

**BRYANT ESTATES II**  
**RURAL CLUSTER SUBDIVISION, PFN 05-126581-5D**  
**FOR KEN AND BARBARA SIEGFRIED**  
 A PORTION OF THE N.E.1/4 OF  
 SECTION 25, TOWNSHIP 32 NORTH, RANGE 04 EAST, W.M.,  
 SNOHOMISH COUNTY, WASHINGTON

**RESTRICTIONS**

1. NO FURTHER DIVISION OF ANY LOT IS ALLOWED WITHOUT SUBMITTING FOR A NEW SUBDIVISION OR SHORT SUBDIVISION.

2. THE SALE OR LEASE OF LESS THAN A WHOLE LOT IN ANY SUBDIVISION PLATTED AND FILED UNDER CHAPTER 30.41A SCC OR PREVIOUSLY UNDER TITLE 19 SCC IS EXPRESSLY PROHIBITED EXCEPT IN COMPLIANCE WITH CHAPTER 30.41A OF THE SNOHOMISH COUNTY CODE.

3. ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE DEVELOPER OR HIS SUCCESSOR(S) AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO COUNTY ROAD PURPOSES.

4. THE COST OF CONSTRUCTION AND MAINTAINING ALL ROADS NOT HEREIN DEDICATED AS PUBLIC ROADS SHALL BE THE OBLIGATION OF ALL OF THE OWNERS AND THE OBLIGATION TO MAINTAIN SHALL BE CONCURRENTLY THE OBLIGATION OF ANY CORPORATION IN WHICH TITLE OF THE ROADS AND STREETS MAY BE HELD. IN THE EVENT THAT THE OWNERS OF ANY LOTS SERVED BY THE ROADS OR STREETS OF THIS PLAT SHALL PETITION THE COUNCIL TO INCLUDE THESE ROADS OR STREETS IN THE PUBLIC ROAD SYSTEM, THE PETITIONERS SHALL BE OBLIGATED TO BRING THE SAME TO COUNTY ROAD STANDARDS APPLICABLE AT THE TIME OF PETITION IN ALL RESPECTS, INCLUDING DEDICATION OF RIGHTS-OF-WAY, PRIOR TO ACCEPTANCE BY THE COUNTY.

5. THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO SCHOOL IMPACT MITIGATION FEES FOR THE ARLINGTON SCHOOL DISTRICT NO. 16 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 ONE EXISTING PARCEL. LOT 1 SHALL RECEIVE CREDIT.

6. CHAPTER 30.66B SCC REQUIRES THE NEW LOT MITIGATION PAYMENTS IN THE AMOUNTS SHOWN BELOW FOR EACH SINGLE-FAMILY RESIDENCE BUILDING PERMIT:

\$2143.68 PER LOT FOR MITIGATION OF IMPACTS ON COUNTY ROADS PAID TO THE COUNTY,  
 \$332.42 PER LOT FOR MITIGATION OF IMPACTS ON STATE HIGHWAYS PAID TO THE COUNTY,  
 \$622.80 PER LOT FOR MITIGATION OF IMPACTS ON ARLINGTON STREETS PAID TO THE CITY,  
 \$332.42 PER LOT FOR MITIGATION OF IMPACTS ON STANWOOD STREETS PAID TO THE CITY.

THESE PAYMENTS ARE DUE PRIOR TO OR AT THE TIME OF BUILDING PERMIT ISSUANCE. NOTICE OF THESE MITIGATION PAYMENTS SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION, SHORT SUBDIVISION OF THE LOTS THEREIN OR BINDING SITE PLAN. ONCE BUILDING PERMITS HAVE BEEN ISSUED ALL MITIGATION PAYMENTS SHALL BE DEEMED PAID BY PDS.

7. 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 (PW) GRANTS A FORMAL DEVIATION.

8. 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 30.91N.010 ARE ALLOWED WHEN APPROVED BY THE COUNTY.

9. LOTS 3, 4, AND 10 ARE APPROVED FOR FULL DISPERSION FOR STORMWATER RUNOFF.

10. LOTS 5, 6, AND 7 SHALL RETAIN/PROTECT AT LEAST 100 FEET OF NATIVE VEGETATION IN ORDER TO USE FULL DISPERSION FOR STORMWATER RUNOFF.

11. LOTS 1 THROUGH 13 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN WHICH REQUIRED IMPERVIOUS SURFACES AND DRAINS TO BE CONNECTED TO THE STORM WATER SYSTEM. SEE DRAINAGE PLAN FOR DETAILS.

