

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: October 12, 2015

AGENDA ITEM: Authorize the Mayor to sign the final plat map and sight distance easement for Allen Creek Park Snohomish County: PFN 04119115	AGENDA SECTION:	
PREPARED BY: Amy Hess, Assistant Planner	APPROVED BY:	
ATTACHMENTS: 1. Snohomish County Hearing Examiner Decision 2. Minor Modification Approval 3. Final Subdivision Map 4. Final Plat Checklist 5. Sight Distance Easement		
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

DESCRIPTION:

On April 26, 2006, the Snohomish County Hearing Examiner granted preliminary approval of a 39-lot subdivision, known as “Allen Creek Park,” generally located along 59th Avenue NE at the intersection of 83rd Place NE. On February 28, 2014, a minor modification to the subdivision was filed with the City which proposed to reduce the number of single-family lots from thirty-nine (39) to thirty-two (32) including an amended plat configuration. On April 30, 2014, the City approved the minor modification, amending certain conditions of the preliminary approval granted by the Snohomish County Hearing Examiner.

The subject property was annexed (Central Marysville annexation) into the City of Marysville on December 30, 2009, prior to recording the final subdivision. Since the property was annexed into the City, prior to being recorded by Snohomish County, final subdivision review is required to be conducted by the City of Marysville.

During construction of the subdivision the applicant removed some trees on a neighboring parcel in order to install utilities. The adjacent property owner agreed to the tree removal, subject to installation of a quality 6’ wood fence along the perimeter of the property. Installation of the fence created a sight distance issue at the southeast corner of 59th Avenue NE and 83rd Place NE. The wood (opaque) fence was replaced with chain link (transparent) fencing in order to alleviate the sight distance issue. In order to ensure adequate sight distance at this intersection, the City required that the applicant record a sight distance easement which requires the property owner to maintain transparency at this intersection.

The applicant has satisfied all the conditions of approval, as outlined in the attached Hearing Examiner decision and Minor Modification.

RECOMMENDED ACTION: Staff recommends City Council authorize the Mayor to sign the final plat map and sight distance easement for Allen Creek Park.
COUNCIL ACTION:

BEFORE THE
SNOHOMISH COUNTY HEARING EXAMINER
DECISION of the DEPUTY HEARING EXAMINER
UPON RECONSIDERATION

In the Matter of the Application of)
)
SCOTT RAY) **FILE NO. 04 119115**
)
39-lot Planned Residential Development (PRD))
on 11.06 acres)

DATE OF DECISION: April 26, 2006, superseding initial decision entered January 18, 2006.

PLAT/PROJECT NAME: *Allen Creek Park*

DECISION (SUMMARY): The application is **CONDITIONALLY APPROVED**.

BASIC INFORMATION

GENERAL LOCATION: This project is located on both sides of 59th Avenue NE at 83rd Place NE, one-half mile east of the Marysville city limits.

ACREAGE: 11.06 acres

NUMBER OF LOTS: 39

AVERAGE LOT SIZE: 3,494 square feet

MINIMUM LOT SIZE: 2,189 square feet

DENSITY: 3.53 du/ac (gross)
4.89 du/ac (net)

ZONING: Residential-7,200 (R-7,200)

Received
FEB 28 2014
City of Marysville
Community Development

COMPREHENSIVE PLAN DESIGNATION:

General Policy Plan Designation: Urban Low Density Residential (4-6-du/ac)
Subarea Plan: Marysville
Subarea Plan Designation: Urban Residential (4-6 du/ac) with Environmentally Sensitive Area overlay

UTILITIES:

Water/Sewer: City of Marysville

SCHOOL DISTRICT: Marysville No. 25

FIRE DISTRICT: No. 12

SELECTED AGENCY RECOMMENDATIONS:

Department of:

Planning and Development Services (PDS): Approval subject to conditions

Public Works (DPW): Approval subject to conditions

INTRODUCTION

The applicant filed the Master Application on December 29, 2004. (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 26, 27 and 28)

A SEPA determination was made on October 20, 2005. (Exhibit 25) No appeal was filed.

The Examiner held an open record hearing on January 3, 2006, the 95th day of the 120-day decision making period. Witnesses were sworn, testimony was presented and exhibits were entered at the hearing. The Examiner entered a decision on January 18, 2006 denying the application only because it failed to provide safe walking conditions to school (Exhibit 97).

A timely petition for reconsideration was filed by applicant Scott Ray on January 30, 2006 (Exhibit 98).

By Order issued February 1, 2006 (Exhibit 99), the Examiner re-opened the record for comments on the petition for reconsideration. Residents of eleven vicinity households responded pre-hearing in writing (Exhibits 102 through 112).

PUBLIC HEARINGS

The first public hearing commenced on January 3, 2006 at 2:01 p.m.

1. The Examiner indicated that he has read the PDS staff report, reviewed the file and viewed the area and therefore had a general idea of the particular request involved.

2. The applicant, Scott Ray, was represented by himself and by Debbie Rothfus of Peak Engineering. Snohomish County was represented by Bob Pemberton of the Department of Planning and Development Services and by Mark Brown of the Department of Public Works.
3. Citizens submitted approximately 45 letters into the record and approximately 10 citizens testified at the hearing, mostly in general opposition to the lot sizes, density and resultant vehicular traffic generated by 39 new homes on local streets which those citizens feel are inadequate. Some of the letters and testimony raise concern about walking facilities for public school students.

The hearing concluded at 4:22 p.m.

The public hearing upon reconsideration commenced on April 12, 2006 at 1:04 p.m.

4. Upon opening the proceeding, the Examiner disclosed that an ex parte written communication about the merits of the application had been received, provided copies of the document, and allowed time for oral rebuttal of the document before proceeding with the hearing.
5. The applicant, Scott Ray, was represented by himself and by his attorney, Bruce Bell. Snohomish County was represented by Bob Pemberton of the Department of Planning and Development Services and by Ann Goetz of the Department of Public Works. Citizen testimony was given by Holly Faller, Marnie Hargraves, Larry Hazard, Eileen Hope, Geraldine Makus, James Richardson and Susan Richardson.

The hearing concluded at 2:52 p.m.

Note: For a complete record, an electronic recording of each hearing is available in the Office of the Hearing Examiner.

FINDINGS, CONCLUSIONS AND DECISION

FINDINGS OF FACT

Based on all of 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 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 report is hereby adopted by the Examiner as if set forth in full herein unless otherwise stated below.

3. At the core of this matter lies 59th Avenue NE (hereinafter "59th"). Local residents argue that 59th's narrow (only 16 feet) paved roadway cannot reasonably or safely accept the additional 345 average weekday vehicular trips. There is no currently available right-of-way for widening. In response to that issue, the applicant proposes (apparently with the concurrence of the Fire Marshall and DPW) to block traffic along 59th by using removable bollards and a temporary turnaround in 59th at the south boundary of the proposed plat.

4. Local residents assert that not only the 39 homes proposed herein will impact the local streets but other developments in the vicinity will raise that number to 60 homes or more on 59th and on 60th Drive NE. They express concern about Cedarcrest Middle School students walking on 60th to 87th Street because there are no sidewalks on 60th nor crosswalks. It appears to this Hearing Examiner, based on review of the entire record, that conditions upon approval recommended by DPW are adequate to reduce those concerns to the extent consistent with law. The same reasoning applies to the Marysville-Pilchuck High School. Specifically, the applicant will be required to provide safe walkways to 60th Drive NE and 83rd Place NE (a bus stop) from within the proposed plat.
5. However, the evidence of record at the close of the record following the initial hearing had not convinced this Hearing Examiner that the elementary school aged children of the proposed 39 households will have safe walking conditions to and from Pinewood Elementary School. The Marysville School District had accepted the applicant's offer to supply a school bus and its maintenance and operating costs for five years in order to overcome the fact that Pinewood Elementary School is "...currently inaccessible to pedestrians directly from the Project [Allen Creek Park]." (See Exhibit 84.) The School District states that it has negotiated similar alternative walkway mitigation agreements in the past. The staff report notes (p. 7) that the walking route to Pinewood Elementary from the subject plat is circuitous due to the creek, which would require the developer to construct offsite walkways along the shortest legal route between the development and the school in order to satisfy the requirement for safe walking conditions for students.
6. Additional evidence and argument at the second hearing (granted upon reconsideration) convinces this Examiner that the applicant has, in fact, met the burden of demonstrating safe passage to school for all students of the proposed subdivision. As stated by the applicant (Exhibit 117), the applicant will provide a safe walkway for students easterly from the development across a private easement to the intersection of 60th Drive NE and 83rd Place NE, thus completing the missing safe walkway link between the Allen Creek Park project and the existing bus stop at the intersection of 83rd Street NE and 67th Avenue NE. In addition, 58th Avenue will be extended to the north with a lighted safe walkway reaching 83rd Place NE.
7. The subject site is designated Urban Residential with Environmentally Sensitive Area overlay on the pre-GMA Marysville Subarea Plan because Allen Creek and its associated wetlands flow north to south across the westerly one third of the site. However, it is the County's GMA Comprehensive Plan which applies in this matter. Also, the Critical Areas Regulations (SCC 30.62) require that Allen Creek and its wetlands be protected by permanent native growth protection area buffers.
8. The project would comply with park mitigation requirements under Chapter 30.66A SCC (Title 26A SCC) by the payment of \$1,040.00 for each new single-family home.

9. 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.

10. School mitigation requirements under Chapter 30.66C SCC (Title 26C SCC) have been reviewed and set forth in the conditions.

11. Allen Creek with associated wetlands flows north to south across the westerly one third of the site. The creek and wetlands are proposed to remain undisturbed and protected by the establishment of permanently protected Native Growth Protection Area buffers. In addition, 9,347 square feet of enhanced buffer will be established. The stream/wetland treatment is described in the Critical Areas, Habitat Management Plan and Buffer Enhancement Plan contained in the project file. (Exhibit 11) An evaluation of the information submitted with the application coupled with an on-site investigation has resulted in a determination that the application complies with Chapter 30.62 (32.10), SCC (Critical Area Regulations) and is consistent with the purpose and objectives of the Chapter in regulation of development activities in Critical Areas to safeguard the public health, safety and welfare. Testimony of local residents is that Allen Creek is a salmon spawning stream. Related actions and plans for the plat must be consistent with that spawning function of the stream.
12. 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).
13. The Snohomish County Health District has no objection to this proposal provided that public water and sewer are furnished.
14. Public water and sewer service will be available for this development as well as electrical power.
15. The subject property is designated Urban Low Density Residential (ULDR: 4-6 DU/Ac) on the GPP Future Land Use map, and is located within an Urban Growth Area (UGA). It is not located within a mapped Growth Phasing Overlay. According to the GPP, the Urban Low Density Residential designation "covers various sub-area plan designations, which allow mostly detached housing developments on larger lot sizes. Land in this category may be developed at a density of four to six dwelling units per acre. Implementing zones include the R-7200, which is the case here.
16. The application is required to meet requirements for a planned residential development set out at SCC 30.42B and the subdivision requirements of 30.41A. A boundary line adjustment affidavit is in the record and the Examiner concurs with the recommendation of approval of that boundary line adjustment. The staff report reviews in detail the proposal's compliance with PRD and plat regulations covering unit yield and bonus, design criteria and open space, drainage, landscaping, tree retention and transportation and parking.
17. 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.
18. Any finding of fact in this decision which should be deemed a conclusion is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Examiner has fully reviewed the PDS staff report and, to the extent that the staff report is consistent with this decision, 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 adopted by the Examiner as a conclusion as if set forth in full herein in order to avoid needless repetition.

2. 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.
3. The Department of Public Works recommends that the request be approved as to traffic use subject to specific conditions. The Examiner concurs and specifically concludes as a matter of law that the safe walking pathway proposed along 83rd Place NE/834d Street NE to the state-funded bussing to Pinewood Elementary School from the bus stop at 67th Avenue NE meets the health, safety and general welfare mandate of RCW 58.17.110, which has insisted for at least 35 years that a plat in Washington State must provide safe walking conditions for school students. Specifically, Section 110 provides in pertinent part:

“(1) The...county...shall determine...if appropriate provisions are made for...sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;....”

“(2) A proposed subdivision ...shall not be approved unless the...county makes written findings that...[A]ppropriate provisions are made for...sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;....”
4. The request should be approved subject to compliance by the applicant with the following conditions:

CONDITIONS

- A. The PRD official site plan/preliminary plat received by the Department of Planning and Development Services on December 21, 2005 (Exhibit 16) shall be the PRD official site plan and approved plat configuration. SCC 30.42B.220 governs changes to the planned residential development official site plan; 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 platlor 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, Habitat Management Plan and Buffer Enhancement Plan prepared by Wetland Resources dated December 27, 2004 (Exhibit 11) and Addendum dated June 6,

2005 (Exhibit 23), shall be submitted for review and approval during the construction review phase of this project.

- iv. A detailed landscape and recreational facilities plan shall have been submitted to and approved by the Department of Planning and Development Services. The plan shall be prepared in general conformance with Exhibit 20 and in conformance with all required landscape standards for perimeter, streetscape and open space treatment, and shall include a significant tree retention plan.

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 three existing residential units. Lots 1, 2 and 26 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:

\$1,813.39 per lot for mitigation of impacts on county roads paid to the County,

\$335.21 per lot for mitigation of impacts to state highways,

\$1,212.26 per lot for mitigation of impacts on the City of Marysville streets paid to the City.

\$204.01 per lot for mitigation of impacts on the City of Arlington streets paid to the City

The developer of this subdivision has elected to defer these payment obligations to a time preceding building permit issuance. Notice of these mitigation payment obligations shall be contained in any deeds involving this subdivision or the lots therein. Once a building permit has been issued all mitigation payments for that lot shall be deemed paid.

iii. On lots with more than one road frontage, county Engineering Design and Development Standards (EDDS) restricts lot access to the minor road, unless the Department of Public Works grants a formal deviation.

iv. All Critical Areas shall be designated Native Growth Protection Areas (NGPA) (unless other agreements have been made) with the following language on the face of the plat;

"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 SCC 32.10.110(29)(a), (c), and (d) are allowed when approved by the County."

v. "All open space 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 as approved and constructed.”

