

18.00

DECLARATION OF SHORT SUBDIVISION AND OF COVENANTS

Know all men by these presents:

That we, the undersigned, having a real interest in the tract of land described by this declaration; and do hereby declare the herein described division of land approved as short plat number SP430(10-77) on the 10th day of February, 1978, by the Planning Department of Snohomish County, subject to the following covenants and conditions:

- 1) That the land described by this declaration may not be further subdivided in any manner exceeding a total of four (4) parcels by anyone within five (5) years of the above date of approval without a final plat, having been filed for record with the Auditor of Snohomish County, pursuant to the provisions of Ch. 58.17 RCW, and the resolutions of Snohomish County, and subject to the penalties attendant thereto.
- 2) That all subsequent deeds will contain provisions for private roads in the manner described herein.
- 3) That all maintenance of any private road described by this declaration shall be by the owners of the parcels having legal access therefrom or their heirs, assigns, or successors, unless and until such roads are improved to Snohomish County standards, and dedicated to and accepted by Snohomish County.
- 4) That any private road will be subject to a utilities easement in favor of the grantor or his successor and of any electric, telephone, television cable, gas, water, or sewer company, public or private, or their permittees or assigns to install, construct, operate, maintain, alter, and repair their respective utilities, together with the right of ingress and egress for said purposes.
- 5) That with respect to any private road described by this declaration whether it remains private or becomes a dedicated county road, there is the additional right to make all necessary slopes for cuts and fills; and the right to continue to drain said roads and ways over and across any lot or lots where the water might take a natural course upon reasonable grading pursuant to improvement for dedication of the roads and ways shown herein. Following reasonable grading pursuant to improvement for dedication of the roads and ways shown herein, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road rights-of-way or to hamper proper road drainage.
- 6) That the legal description and the illustrative map attached hereto of this short subdivision (are) (~~is~~) based upon accurate surveys.
- 7) That the legal description of the land herein subdivided into not more than four (4) parcels is attached hereto and incorporated by reference as though fully set out herein.
- 8) That additional covenants, easements, and restrictions, if any, solely for the benefit of the grantor, and his heirs, successors and assigns enforceable only by such persons, are attached hereto as exhibits A, B, C and incorporated by reference as though only set out herein.

Planning Department:

