# **CITY OF MARYSVILLE**

## EXECUTIVE SUMMARY FOR ACTION

# **CITY COUNCIL MEETING DATE: July 8, 2013**

AGENDA ITEM: Authorize the Mayor to sign the final plat map for Rock Creek North Division 2 Phase 1, generally located east of 83 <sup>rd</sup> Avenue NE within the 7200 Block. Snohomish County: PFN 05118415	AGENDA SECTION:	
PREPARED BY: Chris Holland, Planning Manager	APPROVED BY:	
ennis Honand, Franking Hanager		4
ATTACHMENTS:		
1. Snohomish County Hearing Examiner Decision	Table 200 COL MIT No 1922 Sector	
<ol> <li>Final Subdivision Map</li> <li>Final Plat Checklist</li> </ol>	MAYOR	CAO
5. Final Flat Checklist		
BUDGET CODE:	AMOUNT:	

# DESCRIPTION:

On May 25, 2006, Snohomish County granted preliminary approval of a 143-lot subdivision, known as "Rock Creek North Division 2," located east of 83<sup>rd</sup> Avenue NE within the 7200 Block.

The subject property was annexed (Jordan Annexation) into the City of Marysville on October 1, 2005, prior to recording of the final subdivision. Since, the property was annexed into the City, prior to being recorded by Snohomish County, final subdivision review was conducted by the City of Marysville.

Harbour Homes LLC has satisfied all the conditions of approval, for the 20-lots of Phase 1 of the subdivision, as outlined in the attached Hearing Examiner decision.

**RECOMMENDED ACTION:** 

Staff recommends City Council authorize the Mayor to sign the final plat map for Rock Creek North Division 2 Phase 1.

COUNCIL ACTION:

# **BEFORE THE**

# SNOHOMISH COUNTY HEARING EXAMINER

# **DECISION of the DEPUTY HEARING EXAMINER**

In the Matter of the Application of	)		
	)	<b>FILE NO. 05 118415</b>	
HARBOUR HOMES, INC.	)		
Preliminary plat for a 143-lot subdivision utilizing lot	)		
size averaging and a rezone from R-9,600 to R-7,200	)		

DATE OF DECISION: May 25, 2006

PLAT/PROJECT NAME: Rock Creek North, Division II

DECISION (SUMMARY): The requests for a preliminary plat for a 143-lot subdivision utilizing lot size averaging provisions and for a rezone from Residential-9,600 to Residential-7,200 are hereby **CONDITIONALLY APPROVED.** 

## BASIC INFORMATION

GENERAL LOCATION: This project is located at 7515 83rd Avenue NE, Marysville, Washington.

ACREAGE: 33 acres

NUMBER OF LOTS: 143

AVERAGE LOT SIZE: 4,930 square feet

MINIMUM LOT SIZE: 3,341 square feet

DENSITY: 4.33 du/ac (gross)

8.80 du/ac (net)

ZONING: CURRENT: R-9,600 PROPOSED: R-7,200

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#### COMPREHENSIVE PLAN DESIGNATION:

General Policy Plan Designation:Urban Low Density Residential (4-6 du/ac)Subarea Plan:MarysvilleSubarea Plan Designation:Rural (1 du/2.3 ac)

UTILITIES:

Water/Sewer: City of Marysville

SCHOOL DISTRICT: Marysville No. 25

FIRE DISTRICT: No. 22

#### SELECTED AGENCY RECOMMENDATIONS:

Department of: Planning and Development Services (PDS): Public Works (DPW):

Approval subject to conditions Approval subject to conditions

## INTRODUCTION

The applicant filed the Master Application on August 8, 2005. (Exhibit 1)

The Department of Planning and Development Services (PDS) gave proper public notice of the open record hearing as required by the county code. (Exhibits 21, 22 and 23)

A SEPA determination was made on April 17, 2006. (Exhibit 20) No appeal was filed.

The Examiner held an open record hearing on May 10, 2006, the 109<sup>th</sup> day of the 120-day decision making period. Witnesses were sworn, testimony was presented, and exhibits were entered at the hearing.

#### PUBLIC HEARING

The public hearing commenced on May 10, 2006 at 10:04 a.m.

- The Examiner announced that he had read the PDS staff report, reviewed the file and viewed the area and therefore was generally apprised of the particular request involved.
- 2. The applicant, Harbour Homes, Inc., was represented by James Barnett of D.R. Strong. Snohomish County was represented by Darryl Eastin of the Department of Planning and Development Services.
- Citizen Dean Fink, a concerned vicinity resident, testified and questioned the County's and applicant's witnesses at the hearing. By the conclusion of the hearing, it appeared that his issues on concern had been addressed to his satisfaction.

The hearing concluded at 10:23 a.m.

**<u>NOTE</u>**: For a complete record, an electronic recording of this hearing is available in the Office of the Hearing Examiner.

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## FINDINGS, CONCLUSIONS AND DECISION

## FINDINGS OF FACT

Based on all the evidence of record, the following findings of fact are entered.