D. Prior to recording of the final plat:

- i. The developer shall pay the County \$1,040.00 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.
- ii. The developer shall have constructed an offsite walkway from Allen Creek Park along 83rd Place NE to its intersection with 60th Drive NE to the nearest bus stop location for the public school students as identified by the Marysville School District (currently the intersection of 60th Drive NE and 83rd Place NE). Additionally, the developer shall have provided \$150,000 in additional mitigation for the purchase of a school bus to be provided to the Marysville School District, with any remaining balance of said \$150,000 to be used by the District toward its school bus maintenance expenses in the future or for other bus transportation purposes. The school district, the applicant and DPW shall concur with the agreement. [RCW 58.17.110]
- iii. Bollards or a barrier that meet EDDS requirements and/or the Fire Marshal's requirements shall block access to the south on 59th Avenue NE until such time that it has been constructed to minimum county design standards from the subject property to Grove Street. A temporary turnaround shall have been constructed south of the bollards/barrier as a turnaround for the south section of 59th Avenue NE.
- iv. The residents on the east side of 59th Avenue that presently have access to the south section of 59th Avenue NE shall be provided with a paved driveway on the east side of an extruded curb or fence divided from the improved "half" road in such a manner that those residents retain access to the south if they so desire, but the Allen Creek Park residents would not. Those existing residents would be provided with a driveway opening in the curb/fence that would allow them to access the new north section of 59th Avenue NE if they so desire.
- v. 83rd Place NE shall have been constructed to 60th Avenue NE to adequate public "half" road standards with a minimum of a 20-foot pavement width.
- vi. 59th Avenue NE shall have been constructed to full public road standards between the north property line and 83rd Place NE, and to adequate public "half" road standards with a minimum of a 20-foot pavement width between 83rd Place NE and the bollards/barrier location (as shown on the 9/14/05 plans).
- vii. 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 platlor 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.

MARYSVILLE (SHAWN SMITH)

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.

- viii. The final wetland mitigation plan shall be completely implemented.
 - ix. A bond or other guarantee of performance shall have been submitted to and accepted by PDS to assure compliance with the provisions of SCC 30.42B.125.
 - x. PRD covenants, deeds and homeowners' association bylaws and other documents shall have been submitted to and approved by PDS guaranteeing maintenance of open space, community facilities, private roads and drives, and all other commonly-owned and operated property. The documents shall have been reviewed by and accompanied by a certificate from an attorney that they comply with Chapter 30.42B SCC requirements prior to approval by PDS. To ensure permanent, ongoing maintenance of landscape areas, landscape maintenance covenants shall be prepared by the applicant and submitted together with documents otherwise required for maintenance of site improvements pursuant to SCC 30.42B.250.
- E. In conformity with applicable standards and timing requirements:
- i. The preliminary landscape plan (Exhibit 20) 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.
5. Any conclusion in this report and decision which should be deemed a finding of fact is hereby adopted as such.

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.

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 request for a 39-lot Planned Residential Development Subdivision on 11.06 acres is **CONDITIONALLY APPROVED** subject to the stipulations at Conclusion of Law 3 and 4 above.

Decision issued this 26th day of April 2006

Hearing Examiner

Ed Good, Deputy

EXPLANATION OF APPEAL PROCEDURES

This decision of the Hearing Examiner following reconsideration is final and conclusive and may be appealed to the County Council. No further requests for reconsideration will be accepted. The following paragraphs summarize the appeal process.

An appeal may be filed by any aggrieved Party of Record. If a petition for reconsideration has been filed, issues subsequently raised by that party (and only that party) on appeal to the county council shall be limited to those issues raised in that petition for reconsideration. Appeals shall be addressed to the Snohomish County Council but shall be filed in writing with the Department of Planning and Development Services, 2nd Floor, County East Administration Building, 3000 Rockefeller Avenue, Everett, Washington (Mailing address: M/S #604, 3000 Rockefeller Avenue, Everett, WA 98201) on or before **MAY 10, 2006** 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.

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 appellants or of the attorney for 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 are 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 the 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.

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 this case. For more information about reconsideration and appeal procedures, please see Chapter 30.72 SCC and the respective Examiner and Council rules of procedure.

Distribution:

Parties of record

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.



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

April 30, 2014

George Newman
Barghausen Consulting Engineers, Inc.
18215 72nd Ave South
Kent, WA 98032

Re: Allen Creek Park – *Minor Modification Approval*
PFN04119115

Dear George,

The Community Development Department received the minor modification to the above referenced subdivision, on February 28, 2014, proposing to reduce the number of single-family lots from thirty-nine (39) to thirty-two (32) including an amended plat configuration. After review of the minor modification, in accordance with SCC 30.70.210 *Minor revisions to approved development applications*, the Director has determined 1) the minor modification does not substantially alter the previous approval of the development application; 2) the minor modification does not substantially alter the final conditions of approval; and 3) the minor modification does not substantially alter the public health, safety and welfare.

Therefore, the proposed minor modification is **APPROVED**, subject to the following amended conditions of the preliminary approval granted by the Snohomish County Hearing Examiner, on April 26, 2006:

1. The PRD official site plan/preliminary plat received by the Community Development Department on April 28, 2014~~Department of Planning and Development Services on December 21, 2005 (Exhibit 16)~~ shall be the PRD official site plan and approved plat configuration. SCC 36.42B.220 governs changes to the planned residential development official site plan; changes to the approved plat are governed by SCC 30.41A.330.
2. Prior to initiation of any further site work; and/or prior to issuance of any development/construction permits by the city/county:
 - a) All site development work shall comply with the requirements of the plans and permits approved pursuant to Condition 1A, above.
 - b) The platter shall mark with temporary markers in the field the boundary of all Native Growth Protection Areas (NGPA) required by Chapter 22E.010 MMC30.62-SCC, or the limits of the proposed site disturbance outside of the NGPA, using methods and materials acceptable to the city/county.
 - c) A final mitigation plan based on the Critical Areas, Habitat Management Plan and Buffer Enhancement Plan prepared by Wetland Resources dated December 27, 2004 (Exhibit 11) and Addendum dated June 6, 2005 (Exhibit 23), shall be submitted for review and approval during the construction review phase of this project.
 - d) A detailed landscape and recreational facilities plan shall have been submitted to an approved by the Community Development Department of Planning and Development Services. The plan shall be prepared in general conformance with Exhibit 20 and in

conformance with all required landscape standards for perimeter, streetscape and open space treatment, and shall include a significant tree retention plan.

3. The following additional restrictions and/or items shall be indicated on the face of the final plat:

a) "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 Chapter 22D.010 MMC SCC-30.66C-010. Credit shall be given for three existing residential units. Lots 1, 2, and 326 shall receive credit."

b) Chapter 30.66 SCC requires the new lot mitigation payments in the amounts shown below for each single-family residential building permit:

~~\$1,813.39~~ per lot for mitigation of impacts on county roads paid to the County;

\$335.21 per lot for mitigation of impacts to state highways;

\$3,025.65~~\$1,212.26~~ per lot for mitigation of impacts on the City of Marysville streets paid to the City; and

\$204.01 per lot for mitigation of impacts on the City of Arlington streets paid to the City.

The developer of this subdivision has elected to defer these payment obligations to a time preceding building permit issuance. Notice of these mitigation payment obligations shall be contained in any deeds involving this subdivision or the lots therein. Once a building permit has been issued all mitigation payments for that lot shall be deemed paid.

c) On lots with more than one road frontage, city~~county~~ Engineering Design and Development Standards (EDDS) restricts lot access to the minor road, unless the Department of Public Works grants a formal deviation.

d) All Critical Areas shall be designated Native Growth Protection Areas (NGPA) (unless other agreements have been made) with the following language on the face of the plat:

"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 Chapter 22E.010 MMCSCC-32.10.110(29)(a), (c), and (d) are allowed when approved by the City~~County~~."

e) "All open space 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 as approved and constructed."

f) Easement and maintenance language for the required five (5) foot perimeter landscape buffer.

4. Prior to recording of the final plat:

a) The developer shall pay the City~~County~~ \$1,040.00 per new dwelling unit as mitigation for parks and recreation impacts in accordance with Chapter 22D.020 MMC30.66A-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.

- b) The developer shall have constructed an offsite walkway from Allen Creek Park along 83rd Place NE to its intersection with 60th Drive NE to the nearest bus stop location for the public school students as identified by the Marysville School District (currently the intersection of 60th Drive NE and 83rd Place NE). Additionally, the developer shall have provided ~~\$106,000~~\$150,000 in additional mitigation for the purchase of a school bus to be provided to the Marysville School District, with any remaining balance of said ~~\$106,000~~\$150,000 to be used by the District toward its school bus maintenance expenses in the future or for other bus transportation purposes. The school district, the applicant and Community Development Department DPW shall concur with the agreement. [RCW 58.17.110]
- c) Bollards or a barrier that meet EDDS requirements and/or the Fire Marshal's requirements shall block access to the south on 59th Avenue NE until such time that it has been constructed to minimum ~~city~~county design standards from the subject property to Grove Street. A temporary turnaround shall have been constructed south of the bollards/barrier as a turnaround for the south section of 59th Avenue NE.
- d) ~~The residents on the east side of 59th Avenue that presently have access to the south section of 59th Avenue NE shall be provided with a paved driveway on the east side of an extruded curb or fence divided from the improved "half" road in such a manner that those residents retain access to the south if they so desire, but the Allen Creek Park residents would not. Those existing residents would be provided with a driveway opening in the curb/fence that would allow them to access the new north section of 59th Avenue NE if they so desire.~~
- e) 83rd Place NE shall have been constructed to 60th Avenue NE to adequate public "half" road standards with a minimum of a 20-foot pavement width.
- f) 59th Avenue NE shall have been constructed to full public road standards between the north property line and 83rd Place NE, and to adequate public "half" road standards with a minimum of a 20-foot pavement width between 83rd Place NE and the bollards/barrier location ~~(as shown on the 9/14/05 plans).~~
- g) Native Growth Protection Area boundaries (NGPA) shall have been permanently marked on the site prior to final inspection by the ~~city~~county, with both NGPA signs and adjacent markers which can be magnetically located (e.g.: rebar, pipe, 20 penny nails, etc.). The platter may use other permanent methods and materials provided they are first approved by the ~~city~~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 ~~NGPA~~Type-1 sign per wetland, and at least on ~~NGPA~~Type-1 sign shall be placed in any lot that borders the NGPA, unless otherwise approved by the ~~city~~county biologist. The design and proposed locations for the NGPA signs shall be submitted to the Community Development Department~~Land Use Division~~ for review and approval prior to installation.
- h) The final wetland mitigation plan shall be completely implemented.
- i) A bond or other guarantee of performance shall have been submitted to and accepted by the Community Development Department PDS to assure compliance with the provisions of Chapter 22E.010 MMCSCG-30.42B.125.
- j) PRD covenants, deeds and homeowners' association bylaws and other documents shall have been submitted to and approved by the Community Development Department PDS guaranteeing maintenance of open space, community facilities,

private roads and drives, and all other commonly-owned and operated property. The documents shall have been reviewed by and accompanied by a certificate from an attorney that they comply with Chapter 30.42B SCC requirements prior to approval by the Community Development DepartmentPDS. To ensure permanent, ongoing maintenance of landscape areas, landscape maintenance covenants shall be prepared by the applicant and submitted together with documents otherwise required for maintenance of site improvements pursuant to SCC 30.42B.250.

5. In conformity with applicable standards and timing requirements:
 - a) The preliminary landscape plan (Exhibit 20) shall be implemented. All required detention facility landscaping shall be installed in accordance with the approved landscape plan.
6. All development activity shall conform to the requirements of Chapter 14.15 MMC30-63A SCC.
7. A quality sight-obscuring wood fence shall be constructed along the outer edge of the required five (5) foot perimeter landscape easements.
8. As mitigation for removal of the non-native Ponderosa pine trees along the southern perimeter of the PRD, the developer shall be required to install a minimum of eighteen (18) evergreen trees, along the NGPA buffer adjacent to Lots 25 - 27, measuring a minimum of six (6) feet in height at the time of planting.
9. The lots and roads located within the 300' Riparian Management Zone (RMZ) shall not allow any "effective impervious surface" within the RMZ. Effective impervious surface means that fraction of impervious surface producing stormwater runoff that is not infiltrated into soil. The applicant shall be required to demonstrate no effective impervious surface within the RMZ, prior to construction plan approval.
10. The developer shall be required to connect 8211 59th Avenue NE to public water and sewer and pay all capital improvement connection charges, prior to recording the PRD. The existing on-site sewage system shall be abandoned by having the septic tank pumped by a certified pumper, then having the top of the tank removed or destroyed and filling the void (WAC 246-272A-0300). Documentation demonstrating completion of this work shall be submitted to the Community Development Department.
11. The developer shall be required to construct the following improvements for the current residents of 8205 59th Avenue NE, as outlined in the agreement between the applicant and Betty Hebert, prior to recording the PRD.
 - a) Connect the existing residence to city water, including all water pipe and hook-ups, including PRV, kitchen, washing machine, hot water tank and bathroom. Capital improvement charges shall be paid by the developer.
 - b) Connect the existing residence to city sewer, including sewer hook-ups to all drains in the home which includes three (3) existing drains (kitchen, washing machine and bathroom. Capital improvement charges shall be paid by the developer.
 - c) The existing on-site sewage system(s) shall be abandoned by having the septic tank(s) pumped by a certified pumper, then having the top of the tank removed or destroyed and filling the void (WAC 246-272A-0300). Documentation demonstrating completion of this work shall be submitted to the Community Development Department.
 - d) A paved asphalt driveway shall be installed from the 59th Avenue NE to the garage.
 - e) Landscaping shall be installed within the front yard to create a sense of privacy. Any disturbance to the existing landscaping shall be restored to original and/or better condition and any landscaping must be mutually agreed upon. No plants, trees, shrubs, etc. shall be removed without written prior consent from Betty Hebert or current residents.

- f) It at any time during construction of the PRD the existing well is compromised, connection to City of Marysville water shall be made within seven (7) days of notice.

If you have any questions regarding the revised conditions associated with the minor modification approval, please contact me at cholland@marysvillewa.gov, or by phone at 360.363.8207.