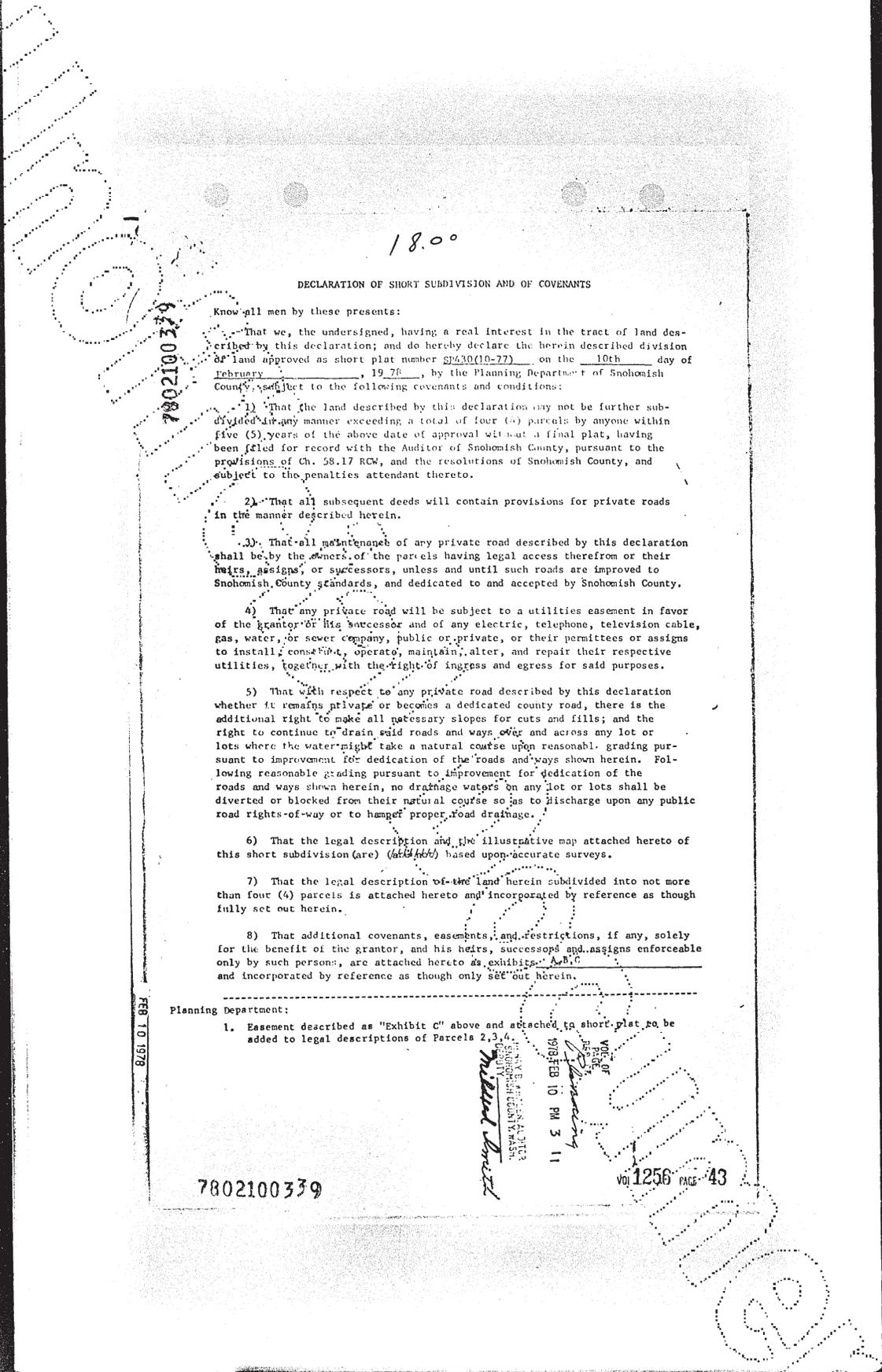
- 1. Easement described as "Exhibit C" above and attached to short plat to be added to legal descriptions of Parcels 2, 3

NOTED
 FILED
 FEB 10 1978
 10 3 11
 PLANNING
 SNOHOMISH COUNTY, WASH.
 M. B. BRITT

7802100339

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FEB 10 1978



that, but for the exception contained in paragraph (B) above, these covenants are for the mutual benefit of the grantor and his heirs, successors and assigns and are for the further purpose of compliance with the resolutions and regulations of Snohomish County and the county and such persons are specifically given the right to enforce these restrictions and reservations by injunction or other legal procedure and to recover any damages resulting from such violation.

Dated this 7th day of February, 1978.

Tom Lambrecht
(Grantor) _____ (Grantor)

Missie Lambrecht
(Grantor) _____ (Grantor)



On this day personally appeared before me Thomas J. Lambrecht and Missie, his wife to me, known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged to me that they signed the same as their free and voluntary act and deed for the purposes therein mentioned.

Given under my hand and official seal this 7th day of February, 1978.

Marion L. Rostad
NOTARY PUBLIC in and for the state
of Washington, residing in Lynnwood

FSB 10 1978

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That, but for the exception contained in paragraph (8) above, these covenants are for the mutual benefit of the grantor and his heirs, successors and assigns and are for the further purpose of compliance with the resolutions and regulations of Snohomish County and the county and such persons are specifically given the right to enforce these restrictions and reservations by injunction or other lawful procedure and to recover any damages resulting from such violation.

Dated this 11 day of Nov, 1977.

William F. Dudley
(Grantor) _____ (Grantor)

Heather Dudley
(Grantor) _____ (Grantor)

State of Washington)
County of Snohomish) ss.