- 1. The master list of exhibits and witnesses which is a part of this file and which exhibits were considered by the Examiner, is hereby made a part of this file as if set forth in full herein.
- 2. The PDS staff report has correctly analyzed the nature of the application, the issues of concern, the application's consistency with adopted codes and policies and land use regulations, and the State Environmental Policy Act (SEPA). That staff report is hereby adopted by the Examiner as if set forth in full herein.
- 3. The request is for a rezone of 33 acres from R-9,600 to R-7,200 in order to construct a 143-lot subdivision using lot size averaging. Average weekday vehicle trips are 1,255, of which 98 are a.m. peak hour trips and 132 are p.m. peak hour trips.
- 4. The project would comply with park mitigation requirements under Chapter 30.66A SCC (Title 26A SCC) by the payment of \$48.82 for each new single-family home.
- 5. The DPW reviewed the request with regard to traffic mitigation and road design standards. This review covered Title 13 SCC and Chapter 30.66B SCC (Title 26B SCC) as to road system capacity, concurrency, inadequate road conditions, frontage improvements, access and circulation, and dedication/deeding of right-of-way, state highway impacts, impacts on other streets and roads, and Transportation Demand Management. As a result of this review, the DPW has determined that the development is concurrent and has no objection to the requests subject to various conditions.
- School mitigation requirements under Chapter 30.66C SCC (Title 26C SCC) have been reviewed and set forth in the conditions.
- 7. The site contains four Category 3 wetlands of various sizes. Three of the wetlands extend off-site to the north, east and south. The site also contains a Type 5 stream along the northern boundary of the largest wetland. Approximately 4,356 square feet (SF) of the largest wetland will be filled and the Type 5 stream will be impacted to construct the new 87<sup>th</sup> Avenue NE. A portion of the buffer around the smallest wetland will be impacted to construct a new cul-de-sac and create a developable area for lots 51 and 64.
- The PDS Engineering Division has reviewed the concept of the proposed grading and drainage and recommends approval of the project subject to conditions, which would be imposed during full detailed drainage plan review pursuant to Chapter 30.63A SCC (Title 24 SCC).
- The Snohomish County Health District has no objection to this proposal provided that public water and sewer are furnished. Public water and sewer service and electrical power will be available for this development.

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- 10. The property is designated Urban Low Density Residential (ULDR 4-6 du/ac) on the General Policy Plan (GPP) Future Land Use Map (FLUM) and is located within an Urban Growth Area (UGA). Land in this category may be developed at a density of 4-6 du/ac and one of the implementing zones is the R-7,200 zone which is the case here.
- 11. The proposed use (single-family detached development) is essentially compatible with existing singlefamily detached developments on larger lots. Because the property is within a UGA, policies were adopted to promote urban densities of development. A comparison with the present lower density character of much of the area is inappropriate since the present density of development in much of the surrounding area is inconsistent with both the adopted comprehensive plans and the present zoning.
- 12. The request complies with the Snohomish County Subdivision Code, Chapter 30.41A SCC (Title 19 SCC) as well as the State Subdivision Code, RCW 58.17. The proposed plat complies with the established criteria therein and makes the appropriate provisions for public, health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe walking conditions for students.
- 13. Chapter 30.42A covers rezoning requests and applies to site-specific rezone proposals that conform to the Comprehensive Plan. The decision criteria under SCC 30.42A.100 provides as follows:

The hearing examiner may approve a rezone only when all the following criteria are met:

- (1) the proposal is consistent with the comprehensive plan;
- (2) the proposal bears a substantial relationship to the public health, safety, and welfare; and
- (3) where applicable, minimum zoning criteria found in Chapters 30.31A through 30.31F SCC are met.

It is the finding of the Examiner that the request meets these requirements generally and should be approved.

- 14. The proposal has been evaluated by PDS for compliance with the lot size averaging provisions of SCC 30.41A.240 and SCC 30.23.210. This proposal is consistent with these provisions.
- The request is consistent with Section 30.70.100 SCC (Section 32.50.100 SCC), which requires, pursuant to RCW 36.70B.040, that all project permit applications be consistent with the GMACP, and GMA-based county codes.
- 16. Any finding of fact in this decision which should be deemed a conclusion is hereby adopted as such.

#### CONCLUSIONS OF LAW

Based on the findings of fact entered above, the following conclusions of law are entered.

1. The Examiner having fully reviewed the PDS staff report, hereby adopts said staff report as properly setting forth the issues, the land use requests, consistency with the existing regulations, policies, principles, conditions and their effect upon the request. It is therefore hereby adopted by the Examiner as a conclusion as if set forth in full herein, in order to avoid needless repetition. There are no changes to the recommendations of the staff report.

- The Department of Public Works recommends that the request be approved as to traffic use subject to conditions specified below herein.
- 3. The request is consistent with the (1) GMACP, GMA-based County codes, (2) the type and character of land use permitted on the site, (3) the permitted density, and(4) the applicable design and development standards.
- 4. The request is for a rezone and therefore must comply with Chapter 30.42A. This is a site specific rezone that conforms to the Comprehensive Plan. Because no evidence was submitted of non-compliance with the requirements of Chapter 30.42A, the application is presumed to meet those requirements.
- 5. The request should be approved subject to compliance by the applicant with the following conditions:

## CONDITIONS

- A. The preliminary plat received by the Department of Planning and Development Services on April 28, 2006 (Exhibit 25A) shall be the official site plan and approved plat configuration. Changes to the approved plat are governed by SCC 30.41A.330.
- B. Prior to initiation of any further site work; and/or prior to issuance of any development/construction permits by the county:
  - i. All site development work shall comply with the requirements of the plans and permits approved pursuant to Condition A, above.
  - ii. The plattor shall mark with temporary markers in the field the boundary of all Native Growth Protection Areas (NGPA) required by Chapter 30.62 SCC, or the limits of the proposed site disturbance outside of the NGPA, using methods and materials acceptable to the county.
  - iii. A final mitigation plan based on the Critical Areas Report and Conceptual Mitigation Plan for Rock Creek North Division II prepared by The Jay Group, Inc. dated August 8, 2005 as submitted late on August 10, 2005 (Exhibit 8) shall be submitted for review and approval during the construction review phase of this project.
- C. The following additional restrictions and/or items shall be indicated on the face of the final plat:
  - i. "The lots within this subdivision will be subject to school impact mitigation fees for the Marysville School District No. 25 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 SCC 30.66C.010. Credit shall be given for the six (6) existing parcels. Lots 1 through 6 shall receive credit."
  - ii. Chapter 30.66B SCC requires the new lot mitigation payments in the amounts shown below for each single-family residential building permit:

\$1,798.60 per lot for mitigation of impacts on county roads paid to the County,

\$28.28 per lot for mitigation of impacts on state highways paid to the County, (WSDOT ID #34 - SR 9 at 108<sup>th</sup> Street NE)

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\$1,949.37 per lot for mitigation of impacts on city streets for the City of Marysville paid to the City. Proof of payment shall be provided.

