FINAL PLAT
OF
DAYSTAR ESTATES

A PORTION OF THE EAST 1/2 OF SECTION 13, T24N, R42E, W.M.
COUNTY OF SPOKANE, STATE OF WASHINGTON

DEDICATION

KNOW ALL MEN BY THESE PRESENTS that DAYSTAR ESTATES L.L.C. and BRANNAN PROPERTIES, L.L.C. have cause to be platted into Lots, Blocks and Private Roads, the land shown hereon, to be known as DAYSTAR ESTATES, being a portion of the East half of Section 13, T24N., R42E., W.M., County of Spokane, State of Washington, being more particularly described as follows:

PARCEL "H"

The South 20 rods of the Southeast Quarter of the Northeast Quarter, Section 13, Township 24 North, Range 42 East of the Willamette Meridian;

EXCEPT the East 30.00 feet thereof for county road;

Situate in the County of Spokane, State of Washington.

PARCEL "I"

The North Half of the North Half of the Northeast Quarter of the Southeast Quarter, Section 13, Township 24 North, Range 42 East of the Willamette Meridian;

EXCEPT the East 30.00 feet thereof for county road;

Situate in the County of Spokane, State of Washington.

PARCEL "J"

The South Half of the Northwest Quarter of the Northeast Quarter of the Southeast Quarter and the North Half of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter, Section 13, Township 24 North, Range 42 East of the Willamette Meridian;
EXCEPT the south 25.00 feet.

Situate in the County of Spokane, State of Washington.

PARCEL "K"

The South Half of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter and the North Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter, Section 13, Township 24 North, Range 42 East of the Willamette Meridian;

EXCEPT the East 30.00 feet thereof for county road;

ALSO EXCEPT the south 25.00 feet.

Situate in the County of Spokane, State of Washington.

"That in consideration of Mutual Benefits now or to be hereafter derived, do for themselves, their heirs, grantees, assigns and successor(s) in interest hereby request and authorize Spokane County to include the above-described property in a Road Improvement District (RID) and to support the formation of a Road Improvement District for improvement of the road (s) described below by requesting and authorizing Spokane County to place their name(s) on a petition for the formation of a Road Improvement District, pursuant to RCW 36.88.050, or by requesting and authorizing Spokane County to cast their ballot in favor of a RID being formed under the resolution method pursuant to RCW 36.88.030, and /or by not filing a protest against the formation of a RID being formed under the alternative resolution method provided for in RCW 36.88.065 and chapter 35.43 RCW.

If a RID is proposed for improvement of the road (s) described below, said owner(s) and successor(s) further agree: (1) that the improvements or construction contemplated within the proposed RID are feasible and (2) that the benefits to be derived from the formation of the RID by the property included therein, together with the amount of any County participation, exceeds the cost and expense of formation of the RID, and (3) that the property within the proposed RID is sufficiently developed; provided, themselves, their heirs, grantees, assigns and successor(s) shall retain the right, as authorized under RCW 36.88.090, to object to any assessment(s) on the property as a result of the improvements called for in conjunction with the formation of a RID by either the petition or resolution method under Chapter 36.88 RCW and to appeal to the Superior Court the decision of the Board of County Commissioners confirming the final assessment roll; provided further, it is recognized that actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value improvement(s) add(s) to the property.

It is further acknowledged and agreed that at such time as a RID is created or any County Road Improvement project is authorized by Spokane County, the improvements required shall be at the sole expense of the owner(s) of property within the RID or served by the improvements without any monetary participation by Spokane County.

The RID waiver contained in this agreement shall expire after ten (10) years from the date of execution below. This provision is applicable to Taylor Road.

"WARNING: Spokane County has no responsibility to build, improve, maintain or other wise service the private roads contained within or providing service to the property described in this plat. By accepting this plat or subsequently by allowing a building permit to be issued on property on a private road, Spokane County assumes no obligation for said private road and the owners hereby acknowledge that the County has no obligation of any kind or nature whatsoever to establish, examine, survey, construct, alter, repair, improve, maintain, provide drainage or snow removal on a private road. This requirement is and shall run with the land and shall be binding upon the owner, their heirs, successors or assigns including the obligation to participate in the maintenance of the private road as provided herein."