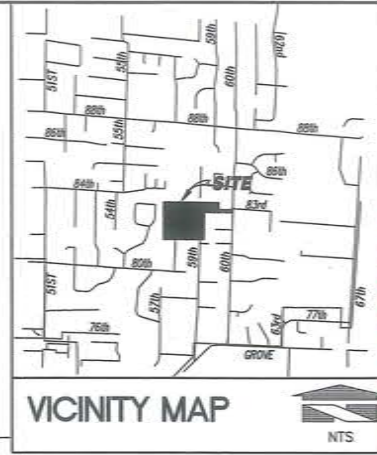
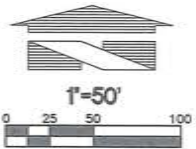
Sincerely,



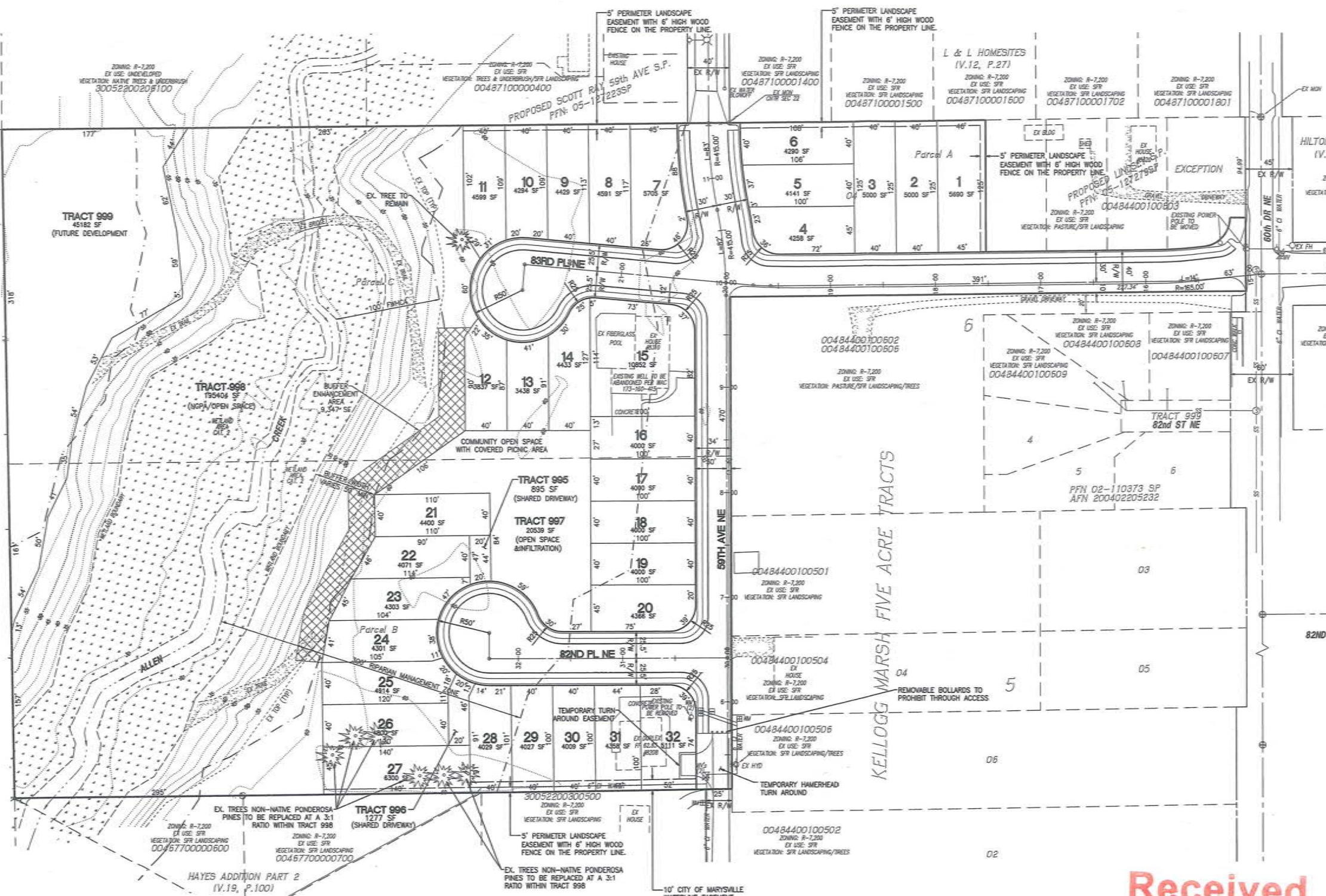
Chris Holland
Planning Manager

cc: Gloria Hirashima, CAO/CD Director
Scott Ray, owner/applicant

PRELIMINARY PLAT MAP
OF
ALLEN CREEK PARK
A PORTION OF NE1/4 OF SW1/4, SECTION 22, TOWNSHIP 30 N,
RANGE 05 E, W.M. SNOHOMISH COUNTY, WA



APPROVED
Date: 4/30/14
Minor Amendment



SITE INFORMATION
TOTAL SITE AREA: 11.23 AC (489,035 ± SF)
EXISTING/PROPOSED ZONING: R-7200
NUMBER OF LOTS PROPOSED: 32
NUMBER OF LOTS PER ACRE OF LAND: 2.85
AVERAGE LOT SIZE: 4,080 SF
SIZE OF SMALLEST PROPOSED LOT: 3,438 SF
NOTE: EXISTING HOUSE ON PROPOSED LOT 15, AND EXISTING DUPLEX ON PROPOSED LOTS 31 & 32 WILL REMAIN.

PUBLIC UTILITIES AND SERVICES
WATER PURVEYOR: PUBLIC - CITY OF MARYSVILLE
SEWER PURVEYOR: SANITARY SEWER - CITY OF MARYSVILLE
FIRE PROTECTION: FIRE DISTRICT NO. 12
PUBLIC SCHOOLS: MARYSVILLE SCHOOL DISTRICT NO. 25

SITE ADDRESS
8310 AND 8208 59TH AVE NE
MARYSVILLE, WA 98270

TAX PARCEL NUMBERS
30052200300300, 30052200300200 & 00484400100604

DATUM: NAVD 83
BENCH: EX. 55M AT INTERSECTION 80TH DR NE AND 82ND PL NE (ELEV. = 83.0' (M))

LEGAL DESCRIPTION
THE S1/2 OF THE NE1/4 OF THE NE1/4 OF THE SW1/4 OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.; AND THE N1/2 OF THE NE1/4 OF THE SW1/4 OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M.; TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY: THAT PORTION OF THE NORTH 165 FEET, AS MEASURED PERPENDICULAR TO AND PARALLEL WITH THE NORTH LINE OF LOT 6, BLOCK 1, KELLOGG MARSH FIVE ACRE TRACTS, ACCORDING TO THE PLAT RECORDED IN VOLUME 10 OF PLATS, PAGE 16, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID NORTH 165 FEET, THENCE S89°25'16"W, ALONG THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 491.17 FEET TO THE SW CORNER OF SAID NORTH 165 FEET, THENCE N07°50'W, ALONG THE WEST LINE OF SAID LOT 6, A DISTANCE OF 165.01 FEET TO THE NW CORNER OF SAID LOT 6; THENCE N89°25'16"E, ALONG THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 243.69 FEET TO THE WEST LINE OF THE EAST 247.55 FEET, AS MEASURED PERPENDICULAR TO AND PARALLEL WITH THE EAST LINE OF SAID LOT 6; THENCE S07°06'E, PARALLEL WITH SAID EAST LINE, A DISTANCE OF 151.00 FEET TO THE NORTH LINE OF THE SOUTH 40 FEET OF THE NORTH 165 FEET, AS MEASURED PERPENDICULAR TO AND PARALLEL WITH THE NORTH LINE OF SAID LOT 6; THENCE N89°25'16"E, ALONG SAID PARALLEL LINE, A DISTANCE OF 151.78 FEET, THENCE EASTERLY, ALONG A 385 FOOT RADIUS TANGENTIAL CURVE TO THE LEFT, PASSING THROUGH A CENTRAL ANGLE OF 6°57'33", AN ARC DISTANCE OF 46.76 FEET TO A POINT OF COMPOUND CURVE; THENCE N07°50'W, ALONG A 27.74 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS CENTER FROM WHICH BEARS N73°21'17"W, PASSING THROUGH A CENTRAL ANGLE OF 82°33'49", AN ARC DISTANCE OF 38.98 FEET; THENCE N89°25'16"E, RADIAL TO SAID CURVE AND PERPENDICULAR TO THE WEST LINE OF SAID LOT 6, A DISTANCE OF 15 FEET TO SAID EAST LINE, THENCE S07°06'E, ALONG SAID EAST LINE, A DISTANCE OF 70.02 FEET TO THE POINT OF BEGINNING.

ON-SITE RECREATION

OPEN SPACE REQUIRED (20% OF GROSS SITE AREA):	97,807 SF
TOTAL OPEN SPACE PROVIDED:	215,991 SF (44%)
TRACT 998	195,404 SF
TRACT 997	20,539 SF
TOTAL	215,943 SF

USABLE OPEN SPACE REQUIRED (600 SF/UNIT): 18,600 SF
USABLE OPEN SPACE PROVIDED (TRACT 997): 20,539 SF

NOTE: MIN OF 30% OF ALL USABLE OPEN SPACE MUST BE DEVELOPED FOR ACTIVE RECREATION PURPOSES AND WILL CONSIST OF ONE OR MORE OF THE FOLLOWING: OPEN PLAY AREA (GRASS OR OTHER PERVIOUS SURFACE), SPORTS COURT, TOTLOT WITH PLAY EQUIPMENT, ECT.

ACTIVE RECREATIONAL SPACE REQUIRED: 6,176 SF
ACTIVE RECREATIONAL SPACE PROVIDED (TRACT 997): 6,300 SF

MINIMUM NET DENSITY CALCULATION SNOHOMISH COUNTY

NET AREA = GROSS AREA LESS ROADS, DEDICATION, DETENTION TRACT	
GROSS SITE AREA:	489,035 SF
LESS:	
78,170 SF (ROADWAYS)	
895 SF (TRACT 995-SHARED DRIVEWAY)	
1,277 SF (TRACT 996-SHARED DRIVEWAY)	
20,539 SF (TRACT 997-DETENTION)	
45,182 SF (TRACT 999-RESERVED FOR FUTURE DEV.)	
NET AREA =	344,972 SF (7.92 ACRES)
NET DENSITY = 32 DU / 7.92 ACRES = 4.04 DU/ACRE	

DENSITY CALCULATION CITY OF MARYSVILLE

NET AREA = GROSS AREA LESS ROADS, DEDICATION, STORM DETENTION, PARKHANDLES AND 75% OF CATEGORY 2 WETLANDS & BUFFERS	
GROSS SITE AREA:	489,035 SF
LESS:	
78,170 SF (ROADWAYS)	
895 SF (TRACT 995-SHARED DRIVEWAY)	
1,277 SF (TRACT 996-SHARED DRIVEWAY)	
20,539 SF (TRACT 997-DETENTION)	
45,182 SF (TRACT 999-RESERVED FOR FUTURE DEV.)	
74,402 SF (75% OF CAT. 1 & 2 WETLANDS)	
NET AREA =	270,570 SF (6.21 ACRES)
LOTS PERMITTED: 41 (6.21 ACRES X 6.5 DU/ACRE* = 40.37 OR 41 LOTS)	
*CITY COMPREHENSIVE PLAN DESIGNATION FOR SITE: HIGH DENSITY SINGLE FAMILY (6.5 DU/ACRE)	

PRELIMINARY PLAT MAP
ALLEN CREEK PARK

SCOTT R. RAY
8310 59TH AVE NE
MARYSVILLE, WA 98271
(425) 359-1745



Scale:	Horizontal	1"=50'	Vertical	N/A
Designed -_BUT_	Drawn -_BAG_	Checked -_BUT_	Approved -_BUT_	Date 2/17/14

18215 72ND AVENUE SOUTH
KENT, WA 98032
(425) 251-6222
(425) 251-8782 FAX
CIVIL ENGINEERING, LAND PLANNING,
SURVEYING, ENVIRONMENTAL SERVICES



Job Number	16878
Sheet	1 of 1

Received
APR 28 2014
City of Marysville
Community Development

PROJECT MANAGER/PLANNER
BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72ND AVE. SOUTH
KENT, WA 98032
(425) 251-6222
FAX (425) 251-8782
CONTACT: GEORGE NEWMAN, ACP

ENGINEER
BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72ND AVE. SOUTH
KENT, WA 98032
(425) 251-6222
FAX (425) 251-8782
CONTACT: BARRY TALKINGTON, P.E.

OWNER/APPLICANT:
SCOTT R. RAY
8310 59TH AVE NE
MARYSVILLE, WA 98271
(425) 359-1745

SURVEYOR
J.R. ANDRES & ASSOCIATES
1513 TENTH STREET
MARYSVILLE, WA 98270
(360) 659-6639

OFF STREET PARKING*

REQUIRED PARKING
RESIDENCE - 2 PER UNIT = 64
TOTAL = 64

GUEST PARKING REQUIRED: 30,428,140(7) SCC
% SPACE PER UNIT x 32 = 16
TOTAL = 16

PROVIDED PARKING
RESIDENCE - 2 PER UNIT IN GARAGE = 64
GUEST - 2 PER UNIT IN DRIVEWAY = 64
TOTAL = 128

* STALL DIMENSIONS SHALL BE 8.5'x19' FOR STANDARD OR 8'x16' FOR COMPACT

ENCUMBRANCES
THIS PRELIMINARY SUBMISSION/PRD IS SUBJECT TO THE FOLLOWING ENCUMBRANCES WHICH ARE NOT PLATABLE:

1. PUGET SOUND POWER AND LIGHT CO. EASEMENT (AFN 491859)
2. PUGET SOUND POWER & LIGHT CO. EASEMENT (AFN 491860)
3. STRETCH ROAD EASEMENT (AFN 480097)

ALLEN CREEK PARK

NE 1/4, SW 1/4, SEC. 22, AND NW 1/4, SE 1/4, SEC. 22, T. 30 N., R. 5 E., W.M.
CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (PFN. 04-119115 SD)

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT ALLEN CREEK PARK, LLC, A WASHINGTON LIMITED LIABILITY COMPANY THE UNDERSIGNED OWNER(S), IN FEE SIMPLE OF THE LAND HEREBY PLATTED, AND SPRINGLINE CAPITAL, LLC, THE MORTGAGEE THEREOF, 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 THIS 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.

