



**After Recording Return To: Spokane County Engineer
Attn.: Development Services Department**

County Road File No: RF834
Document Title: *Temporary Drainage and Access Easement*
Grantor(s): *David C. Finkle and Arlene K. Finkle, husband and wife*
Grantee(s): *Government, County of Spokane and Alderwood Estates Homeowners Association*
Abbreviated Legal Description: *A portion of NW ¼ of Section 3, Township 24 North and Range 44 E W.M., Spokane County, Washington*
Legal Description: *See Attached Exhibits A and B.*
Assessor's Tax Parcel Number: *A portion of Parcel No. 44032.916, NW ¼ S3, T24N, R44E W.M.*

SPOKANE COUNTY DIVISION OF ENGINEERING
Spokane County, Washington

TEMPORARY DRAINAGE AND ACCESS EASEMENT

IN THE MATTER OF *Alderwood* (Spokane County Project No. P1923, hereinafter referred to as the "project")

KNOW ALL MEN BY THESE PRESENTS, that the Grantor(s), *David C. Finkle and Arlene K. Finkle, husband and wife*, for and in consideration of Mutual Benefits, the receipts of which is hereby acknowledged, grants to Spokane County, a political subdivision of the State of Washington, and the *Alderwood Estates Homeowners Association*, a Temporary Drainage Easement over, under, upon, and across the real property legally described in the attached Exhibit A and B, situated in the County of Spokane, State of Washington.

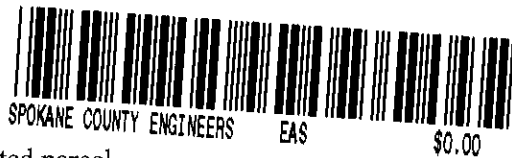
The Easement granted to Spokane County, its authorized agents and the *Alderwood Estates Homeowners Association*, is for the purpose of allowing stormwater drainage and/or runoff over and across the above-described lands, including but not limited to disposal into a drainage facility or facilities located within the same above-described lands; it is for the purpose of allowing access over, to, upon, across and under this temporary easement area to inspect and perform emergency maintenance of these facilities. The Grantor(s), the *Alderwood Estates Homeowners Association*, and/or their successors in interest, hereby agree not to obstruct, artificially collect or discharge additional flow into, across or adjacent to the above described lands, other than what has been accepted by Spokane County during the road and drainage document review process for this project.

The Grantor(s), the *Alderwood Estates Homeowners Association*, and/or their successors in interest, agree that Spokane County accepts no responsibility for maintaining this Easement. The Easement grants to Spokane County, its authorized agents, the *Alderwood Estates Homeowners Association*, and/or their successors in interest, the right of ingress and egress to, over and from said Easement for the purpose of inspection and emergency maintenance of drainage facilities.

The Grantor(s) and/or their successors in interest hereby accept complete and total responsibility for the construction of the facilities located within this Easement per the accepted road and drainage plans on file in the office of the Spokane County Engineer. The Grantor(s), the *Alderwood Estates Homeowners Association*, and/or their successors in interest, hereby accept complete and total responsibility for the perpetual maintenance of the facilities located within this Easement. If the Grantor(s), the *Alderwood Estates Homeowners Association*, and/or their successors in interest, fail to maintain the facilities, a notice of such failure may be given to the Grantor(s), the *Alderwood Estates Homeowners Association*, and/or their successors in interest. If not corrected within the period indicated on said notice, Spokane County has the right to correct the maintenance failure, or have it corrected, at the expense of the Grantor(s), the *Alderwood Estates Homeowners Association*, and/or their successors in interest.

This Temporary Drainage Easement will vacate only upon the filing of a plat that includes either a Replacement Easement that has been reviewed, accepted and recorded by Spokane County, or has incorporated into it's design, facilities that can adequately contain, convey and/or dispose of the stormwater runoff intended to be contained, conveyed or disposed of in the original Temporary Drainage Easement area. Said Replacement Easement and supporting documents shall be submitted to the Spokane County Engineer for review, acceptance and recording prior to vacation of the original Temporary

K. L. Excise Tax Exempt
Date *Aug 26 2004*
Spokane County Treas.
By *[Signature]*



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Drainage Easement and/or final plat of the affected parcel.

The Grantor(s), the *Alderwood Estates Homeowners Association*, and/or their successors in interest, hereby release Spokane County, and all of its officers, employees and agents from any responsibility or liability for any damage whatsoever including inverse condemnation by or to any and all persons or property arising out of or in any way incident to or attributable to the storm drainage within the Easement.

Unofficial Document



IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal(s) this 26th day of August, 2004.