Drainage easements and natural drainage channel easements, as platted and shown hereon, which are for the purpose of conveying and storing stormwater runoff, and for installing, operating and maintaining drainage ponds and drainage facilities which dispose of and treat stormwater runoff, are hereby granted to the Daystar Estates Homeowners' Association and Spokane County. Tract A is hereby dedicated to the Daystar Estates Homeowners' Association for the purpose of conveying and storing stormwater runoff, and for installing, operating and maintaining drainage ponds and drainage facilities which dispose of and treat stormwater runoff. A drainage easement is granted to Spokane County over Tract A for inspection and emergency maintenance of stormwater facilities.

Spokane County and its authorized agents are hereby granted the right to ingress and egress to, over and from all drainage easements for the purposes of inspection and emergency maintenance of drainage swales, ponds, ditches, culverts and other drainage facilities, if not properly maintained by the property owner(s) or the Daystar Estates Homeowners' Association. Spokane County does not accept the responsibility to inspect or maintain drainage facilities located outside of public rights-of-way, except in cases where Spokane County specifically assumes that responsibility in writing. Neither does Spokane County accept any liability for any failure by the property owner(s) to properly maintain such areas.

The property owner(s) within this plat shall be held responsible for keeping open and maintaining the surface path of natural or man-made drainage flow over and across their respective properties. If the property owner(s) fail to maintain the surface path of natural or man-made drainage flow, or drainage facilities on private properties, a notice of such failure may be given to the property owner(s). 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 property owner(s).

Spokane County does not accept the responsibility of maintaining drainage courses on private lots nor the responsibility for any damage whatsoever, including, but not limited to, inverse condemnation to any properties due to deficient construction and/or maintenance of drainage courses in drainage easements on private property.

Any building that is constructed on a lot in this plat shall be set at such an elevation so as to provide positive drainage away from any drainage entry point to the building (including but not limited to a window well, a window unprotected by a window well, or a doorway). Said positive drainage shall consist of a minimum slope of 3% away from the building for a distance of at least 10 feet from the building. The lots shall be graded so that either a) all runoff is routed away from the building, and conveyed over the lot to a natural drainage swale or approved drainage facility, or b) drainage intercepted on the lot is disposed of on the lot in an approved drainage facility. All drainage facilities for this plat, including any '208' swales, shall be constructed in accordance with the approved plans on file at the Spokane County Engineer's Office. Any proposed changes to the approved road and drainage plans must be approved by the Spokane County Engineer's Office prior to construction of said changes.

There may exist properties located uphill and adjacent to this subdivision that periodically discharge stormwater runoff onto individual lots within this plat. Stormwater runoff from nearby uphill properties should be expected, and during snow melt periods or wet seasons the lots may be subjected to higher amounts of stormwater runoff than what is normally observed or anticipated. Because stormwater runoff from adjacent properties have discharged onto this plat prior to development, stormwater runoff will likely continue to do so after development.

The property owner(s) within this plat shall maintain all natural drainage channels and drainage facilities situated on their respective properties. No structures, including fences, shall be constructed directly over or within a natural drainage channel or drainage facility without the expressed written consent of the Spokane County Engineer. Spokane County does not accept the responsibility to inspect and/or maintain the drainage easements, nor does Spokane County accept any liability for any failure by the lot owner(s) to properly maintain such areas.

The Daystar Estates Homeowners' Association, or its successors in interest, shall maintain any drainage facilities located in Tract A in conformance with the approved plans on file at the Spokane County Engineer's Office. Maintenance of drainage facilities includes, but is not limited to, keeping open and cleaning storm pipes, ditches, drainage ponds, swales, etc., and replacement of drainage facilities as needed. The Daystar Estates Homeowners' Association shall be responsible for payment of all claims and other liabilities which may become due for said maintenance responsibilities.