12. WELL PROTECTION ZONES ARE SHOWN FOR LOTS 1 THROUGH 13 OF THIS PLAT. THE WELL PROTECTION ZONES ARE NOT BASED ON ACTUAL CONSTRUCTED WELLS. THE WELL PROTECTION ZONES MAY REQUIRE REVISION IF THE WELL CANNOT BE LOCATED AS PROPOSED. IF MOVED, THE 100 FOOT RADIUS WELL PROTECTION ZONE SHALL NOT EXTEND BEYOND THE SUBDIVISION EXTERIOR BOUNDARIES WITHOUT WRITTEN CONSENT AND RECORDED WELL PROTECTION COVENANT FROM THE AFFECTED PROPERTY OWNER(S). AFTER INSTALLATION OF ANY WATER WELL TO SERVE LOTS WITHIN THIS SUBDIVISION, ALL OWNER(S), AND SUCCESSORS AGREE TO MAINTAIN 100 FOOT WELL PROTECTION ZONES IN COMPLIANCE WITH CURRENT STATE AND LOCAL WELL SITING AND CONSTRUCTION REGULATIONS, WHICH AT A MINIMUM, PREVENT INSTALLATION OF DRAIN FIELDS WITHIN THE WELL PROTECTION ZONE. THE REVISION OF THE WELL PROTECTION ZONE LOCATION IS A PRIVATE MATTER BETWEEN THE AFFECTED LOT OWNERS AND DOES NOT REQUIRE A PLAT ALTERATION.

13. THE DWELLING UNITS WITHIN THIS DEVELOPMENT ARE SUBJECT TO PARK IMPACT FEES IN THE AMOUNT OF \$48.82 PER NEWLY APPROVED DWELLING UNIT, AS MITIGATION FOR IMPACTS TO THE RIVER MEADOWS SERVICE AREA (#302) OF THE COUNTY PARKS SYSTEM IN ACCORDANCE WITH SCC 30.66A. PAYMENT OF THESE MITIGATION FEES IS REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE, PROVIDED THAT THE BUILDING PERMIT IS ISSUED BY JANUARY 30, 2012 (FIVE YEARS AFTER THE COMPLETENESS DATE OF THE SUBJECT APPLICATION). AFTER THIS DATE, PARK IMPACT FEES SHALL BE BASED UPON THE RATE IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE.

14. SUBJECT TO THE TERMS AND CONDITIONS OF THE RESTRICTIVE COVENANT RECORDED UNDER AUDITOR'S FILE NO. 200504151085.

15. THE LANDS DESCRIBED HEREIN HAVE BEEN CLASSIFIED AS FOREST LAND AND ARE SUBJECT TO THE PROVISIONS OF RCW 84.34 WHICH INCLUDE THE REQUIREMENT OF A CONTINUATION OF RESTRICTED USE IN ORDER TO CONTINUE THE PRESENT ASSESSMENT RATE. A CHANGE IN USE CAN CAUSE AN INCREASED ASSESSMENT RATE FOR PRESENT AND PAST YEARS.

ANY SALE OR TRANSFER OF ALL OR A PORTION OF SAID PROPERTY REQUIRES EXECUTION OF A NOTICE OF COMPLIANCE FORM BY THE NEW OWNER AND SUBMISSION TO THE COUNTY ASSESSOR 60 DAYS BEFORE SUCH SALE AS CONTAINED IN A.F.N. 0602240137.

16. SUBJECT TO A NOTICE OF MORATORIUM ON NON-FORESTRY USE OF LAND AND THE TERMS AND CONDITIONS THEREOF CONTAINED IN A.F.N. 200404220991.

17. SUBJECT TO A RESTRICTIVE COVENANT AND THE TERMS AND CONDITIONS THEREOF CONTAINED IN A.F.N. 200504151085.

18. SUBJECT TO A MEMORANDUM OF RIGHT OF FIRST REFUSAL AND THE TERMS AND CONDITIONS THEREOF CONTAINED IN A.F.N. 200510140594.

19. SUBJECT TO NOTIFICATION NOT TO EXERCISE RIGHT OF FIRST REFUSAL TO PURCHASE LOTS, AND THE TERMS AND CONDITIONS THEREOF CONTAINED IN A.F.N. 200709120665.

20. SUBJECT TO CONDITIONS, COVENANTS AND RESTRICTIONS RECORDED UNDER A.F.N. \_\_\_\_\_

200803260238

**DRAINAGE FACILITY MAINTENANCE COVENANT**

WE, THE OWNERS AND CONTRACT PURCHASERS OF THE LANDS HEREIN PLATTED (GRANTOR), AGREE THAT THE OBLIGATIONS OF GRANTOR SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON THE HEIRS, SUCCESSORS, AND ASSIGNS. GRANTOR AGREES THAT THIS COVENANT TOUCHES AND CONCERNS THE LAND DESCRIBED HEREIN AND SHALL RUN WITH THE LAND.