\$202.34 per lot (\$28,935.29 total) for mitigation of impacts on city streets for the City of Arlington paid to the City. Proof of payment shall be provided.

These payments are due prior to or at the time of building permit issuance for each single-family residence. Notice of these mitigation payments shall be contained in any deeds involving this subdivision of the lot(s) therein. Once building permits have been issued all mitigation payments shall be deemed paid by PDS.

All Critical Areas shall be designated Native Growth Protection Areas (NGPA) (unless other agreements have been made);

> "All NATIVE GROWTH PROTECTION AREAS shall be left permanently undisturbed in a substantially natural state. No clearing, grading, filling, building construction or placement, or road construction of any kind shall occur, except removal of hazardous trees. The activities as set forth in UDC 30.91N 010 are allowed when approved by the County."

- iv. The existing ingress/egress easement providing access to parcel #30052500201900 shall be extinguished upon recording of the final plat and access relocated to 87<sup>th</sup> Avenue NE as stipulated in AFN #2414830.
- v. New 87<sup>th</sup> Avenue NE road including curb, gutter, sidewalk and planter shall be constructed to the property boundaries of parcel #30052500201900.
- vi. New 85<sup>th</sup> Avenue NE road including curb, gutter, sidewalk and planter shall be constructed to the south boundary of the subject property.
- vii. The developer shall pay the County \$48.82 per new dwelling unit as mitigation for parks and recreation impacts in accordance with Chapter 30.66A SCC; provided, however, the developer may elect to postpone payment of the mitigation requirement until issuance of a building permit for that lot. The election to postpone payment shall be noted by a covenant placed on the face of the recorded plat and included in the deed for each affected lot within the subdivision.
- D. Prior to recording of the final plat:
  - i. Features on the approved TDM plan shall be constructed/installed.
  - ii. Urban frontage improvements shall be constructed along the parcel's frontage on 83<sup>rd</sup> Ave NE to the specifications of the City of Marysville.
  - iii. Native Growth Protection Area boundaries (NGPA) shall have been permanently marked on the site prior to final inspection by the county, with both NGPA signs and adjacent markers which can be magnetically located (e.g.: rebar, pipe, 20 penny nails, etc.). The plattor may use other permanent methods and materials provided they are first approved by the county. Where an NGPA boundary crosses another boundary (e.g.: lot, tract, plat, road, etc.), a rebar marker with surveyors' cap and license number must be placed at the line crossing.

NGPA signs shall have been placed no greater than 100 feet apart around the perimeter of the NGPA. Minimum placement shall include one Type 1 sign per wetland, and at least one Type 1 sign shall be placed in any lot that borders the NGPA, unless otherwise approved by the county biologist. The design and proposed locations for the NGPA signs shall be submitted to the Land Use Division for review and approval prior to installation.

- iv. The final wetland mitigation plan shall be completely implemented.
- E. In conformity with applicable standards and timing requirements:
  - i. The Detention Pond Landscape Plan received April 28, 2006 (Exhibits 24A & 24B) shall be implemented. All required detention facility landscaping shall be installed in accordance with the approved landscape plan.
- F. All development activity shall conform to the requirements of Chapter 30.63A SCC.

Nothing in this permit/approval excuses the applicant, owner, lessee, agent, successor or assigns from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project.

Preliminary plats which are approved by the county are valid for five (5) years from the date of approval and must be recorded within that time period unless an extension has been properly requested and granted pursuant to SCC 30.41A.300.

Any conclusion in this decision which should be deemed a finding of fact is hereby adopted as such.

## DECISION

Based on the findings of fact and conclusions of law entered above, the decision of the Hearing Examiner on the application is as follows:

The requests for a preliminary plat for a 143-lot subdivision utilizing lot size averaging provisions and for a rezone from Residential-9,600 to Residential-7,200 are hereby **CONDITIONALLY APPROVED**, subject to the conditions set forth in Conclusion No. 5 above.

Decision issued this 25<sup>th</sup> day of May 2006.

Ed Good, Deputy Hearing Examiner

## EXPLANATION OF RECONSIDERATION AND APPEAL PROCEDURES

The decision of the Hearing Examiner is final and conclusive with right of appeal to the County Council. However, reconsideration by the Examiner may also be sought by one or more parties of record. The following paragraphs summarize the reconsideration and appeal processes. For more information about reconsideration and appeal procedures, please see Chapter 30.72 SCC and the respective Examiner and Council Rules of Procedure.

## Reconsideration

Any party of record may request reconsideration by the Examiner. A petition for reconsideration must be filed in writing with the Office of the Hearing Examiner, 2<sup>nd</sup> Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington, (Mailing Address: M/S #405, 3000 Rockefeller Avenue, Everett WA 98201) on or before <u>JUNE 5, 2006</u>. There is no fee for filing a petition for reconsideration. "The petitioner for reconsideration shall mail or otherwise provide a copy of the petition for reconsideration to all parties of record on the date of filing." [SCC 30.72.065]

A petition for reconsideration does not have to be in a special form but must: contain the name, mailing address and daytime telephone number of the petitioner, together with the signature of the petitioner or of the petitioner's attorney, if any; identify the specific findings, conclusions, actions and/or conditions for which reconsideration is requested; state the relief requested; and, where applicable, identify the specific nature of any newly discovered evidence and/or changes proposed by the applicant.