If the Daystar Estates Homeowners' Association, or their successors in interest, fails to maintain the drainage facilities in conformance with the accepted drainage plan on file at the Spokane County Engineer's Office, a notice of such failure may be given to the Daystar Estates Homeowners' Association, or their successors in interest, by the County Engineer. 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 Daystar Estates Homeowners' Association, or their successors in interest.

Should the Daystar Estates Homeowners' Association be terminated for any reason, the successors in interest shall be the individual lot owner(s), or their successors in interest, who are members of the Daystar Estates Homeowners' Association at the time of said termination. The successors in interest shall share equally in the responsibility and cost of maintaining said drainage facilities.

Tracts and common areas cannot be sold or transferred and shall be considered subservient estates for tax purposes to the other lots created herein. The status of the areas designated as subservient estates for tax purposes cannot be changed without filing a replat.

The developer, property owners, and homeowners' association waive any and all claims for damages against any governmental authority arising from the construction, ownership or maintenance of public facilities. This waiver includes claims of any nature, including but not limited to person and real property damages as well as any inverse condemnation claims.

"Subject to specific application approval and issuance of permits by the Health Officer, the use of individual on-site sewage disposal systems may be authorized. "

"The use of alternative sewage disposal systems may be required."

"The sponsor will assume responsibility for the provision of domestic-use water."

Utility easements are hereby granted to the serving utility companies for the construction, reconstruction, maintenance and operation of utilities. Together with the right to inspect said utilities and to trim and/or remove brush and trees that may interfere with construction, maintenance and operation of the same, over a (10') wide strip adjoining all public road right-of-ways, and elsewhere as shown hereon.

"Setbacks shall be determined at the time building permits are requested unless these setbacks are specifically drafted on this final plat, The setbacks indicated on this plat may be varied from if proper zoning approvals are obtained."

The owners of all lots within this subdivision shall be members of the DAYSTAR ESTATES HOMEOWNERS ASSOCIATION, a homeowners association created by document recorded April 3, 2001 by the Secretary of State of the State of Washington under U.B.I. Number 602112297, and subject to the Articles of Incorporation and Bylaws thereof. Subject to the DECLARATION OF PROTECTIVE COVENANTS FOR DAYSTAR HOMEOWNERS ASSOCIATION as recorded under Auditor's Document No. 4665662, which by reference is made a part hereof.

The private roads. as shown hereon, are easements which provide a means of ingress and egress for those lots within the Plat having frontage thereon, and are subject to the separate DECLARATION OF COVENANT as recorded July 29, 2002 under Auditor's Document No.4754739 which by reference is made a part hereon.

The owners of Lots within this Plat shall access through private roads as shown hereon. The ingress and egress and utility easements shown on Record of Survey recorded in Book 81 of Surveys, pages 83-85, shall become null and void.

The Bridal Trails and Access Easements as shown hereon are dedicated to the owners of all Lots within this subdivision.

Subject to a Avigation Easement recorded under Auditor's Document Number 4575854.

IN WITNESS WHEREOF THE AFOREMENTIONED PERSONS DO HEREBY AFFIX THIER SIGNATURES:

DAYSTAR ESTATES LLC
Michael E. Schmitz

STATE OF WASHINGTON)
)ss
County of Spokane)

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose signature appears on this document.

On this 5th day of January, 2003, before me personally appeared Michael E. Schmitz to me known to be the person that executed the within and foregoing instrument, and acknowledged the said instrument to be free and voluntary act and deed of said person, for the uses and purposes herein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

NOTARY PUBLIC, in the State of Washington, residing at Spokane
My commission expires 9-6-06

LINDA J. HAHN NOTARY PUBLIC COMMISSION EXPIRES 9-9-06 STATE OF WASHINGTON

IN WITNESS WHEREOF THE AFOREMENTIONED PERSONS DO HEREBY AFFIX THIER SIGNATURES:

BRANNAN PROPERTIES, LLC

STATE OF WASHINGTON)
)ss
County of Spokane)

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose signature appears on this document.