On this day personally appeared before me William & Heather Dudley to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that they signed the same as their free and voluntary act and deed for the purposes therein mentioned.

Given under my hand and official seal this 11 day of Nov, 1977.

Debra M. ...
NOTARY PUBLIC in and for the state
of Washington, residing in the
Tacoma

FEB 10 1978

7802100339

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That, but for the exception contained in paragraph (8) of these covenants are for the mutual benefit of the grantor and his heirs, successors, and assigns, and are for the further purpose of compliance with the resolutions and regulations of Snohomish County, and the County and such persons are specifically given the right to enforce these restrictions and reservations by injunction or other lawful procedure and to recover any damages resulting from such violation.

Dated this 13th day of October, 1977.

Harold W. Anderson (Grantor) _____ (Grantor)

Anna S. Anderson (Grantor) _____ (Grantor)

State of Washington)
County of _____) ss.

On this day personally appeared before me Harold W. and Anna S. Anderson to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that They signed the same as They free and voluntary act and deed for the purposes herein mentioned.

Given under my hand and official seal this 13th day of October, 1977.



[Signature]
NOTARY PUBLIC in and for the State of Washington, residing in Richmond

Dated this 13th day of October, 1977.

WASHINGTON FEDERAL SAVINGS AND LOAN ASSOCIATION
(Grantor) Vice President _____ (Grantor)

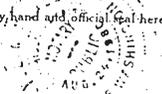
[Signature]
(Grantor) Vice President _____ (Grantor)
FOR MORTGAGE



STATE OF WASHINGTON
County of KING) ss.

On this 13th day of October, A. D. 1977, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared F. L. Jacobs and L. F. McDown to me known to be the Vice President and Vice President, respectively, of Washington Federal Savings and Loan Association, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



[Signature]
Notary Public in and for the State of Washington
residing at Marysville

(Acknowledgment by Corporation, Pioneer National Title Insurance Co. Form L 29)

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FEB 10 1978

That, but for the exception contained in paragraph (8) above, these covenants are for the mutual benefit of the grantor and his heirs, successors and assigns and are for the further purpose of compliance with the resolutions and regulations of Snohomish County and the county and such persons are specifically given the right to enforce these restrictions and reservations by injunction or other lawful procedure and to recover any damages resulting from such violation.

Dated this 5 day of December, 1977.

Allen W. Gustafson _____
(Grantor) (Grantor)

Hettie J. Gustafson _____
(Grantor) (Grantor)

State of Washington)
County of CLALLAM

On this day personally appeared before me ALLEN W. AND HETTIE J. GUSTAFSON to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that THEY signed the same as THEIR free and voluntary act and deed for the purposes therein mentioned.

Given under my hand and official seal this 5TH day of DECEMBER, 1977.

[Signature]
NOTARY PUBLIC in and for the state
of Washington, residing in PORT
ANGELES

FEB 10 1978

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VOI 1258 PAGE - 47



PIONEER NATIONAL
TITLE INSURANCE

P. 430(10-77)

JULY 27, 1977

F-200479
UNIT 2

PROPOSED SHORT PLAT

RECEIVED

OCT 3 1977

CO. PLANNING OFFICE

MEYRING & ASSOC., INC.
23423 HWY 99
EDMONDS, WASHINGTON 98020

GENTLEMEN:

THIS IS A CERTIFICATE AS OF JULY 14, 1977 AT 8:00 A.M.
FOR FILING A SHORT PLAT OF THE FOLLOWING:

SEE EXHIBIT A, AS ATTACHED.