The grounds for seeking reconsideration are limited to the following:

- (a) The Hearing Examiner exceeded the Hearing Examiner's jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching the Hearing Examiner's decision;
- (c) The Hearing Examiner committed an error of law;
- (d) The Hearing Examiner's findings, conclusions and/or conditions are not supported by the record;
- (e) New evidence which could not reasonably have been produced and which is material to the decision is discovered; or
- (f) The applicant proposed changes to the application in response to deficiencies identified in the decision.

Petitions for reconsideration will be processed and considered by the Hearing Examiner pursuant to the provisions of SCC 30.72.065. Please include the County file number in any correspondence regarding this case.

#### Appeal

An appeal to the County Council may be filed by any aggrieved party of record. Where the reconsideration process of SCC 30.72.065 has been invoked, no appeal may be filed until the reconsideration petition has been disposed of by the hearing examiner. An aggrieved party need not file a petition for reconsideration but may file an appeal directly to the County Council. If a petition for reconsideration is filed, issues subsequently raised by that party on appeal to the County Council shall be limited to those issues raised in the petition for reconsideration. Appeals shall be addressed to the Snohomish County Council but shall be filed in writing with

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the Department of Planning and Development Services, 2<sup>nd</sup> Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington (Mailing address: M/S #604, 3000 Rockefeller Avenue, Everett, WA 98201) on or before <u>JUNE 8, 2006</u> and shall be accompanied by a filing fee in the amount of five hundred dollars (\$500.00); PROVIDED, that the filing fee shall not be charged to a department of the County or to other than the first appellant; and PROVIDED FURTHER, that the filing fee shall be refunded in any case where an appeal is dismissed without hearing because of untimely filing, lack of standing, lack of jurisdiction or other procedural defect. [SCC 30.72.070]

An appeal must contain the following items in order to be complete: a detailed statement of the grounds for appeal; a detailed statement of the facts upon which the appeal is based, including citations to specific Hearing Examiner findings, conclusions, exhibits or oral testimony; written arguments in support of the appeal; the name, mailing address and daytime telephone number of each appellant, together with the signature of at least one of the appellant(s), if any; the name, mailing address, daytime telephone number and signature of the appellant's agent or representative, if any; and the required filing fee.

The grounds for filing an appeal shall be limited to the following:

- (a) The decision exceeded the Hearing Examiner's jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching his decision;
- (c) The Hearing Examiner committed an error of law; or
- (d) The Hearing Examiner's findings, conclusions and/or conditions are not supported by substantial evidence in the record. [SCC 30.72.080]

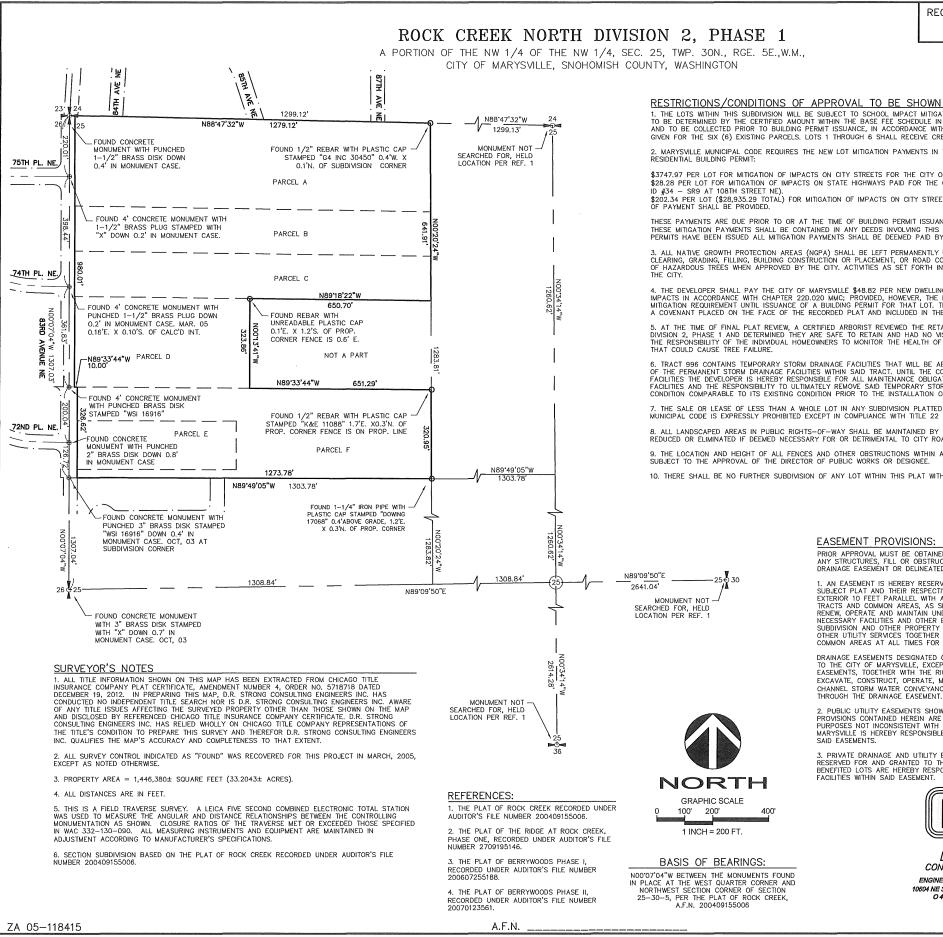
Appeals will be processed and considered by the County Council pursuant to the provisions of Chapter 30.72 SCC. Please include the County file number in any correspondence regarding the case.

