

# WEST MAGNOLIA

A PLAT COMMUNITY

SW1/4 SW1/4 SEC. 36, T. 30 N., R. 5 E., W.M.

CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (FILE NO. PA22-033)

### DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT KBHPNW LLC, THE UNDERSIGNED OWNER(S), IN FEE SIMPLE OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS 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 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, 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 ESTABLISHED CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SAID ROADS.

FOLLOWING ORIGINAL REASONABLE GRADING OF THE 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 ANY ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE 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.

THE WEST MAGNOLIA HOMEOWNERS' ASSOCIATION ("HOA") ESTABLISHED FOR THE WEST MAGNOLIA PLAT TO ADHERE TO COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY.

THE HOA AND THE OWNERS OF ALL LOTS WITHIN THE PLAT SHALL COMPLY WITH THOSE CITY REGULATIONS AND CONDITIONS OF FINAL PLAT APPROVAL SPECIFIED ON THE PLAT. THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS PLAT HAVE ASSUMED COMMON OWNERSHIP OF SAID TRACTS. IN THE EVENT THAT THE HOA SHOULD BE DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS PREVIOUSLY OWNED BY THE HOA AS WELL AS RESPONSIBILITY FOR MAINTAINING THE TRACTS. MEMBERSHIP IN THE HOA AND PAYMENT OF DUES OR OTHER ASSESSMENTS FOR MAINTENANCE PURPOSES SHALL BE A REQUIREMENT OF LOT OWNERSHIP, AND SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT. THIS COVENANT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HOA, THE OWNERS OF ALL LOTS WITHIN THE PLAT AND ALL OTHERS HAVING ANY INTEREST IN THE TRACTS OR LOTS.

TRACTS 996, 997, AND 998 ARE FOR ACCESS, UTILITIES, AND STORMWATER FACILITIES AND ARE HEREBY GRANTED AND CONVEYED TOGETHER WITH AN EQUAL AND UNDIVIDED INTEREST TO THE WEST MAGNOLIA HOMEOWNERS ASSOCIATION (HOA), SUBJECT TO AN EMERGENCY STORMWATER MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY OF MARYSVILLE. OWNERSHIP AND AUTO COURT MAINTENANCE CONSISTENT WITH THE MARYSVILLE MUNICIPAL CODE AND THE CITY'S ENGINEERING DESIGN AND DEVELOPMENT STANDARDS SHALL BE THE RESPONSIBILITY OF THE WEST MAGNOLIA HOMEOWNERS ASSOCIATION (HOA). IN THE EVENT THE HOA SHOULD BE DISSOLVED THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS.

TRACT 999 IS FOR OPEN SPACE, STORMWATER DETENTION, AND UTILITIES. TRACT 999, TOGETHER WITH DRAINAGE AND DETENTION FACILITIES, IS HEREBY GRANTED TO THE (HOA) UPON THE RECORDING OF THIS PLAT, SUBJECT TO BOTH AN EMERGENCY AND ROUTINE MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY OF MARYSVILLE. OWNERSHIP AND EXTERIOR MAINTENANCE OF SAID TRACTS CONSISTENT WITH THE CITY OF MARYSVILLE CODE SHALL BE THE RESPONSIBILITY OF THE HOA. USE OF SAID TRACTS IS RESTRICTED TO THAT SPECIFIED IN THE APPROVED FINAL PLAT. THE HOA AND THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION SHALL COMPLY WITH THOSE CITY OF MARYSVILLE REGULATIONS AND CONDITIONS OF FINAL SUBDIVISION APPROVAL SPECIFIED ON THIS PLAT. IN THE EVENT THE HOA SHOULD BE DISSOLVED THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS. IN THE EVENT THAT THE CITY OF MARYSVILLE SHALL BE REQUIRED TO MAKE CHANGES TO DRAINAGE OR DETENTION FACILITIES, CITY RIGHTS SHALL BE PRIMARY AND HOLD PRECEDENCE OVER THE RIGHTS RESERVED BY THE HOA. THE CITY MAY TAKE ALL SUCH ACTS AS ARE REASONABLY REQUIRED TO PRESERVE, PROTECT, AND MAINTAIN THESE IMPROVEMENTS.

USE OF SAID TRACTS IS RESTRICTED TO THAT SPECIFIED IN THE APPROVED FINAL PLAT. THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS SUBDIVISION HAVE ASSUMED COMMON OWNERSHIP OF SAID TRACTS. IN THE EVENT THAT THE HOA SHOULD BE DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS PREVIOUSLY OWNED BY THE HOA AS WELL AS RESPONSIBILITY FOR MAINTAINING THE TRACTS. MEMBERSHIP IN THE HOA AND PAYMENT OF DUES OR OTHER ASSESSMENTS FOR MAINTENANCE PURPOSES SHALL BE A REQUIREMENT OF LOT OWNERSHIP, AND SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT. THIS COVENANT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HOA, THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION AND ALL OTHERS HAVING ANY INTEREST IN THE TRACTS OR LOTS.