THIS COMPANY CERTIFIES THAT RECORD TITLE IS VESTED IN
ALLEN W. GUSTAFSON AND HETTIE J. GUSTAFSON, HIS WIFE, AS TO
PARCEL I; AND IN
HAROLD W. ANDERSON AND ANNA S. ANDERSON, HIS WIFE, AS TO
PARCEL II

AND THAT THE FOLLOWING ARE CONSIDERED ADDITIONAL PARTIES NECESSARY
TO EXECUTE THE PROPOSED PLAT:

CONTRACT PURCHASERS: HAROLD W. ANDERSON AND ANNA S.
ANDERSON, HIS WIFE

MORTGAGEES: WASHINGTON FEDERAL SAVINGS AND LOAN ASSOC.
WILLARD DUDLEY AND HEATHER DUDLEY, HIS WIFE

NO SEARCH MADE AS TO GENERAL TAXES AND ASSESSMENTS.

FOR ADDITIONAL EASEMENTS, COVENANTS, RESTRICTIONS AND
RESERVATIONS, SEE EXHIBIT B, AS ATTACHED.

THIS CERTIFICATE DOES NOT PURPORT TO REFLECT A FULL REPORT ON
CONDITION OF TITLE AND SHALL HAVE NO FORCE OR EFFECT EXCEPT AS
A BASIS FOR THE CERTIFICATE APPLIED FOR.

PIONEER NATIONAL TITLE INSURANCE COMPANY
SNOHOMISH COUNTY OFFICE

Matt D. Sola
AUTHORIZED SIGNATORY

CHARGE: \$75.00
3.83 SALES TAX
CS/CLE SNOHOMISH COUNTY OFFICE

Pioneer National Title Insurance Company S.E. Corner Colby and Pacific P.O. Box 750 Everett, Washington 98205
206 259 4111 South Area 206 743 3621

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8/8 10 1978

F-200479

EXHIBIT A

PARCEL 1:

PARCEL A:

THE NORTH HALF OF TRACT 1, BLOCK 2, RICHMOND FRUIT-GARDEN TRACTS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 44, RECORDS OF SNOHOMISH COUNTY, WASHINGTON; EXCEPT THE EAST 224.6 FEET AND EXCEPT THE WEST 160 FEET THEREOF.

PARCEL B:

THE NORTH 15 FEET OF THE WEST 160 FEET OF THE NORTH HALF OF TRACT 1, BLOCK 2, RICHMOND FRUIT-GARDEN TRACTS, ACCORDING TO PLATS THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 44, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

PARCEL 11:

lot 2
THE WEST 160 FEET OF THE NORTH HALF OF LOT 1, BLOCK 2, RICHMOND FRUIT GARDEN TRACTS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 44, RECORDS OF SNOHOMISH COUNTY, WASHINGTON; EXCEPT THE NORTH 15 FEET THEREOF; AND EXCEPT PORTION CONVEYED TO SNOHOMISH COUNTY UNDER AUDITOR'S FILE NO. 2178774.

FEB 10 1978

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VOI 1256, PAGE 49

FILE NUMBER _____

LEGAL DESCRIPTIONS

OVER-ALL LEGAL

PARCEL I:

PARCEL A:
The North Half of Tract 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the East 224.6 ft.; and
EXCEPT the West 160 ft. thereof.

PARCEL B:

The North 15 ft. of the West 160 ft. of the North Half of Tract 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington.

PARCEL II:

The West 160 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the North 15 ft. thereof; and
EXCEPT portion conveyed to Snohomish County under Auditor's File No. 2178774.

LOT 1

The West 160 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the North 30 ft. thereof.
EXCEPT portion conveyed to Snohomish County under Auditor's File No. 2178774.

LOT 2

The East 75 ft. of the West 235.0 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the North 30 ft. thereof.
TOGETHER WITH a permanent undivided 1/3 interest in a private road for ingress, egress and utility purposes over, across, upon and under the following described parcel:

The North 30.0 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the East 224.60 ft. thereof;
EXCEPT that portion deeded to Snohomish County, Washington, as recorded under Auditor's File No. 2178774;
SUBJECT TO easements of record under Auditor's File No. 2154303 and Auditor's File No. 1982526.

The maintenance of said parcel of land to be shared equally by the adjoining property owners having interest in the private road.

LOT 3

The East 75 ft. of the West 310 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the North 30 ft. thereof.