#### Staff Distribution:

Department of Planning and Development Services: Darryl Eastin Department of Public Works: Mark Brown

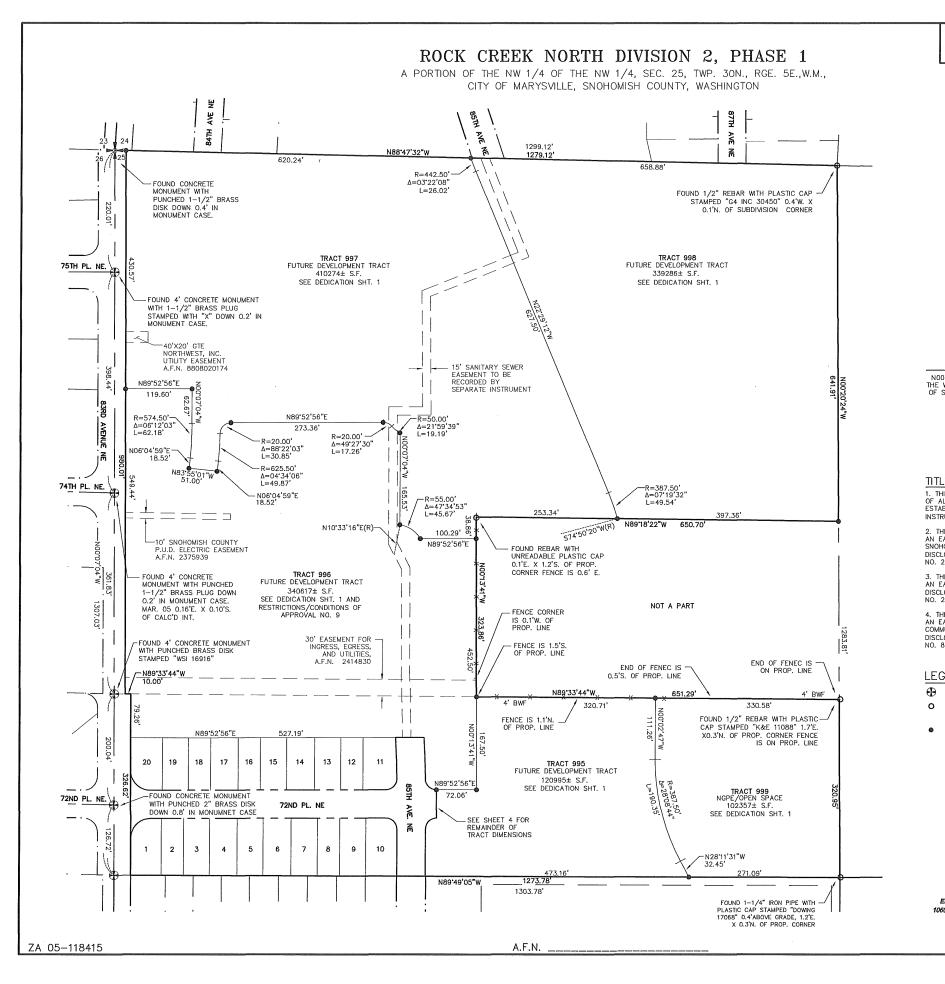
The following statement is provided pursuant to RCW 36.70B.130: "Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation." A copy of this Decision is being provided to the Snohomish County Assessor as required by RCW 36.70B.130.