THE UNDERSIGNED OWNER OR OWNERS OF THE INTEREST IN THE REAL ESTATE DESCRIBED HEREIN HEREBY DECLARE THIS MAP AND DEDICATE THE SAME FOR A COMMON INTEREST COMMUNITY NAMED WEST MAGNOLIA, A PLAT COMMUNITY, AS THAT TERM IS DEFINED IN THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT, SOLELY TO MEET THE REQUIREMENTS OF THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT AND NOT FOR ANY PUBLIC PURPOSE. THIS MAP AND ANY PORTION THEREOF IS RESTRICTED BY LAW AND THE DECLARATION FOR WEST MAGNOLIA, RECORDED UNDER SNOHOMISH COUNTY AUDITOR'S FILE NO. \_\_\_\_\_.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

KBHPNW LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_

### ACKNOWLEDGMENTS

STATE OF WASHINGTON )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT \_\_\_\_\_ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE/THEY) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE/THEY) WAS/WERE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE \_\_\_\_\_ OF KBHPNW LLC, A DELAWARE LIMITED LIABILITY COMPANY TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

(PRINT NAME)  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON.

RESIDING AT \_\_\_\_\_

MY APPOINTMENT EXPIRES \_\_\_\_\_

### LEGAL DESCRIPTION

PARCEL A  
ALL THAT PORTION OF TRACT 162, SUNNYSIDE FIVE ACRE TRACTS, ACCORDING TO PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 19, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT 162;  
THENCE WEST ALONG THE NORTH LINE THEREOF 360 FEET;  
THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID TRACT 162 TO THE SOUTH LINE OF SAID TRACT;  
THENCE ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID TRACT 162;  
THENCE NORTH ALONG THE EAST LINE OF SAID TRACT 162 TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.


PARCEL B  
TRACT 162 OF SUNNYSIDE FIVE ACRE TRACTS, AS PER PLAT RECORDED IN VOLUME 7 OF PLATS ON PAGE 19, RECORDS OF SNOHOMISH COUNTY;

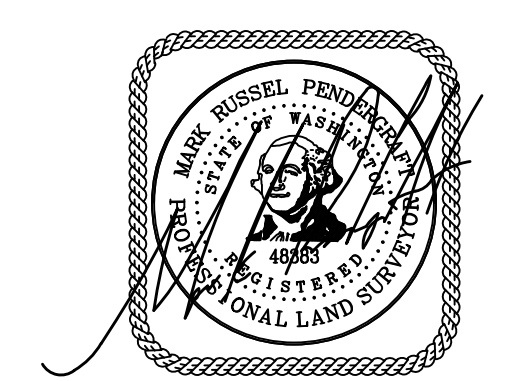
EXCEPT THE EAST 360 FEET AS MEASURED ALONG THE NORTH LINE AND PARALLEL TO THE EAST LINE.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

### SURVEYOR'S CERTIFICATE & ACKNOWLEDGMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF KBHPNW LLC ON 6/13/2024. I HEREBY CERTIFY THAT THIS MAP FOR WEST MAGNOLIA IS BASED UPON AN ACTUAL SURVEY OF THE PROPERTY HEREIN DESCRIBED; THAT THE BEARINGS AND DISTANCES ARE CORRECTLY SHOWN; THAT ALL INFORMATION REQUIRED BY THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT TO BE REFLECTED ON THE MAP IS SUPPLIED HEREIN; AND THAT ALL HORIZONTAL AND VERTICAL BOUNDARIES OF THE UNITS, (1) TO THE EXTENT DETERMINED BY THE WALLS, FLOORS, OR CEILINGS THEREOF, OR OTHER PHYSICAL MONUMENTS, ARE SUBSTANTIALLY COMPLETED IN ACCORDANCE WITH SAID MAP, OR (2) TO THE EXTENT SUCH BOUNDARIES ARE NOT DEFINED BY PHYSICAL MONUMENTS, SUCH BOUNDARIES ARE SHOWN ON THE MAP.

  
MARK R. PENDERGRAFT  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NO. 48383  
DATE 6/13/2024



STATE OF WASHINGTON )  
 )  
COUNTY OF KING )

DATED \_\_\_\_\_

(SIGNATURE OF NOTARY) \_\_\_\_\_

(LEGIBLY PRINT OR STAMP NAME OF NOTARY)  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,

RESIDING AT \_\_\_\_\_

MY APPOINTMENT EXPIRES \_\_\_\_\_

### CITY OF MARYSVILLE APPROVALS

EXAMINED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

CITY ENGINEER, CITY OF MARYSVILLE \_\_\_\_\_

EXAMINED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

COMMUNITY DEVELOPMENT DIRECTOR, CITY OF MARYSVILLE \_\_\_\_\_

EXAMINED, FOUND TO BE IN CONFORMITY WITH APPLICABLE ZONING AND OTHER LAND USE CONTROLS, AND APPROVED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

MAYOR, CITY OF MARYSVILLE \_\_\_\_\_ ATTEST: CITY CLERK \_\_\_\_\_

### 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 \_\_\_\_\_ TAXES.

TAX ID(S) OF EXISTING PARCELS BEING HEREIN SUBDIVIDED: 00590700016201, 00590700016202.