On this 5th day of January, 2003, before me personally appeared William M. Brannan to me known to be the person that executed the within and foregoing instrument, and acknowledged the said instrument to be free and voluntary act and deed of said person, for the uses and purposes herein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

NOTARY PUBLIC, in the State of Washington, residing at Spokane
My commission expires 9-6-06

LINDA J. HAHN NOTARY PUBLIC COMMISSION EXPIRES 9-9-06 STATE OF WASHINGTON

AUDITOR'S CERTIFICATE

4841858

AT 12:49 P. M. IN BOOK 28 OF Plats AT PAGE 53
FILED FOR RECORD THIS 5th DAY OF February 2003
AT THE REQUEST OF Daystar Estates LLC/Brannan Properties LLC
COUNTY AUDITOR J. Higdem

#3596 BK 28 Pg 53 Sheet 1 of 2

SPOKANE COUNTY DIVISION OF ENGINEERING AND ROADS

EXAMINED AND APPROVED THIS 29th DAY OF January ,2003

SPOKANE COUNTY ENGINEER

SPOKANE COUNTY DIVISION OF UTILITIES

EXAMINED AND APPROVED THIS 28TH DAY OF JANUARY ,2003

SPOKANE COUNTY UTILITIES

SPOKANE COUNTY DIVISION OF PLANNING

EXAMINED AND APPROVED THIS 4TH DAY OF FEBRUARY ,2003

James Richardson FOR
SPOKANE COUNTY DIVISION OF PLANNING DIRECTOR

SPOKANE COUNTY COMMISSIONERS

THIS PLAT WAS APPROVED BY THE COUNTY COMMISSIONERS OF SPOKANE COUNTY, WASHINGTON ON THIS 4th DAY OF February ,2003

SPOKANE COUNTY COMMISSIONERS

SPOKANE REGIONAL HEALTH DISTRICT

EXAMINED AND APPROVED THIS 4TH DAY OF February ,2003

SPOKANE REGIONAL HEALTH OFFICER

SPOKANE COUNTY ASSESSOR

EXAMINED AND APPROVED THIS 4th DAY OF February ,2003

Duane Sommers by M.K. Waltz
SPOKANE COUNTY ASSESSOR

SPOKANE COUNTY TREASURER

I TREASURER OF SPOKANE COUNTY, WASHINGTON DO HEREBY CERTIFY THAT ALL TAXES WHICH HAVE BEEN LEVIED AND BECOME CHARGEABLE AGAINST THE LAND SHOWN WITHIN THIS MAP AND DESCRIBED IN THE DEDICATION OF THIS DATE, HAVE BEEN FULLY PAID, SATISFIED, AND DISCHARGED.

DATED THIS DAY OF 2-4- ,2003

Linda M Walderton
SPOKANE COUNTY TREASURER

SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SPOKANE COUNTY SUBDIVISION ORDINANCE.