LEGAL DESCRIPTIONS CONTINUED

FEB 10 1978

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FILE NUMBER _____

LOT 3 (Continued)

TOGETHER WITH a permanent undivided 1/3 interest in a private road for ingress, egress and utility purposes over, across, upon and under the following described parcel;

The North 30.0 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the East 224.60 ft. thereof;

EXCEPT that portion deeded to Snohomish County, Washington, as recorded under Auditor's File No. 2178774;

SUBJECT TO easements of record under Auditor's File No. 2154305 and Auditor's File No. 1982526;

The maintenance of said parcel of land to be shared equally by the adjoining property owners having interest in the private road.

LOT 4

All of the North Half of Tract 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the West 340.0 ft. thereof;

EXCEPT the North 30.0 ft. of said North Half; Except the East 224.60 ft. thereof;

EXCEPT the East 224.60 ft. thereof;

SUBJECT TO an easement recorded under Auditor's File No. 1982526.

TOGETHER WITH a permanent undivided 1/3 interest in a private road for ingress, egress and utility purposes over, across, upon and under the following described parcel;

The North 30.0 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the East 224.60 ft. thereof;

EXCEPT that portion deeded to Snohomish County, Washington, as recorded under Auditor's File No. 2178774;

SUBJECT TO easements of record under Auditor's File No. 2154305 and Auditor's File No. 1982526.

The maintenance of said parcel of land to be shared equally by the adjoining property owners having interest in the private road.

PRIVATE ROAD

A permanent undivided 1/3 interest in a private road for ingress, egress and utility purposes over, across, upon and under the following described parcel:

The North 30.0 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the East 224.60 ft. thereof;

EXCEPT that portion deeded to Snohomish County, Washington, as recorded under Auditor's File No. 2178774;

SUBJECT TO easements of record under Auditor's File No. 2154305 and Auditor's File No. 1982526.

The maintenance of said parcel of land to be shared equally by the adjoining property owners having interest in the private road.

PER 10 0730

I, Albert W. Chenoweth, Registered Land Surveyor in the State of Washington, do hereby certify that the above written descriptions of the property contained in this Short Subdivision are accurate and correctly described, the individual tracts contained therein.