TREASURER, SNOHOMISH COUNTY \_\_\_\_\_ BY: \_\_\_\_\_ DEPUTY COUNTY TREASURER

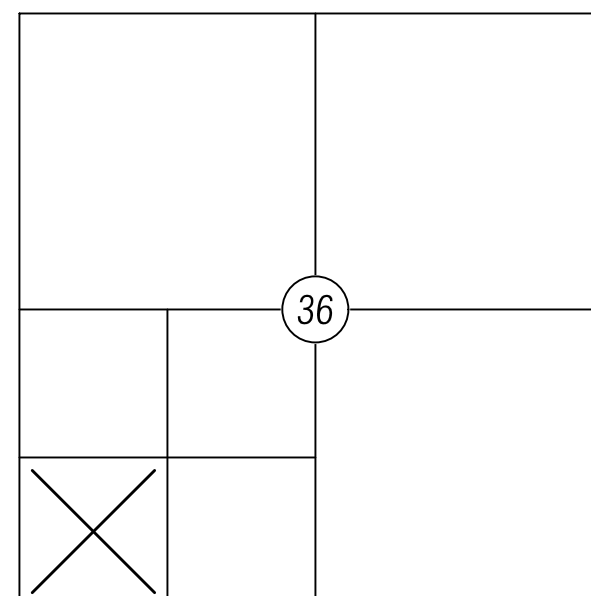
### AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF KBHPNW LLC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AT \_\_\_\_\_ MINUTES PAST \_\_\_\_\_ M. AND RECORDED IN VOL. \_\_\_\_\_ OF PLATS, PAGE(S) \_\_\_\_\_, AFN \_\_\_\_\_, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

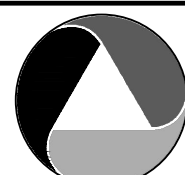
AUDITOR, SNOHOMISH COUNTY \_\_\_\_\_ BY: \_\_\_\_\_ DEPUTY COUNTY AUDITOR

### INDEXING

SECTION 36, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.



AFN \_\_\_\_\_

 **ATWELL**  
P.O. BOX 289, WOODINVILLE, WA 98072  
425.486.1252 | WWW.ATWELL-GROUP.COM  
PROJ. NO. 24027 SHEET 1 OF 4

# WEST MAGNOLIA A PLAT COMMUNITY

SW1/4 SW1/4 SEC. 36, T. 30 N., R. 5 E., W.M.  
CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (FILE NO. PA22-033)

### RESTRICTIONS OF RECORD

PER CHICAGO TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE NO. 500148587C DATED 6/6/2024.

1. THIS SITE IS SUBJECT TO AN EASEMENT FOR UNDERGROUND AND OVERHEAD ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AFN 202401100143. PLOTTED HEREON WHERE APPLICABLE.
2. THIS SITE IS SUBJECT TO A PRIVATE EASEMENT FOR ACCESS AND UTILITIES AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AFN \_\_\_\_\_, PLOTTED HEREON. (TO BE RECORDED SEPARATELY PRIOR TO FINAL PLAT APPROVAL)

### TRACT NOTES

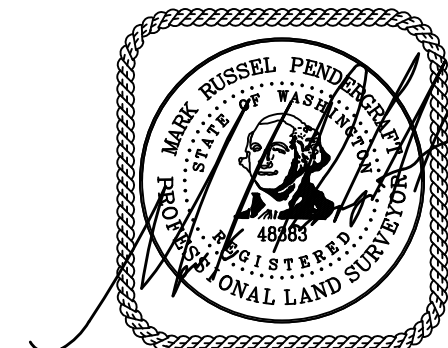
1. TRACTS 996, 997, AND 998 ARE FOR ACCESS, UTILITIES, AND STORMWATER FACILITIES. THE WEST MAGNOLIA HOMEOWNERS ASSOCIATION SHALL OWN AND MAINTAIN ALL FACILITIES LYING WITHIN SAID TRACTS.
2. TRACT 999 IS FOR OPEN SPACE, STORMWATER DETENTION, AND UTILITIES. THE WEST MAGNOLIA HOMEOWNERS ASSOCIATION SHALL OWN AND MAINTAIN THE FACILITIES LYING WITHIN SAID TRACT, SUBJECT TO BOTH AN EMERGENCY AND ROUTINE MAINTENANCE EASEMENT AS SET FORTH IN THE DEDICATION.