MICHAEL E. MOORE, P.L.S., CERT. NO. 35157

MICHAEL E. MOORE STATE OF WASHINGTON 35157 PROFESSIONAL LAND SURVEYOR EXPIRES 07-25-03

01-13-03

HAHN ENGINEERING
NORTH 8623 B DIVISION
SPOKANE, WA. 99208
(509) 467-1550
FAX (509) 467-8189

SHEET 1 OF 2

CAD FILE: 00-137/01/08/03

3596 1/2 28/53

FINAL PLAT
OF
DAYSTAR ESTATES

A PORTION OF THE EAST 1/2 OF SECTION 13, T24N, R42E, W.M.
COUNTY OF SPOKANE, STATE OF WASHINGTON

484/1858
Bk 28
Pg 54

AUDITOR'S CERTIFICATE

AT 12:49 P. M. IN BOOK 28 OF PLATS AT PAGE 54
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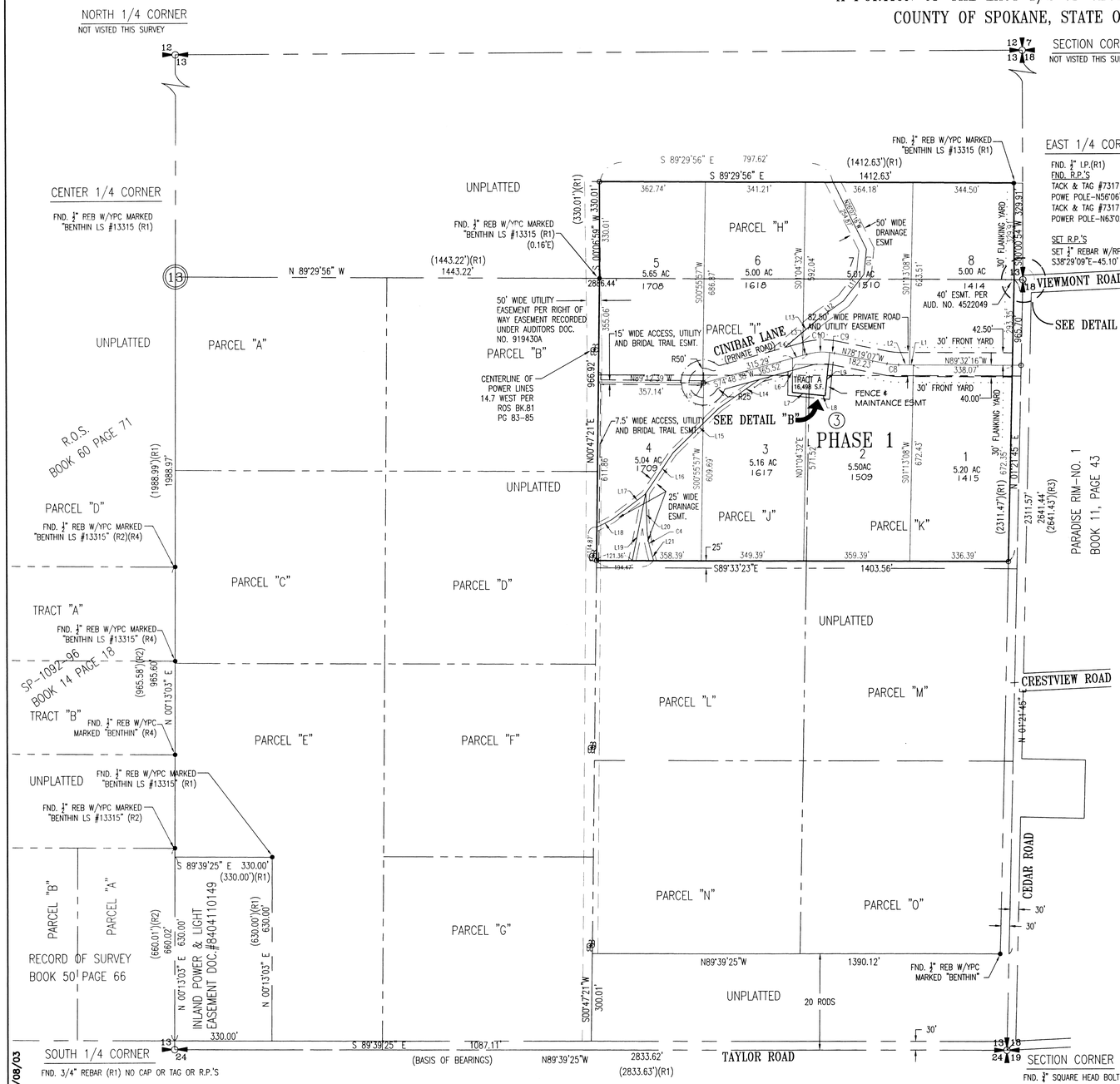
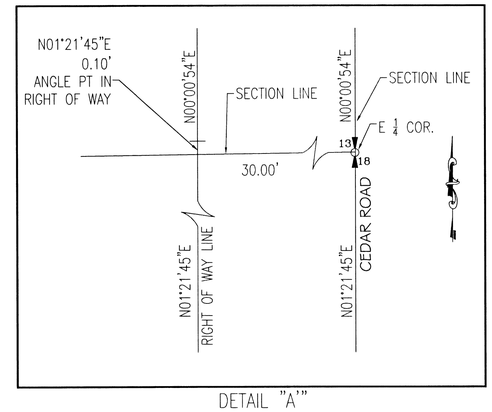
AT THE REQUEST OF Daystar Estates LLC/Brannan Properties LLC