Albert W. Chenoweth
LIC # 2154305

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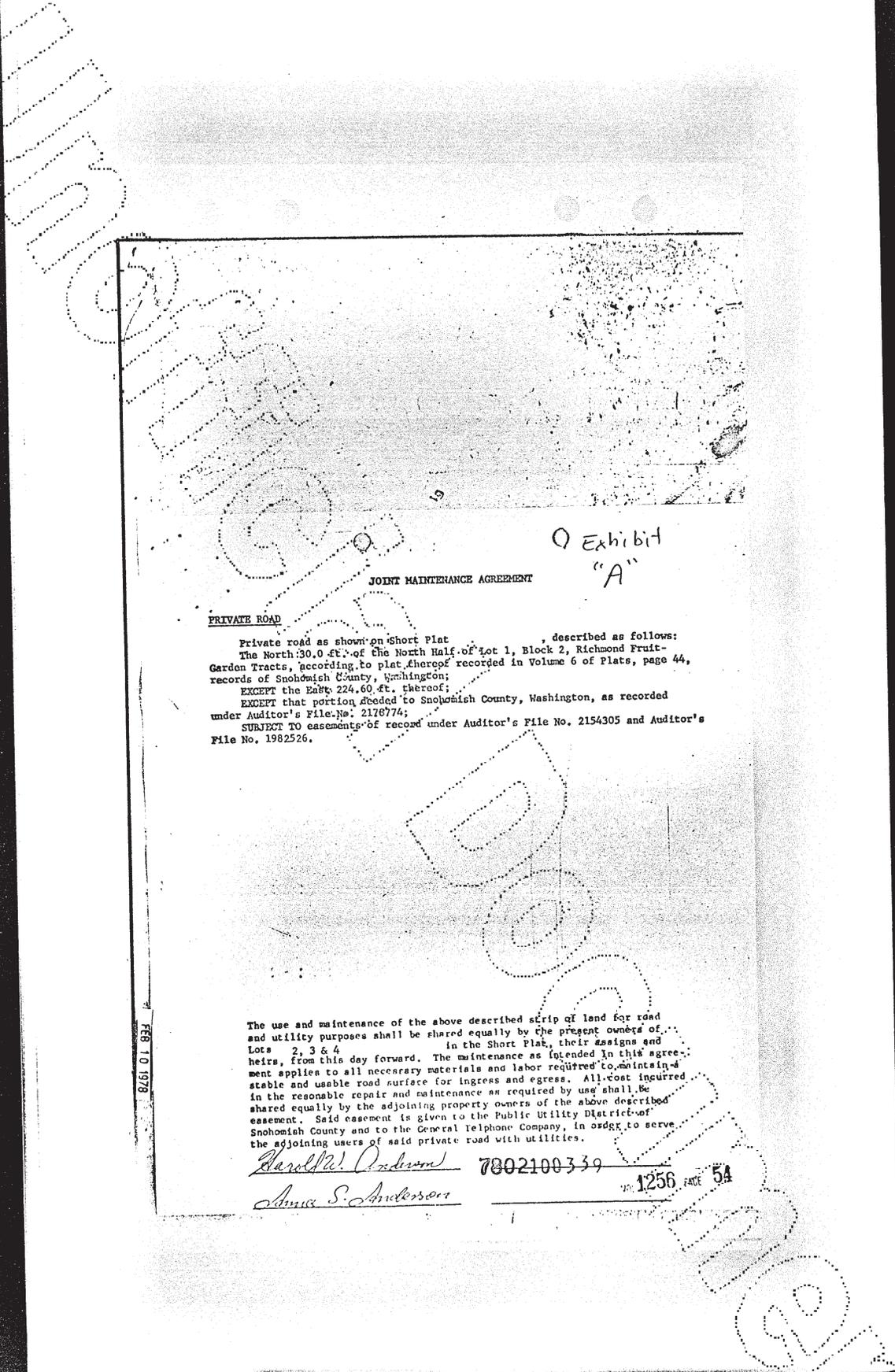


Exhibit
"A"

JOINT MAINTENANCE AGREEMENT

PRIVATE ROAD

Private road as shown on Short Plat _____, described as follows:
The North 30.0 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-
Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44,
records of Snohomish County, Washington;
EXCEPT the East 224.60 ft. thereof;
EXCEPT that portion abeded to Snohomish County, Washington, as recorded
under Auditor's File No. 2176774;
SUBJECT TO easements of record under Auditor's File No. 2154305 and Auditor's
File No. 1982526.

FEB 10 1978

The use and maintenance of the above described strip of land for road
and utility purposes shall be shared equally by the present owners of
Lots 2, 3 & 4 in the Short Plat, their assigns and
heirs, from this day forward. The maintenance as intended in this agree-
ment applies to all necessary materials and labor required to maintain a
stable and usable road surface for ingress and egress. All cost incurred
in the reasonable repair and maintenance as required by use shall be
shared equally by the adjoining property owners of the above described
easement. Said easement is given to the Public Utility District of
Snohomish County and to the General Telephone Company, in order to serve
the adjoining users of said private road with utilities.

Harold W. Anderson
Anna S. Anderson

7802100339

1256 PAGE 5A

UNRECORDED

"B"

JOINT MAINTENANCE AGREEMENT

PRIVATE ROAD

Private road as shown on Short Plat 429(10-77), described as follows:
The North 30.0 ft. of the North Half of Lot 1, Block 2, Richmond Fruit-Garden Tracts, according to plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington;

EXCEPT the East 224.60 ft. thereof;
under Auditor's File No. 2178774;

SUBJECT TO easements of record under Auditor's File No. 2154305 and Auditor's File No. 1982526.

