

# HIGHLAND HILLS SUBDIVISION

Being a replat of a portion of TRACT "B" of Short Plat SP-88-547

SPOKANE COUNTY, WASHINGTON

### LEGAL DESCRIPTION

That portion of Tract B of Spokane County Short Plat No. SP-88-547 in the Southwest Quarter of Section 2, Township 24 North, Range 45 East W.M., Spokane County, Washington described as follows:  
Beginning at the southwest corner of said Tract B; thence North 0°04'43" West along the west line of said Tract 477.54 feet; thence continuing along said Tract line the following six courses, South 99°14'15" East 176.26 feet, on a non-tangent curve to the right, having a tangent bearing of North 30°33'56" East, a central angle of 15°33'53" a radius of 100.00 feet, for a distance of 27.78 feet, on a curve to the left, having a central angle of 23°09'18", a radius of 100.00 feet, for a distance of 40.41 feet, North 43°08'11" East 45.00 feet, North 10°40'01" East 115.00 feet, South 89°14'13" East 182.48 feet; thence leaving said Tract line South 12°16'52" West 264.15 feet; thence South 0°04'43" East 130.00 feet; thence South 89°14'13" East 378.90 feet; thence South 0°09'24" East 255.61 feet to the south line of said Tract B; thence North 89°07'38" West along said south line 785.95 feet to the Point of Beginning of this description.

Drainage easements, as platted and shown hereon, which are for the purpose of installing, operating, and maintaining the drainage retention pond, culverts, ditches, and associated drainage facilities to dispose of runoff are hereby granted to the Highland Hills Home Owners Association, and to the owners of Lots 1-8, or their successors in interest. The County of Spokane is hereby granted the right of ingress and egress to all drainage easements.  
The Highland Hills Home Owners Association, and/or the owners of Lots 1-8, or their successors in interest shall maintain the drainage retention pond, culverts, ditches, and associated drainage facilities in reasonable conformance with the approved plans on file in the County Engineer's Office.  
Whenever the Highland Hills Home Owners Association, and/or the owners of Lots 1-8, or their successors in interest fail to maintain the drainage retention pond, culverts, ditches, and associated drainage facilities in reasonable conformance with the approved drainage plan, a notice will be given to the Highland Hills Home Owners Association, and/or the owners of Lots 1-8, or their successors in interest by the County. If not corrected after 10 days, the County has the right to correct the maintenance failure or have it corrected. All costs involved will be charged to the Highland Hills Home Owners Association, and/or the owners of Lots 1-8, or their successors in interest.  
Spokane County does not accept the responsibility of maintaining the drainage course on private lots within drainage easements or floodplain areas, nor the responsibility for any drainage, 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.  
The subdivider/sponsor will construct the drainage retention pond, culverts, ditches, and associated drainage facilities.  
All lots within this Plat will be served by City of Spokane water and sewers prior to occupancy of any residence. The City's responsibility for providing maintenance of water services, and sewer services ends at the south right-of-way line of 57th. Each and every deed transferring ownership of land or the right to live in a residence within this subdivision shall clearly state that maintenance of water lines, and sewer service within this Plat is the sole responsibility of the plattee and all future assignees. The City shall not be a party to any legal actions for failure to provide water, or sewer service within the boundaries of this Plat.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that GRACE O. JACOBS and KATHLEEN R. JACOBS, husband and wife, and ELIZABETH F. SWORTH as her separate property, have platted into Lots, Blocks and Streets the land shown hereon to be known as HIGHLAND HILLS SUBDIVISION, in the County of Spokane, State of Washington and being as described hereon.

Utility easements (including cable TV) are hereby granted as shown hereon.  
No more than one dwelling structure to be placed on any lot nor shall any lot be further subdivided for the purpose of creating additional lots, memberships, or building sites without first filing a replat.  
Side yard and rear yard setbacks shall be determined at the time building permits are requested. The setbacks indicated on this subdivision may be varied from if proper zoning approvals are obtained.  
The public water system, pursuant to the WATER PLAN approved by County and State Health Authorities, the local fire district, County Building & Safety Department, and water purveyor, will be installed within this plat and the subdivider/sponsor will provide for individual domestic water service as well as fire protection to each lot prior to sale of each lot and prior to issuance of a building permit for each lot.  
No direct access is allowed from lots to Carter Street.  
Future slope easements as required by Spokane County along Carter Street are hereby granted to the County.

