

**SHORT PLAT NO. 01-08
CITY OF MILL CREEK, WASHINGTON**

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned owners of interest in the land hereby short subdivided, hereby declare this short plat to be the graphic representation of the use of the public forever made hereby, and do hereby dedicate to the use of the public forever all streets and avenues not shown as private hereon and dedicate the use thereof for all public purposes not inconsistent with the use necessary for public highway purposes, and also the right to make all original reasonable grading of said streets and avenues, and further dedicate to the use of the public all the easements and tracts shown on this short plat for all public purposes as indicated thereon, including but not limited to parks, open space, utilities and drainage unless such easements or tracts are specifically identified on this short plat as being dedicated or conveyed to a person or entity other than the public, in which case we do hereby dedicate such streets, easements, or tracts to the person or entity identified and for the purpose stated.

Further, the undersigned owners of the land hereby short subdivided waive for themselves, their heirs and assigns and any person or entity deriving title from the undersigned, any and all claims for damages against City of Mill Creek, its successors and assigns which may be occasioned by the establishment, construction or maintenance of roads and/or drainage systems within this short subdivision other than claims resulting from inadequate road maintenance by City of Mill Creek.

Further, the undersigned owners of the land hereby short subdivided agree for themselves, their heirs and assigns to indemnify and hold the City of Mill Creek, its successors and assigns harmless from any damage, including any costs of defense, claimed by persons within or without this short subdivision to have been caused by alterations of the ground surface, vegetation, drainage or surface or sub-surface water flows within this short subdivision or by establishment, construction or maintenance of the roads within this short subdivision. Provided this cover and indemnification shall not be construed as releasing the City of Mill Creek, its successors or assigns, from liability for damages including the cost of defense, resulting in whole or part from the negligence of the City of Mill Creek, its successors or assigns.

This subdivision, dedication, waiver of claims and agreement to hold harmless is made with the free consent and in accordance with the desires of said owners.

IN WITNESS WHEREOF, we set our hand and seals
 DAVID G. HUDSON
Donna L. Hudson
 DONNA L. HUDSON

AUDITOR'S CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF OSTERGAARD-ROBINSON & ASSOC.
 THIS 24 DAY OF July 2002, AT 43

MINUTES PAGE 1 P.M. AND RECORDED IN SHORT PLATS UNDER
 AUDITORS FILE NO. 200207245006
 RECORDS OF SNOHOMISH COUNTY, WASHINGTON

Bob Tenwilliger BY: *Debra*
 AUDITOR, SNOHOMISH COUNTY DEPUTY COUNTY AUDITOR

APPROVALS:

Examined and approved this 24 day of July 2002
 City Manager

Examined and approved this ___ day of ___ 2002

Mayor City Clerk

Examined and approved this 24th day of July 2002
 Director of Community Development

Examined and recommended for approval this 24 day of July 2002
 Director of Public Works

LEGAL DESCRIPTION

PARCEL B OF RECORD SURVEY FOR BINDING SITE PLAN, RECORDED UNDER RECORDING NO. 9903195005, RECORDS OF SNOHOMISH COUNTY, WASHINGTON; BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M.

RESTRICTIONS AND COVENANTS:

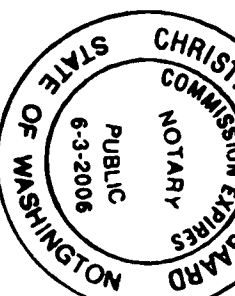
1. THIS SUBDIVISION IS SUBJECT TO RESTRICTIVE COVENANT/EQUITABLE SERVITUDE FOR MAINTENANCE OF DRAINAGE FACILITIES AND THE TERMS AND CONDITIONS THEREOF.
 RECORDED: MAY 15, 1996
 RECORDING NO.: 9605150441
2. THIS SUBDIVISION IS SUBJECT TO ALL COVENANTS OR RESTRICTIONS, ALL EASEMENTS OR OTHER SERVITUDES, AND ALL RESERVATIONS, IF ANY, DISCLOSED BY CITY OF MILL CREEK BINDING SITE PLAN RECORDED UNDER RECORDING NO. 9903195005.
3. THIS SUBDIVISION IS SUBJECT TO ALL COVENANTS, CONDITIONS OR RESTRICTIONS, ALL EASEMENTS OR OTHER SERVITUDES, AND ALL RESERVATIONS, IF ANY, DISCLOSED BY INSTRUMENT.
 RECORDED: JULY 25, 2001
 RECORDING NO. 2001072569125
4. ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS OF THE PARKS AT MILL CREEK HOMEOWNERS ASSOCIATION.
5. TREE CUTTING AND REMOVAL SHALL BE LIMITED TO THAT WHICH IS NECESSARY FOR DRIVEWAY CONSTRUCTION AND INSTALLATION, AND INSTALLATION OF WATER AND SEWER CONNECTIONS. SPECIFIC TREE PRESERVATION PLANS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL AT THE TIME OF BUILDING PERMIT APPLICATION.
6. PRIOR TO ISSUANCE OF BUILDING PERMITS, THE APPLICANT SHALL CONTRIBUTE \$ 9,603.08 TO THE CITY OF MILL CREEK TO MITIGATE IMPACTS ON THE CITY'S PARK SYSTEM. OF THIS AMOUNT, \$ 3,933.24 WILL BE FOR THE DEVELOPMENT OF PINE MEADOW NEIGHBORHOOD PARK. THE REMAINING PORTION, \$ 5,669.84, WILL BE FOR THE ACQUISITION AND/OR DEVELOPMENT OF A COMMUNITY PARK PER RESOLUTION NO. 2000-289 AND MOWC 17.48.070 (C.5).
7. THE APPLICANT SHALL CONTRIBUTE \$ 1,460.00 TO SNOHOMISH COUNTY FIRE DISTRICT NO. 7, (\$ 365.00 PER RESIDENTIAL UNIT) TO MITIGATE IMPACTS ON FIRE DISTRICT FACILITIES/SERVICES. VERIFICATION OF PAYMENT SHALL BE PROVIDED TO THE CITY BEFORE ISSUANCE OF BUILDING PERMITS PURSUANT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE DISTRICT.
8. PRIOR TO ISSUANCE OF BUILDING PERMITS, THE APPLICANT SHALL CONTRIBUTE \$ 3,266.00 TO THE CITY'S TRANSPORTATION MITIGATION PROGRAM TO MITIGATE THE IMPACTS ON THE CITY TRANSPORTATION SYSTEM.

NOTARY

STATE OF WASHINGTON
 COUNTY OF SNOHOMISH

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT DAVID G. HUDSON AND DONNA L. HUDSON, 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: 7-24-02

Christine A. Ostergaard
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
Christine A. Ostergaard
 (NOTARY NAME TO BE PRINTED)
 RESIDING AT: *Nagsvick*



RESTRICTIONS AND COVENANTS: (CONTINUED)