GRANTOR BY EXECUTION OF THIS COVENANT ACKNOWLEDGES THAT THE BENEFITS OF THIS COVENANT INURE TO GRANTOR, DOWNSTREAM PROPERTY OWNERS, AND THE GENERAL PUBLIC, AND THAT SNOHOMISH COUNTY (COUNTY) AS THIRD PARTY BENEFICIARY OF THIS COVENANT HAS THE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THIS COVENANT ON BEHALF OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC. COUNTY REQUIRES THIS COVENANT TO PROTECT PRIVATE AND PUBLIC PROPERTY, PRIVATE AND PUBLIC DRAINAGE INFRASTRUCTURE, AND NATURAL RESOURCES OF DOWNSTREAM PROPERTY OWNERS AND THE GENERAL PUBLIC.

GRANTOR, IN CONSIDERATION OF THE APPROVAL OF THIS SUBDIVISION, HEREBY COVENANTS TO PERFORM REGULAR MAINTENANCE UPON THE DRAINAGE FACILITIES INSTALLED, OR TO BE INSTALLED, UPON GRANTOR'S PROPERTY. REGULAR MAINTENANCE SHALL INCLUDE, AT A MINIMUM, ANNUAL INSPECTION OF THE STORMWATER DRAINAGE SYSTEM, AS APPLICABLE, THE SYSTEM SHALL INCLUDE THE STORMWATER CONVEYANCE SYSTEM PIPES, DITCHES, SWALES, AND CATCH BASINS; STORMWATER FLOW REGULATION SYSTEM DETENTION PONDS, VAULTS, PIPES, RETENTION PONDS, FLOW REGULATION AND CONTROL STRUCTURES; INFILTRATION SYSTEMS AND WATER QUALITY CONTROL SYSTEM.

THE SCOPE OF THIS COVENANT AND RIGHT OF ENTRY SHALL BE ADEQUATE TO PROVIDE FOR THE ACCESS, INSPECTION, AND MAINTENANCE OF THE STORMWATER DRAINAGE SYSTEM, AND SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1) COUNTY SHALL HAVE THE PERPETUAL RIGHT OF ENTRY ACROSS ADJACENT LANDS OF THE GRANTOR FOR PURPOSES OF INSPECTING, AUDITING, OR CONDUCTING REQUIRED MAINTENANCE OF THE DRAINAGE FACILITY.

2) IF COUNTY INSPECTION DETERMINES THAT MAINTENANCE IS NOT BEING PERFORMED, COUNTY SHALL ENDEAVOR TO PROVIDE GRANTOR REASONABLE ADVANCE NOTIFICATION OF THE NEED TO PERFORM THE MAINTENANCE AND A REASONABLE OPPORTUNITY FOR GRANTOR TO PERFORM IT. IN THE EVENT THAT GRANTOR FAILS TO COMPLETE THE REQUIRED MAINTENANCE WITHIN A REASONABLE TIME PERIOD, COUNTY SHALL HAVE THE RIGHT TO PERFORM OR CONTRACT WITH OTHERS TO PERFORM IT AT THE SOLE EXPENSE OF THE GRANTOR. IF COUNTY IN ITS SOLE DISCRETION DETERMINES THAT AN IMMINENT OR PRESENT DANGER EXISTS, REQUIRED MAINTENANCE AND/OR REPAIR MAY BEGIN IMMEDIATELY AT GRANTOR'S EXPENSE WITHOUT PRIOR NOTICE TO GRANTOR. IN SUCH EVENT, COUNTY SHALL PROVIDE GRANTOR WITH A WRITTEN STATEMENT AND ACCOUNTING OF ALL WORK PERFORMED AND THE FEES, CHARGES, AND EXPENSES INCURRED IN MAKING SUCH REPAIRS. GRANTOR SHALL AGREE TO REIMBURSE COUNTY OR PAY COUNTY'S VENDORS DIRECTLY FOR ALL REASONABLE FEES, CHARGES, AND EXPENSES IDENTIFIED IN COUNTY'S STATEMENT.