### EASEMENT PROVISIONS

1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET PARALLEL WITH AND ADJOINING THE STREET AND ALLEY FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREAS, AND OVER THE ENTIRETY OF TRACTS 996, 997, AND 998, 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, GAS, TELEVISION CABLE AND OTHER UTILITY SERVICES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSES HEREIN STATED AND TOGETHER WITH THE OBLIGATION TO RESTORE THE LAND TO THE ORIGINAL CONDITION.
2. A PRIVATE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF ALL LOTS WITHIN THIS PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET PARALLEL WITH AND ADJOINING THE STREET AND ALLEY FRONTAGE OF ALL LOTS AND TRACTS FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING, AND REBUILDING THE FOOTING AND ROOF DRAIN CONVEYANCE SYSTEMS FOR EACH LOT. THE OWNERS OF THE LOTS BENEFITING FROM THE FOOTING AND ROOF DRAIN CONVEYANCE SYSTEM SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND RECONSTRUCTION OF THE DRAINAGE FACILITIES USED IN COMMON, HOWEVER NO LOT OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, OR RECONSTRUCTION OF THE DRAINAGE FACILITIES LYING ABOVE THEIR POINT OF CONNECTION.
3. A PRIVATE STORM DRAINAGE EASEMENT OVER LOTS 14 AND 15 AS SHOWN HEREON IS HEREBY GRANTED TO THE OWNERS OF LOTS 13 AND 14. THE OWNERS OF LOTS 13 THROUGH 15 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THE PRIVATE DRAINAGE FACILITIES LYING WITHIN SAID EASEMENT WITH THE EXCEPTION THAT NO OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PRIVATE DRAINAGE FACILITIES ABOVE THEIR POINT OF CONNECTION.
4. A PRIVATE STORM DRAINAGE EASEMENT OVER LOTS 16 AND 17 AS SHOWN HEREON IS HEREBY GRANTED TO THE OWNERS OF LOTS 17 AND 18. THE OWNERS OF LOTS 16 THROUGH 18 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THE PRIVATE DRAINAGE FACILITIES LYING WITHIN SAID EASEMENT WITH THE EXCEPTION THAT NO OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PRIVATE DRAINAGE FACILITIES ABOVE THEIR POINT OF CONNECTION.
5. A PRIVATE STORM DRAINAGE EASEMENT OVER LOT 27 AS SHOWN HEREON IS HEREBY GRANTED TO THE OWNERS OF LOT 26. THE OWNERS OF LOTS 26 AND 27 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THE PRIVATE DRAINAGE FACILITIES LYING WITHIN SAID EASEMENT WITH THE EXCEPTION THAT NO OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE PRIVATE DRAINAGE FACILITIES ABOVE THEIR POINT OF CONNECTION.
6. A PUBLIC SEWER EASEMENT IS HEREBY GRANTED OVER THE ENTIRETY OF TRACTS 996 AND 997 AND OVER THOSE PORTIONS SHOWN HEREON AND LABELED AS "PUBLIC SEWER EASEMENT" TO THE CITY OF MARYSVILLE FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTION, OPERATING, ALTERING, REPAIRING AND MAINTAINING SANITARY SEWER LINES AND THE ALL PIPES AND APPURTENANCES ASSOCIATED WITH SUCH SANITARY SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH PURPOSES.
7. DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MARYSVILLE, EXCEPT THOSE DESIGNATED ON THE PLAT AS PRIVATE EASEMENTS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AND THE RIGHT TO EXCAVATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND/OR REBUILD AN ENCLOSED OR OPEN CHANNEL STORM WATER CONVEYANCE SYSTEM AND/OR OTHER DRAINAGE FACILITIES, UNDER, UPON OR THROUGH THE DRAINAGE EASEMENT.