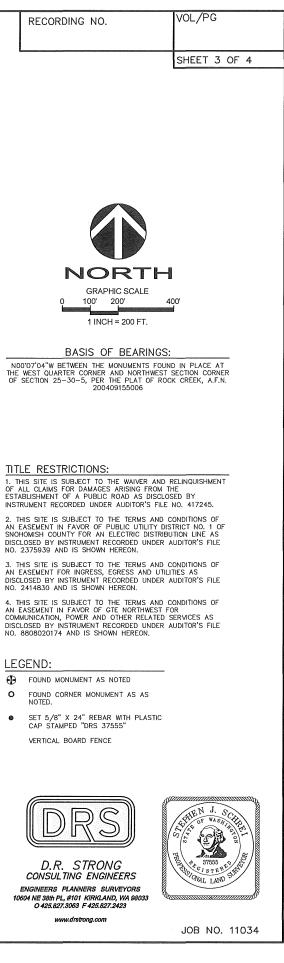
	RECORDING NO. VOL/PG
DOOK ODDDK MODDK	
	DIVISION 2, PHASE 1
	V 1/4, SEC. 25, TWP. 30N., RGE. 5E.,W.M.,
DEDICATION:	LEGAL DESCRIPTION:
KNOW ALL MEN (PERSONS) BY THESE PRESENTS THAT HARBOUR HOMES LLC. A WASHINGTON LIMITED LIABILITY COMPANY SUCCESSOR BY MERGER TO HARBOUR	PARCEL A:
HOMES INC, A WASHINGTON COMPANY. THE UNDERSIGNED OWNER, IN FEE SIMPLE OF THE LAND HEREBY FLATTED, AND ROCK CREEK INVESTMENT PARTNERS LLC, A WASHINGTON LIMITED LIABILITY COMPANY. THE MORTGAGES THEREOF, HEREBY DECLARE THIS FLAT 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 UPPON THE LOTS, BLOCKS, TRACTS, ETC. SHOWN ON THE REAT IN THE REASONABLE ORIGINAL GRADING OF ALL THE STREETS, AVENUES, PLACES, ETC. SHOWN	NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.; EXCEPT THE NORTH 20 FEET CONVEYED TO SNOHOMISH COUNTY UNDER AUDITOR'S FILE NUMBER 188304; AND EXCEPT THE WEST 20 FEET CONVEYED TO SNOHOMISH COUNTY UNDER AUDITOR'S FILE NUMBER 417245.
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.	TOGETHER WITH THAT PORTION OF THE NORTH 20 FEET VACATED BY CITY OF MARYSVILLE ORDINANCE NO. 2624, RECORDED UNDER AUDITOR'S FILE NUMBER 201207180130 THAT WOULD ATTACH BY OPERATION OF LAW.
FOLLOWING ORIGINAL REASONABLE GRADING OF THE ROADS AND WAYS HEREIN, 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.	PARCEL B: NORTH HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., RECORDS OF SNOHOMISH COUNTY, WASHINGTON; EXCEPT THE WEST 20 FEET THEREOF CONVEYED TO SNOHOMISH COUNTY FOR ROAD BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 417245.
SAID DEDICATION TO THE PUBLIC SHALL IN NO WAY BE CONSTRUED TO PERMIT A RIGHT OF DIRECT ACCESS TO 83RD AVENUE NE FROM LOTS 1 AND 20 NOR SHALL THE CITY OF MARYSVILLE OR ANY OTHER LOCAL GOVERNMENTAL AGENCY EVER BE REQUIRED TO GRANT A PERMIT TO BUILD OR CONSTRUCT AN ACCESS OF APPROACH TO SAID STREET FROM SAID LOTS.	PARCEL C: THE SOUTH HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., RECORDS OF SNOHOMISH COUNTY, WASHINGTON; EXCEPT THE WEST 20 FEET THEREOF CONVEYED TO SNOHOMISH COUNTY FOR ROAD BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 417245.
TRACTS 995, 996, 997 AND 998 ARE HEREBY RESERVED BY THE DEVELOPER AS A FUTURE DEVELOPMENT TRACTS AND ARE SUBJECT TO THE APPROVED PRELIMINARY PLAT MAP AND CONDITIONS OF APPROVAL CONTAINED WITHIN SNOHOMISH COUNTY FILE NO. ZA 05-118415. THE DEVELOPER, IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF SAID TRACT.	
FOR THE MAINTENANCE OF SAID TRACT. TRACT 999 IS AN NGPA/OPEN SPACE TRACT AND IS HEREBY GRANTED AND CONVEYED, TOGETHER WILL ALL MAINTENANCE OBLIGATIONS TO THE ROCK CREEK NORTH DIVISION 2 HOMEOWNERS ASSOCIATION.	PARCEL D: THE WEST HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., RECORDS OF SNOHOMISH COUNTY, WASHINGTON; EXCEPT THE WEST 20 FEET THEREOF CONVEYED TO SNOHOMISH COUNTY FOR ROAD BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 417245.
THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS SUBDIVISION HAVE ASSUMED COMMON OWNERSHIP OF THOSE TRACTS PREVIOUSLY OWNED BY THE HOA. 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 ON 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.	PARCEL E: LOT 1 OF SHORT PLAT RECORDED UNDER AUDITOR'S FILE NUMBER 8606030059, BEING A PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON.
IN WITNESS WHEREOF, WE HAVE SET OUR HANDS AND SEALS THIS DAY OF, 20	PARCEL F: THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., RECORDS OF SNOHOMISH COUNTY, WASHINGTON; EXCEPT THE NORTH 175 FEET OF THE SOUTH 205 FEET OF THE WEST 602 FEET THEREOF; AND
HARBOUR HOMES LLC, A WASHINGTON LIMITED LIABILITY COMPANY SUCCESSOR BY MERGER TO HARBOUR HOMES INC. A WASHINGTON A WASHINGTON LIMITED LIABILITY COMPANY	ALSO EXCEPT THE WEST 30 FEET THEREOF FOR ROAD.
COMPANY	(ALSO KNOWN AS LOT 2 OF SHORT PLAT RECORDED UNDER AUDITOR'S FILE NUMBER 8606030059).
BY: ITS: ITS:	ALL SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.
ACKNOWLEDGMENTS:	APPROVALS:
	EXAMINED AND APPROVED THIS DAY OF, 2013.
) COUNTY OF)	
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT SIGNED THIS INSTRUMENT ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE OF HARBOUR HOMES LLC, A WASHINGTON LIMITED LIABILITY COMPANY	CITY ENGINEER
SUCCESSOR BY MERGER TO HARBOUR HOMES INC, A WASHINGTON COMPANY, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.	EXAMINED AND APPROVED THIS DAY OF, 2013.
DATED	COMMUNITY DEVELOPMENT DIRECTOR
SIGNATURE OF NOTARY PUBLIC	EXAMINED, FOUND TO BE IN CONFORMITY WITH APPLICABLE ZONING AND OTHER LAND USE CONTROLS, AND APPROVED THIS DAY OF, 2013.
nn£	
MY APPOINTMENT EXPIRES	MAYOR, CITY OF MARYSVILLE ATTEST: CITY CLERK TREASURER'S CERTIFICATE:
STATE OF	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.
	BY:
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT SIGNED THIS INSTRUMENT ON OATH STATED THAT (HE/SHE) WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE OF ROCK CREEK INVESTMENT PARTNERS LLC, A WASHINGTON LIMITED LIABILITY COMPANY, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.	TREASURE, SNOHOMISH COUNTY DEPUTY COUNTY TREASURE AUDITOR'S CERTIFICATE:
DATED	AUDITOR S CERTIFICATE: FILED FOR RECORD AT THE REQUEST OF HARBOUR HOMES LLC, THIS DAY OF, 2013,
SIGNATURE OF	AT MINUTES PASTM. AND RECORDED IN VOLUME OF PLATS, PAGE(S)
NOTARY PUBLIC	, AFN RECORDS OF SNOHOMISH COUNTY, WASHINGTON.
ΠΤLΕ	AUDITOR, SNOHOMISH COUNTY BY: DEPUTY COUNTY AUDITOR
MY APPOINTMENT EXPIRES	
LAND SURVEYOR'S CERTIFICATE: I HEREBY CERTIFY THAT THE PLAT OF ROCK CREEK NORTH DIVISION 2, PHASE 1 IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 25, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M., AS REQUIRED BY STATE STATUTES; THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT THE MONUMENTS SHALL BE SET AND LOT AND BLOCK CORRERS SHALL BE STAKED CORRECTLY ON THE GROUND, AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.	DRS STREET
	D.R. STRONG CONSULTING ENGINEERS
STEPHEN J. SCHREI, PROFESSIONAL LAND SURVEYOR. CERTIFICATE NO. 37555 D.R. STRONG CONSULTING ENGINEERS	ENGINEERS PLANNERS SURVEYORS 10604 NE 39th PL, #101 KIRKLAND, MA 88033 USB PER 2006 F Les POR JOINT
10604 NE 38th PLACE, STE. 101 KIRKLAND, WASHINGTON 98033	O 425.827.3063 F 425.827.2423 www.drstrong.com
ZA 05-118415 A.F.N	JOB NO. 11034