COUNTY AUDITOR J. Higdem

sheet 2of2
#3596



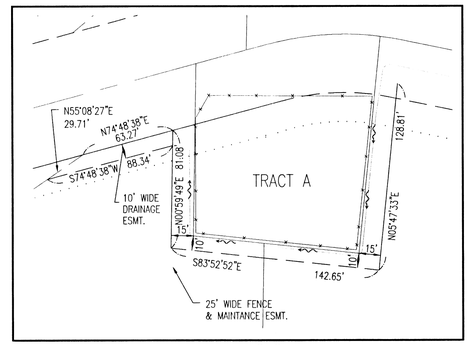


DETAIL "A"
N.T.S.

GRAPHIC SCALE
0 100 200 400
(IN FEET)
1 inch = 200 ft.

LINE TABLE		
LINE	LENGTH	BEARING
L1	12.63	N89°32'16"W
L2	37.54	N89°32'16"W
L3	14.78	S74°48'38"W
L4	35.45	S74°48'38"W
L5	2.76	N89°12'39"W
L6	118.39	S00°59'49"W
L7	48.24	S83°52'52"E
L8	65.18	S83°52'52"E
L9	149.81	N05°47'33"E
L10	85.80	N05°41'08"E
L11	114.09	N37°30'45"E
L12	101.37	N54°31'12"E
L13	154.46	N49°35'34"E
L14	168.59	N55°08'27"E
L15	220.94	N46°11'18"E
L16	171.17	N34°18'50"E
L17	142.37	N52°47'54"E
L18	56.83	N63°01'52"E
L19	236.92	S11°30'21"W
L20	128.97	S01°44'42"E
L21	53.10	S15°19'18"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	39.16	200.00	11°13'09"
C2	15.75	200.00	4°30'44"
C3	78.05	200.00	22°21'31"
C4	53.32	225.00	13°34'36"



DETAIL "B"
N.T.S.

LEGEND

- ● FOUND MONUMENTS AS NOTED
- SET 1/2" REBAR W/YPC "MEM" #35157 AS:
- ○ -ANGLE POINT IN BOUNDARY
- ⊤ -LOT CORNER
- R1 R.O.S. BOOK 81, PAGE 83-85
- R2 R.O.S. BOOK 50, PAGE 66
- R3 R.O.S. BOOK 33, PAGE 37
- R4 SP-1092-96 BOOK 14, PAGE 18
- POWER POLE
- FOUND SECTION CORNERS AS NOTED
- FOUND QUARTER CORNERS AS NOTED
- 2000 STREET ADDRESSES

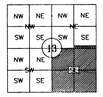
MICHAEL R. MOORE
STATE OF WASHINGTON
REGISTERED PROFESSIONAL LAND SURVEYOR
EXPIRES 07-25-03
02-05-03

BASIS OF BEARING & STATIONING

THE BEARING OF N89°39'25"W ALONG THE SOUTH LINE OF SOUTHEAST QUARTER OF SECTION 13, T24N., R42E., W.M. WAS USED AS BASIS OF BEARINGS FOR THIS SURVEY.

EQUIPMENT AND PROCEDURES

THIS SURVEY WAS PERFORMED WITH A NIKON 460 1" TOTAL STATION USING FIELD TRAVERSE PROCEDURES. THE AMOUNT OF ERROR WAS WITHIN THE TOLERANCES PER WAC 332-130-090.



S13, T24N, R42E, W.M.

CAD FILE: 00-137/01/08/03

SHEET 2 OF 2

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#3596 2/2 28/54