### RESTRICTIONS, COVENANTS

1. NO FURTHER DIVISION OF ANY LOT IS ALLOWED WITHOUT SUBMITTING FOR A NEW SUBDIVISION OR SHORT SUBDIVISION.
2. THE SALE OR LEASE OF LESS THAN A WHOLE LOT IN ANY SUBDIVISION PLATTED AND FILED UNDER TITLE 22 OF THE MARYSVILLE MUNICIPAL CODE IS EXPRESSLY PROHIBITED EXCEPT IN COMPLIANCE WITH TITLE 22 OF THE MARYSVILLE MUNICIPAL CODE.
3. ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE WEST MAGNOLIA HOMEOWNERS ASSOCIATION OR ITS SUCCESSOR AND ASSIGNS AND MUST BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO CITY OF MARYSVILLE ROAD PURPOSES.
4. ALL POWER LINES, TELEPHONE WIRES, TELEVISION CABLES, FIRE ALARM SYSTEMS AND OTHER COMMUNICATION WIRES, CABLES OR LINE SHALL BE PLACED UNDERGROUND EITHER BY DIRECT BURIAL OR BY MEANS OF CONDUIT OR DUCTS PROVIDING SERVICE TO EACH BUILDING.
5. LOTS 24 THROUGH 27 SHALL BE ORIENTED TOWARDS THE PUBLIC STREET WITH FRONT DOOR, PORCH AND DIRECT PEDESTRIAN ACCESS TO THE PUBLIC SIDEWALK ON 87TH AVENUE NE.
6. DIRECT VEHICULAR ACCESS FROM INDIVIDUAL SINGLE-FAMILY LOTS ONTO 87TH AVENUE NE IS PROHIBITED.
7. CONSTRUCTION OF THE SUBDIVISION AND SINGLE-FAMILY UNITS WILL BE REQUIRED TO COMPLY WITH ALL APPLICABLE STANDARDS OUTLINED THE EAST SUNNYSIDE-WHISKEY RIDGE DESIGN STANDARDS AND GUIDELINES.
8. ANY LOTS UNDER 5,000 SQUARE FEET MUST DEMONSTRATE COMPLIANCE WITH MMC SECTION 22C.010.310, SMALL LOT SINGLE FAMILY DWELLING DEVELOPMENT STANDARDS, PRIOR TO BUILDING PERMIT ISSUANCE.
9. THE MAXIMUM HEIGHT OF SOLID (MORE THAN 50% OPAQUE) FREE-STANDING WALLS, FENCES, OR HEDGES IN ANY FRONT YARD OR OTHER LOCATION BETWEEN THE STREET AND THE FACADE SHALL BE 3.50 FEET UNLESS A TALLER WALL IS REQUIRED, PER THE COMMUNITY DEVELOPMENT DIRECTOR, TO MITIGATE SIGNIFICANT NOISE AND TRAFFIC IMPACTS.
10. IN DEVELOPMENT CONFIGURATIONS WHERE SIDE YARDS ABUT A STREET, FENCES TALLER THAN 3.50 FEET SHALL BE SETBACK AT LEAST 5 FEET FROM THE SIDEWALK TO ALLOW FOR LANDSCAPING TO SOFTEN THE VIEW OF THE FENCE. THE INDIVIDUAL LOT OWNERS SHALL BE RESPONSIBLE FOR MAINTAINING THE LANDSCAPING ABUTTING THE STREET.
11. THE APPLICANT SHALL SUBMIT PAYMENT TO LAKE STEVENS SCHOOL DISTRICT NO. 4 FOR SCHOOL IMPACTS CAUSED BY THE DEVELOPMENT IN ACCORDANCE WITH MMC CHAPTER 22D.040, SCHOOL IMPACT FEES AND MITIGATION. SCHOOL MITIGATION FEES WILL BE BASED ON THE FEE SCHEDULES IN EFFECT AT THE TIME AN INDIVIDUAL BUILDING PERMIT APPLICATION IS ACCEPTED BY THE CITY, AND WILL BE REQUIRED TO BE PAID PRIOR TO BUILDING PERMIT ISSUANCE UNLESS DEFERRED UNTIL A TIME PRECEDING FINAL BUILDING INSPECTIONS BEING GRANTED.
12. THE APPLICANT SHALL SUBMIT PAYMENT TO THE CITY OF MARYSVILLE FOR PARK IMPACTS CAUSED BY THE DEVELOPMENT IN ACCORDANCE WITH MMC CHAPTER 22D.020, PARKS, RECREATION, OPEN SPACE AND TRAIL IMPACT FEES AND MITIGATION. PARK MITIGATION FEES WILL BE BASED ON THE FEE SCHEDULES IN EFFECT AT THE TIME AN INDIVIDUAL BUILDING PERMIT APPLICATION IS ACCEPTED BY THE CITY, AND WILL BE REQUIRED TO BE PAID PRIOR TO BUILDING PERMIT ISSUANCE UNLESS DEFERRED UNTIL A TIME PRECEDING FINAL BUILDING INSPECTIONS BEING GRANTED.
13. THE APPLICANT SHALL SUBMIT PAYMENT TO THE CITY OF MARYSVILLE ON A PROPORTIONATE SHARE COST OF THE FUTURE CAPACITY IMPROVEMENTS AS SET FORTH IN MMC 22D.030.070(3), FOR THE DEVELOPMENT. TRAFFIC IMPACT FEES SHALL BE VESTED AT A RATE OF \$6,300.00, PER NEW PMPHT, TOTALING \$163,800.
14. THE LOCATION AND HEIGHT OF ALL FENCES AND OTHER OBSTRUCTIONS WITHIN AN EASEMENT AS DEDICATED ON THIS PLAT SHALL BE SUBJECT TO THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE.
15. ALL OPEN SPACE CONTAINED WITHIN TRACT 999 SHALL BE PROTECTED AS OPEN SPACE IN PERPETUITY. USE OF THE OPEN SPACE TRACTS WITHIN THIS SUBDIVISION IS RESTRICTED TO THOSE USES APPROVED FOR THE PLANNED RESIDENTIAL DEVELOPMENT, TO INCLUDE OPEN PLAY AREAS, PICNIC AREAS, RECREATION TRAIL SYSTEM, VIEWING PLATFORM, DRAINAGE FACILITIES, BENCHES, AND REQUIRED LANDSCAPE IMPROVEMENTS AS SHOWN ON THE APPROVED SITE PLAN AND THE APPROVED LANDSCAPE PLAN. COVENANTS, CONDITIONS, AND RESTRICTIONS AS RECORDED WITH THE PLAT, AND AS MAY BE AMENDED IN THE FUTURE, SHALL INCLUDE PROVISIONS FOR THE CONTINUING PRESERVATION AND MAINTENANCE OF THE USES, FACILITIES, AND LANDSCAPING, WITHIN THE OPEN SPACE CONTAINED WITHIN TRACT 999 AS APPROVED AND CONSTRUCTED.
16. ALL DEVELOPMENT AND USE OF THE LAND DESCRIBED HEREIN SHALL BE IN ACCORDANCE WITH BINDING SITE PLAN (CITY OF MARYSVILLE FILE NO. PA22-033), AS IT MAY BE AMENDED WITH THE APPROVAL OF THE CITY, TOWN, OR COUNTY HAVING JURISDICTION OVER THE DEVELOPMENT OF SUCH LAND, AND IN ACCORDANCE WITH SUCH OTHER GOVERNMENTAL PERMITS, APPROVALS, REGULATIONS, REQUIREMENTS, AND RESTRICTIONS THAT MAY BE IMPOSED UPON SUCH LAND AND THE DEVELOPMENT AND USE THEREOF. UPON COMPLETION, THE IMPROVEMENTS ON THE LAND SHALL BE INCLUDED IN ONE OR MORE CONDOMINIUMS OR OWNED BY AN ASSOCIATION OR OTHER LEGAL ENTITY IN WHICH THE OWNERS OF UNITS THEREIN OR THEIR OWNERS' ASSOCIATIONS HAVE A MEMBERSHIP OR OTHER LEGAL OR BENEFICIAL INTEREST. THIS BINDING SITE PLAN SHALL BE BINDING UPON ALL NOW OR HEREAFTER HAVING ANY INTEREST IN THE LAND DESCRIBED HEREIN.
17. THE COST OF CONSTRUCTION AND MAINTAINING ALL ROADS NOT HEREIN DEDICATED AS PUBLIC ROADS SHALL BE THE OBLIGATION OF ALL OF THE OWNERS 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 PETITION IN ALL RESPECTS, INCLUDING DEDICATION OF RIGHTS-OF-WAY, PRIOR TO ACCEPTANCE BY THE CITY.
18. MEMBERSHIP IN THE HOMEOWNERS' ASSOCIATION AND PAYMENT OF DUES OR OTHER ASSESSMENTS FOR MAINTENANCE PURPOSES SHALL BE A REQUIREMENT OF LOT OWNERSHIP AND SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT. IF THE HOMEOWNERS' ASSOCIATION IS DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS PREVIOUSLY OWNED BY THE ASSOCIATION AS WELL AS RESPONSIBILITY FOR MAINTAINING THE TRACTS. EACH LOT WITHIN THIS PLAT SHALL BE SUBJECT TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS AS SET FORTH IN THE DEDICATION.