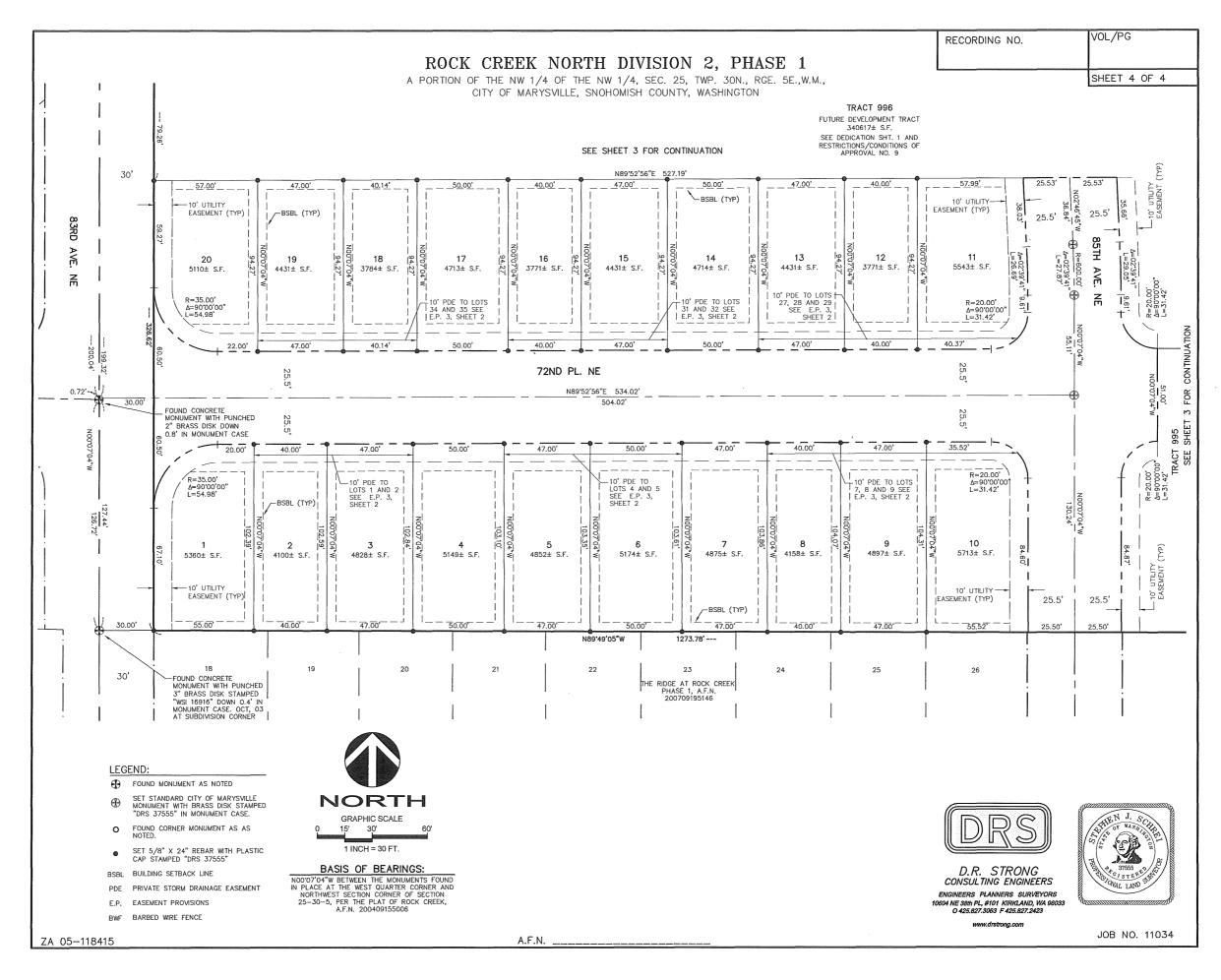


RECORDING NO.	VOL/PG
	SHEET 2 OF 4
WN ON THE FINAL PLAT: TIGATION FEES FOR THE MARYSVILLE SCH E IN EFFECT AT THE TIME OF BUILDING P WITH THE PROVISIONS OF SCC 30.66C.01 CREDIT.	OOL DISTRICT NO. 25 ERMIT APPLICATION, O, CREDIT SHALL BE
IN THE AMOUNTS SHOWN BELOW FOR EA	CH SINGLE-FAMILY
Y OF MARYSVILLE SHALL BE PAID TO TH HE CITY OF MARYSVILLE AND TRANSFERF	
REETS FOR THE CITY OF ARLINGTON PAIL	D TO THE CITY. PROOF
SUANCE FOR EACH SINGLE-FAMILY RESIDE HIS SUBDIVISION OF THE LOT(S) THEREIN.	
ILY UNDISTURBED IN A SUBSTANTIALLY N O CONSTRUCTION OF ANY KIND SHALL OC H IN CHAPTER 22E MMC ARE ALLOWED V	ATURAL STATE. NO CUR, EXCEPT REMOVAL HEN APPROVED BY
LLING UNIT AS MITIGATION FOR PARKS AI HE DEVELOPER MAY ELECT TO POSTPONE T. THE ELECTION TO POSTPONE PAYMENT THE DEED FOR EACH AFFECTED LOT WIT	ND RECREATION 2 PAYMENT OF THE 3 SHALL BE NOTED BY HIN THE SUBDIVISION.
RETAINED TREES WITHIN THE PLAT OF RC O VISIBLE DEFECTS THAT CONSTITUTE A I OF TREES OVER TIME FOR DETERIORATIN	CK CREEK NORTH HAZARD. IT WILL BE IG TREE CONDITIONS
E ABANDONED FOLLOWING THE COMPLETIC E COMPLETION OF SAID PERMANENT STOR JGATION ASSOCIATED WITH SAID TEMPOR, STORM DRAINAGE FACILITIES AND RESTOR N OF SAID TEMPORARY STORM DRAINAGE	E THE AREA TO A
TED AND FILED UNDER TITLE 22 OF THE 22 OF THE MARYSVILLE MUNICIPAL CODE	MARYSVILLE
BY THE DEVELOPER AND HIS SUCCESSOR ROAD PURPOSES.	(S) AND MAY BE
IN AN EASEMENT AS DEDICATED ON THIS	PLAT SHALL BE
WITHOUT RESUBMITTING FOR FORMAL PLA	T PROCEDURE.
S:	
AINED FROM THE CITY OF MARYSVILLE CI IRUCTIONS, INCLUDING FENCES ARE LOCA ATED FLOOD PLAIN AREA.	TY ENGINEER BEFORE TED WITHIN ANY
SERVED FOR AND GRANTED TO ALL UTILI ECTIVE SUCCESSORS AND ASSIGNS, UNDE SCHUE SUCCESSORS AND ASSIGNS, UNDE S SHOWN HEREON, IN WHICH TO INSTALL UNDERGROUND CONDUITS, CABLES, PIPE ER EQUIPMENT FOR THE PURPOSE OF SET TY WITH ELECTRIC, TELEPHONE, GAS, TEI TRY MITH ELECTRIC, TELEPHONE, GAS, TEI TOR THE PURPOSES HEREIN STATED.	TIES SERVING THE R AND UPON THE E OF ALL LOTS, , LAY, CONSTRUCT, AND WIRES WITH RVING THIS ELVISION CABLE AND E LOTS, TRACTS AND
ED ON THE PLAT ARE HEREBY RESERVED CCEPT THOSE DESIGNATED ON THE PLAT E RIGHT OF INGRESS AND ECRESS AND T E, MAINTAIN, REPAIR AND/OR REBUILD A 'ANCE SYSTEM AND/OR OTHER DRAINAGE ENT.	FOR AND GRANTED AS PRIVATE HE RIGHT TO N ENCLOSED OR OPEN FACILITIES, UPON OR