9. ALL LANDSCAPE AREAS BETWEEN THE BACK OF CURB AND THE SIDEWALK ON BOTH SIDES OF 32ND AVENUE SOUTHEAST SHALL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION PURSUANT TO THE CONDITIONS OF APPROVAL FOR SP 01-08. LANDSCAPE AREAS BACK OF THE SIDEWALK WITHIN THE RIGHT-OF-WAY ON THE WEST SIDE OF 32ND AVENUE SOUTHEAST SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS HAVING FRONTAGE.
10. THE LOT OWNERS SHALL BE RESPONSIBLE FOR MAINTAINING ROADSIDE MAINTENANCE TO THE BACK OF CURB AND GUTTER ALONG THE FRONTAGE ON 32ND AVENUE SOUTHEAST. THIS INCLUDES ALL SERVICE AND MAINTENANCE EXCEPT FOR SIDEWALK REPAIRS, WHICH SHALL BE THE RESPONSIBILITY OF THE CITY.
11. NO LOT WITHIN THIS SUBDIVISION MAY BE FURTHER SUBDIVIDED WITHIN FIVE YEARS FROM THE DATE OF RECORDING WITHOUT FILING FOR A FORMAL PLAT.
12. ALL BUILDING SETBACKS ARE SUBJECT TO REGULATIONS CONTAINED IN CHAPTER 17.06 MILL CREEK MUNICIPAL CODE.
13. THE HOME OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE STORM DRAINAGE SYSTEM PURSUANT TO CONDITION 10 OF THE CONDITIONS OF APPROVAL FOR SP 01-08, INCLUDING THAT PORTION OF THE SYSTEM WITHIN THE ADJOINING EASEMENT RECORDED UNDER AUDITOR'S FILE NUMBER 2001072569125. MAINTENANCE SHALL CONSIST AT A MINIMUM OF MONTHLY INSPECTION AND CLEANING OF THE FRAMES AND GRATES OF CATCH BASINS AND ANNUAL CLEANING OF THE CATCH-BASIN SUMPS.
14. THE LOT OWNERS SHALL PAY THE FIRST YEAR OF OPERATIONAL COSTS FOR THE NEW STREET LIGHTS TO THE CITY OF MILL CREEK PRIOR TO ACTIVATION. THE CITY SHALL BE RESPONSIBLE FOR ALL MAINTENANCE AND OPERATIONAL COSTS AFTER THE FIRST YEAR.

UTILITY EASEMENT PROVISIONS:

An easement is hereby reserved for and conveyed to PUGET SOUND ENERGY INC., THE CITY OF MILL CREEK, VERIZON, ADEWOOD WATER AND WASTEWATER DISTRICT, PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY AND AT&T BROADBAND and their respective successors and assigns under and upon the lots, tracts and spaces within the short plat lying parcel with and adjoining all streets, in which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits, cables and wires with all necessary or convenient underground or ground appurtenances thereto for the purpose of serving this subdivision and other property with electric, gas, telephone, television and other utility services, together with the right to enter upon the streets, lots and spaces at all times for the purposes herein stated.

LAND SURVEYOR'S CERTIFICATE

This SHORT PLAT correctly represents a survey made by me or under my direction in conformance with the requirements of the appropriate State and Local Statutes and regulations governing platting, Monumentation and Lot Corner Stakes as required by the Director of Public Works shall be staked correctly on the ground.

Carl H. Sorensen
 CARL H. SORENSEN
 Certificate No. 18924



RECORDING NO.

200207245006

VOL./PAGE

PORTION OF SE 1/4, SE 1/4, SEC. 5, TWP. 27N., RGE 5E., W.M.

**THE PARKS AT MILL CREEK
DIVISION 9**

SECTION 5, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M.
 SNOHOMISH COUNTY, WASHINGTON
**RECORD OF SURVEY
 FOR
 THE SHORT SUBDIVISION**

OSTERGAARD • ROBINSON
 & ASSOC. INC. CONSULTING ENGINEERS
 3630 COLBY AVE. EVERETT, WA 98201
 (425) 259-6445 BELLEVUE: (425) 827-5854

01136ROS.DWG 7/17/02

DRAWN BY: J02

CHECKED BY: CHS

DATE: 07/17/02

SCALE:

SHEET 1 OF 2

JOB NO.: 01136

SECTION CENTER

1345.89' W

N86°56'50"W

1345.89'

EAST 1/4 CORNER

FND 5"x5" CONC MON W/INVERTED NAIL (VISITED 5/28/93)

1345.89' W

N86°56'50"W

1345.89'

SECTION 5

1368.31'

N85°24'20"W

1368.31'

SE CORNER SECTION 5

FND 5"x5" CONC MON W/INVERTED NAIL (VISITED 5/28/93)

1368.31'