By: [Signature]
David C. Finkle

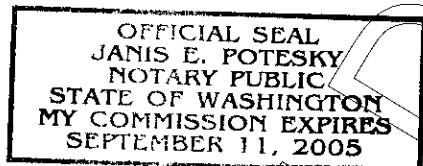
Attorney in Fact for:

[Signature]
Arlene K. Finkle by David C. Finkle

STATE OF WASHINGTON)
COUNTY OF SPOKANE) ss

On this 26th day of August, 2004, before me, personally appeared David C. Finkle to me known to be the individual described in and who executed the foregoing instrument for himself and as Attorney in Fact for Arlene K. Finkle also therein described, and acknowledged to me that he signed and sealed the same as her voluntary act and deed and as the free and voluntary act and deed of the said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26th day of August, 2004.



[Signature]
NOTARY PUBLIC
in and for the State of Washington,
residing at Spokane.
My appointment expires: 9-11-05.

Unofficial Document



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Exhibit A

LEGAL DESCRIPTION: An easement exclusive to the owners within the Final Plat of Alderwood and owner(s) of Assessor's Parcel Numbers 44032.9160 and 44032.9161 for drainage, storm water storage, construction, maintenance and ingress/egress.

Said parcel of land is situated and within the Northwest 1/4, Section 3, Township 24 North, Range 44 East of the Willamette Meridian, Spokane County, Washington and more particularly described as follows:

BEGINNING at the West common corner of Government Lots 5 and 8 of said Section 3, a 1.5" stainless steel washer with Mag-Nail in Madison Road and bearing the inscription Davis PLS 35994,

said Point of Beginning bears South 0° 6' 19" West 1626.90 feet from the a Found 3" Brass Cap in Monument Case being the Northwest Corner of said Section 3;

Thence South 80° 41' 28" East for 1235.90 feet to the Southwest Corner of Assessor's Parcel 44032.9161, monumented with a 1/2" rebar and a Yellow Plastic Cap inscribed Davis PLS 35994 and the **TRUE POINT OF BEGINNING**;

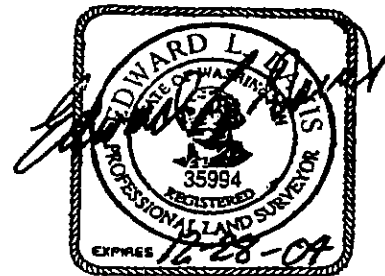
thence North 0° 6' 19" East for 140.38 feet along the West line of Assessor's Parcels 44032.9161 and a portion of 44032.9160 to a point, also being the East line of the pending Final Plat of Alderwood (APN#44032.9159), said point monumented with a 1/2" rebar and a Yellow Plastic Cap inscribed Davis PLS 35994 ;

Thence South 89° 37' 29" East for 85.00 feet to a point, monumented with a 1/2" rebar and a Yellow Plastic Cap inscribed Davis PLS 35994;

Thence South 0° 22' 31" West for 140.08 feet to a point, monumented with a 1/2" rebar and a Yellow Plastic Cap inscribed Davis PLS 35994;

Thence North 89° 49' 28" West for 84.34 feet along the south line of Assessor's Parcel 44032.9161 to a point and the said **TRUE POINT OF BEGINNING**,

The Area being 11,873 SqFt.



8-19-2004

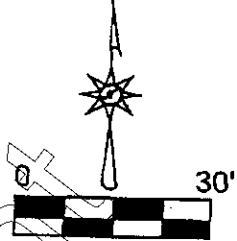
Government Lot 5
 Government Lot 8

Exhibit B

N89°51'23"E 2649.07'

Lot 14, Block 4

APN#44032.9159



Aunnic Ln

N0°06'19"E 16.00'

S89°37'29"E 85.00'

APN#44032.9160

S89°37'34"E 74.00'

N0°06'19"E 16.00'

APN#44032.9161

APN#44032.9159

Lot 17, Block 3

Ingress/Egress and
 Drainage Easement
 11,873 SqFt

N0°06'19"E 108.38'

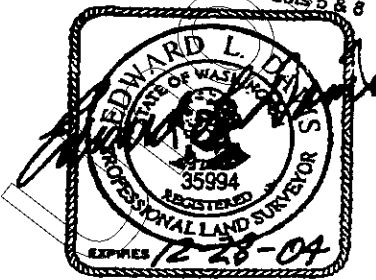
S0°22'31"W 140.08'

SE Corner
 Final Plat of Alderwood
 (Pending)

S80°41'28"E 1235.90 feet
 from the West common corner to
 Government lots 5 & 8

TPOB

N89°49'28"W 84.34'



Final Plat of Alderwood and Assessor's
 Parcels 44032-9075 and 44032-9076 - Easement

FILE NAME Storhaug Engineering, Inc.		
SCALE 30 FV/in	DATE 8-19-2004	DRAWN BY ELD
JOB 03-022	REVISION 1/1	SHEET 1/1

The map drawn with TRAVERSE PC Software