HOWN HEREON AND NOT MENTIONED IN 1 ARE HEREBY DEDICATED TO THE CITY OF ITH EASEMENTS OF THEIR GENERAL NATU SIBLE FOR THE MAINTENANCE OF THE PUI	HE EASEMENT MARYSVILLE FOR ALL IRE. THE CITY OF BLIC FACILITIES WITHIN
TY EASEMENTS DESIGNATED ON THE PLA' D THE OWNERS OF THE LOTS BENEFITED. ESPONSIBLE FOR THE MAINTENANCE OF T IT.	T ARE HEREBY THE OWNERS OF SAID HEIR RESPECTIVE
<u>IDRS</u>	ATTEN J. SCHPT
D.R. STRONG CONSULTING ENGINEERS	HE AND STORE STATE
GINEERS PLANNERS SURVEYORS	
O 425.827.3063 F 425.827.2423 www.drstrong.com	

JOB NO. 11034









Rock Creek North Div 1, Ph. 2 - FINAL PLAT CHECKLIST Community Development Department \* 80 Columbia Avenue \* Marysville, WA 98270 (360) 363-8100 \* (360) 651-5099 FAX \* Office Hours: Monday - Friday 7:30 AM - 4:00 PM

Plat Name: Rock Creek North Division 1 – Phase 2 PFN 05118415 SD				
Item		Department	Initials	Date
1. Plat Map- Checked & Approve	d	Land Dev.	CAS	6/24/13
		Planning	Cli	6127/13
2. Letter of Segregation to Asses	sor	Planning	cli	4100/13
3. Water System/Sewer System				
Letter of Acceptance		Const. Insp.	5,15	6/26/13
Asbuilts – Including Digital Files		Const. Insp.	SAS	6/26/13
Bill(s) of Sale		Const. Insp.	SAS	6/26/13
Maintenance and Warranty Fund	ding	Const. Insp.	SAS	6/25/13
4. Road/Storm Sewer				
Letter of Acceptance		Const. Insp.	SAS	6/24/13
Asbuilts – Including Digital Files		Const. Insp.	595	6/26/13
Bill(s) of Sale		Const. Insp.	GASAS	6/26/13
Maintenance and Warranty Fund	ding	Const. Insp.	SAS	6/25/13
5. Performance Bond – Submitte	ed/Approved			
(If Required - Road and Storm Dr	rain Only)	Const. Insp.	NA	
6. Inspection Fees - Calculated a	nd Paid	Const. Insp.	SAS	6/25/13
7. Final Plat Fee - Calculated and	Paid \$4500 .** POID	Planning	<u>Ce</u>	1/20/13
8. TIP Fees: BP CITY:	\$ 33.47.97/6T	Planning	Cei	6/25/13
9. Parks Mitigation Fees:	\$ 200 24/WT	Planning	Chi	6125/13
10. School District Mitigation Fe	es: _@_ &P	Planning	Cei	6125/13
11. Signage and Striping Installed	d	Const. Insp.	SAJ	6/25/13

12. Final Grading and TESC Inspection	Const. Insp.	SAS	6/24/18
13. Satisfied Hearing Examiner's Conditions of Approval	Planning	Cli	6/22/3
14. Utility/Recovery/Main Fees	Land Dev.	SAS	6/10/13
Plat Approved for Recording:			
Date: LIJAIS	n V Fe	2,	
Date: 6/27//3			