N85°24'20"W

1368.31'

SOUTH 1/4 CORNER

1345.89' W

N86°56'50"W

1345.89'

EAST 1/4 CORNER

FND 5"x5" CONC MON W/INVERTED NAIL (VISITED 5/28/93)

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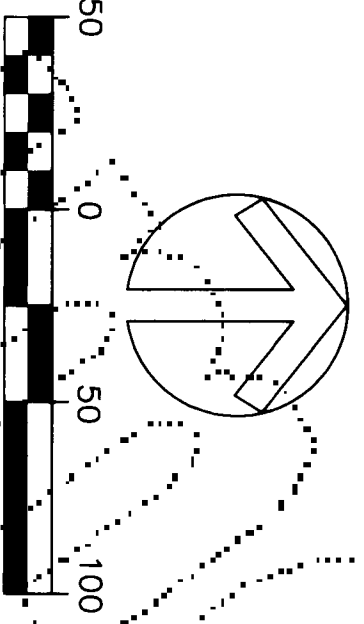
SHORT PLAT NO. 01-08
CITY OF MILL CREEK, WASHINGTON

RECORDING NO.

VOL./PAGE

200202245006

SCALE: 1 INCH = 50ft.
PORTION OF SE 1/4, SE 1/4, SEC. 5, TWP. 27N, RGE 5E, W.M.



BASIS OF BEARING

THE PARKS AT MILL CREEK 4
A.F.# 9508255003
MONUMENTS AS SHOWN ON 32ND AVE. SE

NOTES

1. THE METHOD OF SURVEY WAS FIELD TRAVERSE WITH A 1" TOTAL STATION.
2. THE LINEAR AND ANGULAR CLOSURE OF THIS SURVEY MEETS OR EXCEEDS THE STANDARDS SET FORTH IN W.A.C. 352-130-090.
3. FOR DETAILS AND DIMENSIONING OF CONSTRUCTED CENTERLINE AND PAVEMENT WIDTHS, SEE HUDSON SHORT PLAT PLANS ON FILE AT THE CITY OF MILL CREEK.

LEGEND

- FOUND STANDARD SNOHOMISH COUNTY CONCRETE MONUMENT AND CASE EXCEPT AS NOTED (VISITED 06/10/02)
- SET 1/2" X 24" REBAR AND YELLOW PLASTIC CAP MARKED "ORA LS 18924" AT ALL LOT CORNERS EXCEPT AS SHOWN