The owner(s) or successor(s) in interest agree to authorize the County to place their name(s) on a petition for the formation of a Road Improvement District (RID) by the petition method pursuant to Chapter 36.06 RCW, which petition includes the owner(s) property, and further not to object, by the signing of a ballot, the formation of a RID by the resolution method pursuant to Chapter 36.06 RCW, which resolution includes the owner(s) property. If a RID is formed by either the petition or resolution method as provided for in Chapter 36.06 RCW, the owner(s) or successor(s) further agree: (1) that the improvements or construction contemplated within the proposed RID is feasible, (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 to the owner(s) or successor(s) of the RID, and (3) that the property within the proposed RID is sufficiently developed. Provided, further, the owner(s) or successor(s) shall retain the right, as authorized under RCW 36.06.090, 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 petition or resolution method under Chapter 36.06 RCW, and to appeal to the Superior Court the decision of the Board of County Commissioners regarding the final assessment roll.  
It is further agreed that at such time as an RID is created or any Road Improvement Project is sanctioned by Spokane County, the improvements required (curb, sidewalk, drainage control and paving) will be at the sole expense of the undersigned owner, their heirs, grantees and assigns without participation by Spokane County.  
This agreement shall expire after ten (10) years from the date of execution hereof. However, the owner(s) or successor(s) agree that if said RID waiver expires without construction of the required improvements, the owner(s) or successor(s) agree to construct the required improvements at their own expense; pay to Spokane County the then estimated cost of the required improvements to enable the County to complete the same; or furnish a bond or other secure method acceptable to the County, providing for or securing to the County the actual construction of the improvements.  
All of the requirements of this agreement shall run with the land and shall be binding upon the owner(s), their successor(s) or assign(s).  
WARNING: Spokane County has no responsibility to build, improve, maintain, or otherwise 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, or otherwise service 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.  
That the owner(s) or successor(s) in interest agree to join in any County approved Stormwater Management Program and to pay such rates and charges as may be fixed through public hearings for service or benefit obtained by the planning, design, constructing, maintaining or operation of stormwater control facilities.

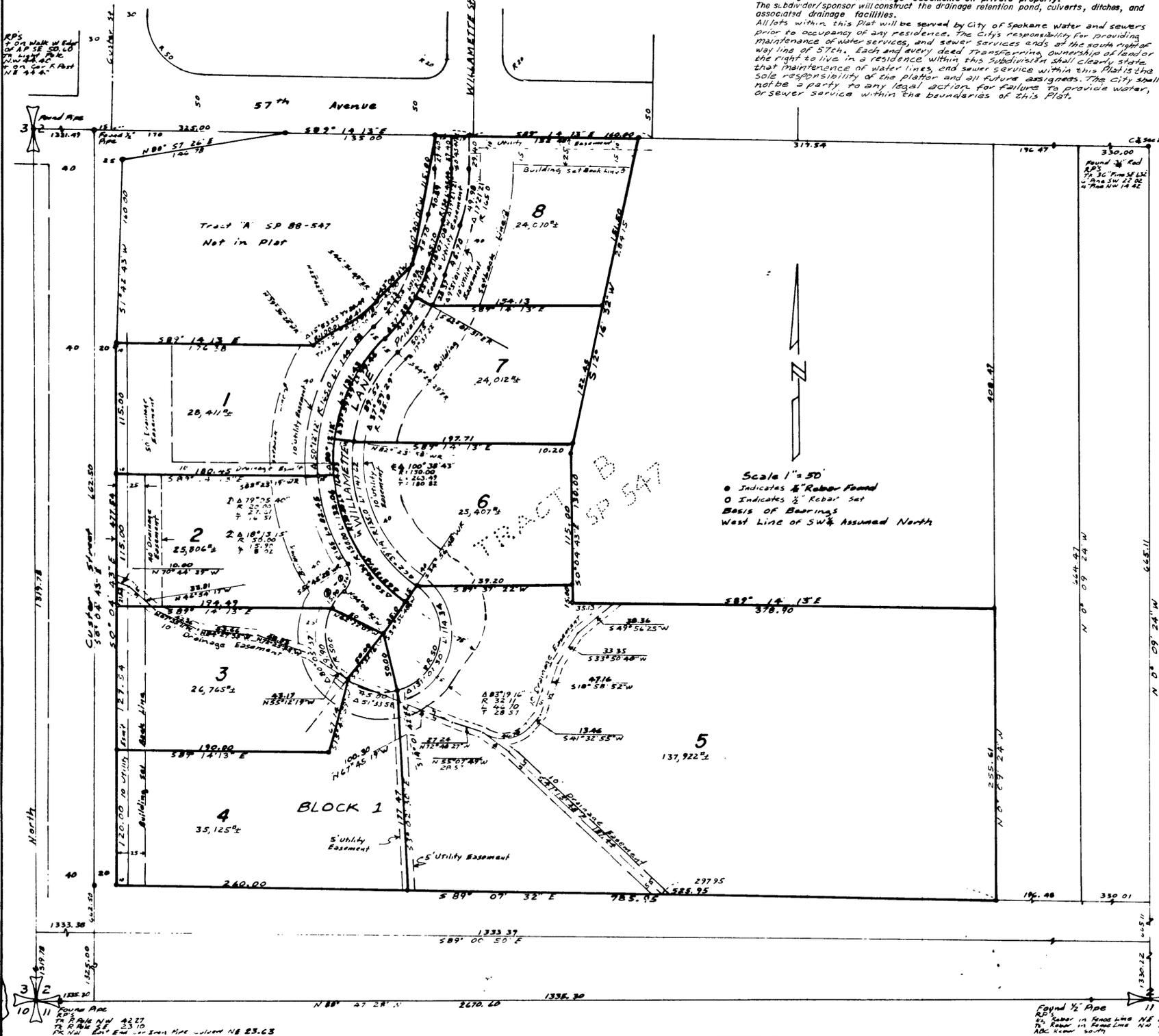
The private road as shown hereon is an easement which provides a means of ingress and egress for these lots within the plat having frontage thereon.  
Use of private wells and water systems is prohibited.  
Subject to declaration of covenants recorded November 9, 1989 under Auditor's Numbers 2001020529 & 2001020530, which by reference is made a part hereof.  
Subject to declaration of Covenants, Conditions and Restrictions for the Highland Hills Home Owners Association, recorded January 2, 1992 under Auditor's Document Number 2001020553, which by reference as shown hereon is made a part hereof.  
Storm Drainage Easements are hereby granted as shown hereon.