A "TRACT" IS LAND RESERVED FOR SPECIFIC USES INCLUDING, BUT NOT LIMITED TO, RESERVE TRACTS, RECREATION, OPEN SPACE, SENSITIVE AREAS, SURFACE WATER RETENTION, UTILITY FACILITIES AND ACCESS. TRACTS ARE NOT CONSIDERED LOTS FOR BUILDING SITES FOR PURPOSES OF RESIDENTIAL DWELLING CONSTRUCTION.

TRACT 995 IS FOR ACCESS AND UTILITIES AND IS HEREBY CONVEYED IN AN EQUAL AND UNDIVIDED INTEREST TO THE OWNERS OF LOTS 21 AND 22, ALONG WITH ALL MAINTENANCE OBLIGATIONS FOR THE FACILITIES WITHIN SAID TRACTS UPON THE RECORDING OF THIS PLAT, WITH THE EXCEPTION THAT THE CITY OF MARYSVILLE SHALL BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF THE SEWER FACILITIES WITHIN THE PUBLIC SEWER EASEMENTS SHOWN WITHIN SAID TRACTS. ANY CONVEYANCE OF LOTS 21 OR 22 SHALL INCLUDE AN UNDIVIDED OWNERSHIP INTEREST IN TRACT 995.

TRACT 996 IS FOR ACCESS AND UTILITIES AND IS HEREBY CONVEYED IN AN EQUAL AND UNDIVIDED INTEREST TO THE OWNERS OF LOTS 26 AND 27, ALONG WITH ALL MAINTENANCE OBLIGATIONS FOR THE FACILITIES WITHIN SAID TRACTS UPON THE RECORDING OF THIS PLAT, WITH THE EXCEPTION THAT THE CITY OF MARYSVILLE SHALL BE RESPONSIBLE FOR THE OWNERSHIP AND MAINTENANCE OF THE SEWER FACILITIES WITHIN THE PUBLIC SEWER EASEMENTS SHOWN WITHIN SAID TRACTS. ANY CONVEYANCE OF LOTS 26 OR 27 SHALL INCLUDE AN UNDIVIDED OWNERSHIP INTEREST IN TRACT 996.

TRACT 997, TOGETHER WITH DRAINAGE AND DETENTION FACILITIES IS HEREBY GRANTED AND CONVEYED TO THE ALLEN CREEK PARK HOMEOWNER'S ASSOCIATION (HOA) UPON 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 TRACT, CONSISTENT WITH THE CITY OF MARYSVILLE CODE, SHALL BE THE RESPONSIBILITY OF THE ALLEN CREEK PARK HOMEOWNER'S ASSOCIATION (HOA). USE OF SAID TRACT IS RESTRICTED TO THAT SPECIFIED IN THE APPROVED FINAL PLAT. THE ALLEN CREEK PARK HOMEOWNERS ASSOCIATION (HOA) SHALL COMPLY WITH THOSE CITY OF MARYSVILLE REGULATIONS AND CONDITIONS OF FINAL SUBDIVISION APPROVAL SPECIFIED ON THE PLAT. 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 SURFACE RIGHTS RESERVED BY ALLEN CREEK PARK HOMEOWNER'S ASSOCIATION (HOA). THE CITY MAY TAKE ALL SUCH ACTS AS REASONABLY REQUIRED TO PRESERVE, PROTECT, AND MAINTAIN ITS IMPROVEMENTS. THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS SUBDIVISION HAVE ASSUMED COMMON OWNERSHIP OF SAID TRACT. IN THE EVENT THAT THE HOA SHOULD BE DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACT PREVIOUSLY OWNED BY THE HOA AS WELL AS SAME RESPONSIBILITY FOR MAINTAINING THE TRACT.

TRACT 998 (OPEN SPACE NGPA TRACT) IS HEREBY GRANTED AND CONVEYED ALONG WITH ALL MAINTENANCE OBLIGATIONS TO THE ALLEN CREEK PARK HOMEOWNER'S ASSOCIATION (HOA) UPON RECORDING OF THIS PLAT, SUBJECT TO AN EMERGENCY MAINTENANCE EASEMENT GRANTED AND CONVEYED TO THE CITY OF MARYSVILLE. THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS SUBDIVISION HAVE ASSUMED COMMON OWNERSHIP OF SAID TRACT. IN THE EVENT THAT THE HOA SHOULD BE DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACT PREVIOUSLY OWNED BY THE HOA AS WELL AS RESPONSIBILITY FOR MAINTAINING THE TRACT.

ALL NATIVE GROWTH PROTECTION AREAS (NGPA) 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 WHEN APPROVED BY THE CITY. ACTIVITIES AS SET FORTH IN CHAPTER 22E.010 MMC ARE ALLOWED WHEN APPROVED BY THE CITY.

TRACT 999 IS RESERVED FOR FUTURE DEVELOPMENT.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS THIS ___ DAY OF _____, 20___.

BY: ALLEN CREEK PARK, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

BY: SPRINGLINE CAPITAL, LLC

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS/ARE THE PERSON(S) 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 ALLEN CREEK PARK, LLC, A WASHINGTON LIMITED LIABILITY COMPANY TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS _____ DAY OF _____, 201____.

(LEGIBLY PRINT NAME OF NOTARY)
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT _____ MY COMMISSION EXPIRES _____

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS/ARE THE PERSON(S) 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 SPRINGLINE CAPITAL, LLC TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS _____ DAY OF _____, 201____.

(LEGIBLY PRINT NAME OF NOTARY)
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT _____ MY COMMISSION EXPIRES _____

LEGAL DESCRIPTION:

(PER CHICAGO TITLE INSURANCE COMPANY TITLE INSURANCE CERTIFICATE NO. 500002833C DATED DECEMBER 16, 2014)

PARCEL A:

PARCEL 2 OF SNOHOMISH COUNTY BOUNDARY LINE ADJUSTMENT NO. 04-119115 RECORDED UNDER RECORDING NO. 200703160044, BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, AND A PORTION OF LOT 6, BLOCK 1, KELLOGG MARSH FIVE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10 OF PLATS, PAGE 16 RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

PARCEL B:

THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN,

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

CITY OF MARYSVILLE APPROVALS

CITY ENGINEER

EXAMINED AND APPROVED THIS _____ DAY OF _____, 20____.

CITY ENGINEER _____

DEPARTMENT OF COMMUNITY DEVELOPMENT

EXAMINED AND APPROVED THIS _____ DAY OF _____, 20____.

COMMUNITY DEVELOPMENT DIRECTOR _____

CITY MAYOR

EXAMINED, FOUND TO BE IN CONFORMITY WITH APPLICABLE ZONING AND OTHER LAND USE CONTROLS AND APPROVED THIS _____ DAY OF _____, 20____.

MAYOR, CITY OF MARYSVILLE _____

CITY CLERK _____

SNOHOMISH COUNTY APPROVALS

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.

TREASURER, SNOHOMISH COUNTY _____

DATE _____

BY: DEPUTY COUNTY TREASURER _____

DATE _____

AUDITOR'S CERTIFICATE

RECORDING NO. _____

FILED FOR RECORD AT THE REQUEST OF THE MEAD GILMAN AND ASSOCIATES THIS _____ DAY OF _____, 20____, AT _____ MINUTES PAST _____ M. AND RECORDED IN VOLUME _____ OF PLATS, PAGES _____ THROUGH _____, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

AUDITOR, SNOHOMISH COUNTY _____

BY: DEPUTY COUNTY AUDITOR _____

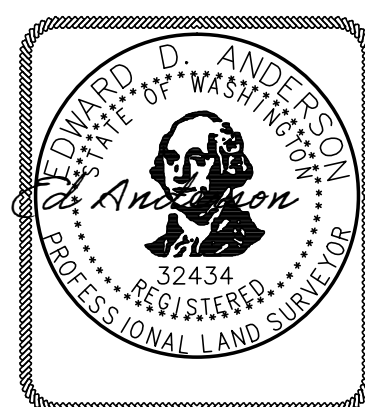
LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF ALLEN CREEK PARK IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 22, TOWNSHIP 30 NORTH, RANGE 5 EAST, W.M. AS REQUIRED BY STATE STATUTES; THAT ALL COURSES, DISTANCES AND ANGLES ARE SHOWN CORRECTLY THEREON; THAT THE MONUMENTS HAVE BEEN SET AND THE LOT AND BLOCK CORNERS HAVE BEEN STAKED CORRECTLY ON THE GROUND AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE PLATTING REGULATIONS.

Ed Anderson

EDWARD D. ANDERSON
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 32434

9/1/2015



JOB NO. 14139
SHEET 1 OF 6

PLAT OF: ALLEN CREEK PARK		AREA: 11.21± ACRES
NE 1/4, SW 1/4 & NW 1/4, SE 1/4, SEC. 22, TWP. 30N., RGE. 5E., W.M. CITY OF MARYSVILLE, SNOHOMISH COUNTY WASHINGTON		TOTAL LOTS: 32
PARCEL NOS.: 30052200300200 & 30052200300300		TOTAL TRACTS: 5
		DATE: 03, FEB. 2015



Mead Gilman & Assoc.
Professional Land Surveyors

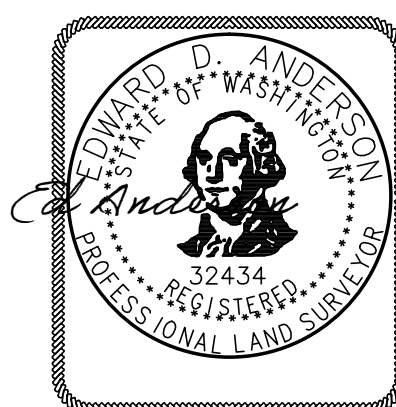
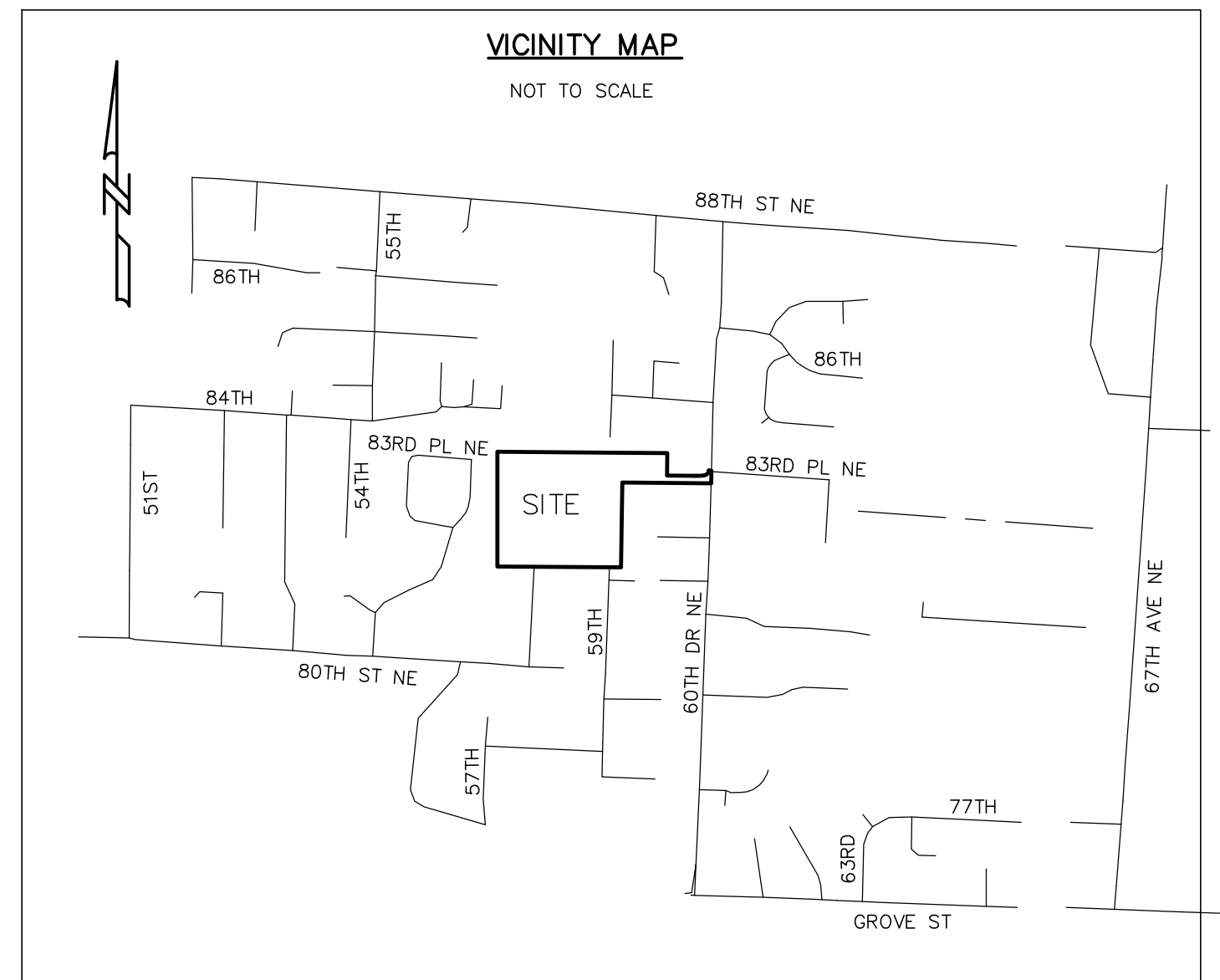
P.O. BOX 289, WOODINVILLE, WA 98072
PHONE: (425) 486-1252 FAX: (425) 486-6108

ALLEN CREEK PARK

NE 1/4, SW 1/4, SEC. 22, AND NW 1/4, SE 1/4, SEC. 22, T. 30 N., R. 5 E., W.M.
CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (PFN. 04-119115-SD)