3) IF COUNTY IS REQUIRED TO ACT AS A RESULT OF GRANTOR'S FAILURE TO COMPLY WITH THIS COVENANT, COUNTY MAY REMOVE ANY OBSTRUCTIONS AND/OR INTERFERENCES THAT IN THE SOLE OPINION OF COUNTY IMPAIR THE OPERATION OF THE DRAINAGE FACILITY OR THE MAINTENANCE THEREOF. GRANTOR AGREES TO HOLD COUNTY, ITS OFFICERS, EMPLOYEES, AND AGENTS HARMLESS FROM ANY AND ALL CLAIMS, ACTIONS, SUITS, LIABILITY, LOSS, EXPENSES, DAMAGES AND JUDGMENTS OF ANY NATURE WHATSOEVER, INCLUDING COSTS AND ATTORNEY'S FEES, INCURRED BY THE REMOVAL OF VEGETATION OR PHYSICAL INTERFERENCE FROM THE DRAINAGE FACILITY.

4) WHEN EXERCISING THE MAINTENANCE PROVISIONS OF THE COVENANT, IN THE EVENT OF NONPAYMENT, COUNTY MAY BRING SUIT TO RECOVER SUCH COSTS, INCLUDING ATTORNEY'S FEES, AND UPON OBTAINING A JUDGMENT, SUCH AMOUNT SHALL BECOME A LIEN AGAINST THE PROPERTY OF GRANTOR AS PROVIDED IN RCW 4.56.190.

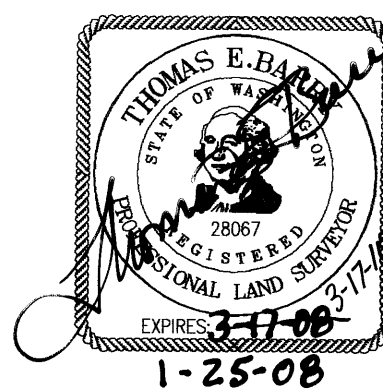
5) GRANTOR COVENANTS THAT ALL OF THE OWNERS, CONTRACT PURCHASERS AND LIEN HOLDERS OF THE PROPERTY DESCRIBED HEREIN HAVE SIGNED THE DEDICATION AND/OR DECLARATION OF THIS SUBDIVISION, THAT THEY HAVE THE RIGHT TO GRANT THIS COVENANT ON THE PROPERTY, AND THAT THE TITLE TO THE PROPERTY IS FREE AND CLEAR OF ANY ENCUMBRANCES WHICH WOULD INTERFERE WITH THE ABILITY TO GRANT THIS COVENANT.

**SHEET INDEX**

SHEET 1 - DEDICATIONS, ACKNOWLEDGEMENTS, EASEMENTS AND APPROVALS  
 SHEET 2 - RESTRICTIONS, DRAINAGE COVENANT, CURVE TABLE AND LINE TABLE  
 SHEET 3 - FINAL SHORT PLAT MAP, LEGAL DESCRIPTION

LINE TABLE		
LINE	LENGTH	BEARING
L1	35.03'	N31°29'16"E
L2	10.00'	N07°55'37"W
L3	47.36'	N79°31'04"E
L4	29.94'	N15°05'51"W
L5	85.92'	N26°27'18"W
L6	36.23'	N02°38'08"W
L7	45.50'	N21°00'00"W
L8	4.39'	N02°04'25"E
L9	28.61'	N58°50'21"W
L10	28.61'	N58°50'21"W
L11	36.56'	N07°55'35"W
L12	38.47'	N02°04'25"E
L13	89.13'	N29°15'52"W
L14	26.73'	N29°15'52"W
L15	79.62'	N01°02'31"W
L16	85.70'	N49°45'18"W
L17	31.71'	N07°56'57"E
L18	28.36'	N07°56'57"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	118.54'	75.00	90°33'32"
C3	76.53'	325.00	13°24'29"
C4	23.59'	325.00	4°09'32"
C5	120.91'	325.00	21°18'57"
C6	124.44'	325.00	21°56'48"
C7	21.03'	25.00	48°11'23"
C8	70.21'	50.00	80°27'36"
C9	41.45'	50.00	47°30'12"
C10	47.10'	50.00	53°58'03"
C11	82.42'	50.00	94°26'54"
C12	21.03'	25.00	48°11'22"
C13	71.36'	275.00	14°52'05"
C14	221.00'	275.00	46°02'41"
C15	318.94'	300.00	60°54'45"



**METRON**  
 and ASSOCIATES INC.  
 LAND SURVEYS, MAPS, AND LAND USE PLANNING

307 N. OLYMPIC, SUITE 205  
 ARLINGTON, WASHINGTON 98223  
 (360) 435-3777 FAX (360) 435-4822

DATE: JULY 2007 BY: A.J.L. SCALE: --  
 PROJECT NO. 05027 F.B. 4-28

A.F.N. 200803265251 REV 01 VSN 12/05/07

SNOHOMISH COUNTY PFN: 05-126581-5D

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SHEET 2 OF 3