6/13/2024

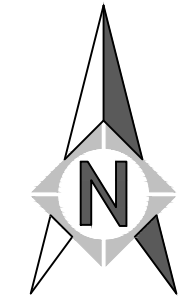
	
P.O. BOX 289, WOODINVILLE, WA 98072 425.486.1252   WWW.ATWELL-GROUP.COM	
PROJ. NO. 24027	SHEET 2 OF 4

# WEST MAGNOLIA

A PLAT COMMUNITY

SW1/4 SW1/4 SEC. 36, T. 30 N., R. 5 E., W.M.

CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (FILE NO. PA22-033)



SCALE: 1" = 100'

### MERIDIAN

WASHINGTON STATE PLANE COORDINATE SYSTEM, NORTH ZONE NAD 83/2011 PER GPS OBSERVATIONS UTILIZING CORRECTIONS FROM THE WASHINGTON STATE REFERENCE NETWORK (WSRN)

### NOTES

1. A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ALL EQUIPMENT HAS BEEN MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S GUIDELINES. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.
2. ALL TITLE INFORMATION SHOWN ON THIS SURVEY WAS EXTRACTED FROM CHICAGO TITLE INSURANCE COMPANY COMMITMENT NUMBER 500148587C. ATWELL, LLC HAS CONDUCTED NO INDEPENDENT TITLE RESEARCH, AND HAS RELIED WHOLLY ON THE TITLE COMPANY'S REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND QUALIFIES THE MAPS ACCURACY AND COMPLETENESS TO THAT EXTENT.
3. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITION EXISTING AT THAT TIME. ALL CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT ON MARCH 20TH, 2024, UNLESS OTHERWISE NOTED.
4. PROPERTY AREA = 186,729 SQUARE FEET.
5. ALL DISTANCES ARE IN U.S. SURVEY FEET AND REPRESENT GROUND MEASUREMENTS.

### REFERENCES

1. PLAT OF SUNNYSIDE FIVE ACRE TRACTS AS RECORDED UNDER AFN 122901.
2. SNOHOMISH COUNTY ROAD SURVEY NO. 1168 DATED NOVEMBER 1927 OF EAST SUNNYSIDE SCHOOL ROAD.
3. RECORD OF SURVEY AS RECORDED UNDER AFN 200804295049.
4. RECORD OF SURVEY AS RECORDED UNDER AFN 200812305012.
5. PLAT OF MAGNOLIA CREST AS RECORDED UNDER AFN 202308165002.
6. PLAT OF THE DIAMONDS AT WHISKEY RIDGE AS RECORDED UNDER AFN 202301105002.
7. PLAT OF FORRESTER TRAILS AS RECORDED UNDER AFN 202305195005.

### SURVEYORS NARRATIVE

HELD THE SECTION SUBDIVISION AND PRORATION OF THE PLAT OF SUNNYSIDE FIVE ACRE TRACTS (REFERENCE 1) FROM THE PLATS OF MAGNOLIA CREST AND THE DIAMONDS AT WHISKEY RIDGE (REFERENCES 5 AND 6). THE RIGHT-OF-WAY OF EAST SUNNYSIDE SCHOOL ROAD WAS CALCULATED BY HOLDING THE TIE OF 162.90 FEET FROM THE SECTION LINE AND THE ANGULAR RELATIONSHIP SHOWN ON REFERENCES 3 AND 4 TO THE CENTERLINE OF 87TH AVENUE NE. THE DISTANCE OF 546.31 FEET ALONG THE EASTERLY SEGMENT OF E SUNNYSIDE WAS ALSO HELD FROM REFERENCES 3 AND 4. THE WESTERLY SEGMENT OF E SUNNYSIDE WAS HELD FROM THE COUNTY ROAD SURVEY NO 1168 (REFERENCE 2), WHICH HELD THE ANGULAR RELATIONSHIP AND TIES SHOWN ON THAT REFERENCE FOR THE FIRST SEGMENT OF THE ROAD. THE MIDDLE SEGMENT WAS CALCULATED BY DRAWING A LINE BETWEEN THE WESTERLY AND EASTERLY SEGMENT CALCULATIONS. THIS CONFIGURATION WAS HELD BECAUSE THE WESTERLY SEGMENT OF THE ROAD WAS RE-DEEDED TO SNOHOMISH COUNTY, HOWEVER THE ROAD SURVEY DID NOT MATCH THE DIMENSIONS SHOWN ON THE PLAT WHICH DEDICATED THE ROAD. THE PLAT OF SUNNYSIDE FIVE ACRE TRACTS IS EXTREMELY DIFFICULT TO READ, HOWEVER THE DIMENSIONS OF THE ROAD CAN BE ROUGHLY DETERMINED AND THE UNDERLYING PLAT SHOWS A DIMENSION OF 163 FEET WHICH MATCHES CLOSELY WITH WHAT IS SHOWN ON REFERENCES 3 AND 4. THE PLAT OF FORRESTER TRAILS (REFERENCE 7) WAS ROTATED INTO OUR CALCULATIONS HOLDING THE NORTHEAST CORNER OF THE BOUNDARY AND ROTATING TO THE NORTHWEST CORNER.