RESTRICTIONS

1. SUBJECT TO THE ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENT AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN DOCUMENT TO PUGET SOUND POWER & LIGHT COMPANY AS RECORDED UNDER RECORDING NO. 491860.(BLANKED EASEMENT OVER N1/2 OF NE1/4 OF NE1/4 OF SW1/4 SEC 22-30N-R5E BEING PORTION OF PARCEL A)(NOT PLOTTABLE).
2. SUBJECT TO CONTRACT OF RECOVERY OF UTILITY CONSTRUCTION COST AS RECORDED UNDER RECORDING NO. 20043261084. (NOT PLOTTABLE).
3. SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES AND STATEMENTS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON BOUNDARY LINE ADJUSTMENT NO. 04-11915 AS RECORDED UNDER RECORDING NO. 200703160044.(NO EASEMENT SHOWN OR DESCRIBED ON SAID DOCUMENT)(NOTHING TO PLOT).
4. SUBJECT TO ROAD EASEMENT AND THE RIGHT INCIDENTAL THERETO, AS GRANTED IN DOCUMENT TO JACK STRETCH AND FLORENCE STRETCH AS RECORDED UNDER RECORDING NO. 480097. (SAID EASEMENT FALLS IN DEDICATED BY THIS PLAT ROW OF 59TH AVE NE).(PLOTTED HEREON).
5. SUBJECT TO THE ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENT AND RIGHTS INCIDENTAL THERETO AS GRANTED IN DOCUMENT TO PUGET SOUND POWER & LIGHT COMPANY AS RECORDED UNDER RECORDING NO. 491859. (BLANKED EASEMENT OVER S1/2 OF NE1/4 OF NE1/4 OF SW1/4 SEC 22-30N-R5E - PARCEL B)(NOT PLOTTABLE).
6. SUBJECT TO THE WATER LINE EASEMENT AND THE RIGHT INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT TO CITY OF MARYSVILLE AS RECORDED UNDER RECORDING NO. 1952421.(PLOTTED HEREON).
7. SUBJECT TO A DEED OF TRUST AS RECORDED UNDER RECORDING NO. 201411120916.(NOT PLOTTABLE).
8. SUBJECT TO A DEED OF TRUST AS RECORDED UNDER RECORDING NO. 201412180364.(NOT PLOTTABLE)
9. 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 CHAPTER 22D.010 MMC. CREDIT SHALL BE GIVEN FOR THREE EXISTING RESIDENTIAL UNITS. LOTS 1, 2 AND 3 SHALL RECEIVE CREDIT.
10. CHAPTER 30.66 SCC REQUIRES THE NEW LOT MITIGATION PAYMENTS IN THE AMOUNTS SHOWN BELOW FOR EACH SINGLE-FAMILY RESIDENTIAL BUILDING PRIOR TO PERMIT ISSUANCE:
\$335.21 PER LOT FOR MITIGATION OF IMPACTS TO STATE HIGHWAYS,
\$3,025.65 PER LOT FOR MITIGATION OF IMPACTS ON THE CITY OF MARYSVILLE STREETS PAID TO THE CITY; AND
\$204.01 PER LOT FOR MITIGATION OF IMPACTS ON THE CITY OF ARLINGTON STREETS PAID TO THE CITY; AND THE DEVELOPER OF THIS SUBDIVISION HAS ELECTED TO DEFER THESE PAYMENT OBLIGATIONS TO A TIME PRECEDING BUILDING PERMIT ISSUANCE. NOTICE OF THESE MITIGATION PAYMENT OBLIGATIONS SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION OR THE LOTS THEREIN. ONCE A BUILDING PERMIT HAS BEEN ISSUED ALL MITIGATION PAYMENTS FOR THAT LOT SHALL BE DEEMED PAID.
11. \$106,000.00 TO BE PAID TO THE MARYSVILLE SCHOOL DISTRICT FOR A SCHOOL BUS. ANY MONEYS LEFT AFTER PURCHASE OF THE BUS IS TO STAY WITH THE SCHOOL DISTRICT FOR MAINTENANCE.
12. PARK MITIGATION SHALL BE PAID TO THE CITY OF MARYSVILLE IN THE AMOUNT OF \$1,040 PER LOT FOR MITIGATION OF IMPACTS ON MARYSVILLE PARKS PRIOR TO BUILDING PERMIT ISSUANCE.
13. ON LOTS WITH MORE THAN ONE ROAD FRONTAGE CITY ENGINEERING DESIGN AND DEVELOPMENT STANDARDS (EDDS) RESTRICT LOT ACCESS TO THE MINOR ROAD, UNLESS THE DEPARTMENT OF PUBLIC WORKS GRANTS A FORMAL DEVIATION.
14. 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 CHAPTER 22E.010 MMC ARE ALLOWED WHEN APPROVED BY THE CITY.
15. ALL OPEN SPACE SHALL BE PROTECTED AS OPEN SPACE PERPETUITY. USE OF OPEN SPACE TRACTS WITHIN THIS SUBDIVISION IS RESTRICTED TO THOSE USES APPROVED FOR THE PLANNED RESIDENTIAL DEVELOPMENT, TO INCLUDE OPEN PLAY AREA, 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, FACILITY AND LANDSCAPING WITHIN THE OPEN SPACE AS APPROVED AND CONSTRUCTED.
16. NO FURTHER SUBDIVISION OF ANY LOT WITHOUT RESUBMITTING FOR FORMAL PLAT PROCEDURE.
17. 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.
18. ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE DEVELOPER AND HIS SUCCESSOR(S) AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO CITY ROAD PURPOSES.
19. 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.
20. AN EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE CITY OF MARYSVILLE, FRONTIER COMMUNICATIONS, COMCAST, CENTURY LINK/QWEST, PUGET SOUND ENERGY, THE OWNERS OF THE LOTS WITHIN THIS PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 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 THE NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVICE TO THIS SUBDIVISION AND OTHER PROPERTY WITH WATER, STORM DRAINAGE, ELECTRIC, TELEPHONE, GAS, TELEVISION, CABLE OR INTERNET SERVICE AND SEWER TOGETHER WITH THE RIGHT TO ENTER UPON THE EASEMENTS AT ALL TIMES FOR THE PURPOSES STATED. THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION OF UTILITY. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, TELEPHONE OR CABLE TV SHALL BE PLACED OR BE PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.
21. PRIVATE LANDSCAPE EASEMENT AS DEPICTED HEREIN FOR PURPOSE OF LANDSCAPING OVER LOTS 1-3, 7-11 AND 28-32 FOR BENEFIT OF ALL LOTS WITHIN THIS SUBDIVISION. THE RESPONSIBILITY OF AND THE COSTS FOR THE MAINTENANCE, WITHIN SAID PRIVATE EASEMENT SHALL BE BORNE IN EQUAL PARTS BY THE ALL LOT OWNERS WITHIN THIS SUBDIVISION.
22. PRIVATE TEMPORARY ACCESS EASEMENT AS DEPICTED HEREIN OVER LOT 32 FOR THE PURPOSE OF VEHICULAR INGRESS, EGRESS AND TURN AROUND. THE RESPONSIBILITY OF AND THE COSTS FOR THE MAINTENANCE, WITHIN SAID PRIVATE EASEMENT SHALL BE BORNE IN EQUAL PARTS BY THE ALL LOT OWNERS WITHIN THIS SUBDIVISION. THE EASEMENT SHALL BE TERMINATED UPON FUTURE DEVELOPMENT OF 59TH AVE NE TO SOUTH OF PROP LINE.
23. PRIVATE STORM DRAINAGE EASEMENTS AS DEPICTED HEREIN ARE HEREBY GRANTED AND CONVEYED FOR THE BENEFIT OF INDIVIDUAL LOTS SPECIFIED HEREIN. THE RESPONSIBILITY OF AND THE COSTS FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THE STORM SEWER AND APPURTENANCES LOCATED WITHIN SAID PRIVATE EASEMENTS SHALL BE BORNE IN EQUAL PARTS BY THOSE OWNERS BENEFITING FROM SAID EASEMENTS, EXCEPT THAT NO OWNER SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE AND/OR REPAIR ABOVE THEIR POINT OF CONNECTION.
24. PRIVATE WATER EASEMENT OVER LOT 28 AS DEPICTED HEREIN IS FOR THE BENEFIT OF LOTS 26 AND 27. THE RESPONSIBILITY OF AND THE COSTS FOR THE MAINTENANCE, REPAIR, AND/OR RECONSTRUCTION OF THE JOINT USE DRIVEWAY LOCATED WITHIN SAID PRIVATE EASEMENTS SHALL BE BORNE EQUALLY BY THOSE OWNERS BENEFITING FROM SAID SYSTEMS.
25. SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED UNDER AFN _____



JOB NO. 14139
SHEET 2 OF 6

9/04/2015

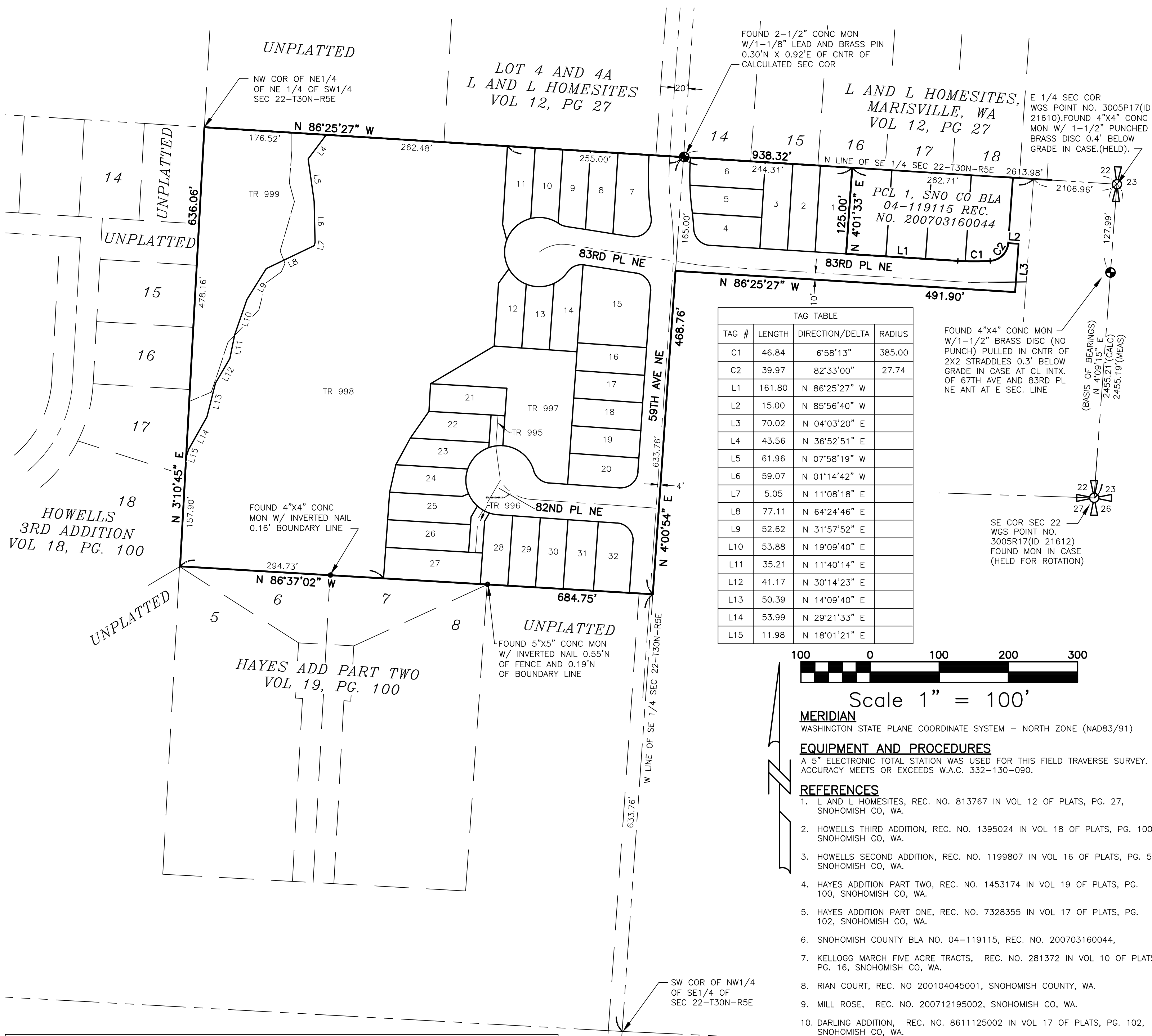


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ALLEN CREEK PARK

NE 1/4, SW 1/4, SEC. 22, AND NW 1/4, SE 1/4, SEC. 22, T. 30 N., R. 5 E., W.M.
CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (PFN. 04-119115-SD)



FOUND 2-1/2" CONC MON W/1-1/8" LEAD AND BRASS PIN 0.30'N X 0.92'E OF CNTR OF CALCULATED SEC COR

FOUND 4"x4" CONC MON W/1-1/2" BRASS DISC (NO PUNCH) PULLED IN CNTR OF 2X2 STRADDLES 0.3' BELOW GRADE IN CASE AT CL INTX. OF 67TH AVE AND 83RD PL NE ANT AT E SEC. LINE

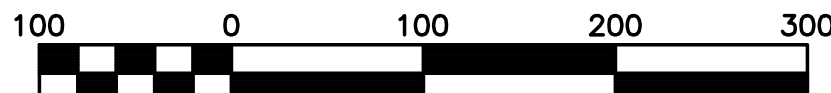
FOUND 4"x4" CONC MON W/1-1/2" BRASS DISC (NO PUNCH) PULLED IN CNTR OF 2X2 STRADDLES 0.3' BELOW GRADE IN CASE AT CL INTX. OF 67TH AVE AND 83RD PL NE ANT AT E SEC. LINE

SE COR SEC 22 WGS POINT NO. 3005P17(ID 21610). FOUND 4"x4" CONC MON W/ 1-1/2" PUNCHED BRASS DISC 0.4' BELOW GRADE IN CASE.(HELD).