The use and maintenance of the above described strip of land for road and utility purposes shall be shared equally by the present owners of Lots 2, 3 & 4 in Short Plat 429(10-77) and owners of the East 224.6 ft. of said North Half of Tr. 1, Block 2, Richmond Fruit-Garden Tracts, their assigns and heirs, from this day forward. The maintenance as intended in this agreement applies to all necessary materials and labor required to maintain a stable and usable road surface for ingress and egress. All cost incurred in the reasonable repair and maintenance as required by use shall be shared equally by the adjoining property owners of the above described easement. Said easement is given to the Public Utility District of Snohomish County and to the General Telephone Company, in order to serve the adjoining users of said private road with utilities.

Thomas J. Lambrecht *Harold W. Anderson*
M. Susan Lambrecht *Anna S. Anderson*

STATE OF WASHINGTON)
COUNTY of Snohomish) ss.

On this day personally appeared before me *Thomas J. Lambrecht and M. Susan Lambrecht, his wife*, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this *9th* day of *February* 1978.

Marion S. Rostad
NOTARY PUBLIC in and for the State of Washington, residing at *Springwood*.

STATE OF WASHINGTON) ss.
COUNTY of Snohomish)

On this day personally appeared before me *Harold W. Anderson and Anna S. Anderson, his wife*, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this *10th* day of *February* 1978.

Marion S. Rostad
NOTARY PUBLIC in and for the State of Washington, residing at *Springwood*.

FEB 10 1978

CO. PLANNING OFFICE
FEB 9 1978
RECEIVED

78021-0739

1256 REC-55

UNRECORDED

EASEMENT AGREEMENT

"C"

This agreement entered into this 10th day of February, 1978, A.D., by and between HAROLD W. ANDERSON and ANNA S. ANDERSON, his wife, party of the first part, and THOMAS J. LAMBRUCHT and M'LISSIE LAMBRUCHT, his wife, party of the second part.

Whereas, the party of the first part is the owner of the North Half of Tract 1, Block 2, Richmond Fruit-Garden Tracts, according to the plat thereof recorded in Volume 9 of Plats, page 44, records of Snohomish County, Washington; Except the East 224.6 ft. thereof. The party of the second part is the owner of the East 224.60 ft. of the North Half of Tract 1, Block 2, Richmond Fruit-Garden Tracts, according to the plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington.

Whereas, the said two parcels of land are adjacent parcels and the parties hereto being adjacent owners hereby mutually agree that the party of the first part grants to the party of the second part:

A permanent, non-exclusive easement for ingress, egress and utilities over, across, under and upon the following described parcel:

The North 30.0 ft. of the North Half of Tract 1, Block 2, Richmond Fruit-Garden Tracts, according to the plat thereof recorded in Volume 6 of Plats, page 44, records of Snohomish County, Washington; Except the East 224.6 ft. thereof.

Except that portion depicted to Snohomish County, Washington, as recorded under Auditor's EAC 82178774.

Said easement agreement shall be binding upon the heirs and or assigns of both parties.

This agreement is to supersede any previous easement for ingress and egress that is of record to benefit the ownership of the second party.

IN WITNESS WHEREOF, we have hereunto set our hands and seal.

Thomas J. Lambrucht, M'Lissie Lambrucht, Harold W. Anderson, Anna S. Anderson

STATE OF WASHINGTON) ss. County of Snohomish)

On this 10th day of February, 1978, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Thomas J. Lambrucht and M'Lissie Lambrucht, his wife to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged to me that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and seal this 10th day of February, 1978.

Marion J. Hostet, Notary Public in and for the State of Washington, residing at Lynnwood

STATE OF WASHINGTON) ss. County of Snohomish)

On this 10th day of February, 1978, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Harold W. Anderson and Anna S. Anderson, his wife to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged to me that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and seal this 10th day of February, 1978.

Marion J. Hostet, Notary Public in and for the State of Washington, residing at Lynnwood

7802100339

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