FOUND CONC. MON WITH 1" LEAD SQUARE AND BRASS TACK DOWN 0.5' IN A CASE.

FOUND 3"x3" CONCRETE MONUMENT WITH INVERTED NAIL DOWN 0.7' IN A CASE WITH NO LID.

FOUND CONC. MON WITH 3" BRASS DISC WITH PUNCH, STAMPED "SNO. CO. SURVEY MON - 2905A21" DOWN 0.3' IN A CASE.

35

36

35

36

83RD AVE NE

N 0°56'27" E 2601.95

N 0°56'27" E 585.12 (C/R2)

N 0°56'27" E 325.24 (C) (325.52 R1)

35

36

SUNNYSIDE FIVE ACRE TRACTS LOT NUMBER (TYPICAL)

PARCEL 2  
BLA AFN  
200010110472

FORRESTER TRAILS  
AFN 202305195005

PARCEL B

PARCEL A

SUNNYSIDE FIVE ACRE TRACTS  
AFN 122901

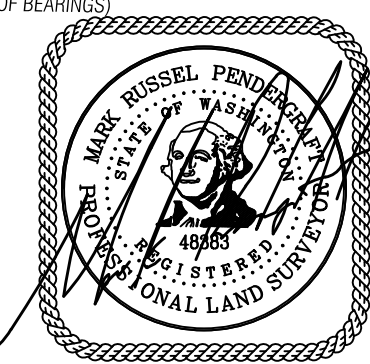
PARCEL NO.  
00090700017909

PARCEL NO.  
00090700017902

TRACT 999  
SHORT PLAT  
AFN 200601265001

### LEGEND

- ⊕ FOUND MONUMENT AS NOTED.
- FOUND PROPERTY CORNER AS NOTED.
- PRIVATE ACCESS AND UTILITIES EASEMENT TO BE RECORDED SEPARATELY PRIOR TO FINAL PLAT APPROVAL PER AFN \_\_\_\_\_.



6/13/2024



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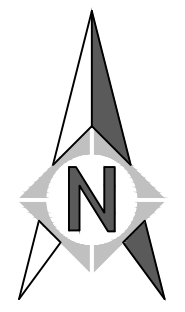
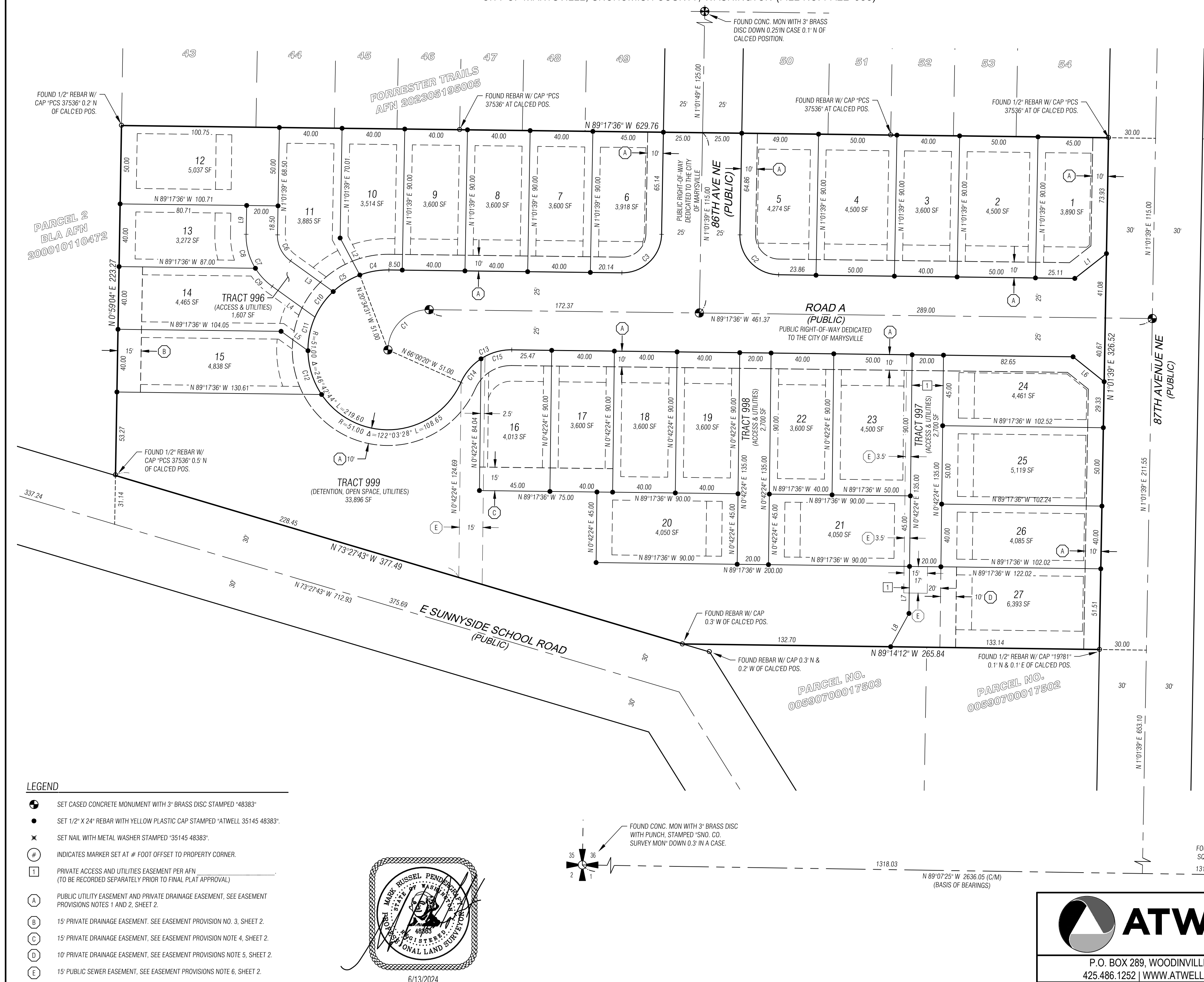
# WEST MAGNOLIA