(BASIS OF BEARINGS)
N 4°09'15" E
2455.21' (CALC)
2455.19' (MEAS)

SE COR SEC 22 WGS POINT NO. 3005R17(ID 21612) FOUND MON IN CASE (HELD FOR ROTATION)

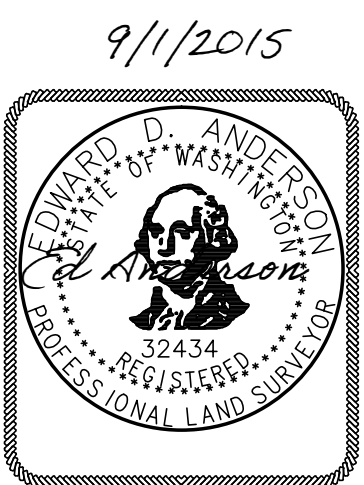
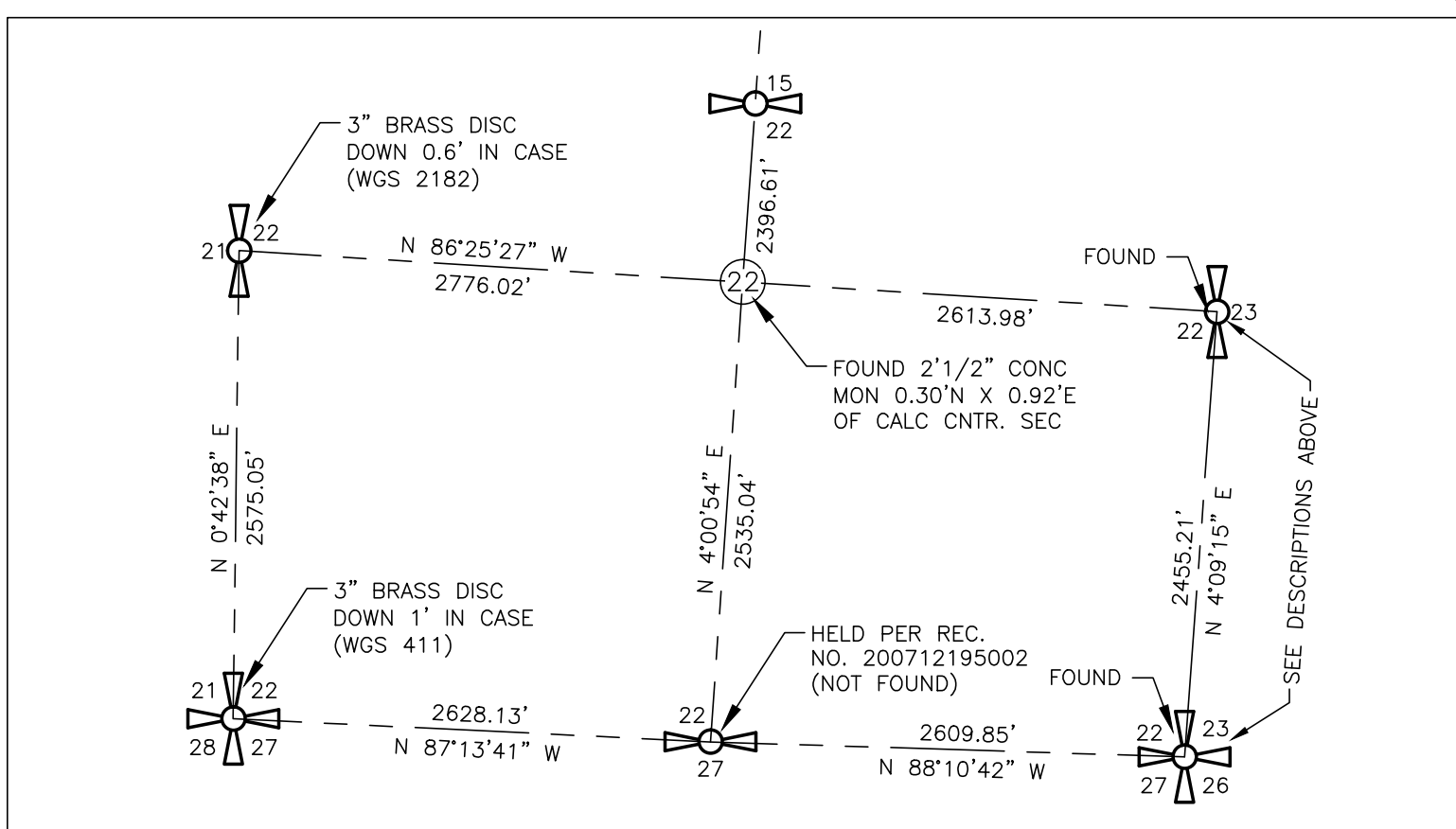
TAG #	LENGTH	DIRECTION/DELTA	RADIUS
C1	46.84	6°58'13"	385.00
C2	39.97	82°33'00"	27.74
L1	161.80	N 86°25'27" W	
L2	15.00	N 85°56'40" W	
L3	70.02	N 04°03'20" E	
L4	43.56	N 36°52'51" E	
L5	61.96	N 07°58'19" W	
L6	59.07	N 01°14'42" W	
L7	5.05	N 11°08'18" E	
L8	77.11	N 64°24'46" E	
L9	52.62	N 31°57'52" E	
L10	53.88	N 19°09'40" E	
L11	35.21	N 11°40'14" E	
L12	41.17	N 30°14'23" E	
L13	50.39	N 14°09'40" E	
L14	53.99	N 29°21'33" E	
L15	11.98	N 18°01'21" E	



MERIDIAN
WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE (NAD83/91)

EQUIPMENT AND PROCEDURES
A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.

- REFERENCES**
- L AND L HOMESITES, REC. NO. 813767 IN VOL 12 OF PLATS, PG. 27, SNOHOMISH CO, WA.
 - HOWELLS THIRD ADDITION, REC. NO. 1395024 IN VOL 18 OF PLATS, PG. 100, SNOHOMISH CO, WA.
 - HOWELLS SECOND ADDITION, REC. NO. 1199807 IN VOL 16 OF PLATS, PG. 52, SNOHOMISH CO, WA.
 - HAYES ADDITION PART TWO, REC. NO. 1453174 IN VOL 19 OF PLATS, PG. 100, SNOHOMISH CO, WA.
 - HAYES ADDITION PART ONE, REC. NO. 7328355 IN VOL 17 OF PLATS, PG. 102, SNOHOMISH CO, WA.
 - SNOHOMISH COUNTY BLA NO. 04-119115, REC. NO. 200703160044,
 - KELLOGG MARCH FIVE ACRE TRACTS, REC. NO. 281372 IN VOL 10 OF PLATS, PG. 16, SNOHOMISH CO, WA.
 - RIAN COURT, REC. NO. 200104045001, SNOHOMISH COUNTY, WA.
 - MILL ROSE, REC. NO. 200712195002, SNOHOMISH CO, WA.
 - DARLING ADDITION, REC. NO. 8611125002 IN VOL 17 OF PLATS, PG. 102, SNOHOMISH CO, WA.
 - SP NO. ZA9309207SP, REC. NO. 9502225006, SNOHOMISH CO, WA.
 - CEDAR ON 60TH, PLANNED RESIDENTIAL DEVELOPMENT PFN 99-104515 SD, REC. NO. 200105305002, SNOHOMISH CO, WA.
 - JUBIE / BORSETH SP, REC. NO. 9607105001 IN VOL 3 OF SHORT PLATS, PGS. 73-75, SNOHOMISH CO, WA.
 - CEDAR CREST VISTA EASE DIV. 1, REC. NO. 9611145006, SNOHOMISH CO, WA.
 - CEDAR CREST VISTA EASE DIV. 2, REC. NO. 9704075003 IN VOL 63 OF PLATS, PG. 155, SNOHOMISH CO, WA.
 - HILTON'S NOMESITES, REC. NO. 1281499 IN VOL 17 OF PLATS, PG. 30, SNOHOMISH CO, WA.
 - HOMER B. HOWELL ADDITION, REC. NO. 7905090212 IN VOL 11 OF PLATS, PG. 257, SNOHOMISH CO, WA.



JOB NO. 14139
SHEET 3 OF 6

MG & A

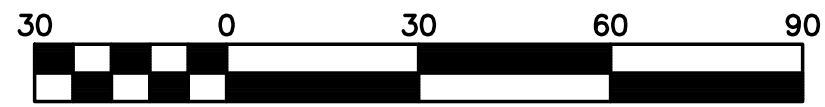
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ALLEN CREEK PARK

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CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (PFN. 04-119115-SD)

TAG TABLE			
TAG #	LENGTH	DIRECTION/Delta	RADIUS
C14	48.60	55°41'45"	50.00
C16	34.11	39°05'34"	50.00
C17	41.37	47°24'15"	50.00
C18	25.65	29°23'52"	50.00
C19	26.05	59°41'35"	25.00
C20	1.73	3°57'59"	25.00
C21	37.15	85°07'52"	25.00
C22	39.27	90°00'00"	25.00
C23	30.42	69°42'59"	25.00
C24	60.84	69°42'59"	50.00
C25	44.95	51°30'36"	50.00
C26	36.53	41°51'43"	50.00
C27	22.22	25°27'31"	50.00
C28	12.67	14°31'02"	50.00
C29	39.27	90°00'00"	25.00
C30	20.14	23°04'26"	50.00
C31	20.58	23°34'41"	50.00
C32	27.78	63°39'34"	25.00
C36	4.55	26°03'16"	10.00
C37	11.36	1°34'08"	415.00
L2	23.81	N 14°25'28" W	
L3	10.00	N 67°03'54" E	
L4	18.32	N 30°04'09" E	
L5	13.70	N 30°04'09" E	
L6	20.00	N 86°37'02" W	
L7	40.00	N 04°00'54" E	
L8	43.40	N 04°00'54" E	
L9	20.00	N 86°37'02" W	
L10	25.54	N 35°51'52" E	
L23	7.36	N 04°00'54" E	
L24	47.36	N 04°00'54" E	
L25	44.30	N 04°00'54" E	
L26	46.21	N 04°00'54" E	



Scale 1" = 30'
MERIDIAN
 WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE (NAD83/91)

EQUIPMENT AND PROCEDURES
 A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.

NOTES
 ALL FRONT CORNERS ARE MARKED WITH A TACK AND LS WASHER STAMPED "32434" IN A LEAD PLUG AT THE PROPERTY LINE EXTENDED TO THE TOP OF CURB. REFER TO THE CURB PLUG TABLE ON SHEET 3 FOR DISTANCES FROM CURB PLUG TO FRONT PROPERTY CORNER.

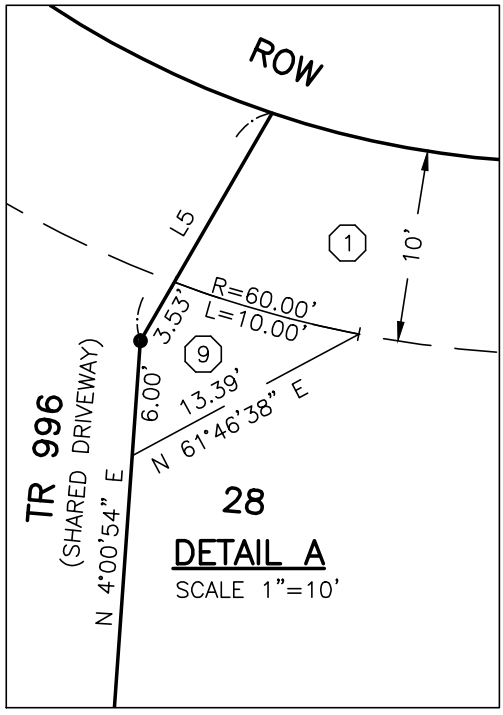
- LEGEND**
- SET 1/2" X 24" REBAR WITH 1 3/4" PLASTIC CAP STAMPED "MEAD GILMAN & ASSOCIATES 32434/35145"
 - ⊕ SET 4" X 4" CONCRETE MONUMENT WITH 1 5/8" BRASS DISC WITH "X" STAMPED "32434" IN STANDARD KING COUNTY CASE. (UNLESS OTHERWISE NOTED)
 - BSBL BUILDING SETBACK LINE
 - F FRONTAGE BSBL (18' FOR GARAGE & 15' FOR HOUSE)
 - S 5' SIDE BSBL
 - R 5' REAR BSBL (INCREASED R BSBL FOR INFILTRATION TRENCHES AND STORM WATER EASEMENTS)

TR 998
 194900 S.F.
 (NGPA/OPEN SPACE)

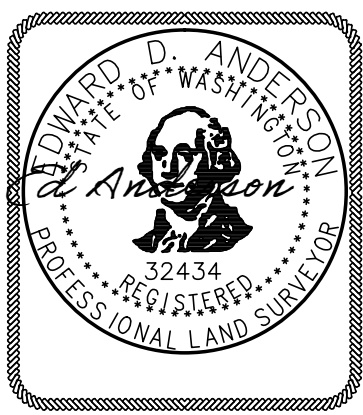
TR 997
 20701 S.F.
 (OPEN SPACE AND DRAINAGE FACILITY)

TR 995
 893 S.F.
 (SHARED DRIVEWAY)

TR 996
 1277 S.F.
 (SHARED DRIVEWAY)