IN WITNESS WHEREOF the aforesaid owners have hereunto set their hands this 26 day of June, 1989.  
GRACE O. JACOBS  
KATHLEEN R. JACOBS  
ELIZABETH F. SWORTH  
ACKNOWLEDGMENT  
STATE OF WASHINGTON  
COUNTY OF SPOKANE  
On this 26 day of JUNE, 1989, before me personally appeared ELIZABETH F. SWORTH, known to me to be the individual that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act of said individual for the uses and purposes therein mentioned.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.  
R. E. FLAGAN  
Notary Public in and for the State of Washington  
Residing at SPOKANE

SPokane County Engineer  
Examined and approved this 11th day of January, 1989.  
Spokane County Utilities Department  
Examined and approved this 11th day of January, 1989.  
Spokane County Planning Department  
Examined and approved this 16th day of January, 1989.  
Spokane County Treasurer  
I do hereby certify that all taxes which have been levied and become chargeable against the land shown hereon within this plat have been fully paid on this 17th day of January, 1989.  
1989 TAX PD  
Spokane County Assessor  
Examined and approved this 16 day of January, 1989.  
Spokane County Health District  
Examined and approved this 16th day of January, 1989.  
Spokane County Commissioners  
THIS PLAT EXAMINED AND APPROVED BY THE COMMISSIONERS OF SPOKANE COUNTY THIS 16th DAY OF JANUARY, 1989.  
Patricia A. Mumme  
CHAIRMAN, BOARD OF CO. COMM.

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 IN 1989.  
R. E. FLAGAN & ASSOCIATES  
PROFESSIONAL LAND SURVEYORS  
11066 COLLEGE CIRCLE  
SPOKANE, WA 99218  
(509) 466-1041

Scale 1" = 50'  
O Indicates & Rebar Found  
O Indicates & Rebar Set  
Basis of Bearings  
West Line of SW 1/4 Assumed North



Plat Book 19  
Pg 16  
# 2958  
900117000201  
C. Jacobs

53rd Simpson

ACKNOWLEDGMENT  
STATE OF WASHINGTON  
COUNTY OF SPOKANE  
On this 16 day of JUNE, 1989, before me personally appeared GRACE O. JACOBS and KATHLEEN R. JACOBS, known to me to be the individuals that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act of said individuals for the uses and purposes therein mentioned.  
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