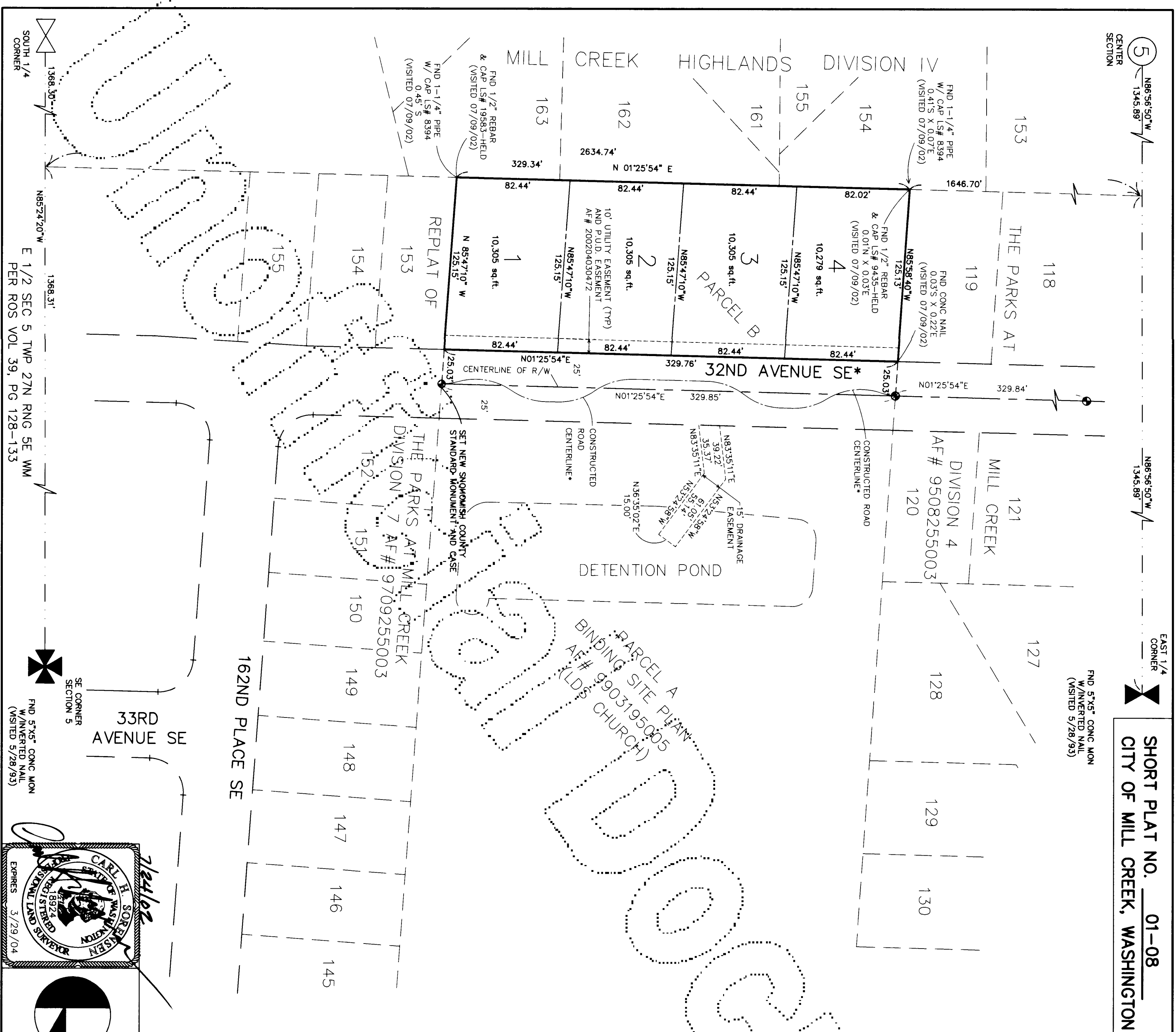
THE PARKS AT MILL CREEK DIVISION 9

FOR RECORD OF SURVEY OF THE SHORT SUBDIVISION

SECTION 5, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M.

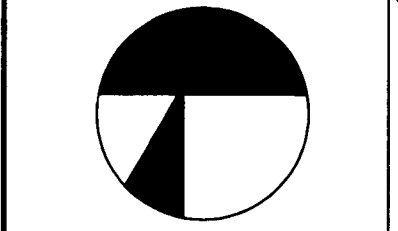
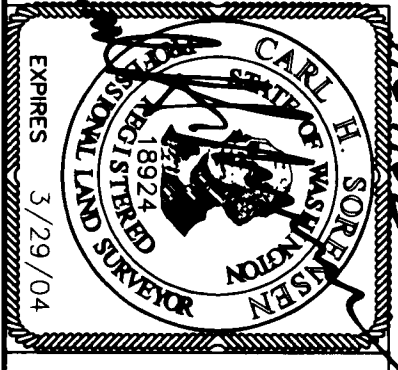
SNOHOMISH COUNTY, WASHINGTON

SE 1/4 SE 1/4 SECTION 5, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M.



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3630 COLBY AVE.
(425) 259-6445
EVERETT, WA 98201
BELLEVUE: (425) 827-5854

ROBINSON
DATE: 07/19/02
CHECKED BY: CHS
SCALE: 1"=50'
SHEET 2 OF 2
JOB NO.: 01136



1136