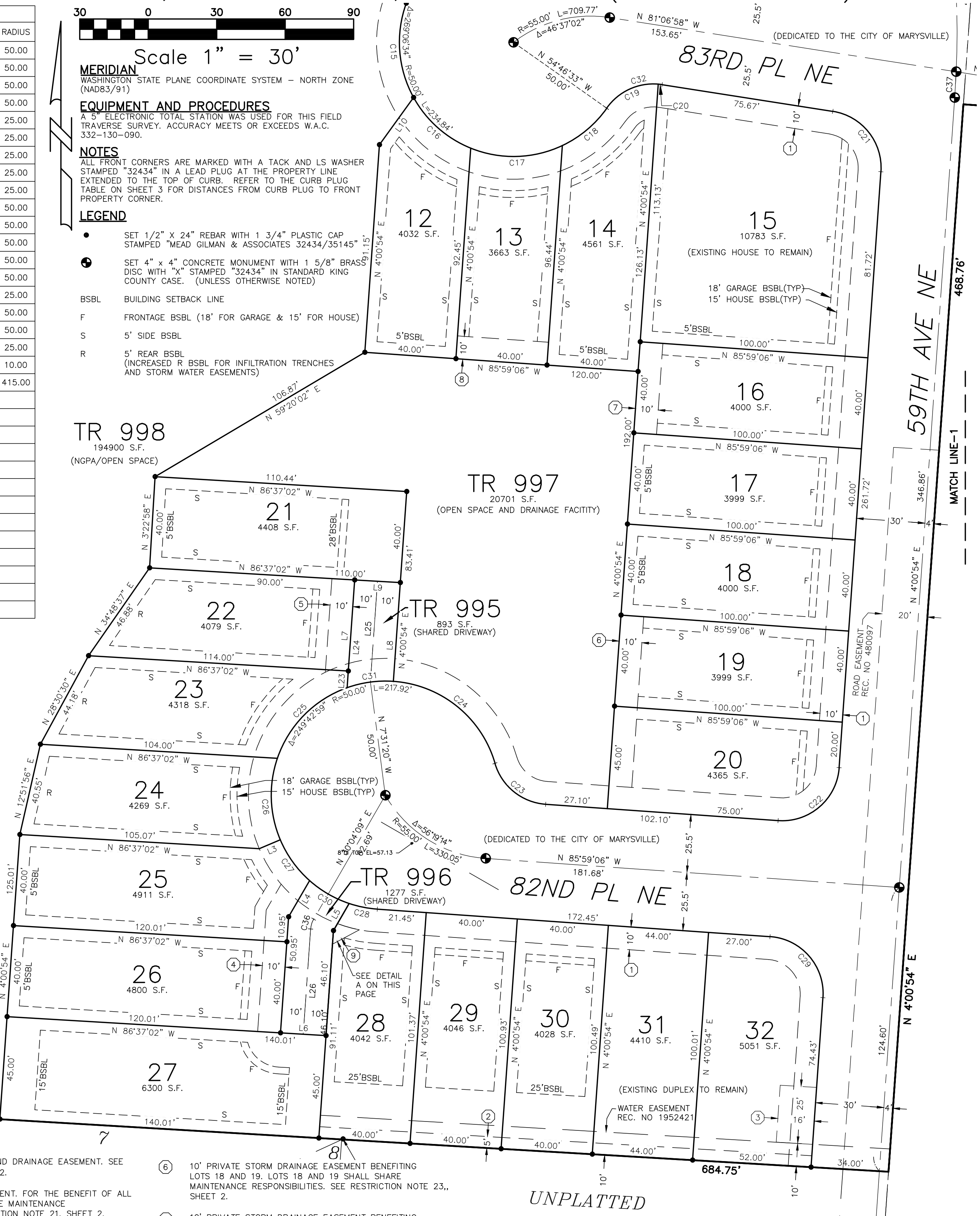
9/04/2015



FOUND 4"x4" CONC MON W/ INVERTED NAIL 0.15" N OF N FACE BOARD FENCE AND 0.32" W OF N END SECOND BOARD FENCE

EASEMENT LEGEND:

- ① 10' UTILITY, WATER, SEWER, AND DRAINAGE EASEMENT. SEE RESTRICTION NOTE 20, SHEET 2.
- ② 5' PRIVATE LANDSCAPE EASEMENT. FOR THE BENEFIT OF ALL LOTS. ALL LOTS SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 21, SHEET 2.
- ③ 16' TEMPORARY PUBLIC TURNAROUND EASEMENT. ALL LOTS SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 22, SHEET 2.
- ④ 10' PRIVATE DRAINAGE EASEMENT BENEFITING LOTS 26 AND 27. LOTS 26 AND 27 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.
- ⑤ 10' PRIVATE DRAINAGE EASEMENT BENEFITING LOTS 21 AND 22. LOTS 21 AND 22 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.
- ⑥ 10' PRIVATE STORM DRAINAGE EASEMENT BENEFITING LOTS 18 AND 19. LOTS 18 AND 19 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.
- ⑦ 10' PRIVATE STORM DRAINAGE EASEMENT BENEFITING LOTS 15 AND 17. LOTS 15 AND 17 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.
- ⑧ PRIVATE STORM DRAINAGE EASEMENT BENEFITING LOTS 12 AND 14. LOTS 12 AND 14 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.
- ⑨ PRIVATE WATER EASEMENT BENEFITING LOTS 26 AND 27. LOTS 26 AND 27 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 24, SHEET 2.



UNPLATTED

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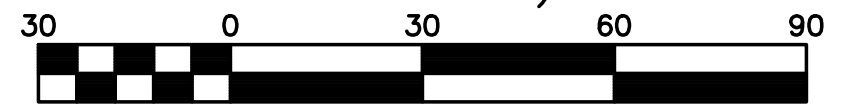
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C3	36.12	82°46'25"	25.00
C4	23.42	3°00'55"	445.00
C5	4.56	0°35'15"	445.00
C6	35.89	5°20'29"	385.00
C7	40.06	5°57'40"	385.00
C8	87.29	11°14'19"	445.00
C9	3.37	0°30'03"	385.00
C10	46.09	105°38'11"	25.00
C11	11.10	25°27'00"	25.00
C12	1.01	1°09'37"	50.00
C13	41.38	47°25'18"	50.00

TAG #	LENGTH	DIRECTION/DELTA	RADIUS
C14	48.60	55°41'45"	50.00
C15	42.71	48°56'12"	50.00
C16	34.11	39°05'34"	50.00
C17	41.37	47°24'15"	50.00
C18	25.65	29°23'52"	50.00
C19	26.05	59°41'35"	25.00
C20	1.73	3°57'59"	25.00
C21	37.15	85°07'52"	25.00
C24	60.84	69°42'59"	50.00
C25	44.95	51°30'36"	50.00
C31	20.58	23°34'41"	50.00

TAG #	LENGTH	DIRECTION/DELTA	RADIUS
C32	27.78	63°39'34"	25.00
C33	27.98	3°36'10"	445.00
C35	15.29	5°18'29"	165.00
C37	11.36	1°34'08"	415.00
L2	23.81	N 14°25'28" W	
L7	40.00	N 04°00'54" E	
L8	43.40	N 04°00'54" E	
L9	20.00	N 86°37'02" W	
L10	25.54	N 35°51'52" E	
L23	7.36	N 04°00'54" E	
L24	47.36	N 04°00'54" E	



Scale 1" = 30'

MERIDIAN
WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE (NAD83/91)

EQUIPMENT AND PROCEDURES
A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.

NOTES
ALL FRONT CORNERS ARE MARKED WITH A TACK AND LS WASHER STAMPED "32434" IN A LEAD PLUG AT THE PROPERTY LINE EXTENDED TO THE TOP OF CURB. REFER TO THE CURB PLUG TABLE ON SHEET 3 FOR DISTANCES FROM CURB PLUG TO FRONT PROPERTY CORNER.

LEGEND

- SET 1/2" X 24" REBAR WITH 1 3/4" PLASTIC CAP STAMPED "MEAD GILMAN & ASSOCIATES 32434/35145"
- ⊕ SET 4" X 4" CONCRETE MONUMENT WITH 1 5/8" BRASS DISC WITH "X" STAMPED "32434" IN STANDARD KING COUNTY CASE. (UNLESS OTHERWISE NOTED)
- BSBL BUILDING SETBACK LINE
- F FRONTAGE BSBL (18' FOR GARAGE & 15' FOR HOUSE)
- S 5' SIDE BSBL
- R 5' REAR BSBL (INCREASED R BSBL FOR INFILTRATION TRENCHES AND STORM WATER EASEMENTS)

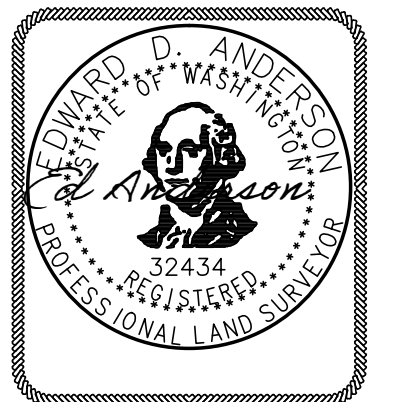
L AND L HOMESITES
VOL 12, PG 27

FOUND 2-1/2" CONC MON
W/1-1/8" LEAD AND BRASS
PIN 0.5" N OF BOARD
FENCE TO E/W 0.30" N X
0.92" E OF CNTR SEC COR



EASEMENT LEGEND:

- ① 10' UTILITY, WATER, SEWER, AND DRAINAGE EASEMENT. SEE RESTRICTION NOTE 20, SHEET 2.
- ② 5' PRIVATE LANDSCAPE EASEMENT. FOR THE BENEFIT OF ALL LOTS. ALL LOTS SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 21, SHEET 2.
- ⑤ 10' PRIVATE DRAINAGE EASEMENT BENEFITING LOTS 21 AND 22. LOTS 21 AND 22 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.
- ⑥ 10' PRIVATE STORM DRAINAGE EASEMENT BENEFITING LOTS 18 AND 19. LOTS 18 AND 19 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.
- ⑦ 10' PRIVATE STORM DRAINAGE EASEMENT BENEFITING LOTS 15 AND 17. LOTS 15 AND 17 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.
- ⑧ PRIVATE STORM DRAINAGE EASEMENT BENEFITING LOTS 12 AND 14. LOTS 12 AND 14 SHALL SHARE MAINTENANCE RESPONSIBILITIES. SEE RESTRICTION NOTE 23, SHEET 2.



9/04/2015



Mead Gilman & Assoc.
Professional Land Surveyors

P.O. BOX 289, WOODINVILLE, WA 98072
PHONE: (425) 486-1252 FAX: (425) 486-6108

ALLEN CREEK PARK

NE 1/4, SW 1/4, SEC. 22, AND NW 1/4, SE 1/4, SEC. 22, T. 30 N., R. 5 E., W.M.
CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON (PFN. 04-119115-SD)



MERIDIAN

WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE (NAD83/91)

EQUIPMENT AND PROCEDURES

A 5" ELECTRONIC TOTAL STATION WAS USED FOR THIS FIELD TRAVERSE SURVEY. ACCURACY MEETS OR EXCEEDS W.A.C. 332-130-090.

NOTES

ALL FRONT CORNERS ARE MARKED WITH A TACK AND LS WASHER STAMPED "32434" IN A LEAD PLUG AT THE PROPERTY LINE EXTENDED TO THE TOP OF CURB. REFER TO THE CURB PLUG TABLE ON SHEET 3 FOR DISTANCES FROM CURB PLUG TO FRONT PROPERTY CORNER.

LEGEND

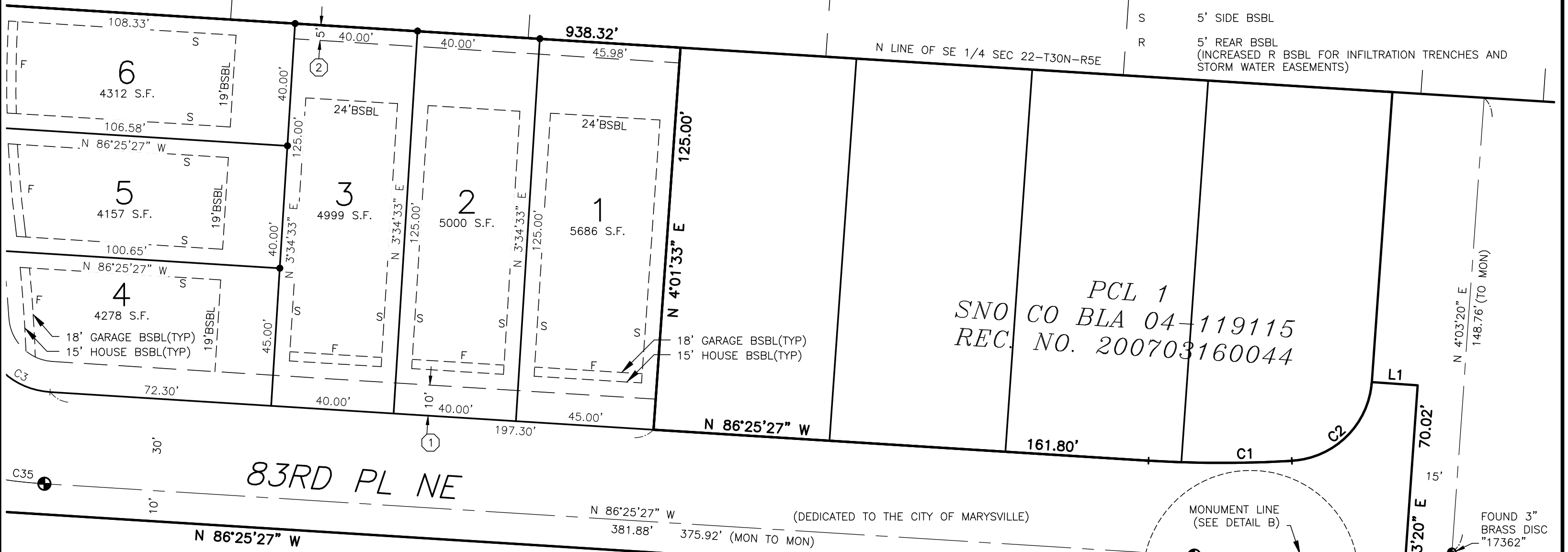
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L AND L HOMESITES,
MARISVILLE, WA
VOL 12, PG 27
15