A PLAT COMMUNITY

SW1/4 SW1/4 SEC. 36, T. 30 N., R. 5 E., W.M.

CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (FILE NO. PA22-033)

VOL/PG

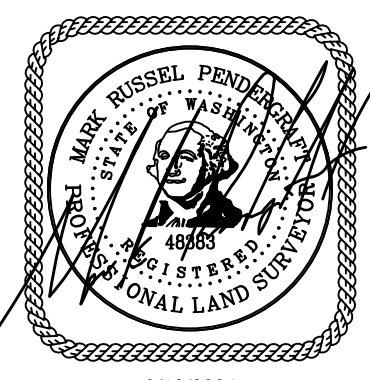


SCALE: 1" = 40'

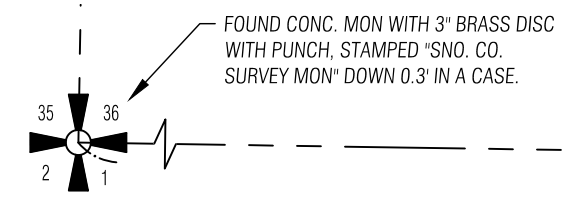
TAG TABLE			
TAG #	RADIUS	DIRECTION/Δ	LENGTH
C1	26.00	90°00'00"	40.84
C2	25.00	90°19'15"	39.41
C3	25.00	89°40'45"	39.13
C4	51.00	21°16'55"	18.94
C5	51.00	22°36'56"	20.13
C6	20.00	55°18'09"	19.30
C7	40.00	55°18'09"	38.61
C8	40.00	32°39'03"	22.79
C9	40.00	22°39'07"	15.81
C10	51.00	22°36'56"	20.13
C11	51.00	24°46'19"	22.05
C12	51.00	33°22'10"	29.70
C13	35.00	66°42'44"	40.75
C14	35.00	32°47'13"	20.03
C15	35.00	33°55'31"	20.72
L1		N 51°53'25" E	25.65
L2		N 28°02'06" W	26.77
L3		N 54°16'30" W	33.57
L4		N 54°16'30" W	33.65
L5		N 54°16'30" W	21.16
L6		N 51°15'55" W	25.43
L7		N 00°42'24" E	30.00
L8		N 28°47'36" E	24.24
L9		N 01°01'39" E	18.38

### LEGEND

- SET CASED CONCRETE MONUMENT WITH 3" BRASS DISC STAMPED "48383"
- SET 1/2" X 24" REBAR WITH YELLOW PLASTIC CAP STAMPED "ATWELL 35145 48383"
- ✕ SET NAIL WITH METAL WASHER STAMPED "35145 48383"
- # INDICATES MARKER SET AT # FOOT OFFSET TO PROPERTY CORNER.
- [1] PRIVATE ACCESS AND UTILITIES EASEMENT PER AFN (TO BE RECORDED SEPARATELY PRIOR TO FINAL PLAT APPROVAL)
- (A) PUBLIC UTILITY EASEMENT AND PRIVATE DRAINAGE EASEMENT, SEE EASEMENT PROVISIONS NOTES 1 AND 2, SHEET 2.
- (B) 15' PRIVATE DRAINAGE EASEMENT, SEE EASEMENT PROVISION NO. 3, SHEET 2.
- (C) 15' PRIVATE DRAINAGE EASEMENT, SEE EASEMENT PROVISION NOTE 4, SHEET 2.
- (D) 10' PRIVATE DRAINAGE EASEMENT, SEE EASEMENT PROVISIONS NOTE 5, SHEET 2.
- (E) 15' PUBLIC SEWER EASEMENT, SEE EASEMENT PROVISIONS NOTE 6, SHEET 2.
- - - BUILDING SETBACK LINE



6/13/2024



PARCEL NO. 00590700017503

PARCEL NO. 00590700017502



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