PER RECORDING NO. 8407230041.
- THIS SHORT PLAT IS SUBJECT TO COVENANTS, CONDITIONS, AND RESTRICTIONS AND EASEMENTS, INCLUDING PROVISIONS FOR MAINTENANCE OF THE PRIVATE ROADS, PER RECORDING NO. 8401180232.
- THIS SHORT PLAT IS SUBJECT TO SILVER LAKE WATER DISTRICT RESOLUTION NO. 153, UNIFORM ACCESS AGREEMENT, PER RECORDING NO. 200103020873.
- THIS SHORT PLAT IS SUBJECT TO AN ELECTRIC DISTRIBUTION LINE EASEMENT PER RECORDING NO. 20030730408, AND AS SHOWN ON SHEET 2 OF THIS SHORT PLAT, RECORDING NO. 840206150427.
- THIS SHORT PLAT IS SUBJECT TO A SANITARY SEWER EASEMENT, PER RECORDING NO. 20030460886, AND AS SHOWN ON SHEET 2 OF THIS SHORT PLAT.
- THIS SHORT PLAT IS SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AS RECORDED UNDER AUDITOR'S FILE NO. 200312225135.

THESE COVENANTS ARE FOR THE MUTUAL BENEFIT OF THE GRANTORS AND THEIR HEIRS, SUCCESSORS AND ASSIGNS AND ARE FOR THE FURTHER PURPOSE OF COMPLIANCE WITH THE ORDINANCES AND REGULATIONS OF SNOHOMISH COUNTY AND THE COUNTY AND SUCH PERSONS ARE SPECIFICALLY GRANTED THE RIGHT TO REPAIR, REPLACE, AND IMPROVE THE SAME TO SNOHOMISH COUNTY STANDARD PROCEDURE AND TO RECOVER ANY DAMAGES RESULTING FROM SUCH REPAIR, REPLACEMENT, AND IMPROVEMENT.

DATED THIS 22 DAY OF DECEMBER, 2003.

*Deborah A. Cooper*  
 DEBORAH A. COOPER

*George Cooper, Jr.*  
 GEORGE COOPER, JR.



**ACKNOWLEDGMENT**

STATE OF WASHINGTON )  
 COUNTY OF SNOHOMISH ) SS  
 I, CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT SUEAN R. OTTO, SUSAN B. OTTO, AND DEBORAH A. COOPER ARE THE PERSONS WHOSE NAMES ARE SET FORTH IN THE FOREGOING INSTRUMENT AND 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 12/22/03  
 SIGNATURE: Susan R. Otto  
 PRINTED NAME: Susan R. Otto  
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON  
 RESIDING AT Marysville 515104  
 MY APPOINTMENT EXPIRES 5/15/04



**PLANNING AND DEVELOPMENT SERVICES APPROVAL**

I HEREBY APPROVE THIS SHORT SUBDIVISION AND FIND FROM THE FILE CONTROLS AND MAKES APPROPRIATE PROVISIONS FOR THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE.  
 APPROVED THIS 22 DAY OF DECEMBER, 2003  
*Jeffrey J. FLL*  
 SNOHOMISH COUNTY PLANNING & DEVELOPMENT SERVICES DIRECTOR

**SURVEYOR'S CERTIFICATE**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT AND DEBORAH A. COOPER, IN DECEMBER, 2003.  
*Charles A. Richardson*  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 CERTIFICATE NO. 29291  
 DATE 12/22/03

**AUDITOR'S CERTIFICATE**

FILED FOR RECORD AT THE REQUEST OF CHARLES A. RICHARDSON THIS 20 DAY OF DECEMBER, 2003, AT 2:59 P.M. AND RECORDED IN VOLUME 20312225135 OF SHORT PLATS, PAGES 1 AND 2, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.  
*D.B. Terwilliger*  
 AUDITOR, SNOHOMISH COUNTY  
 BY: *Janeil Gorman*  
 DEPUTY COUNTY AUDITOR  
 A.F.N. 200312225135  
 \*PORTION OF THE S.E. 1/4 OF THE N.W. 1/4 OF SEC. 33, T. 28 N., R. 5 E., W.M. SNOHOMISH COUNTY, WASHINGTON

**SHORT PLAT**  
 FOR  
**GEORGE AND DEBORAH COOPER**  
 PFN 00 102385 SP

**Summit**  
**Surveying**  
 12606 82ND AVE. N.E.  
 KIRKLAND, WA 98034  
 (425) 814-8487

SHEET 1 OF 2  
 SCALE N/A  
 DRAWN RCS  
 CHECKED CR / JT  
 FILE # 99140

SNOHOMISH COUNTY WASHINGTON