14

16

17

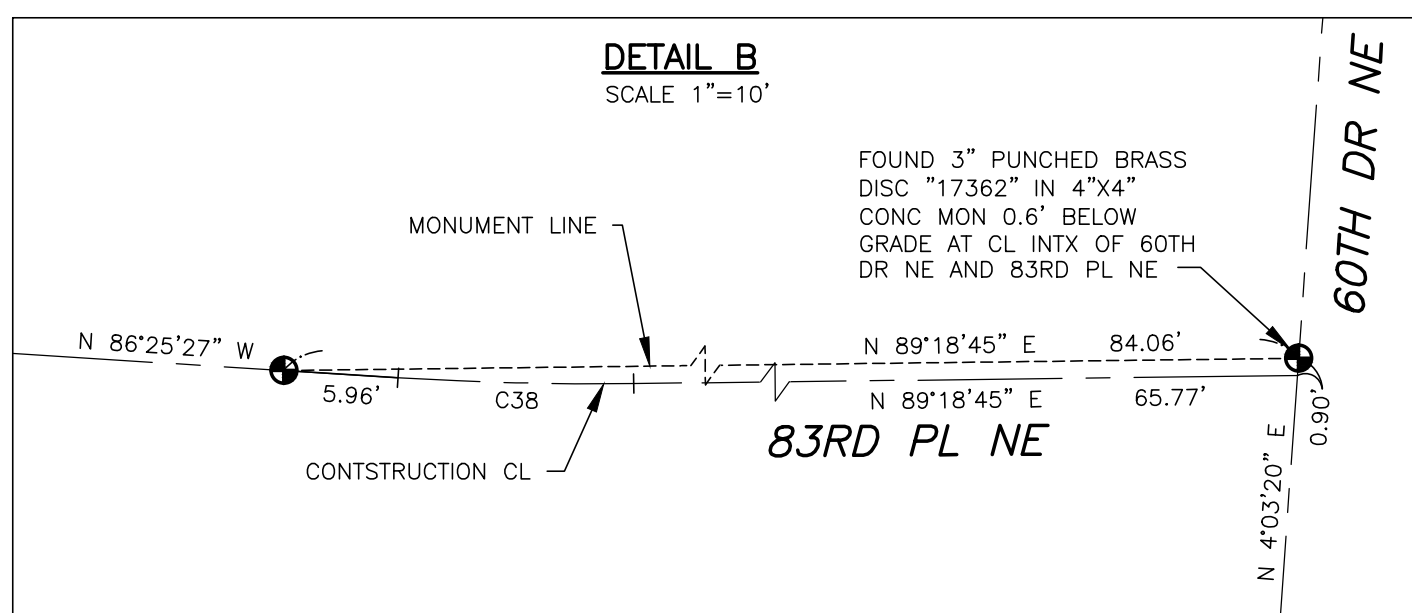
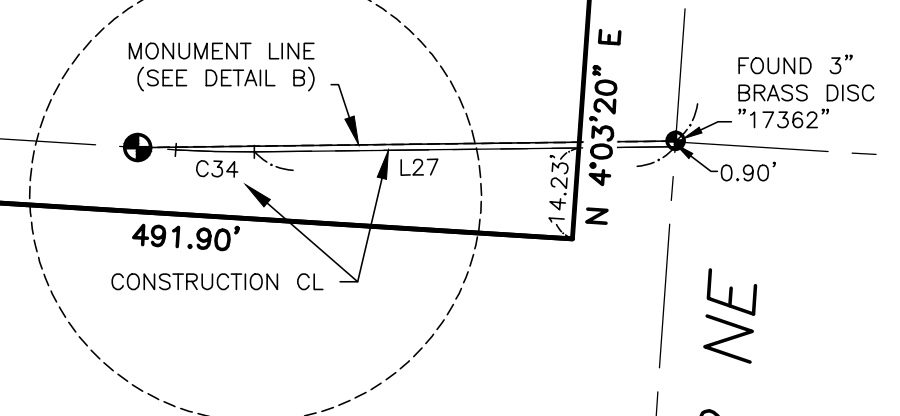


TAG TABLE			
TAG #	LENGTH	DIRECTION/DELTA	RADIUS
C1	46.84	6°58'13"	385.00
C2	39.97	82°33'00"	27.74
C3	36.12	82°46'25"	25.00
C4	23.42	3°00'55"	445.00
C5	4.56	0°35'15"	445.00
C6	35.89	5°20'29"	385.00
C7	40.06	5°57'40"	385.00
C33	27.98	3°36'10"	445.00
C34	12.28	4°15'48"	165.00
C35	15.29	5°18'29"	165.00
C38	12.28	4°15'48"	165.00
L1	15.00	N 85°56'40" W	
L27	65.77	N 89°18'45" E	

CURB PLUG TABLES

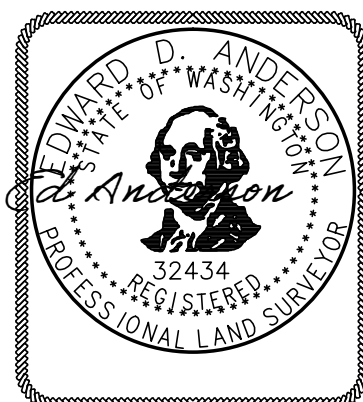
LOT LINE	OFFSET (FT)
BNDRY/1	11.68
1/2	11.64
2/3	11.65
3/4	11.61
4/5	12.00
5/6	11.73
7/8	11.24
8/9	11.25
9/10	11.29
10/11	9.95
12/13	10.88
13/14	12.43
14/15	10.93
15/16	11.71
16/17	11.72
17/18	11.71
18/19	11.78
19/20	11.76
20/TR 997	11.25
TR997/TR995	9.19
TR 995/23	10.61
23/24	10.02
24/25	9.73
25/TR 996	9.11
TR 996/28	9.99
28/29	11.18
29/30	11.22
30/31	11.20
31/32	11.25

MATCH LINE-2



EASEMENT LEGEND:

- ① 10' UTILITY, WATER, SEWER, AND DRAINAGE EASEMENT. SEE RESTRICTION NOTE 20, SHEET 2.
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PHONE: (425) 486-1252 FAX: (425) 486-6108

9/1/2015

JOB NO. 14139
SHEET 6 OF 6



FINAL PLAT INTERNAL ROUTING 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:	Allen Creek Park	PA #	DFN 04-119115
Item	Department	Initials	Date
1. Plat Map- Checked & Approved	Land Dev.	DJ	4/8/15
	Planning	AA	9/15/15
2. Letter of Segregation to Assessor	Planning	AA	9/20/15
3. Water System/Sewer System			
Letter of Acceptance	Const. Insp.	SAS	9/29/15
Asbuilts – Including Digital Files	Const. Insp.	SAS	9/29/15
Bill(s) of Sale	Const. Insp.	SAS	9/29/15
Maintenance and Warranty Funding	Const. Insp.	SAS	9/29/15
4. Road/Storm Sewer			
Letter of Acceptance	Const. Insp.	SAS	9/29/15
Asbuilts – Including Digital Files	Const. Insp.	SAS	9/29/15
Bill(s) of Sale	Const. Insp.	SAS	9/29/15
Maintenance and Warranty Funding	Const. Insp.	SAS	9/29/15
5. Performance Bond – Submitted/Approved			
(If Required - Road and Storm Drain Only)	Const. Insp.	SAS	9/29/15
6. Inspection Fees - Calculated and Paid	Const. Insp.	SAS	9/29/15
7. Final Plat Fee - Calculated and Paid	Planning	AA	9/15/15
8. TIP Fees: <u>3,564.87</u>	Planning	AA	9/15/15
9. Parks Mitigation Fees: <u>1,040.00</u>	Planning	AA	9/15/15
10. School District Mitigation Fees: _____	Planning	AA	9/15/15
<i>Fee @ time of bldg. permit submitted</i>			
11. Signage and Striping Installed	Const. Insp.	SAS	9/29/15

12. Final Grading and TESC Inspection	Const. Insp.	SAS	9/29/15
13. Satisfied Hearing Examiner's Conditions of Approval	Planning	AA	9/15/15
14. Utility/Recovery/Main Fees	Land Dev.	RJ	9/15/15

Plat Approved for Recording:

Community Development Director: 

Date: 9/30/2015

City Engineer: 

Date: 9/29/2015

Note: The final plat will not be scheduled before the City Council until this checklist is complete.

AFTER RECORDING RETURN TO:

City of Marysville
1049 State Ave
Marysville WA 98270

**CITY OF MARYSVILLE
SIGHT DISTANCE EASEMENT**

THIS EASEMENT made this 29th day of September, 2015, between MICHELE J PALM WESTON, hereinafter referred to as "Grantor," the CITY OF MARYSVILLE, a municipal corporation of the State of Washington, hereinafter referred to as "Grantee" or "City"

NOW, THEREFORE, Grantor, for valuable consideration, the adequacy and receipt of which is hereby acknowledged, hereby conveys and grants to the Grantee, its successors and assigns and its contractors, agents, permittees and licensees, the perpetual right, privilege and authority of a sight triangle easement

As described in attached exhibit "A" and depicted on attached exhibit "B".

The sight triangle easement is granted and conveyed for the purpose of providing clear and unobstructed views along the lanes of travel, at the intersection of 83rd Place NE and 59th Ave. NE.

The Grantor reserves the right to use the surface of the above-described easement as a yard but shall not erect any buildings, structures, patios, or other construction of any nature on said easement. Furthermore the Grantor shall be responsible for keeping all vegetation clear over said easement between 30 inches and 8 feet above the adjacent road grade.

The Grantee is also granted the right of ingress to and egress for the purpose of removing vegetation in the event of an emergency.

This conveyance shall be a covenant running with the land, and shall be binding on the Grantor and its heirs, successors and assigns forever.

Any mortgage on said land held by the Mortgagee is hereby subordinated to the rights herein granted to the Grantee, but in all other respects the said mortgage shall remain unimpaired.

IN WITNESS WHEREOF, this instrument has been executed the day and year first above written.

GRANTOR

Michele J. Smith

GRANTEE

INDIVIDUAL NOTARY:

STATE OF WASHINGTON)
) ss
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Michele J. Smith is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 29th day of Sept. 2015



Sam A. Al-Nouri

(Legibly print name of notary)
NOTARY PUBLIC in and for the State of
Washington, residing at WA
My commission expires: 04/03/16

REPRESENTATIVE NOTARY:

STATE OF WASHINGTON)
) ss
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that _____ is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, and on oath stated that he/she/they were authorized to execute the 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.

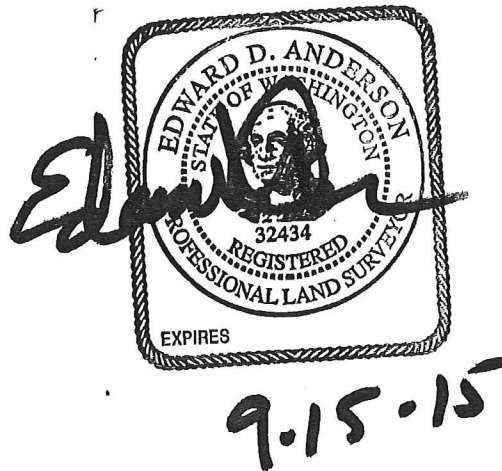
DATED this _____ day of _____

(Legibly print name of notary)
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My commission expires: _____

EXHIBIT A

THAT PORTION OF THE WEST 241.18 FEET OF LOT 6, BLOCK 1, KELLOGG MARSH FIVE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10 OF PLATS, PAGE 16 RECORDS OF SNOHOMISH COUNTY, WASHINGTON;
EXCEPT THE NORTH 185.00 FEET THEREOF;
TOGETHER WITH THE SOUTH 20.00 FEET OF THE NORTH 185.00 FEET OF SAID LOT 6;
LYING NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

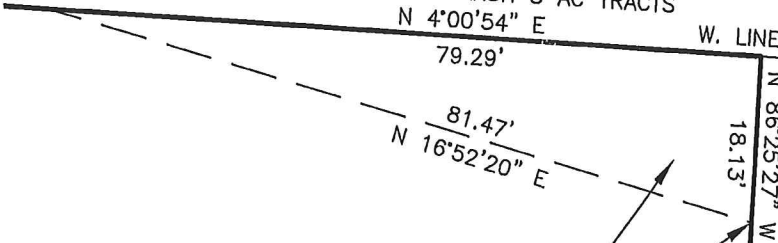
COMMENCING AT THE NORTHWEST CORNER OF DESCRIBED LAND AT THE SOUTH LINE OF THE NORTH 165 FEET OF SAID LOT 6 AND SAID CORNER BEING INTERNAL ANGLE POINT OF PARCEL 2 OF SNOHOMISH COUNTY BOUNDARY LINE ADJUSTMENT NO. 04-119115 AS RECORDED UNDER RECORDING NO. 200703160044; THENCE SOUTH $86^{\circ}25'27''$ EAST ALONG SAID SOUTH LINE OF NORTH 165 FEET 18.13 FEET TO THE **TRUE POINT OF BEGINNING** OF DESCRIBED LINE; THENCE SOUTH $16^{\circ}52'20''$ WEST 81.47 FEET TO THE WEST LINE OF SAID LOT 6 AND THE END OF THE DESCRIBED LINE.



PARCEL 2
BLA 04-119115

W LINE LOT 6, KELOG MARSH 5 AC TRACTS
N 4°00'54" E

W. LINE OF SE1/4 SEC 22-30-05



PARCEL 2
BLA 04-119115
REC. NO. 200703160044
(TAX. NO. 30052200300300)

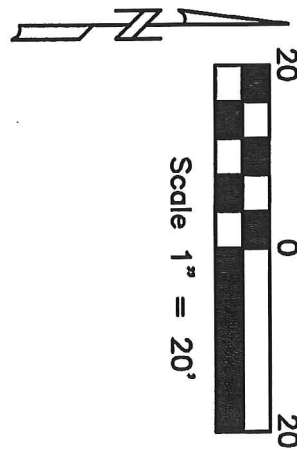
SITE DISTANCE
EASEMENT

T.P.O.B

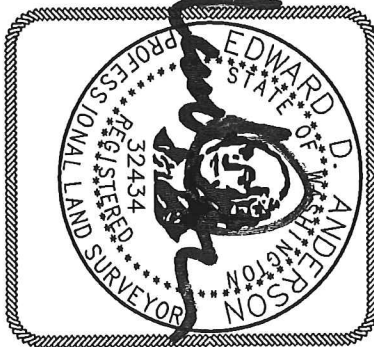
S. LINE OF N. 165 FEET OF LOT 6,
KELOGG MARSH 5 AC TRACTS

PORTION OF TRACT 6,
KELOGG MARCH FIVE
ACRE TRACTS
(TAX NO. 004800100602)

EXHIBIT B



9.15.15



NW1/4, SE1/4, SEC. 22, T. 30 N., R. 5 E., W.M.



Mead Gilman & Assoc.
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JOB NO. 14139