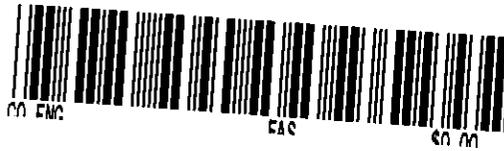


After Recording Return To: Spokane County Engineer
Attn.: Right of Way Department



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Page: 1 of 2
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Spokane Co WA

Document Title: Drainage Easement
Grantor: R and S Land Development
Grantee: Government, County of Spokane
Legal Description: Northwest Quarter (NW ¼) of Section 4, Township 25 North, Range 43 East, W.M.,
Additional Legal Description: on Page 1
Assessor's Tax Parcel Number(s): 34042.2149
Reference Number: _____

Log in Date 5/20/97 Requested By Paul L. Prepared by K. McKeon
P 1709 Road File No. 2474 57th Avenue

SPOKANE COUNTY DIVISION OF ENGINEERING
Spokane County, Washington

DRAINAGE EASEMENT

IN THE MATTER OF 57TH AVENUE, RF NO. 2474, KNOW ALL MEN BY THESE PRESENTS, THAT THE GRANTOR, R AND S LAND DEVELOPMENT, of the County of Spokane, State of Washington, for and in consideration of Mutual Benefits, the receipt of which is hereby acknowledged, grant(s) to Spokane County, a political subdivision of the State of Washington, a Drainage Easement over, under, upon and across the following described real property situated in the County of Spokane, State of Washington:

AFFECTS ASSESSORS PARCEL NO(S) 34042.2149

That portion of Tract 12 of MARSHALL'S TEN ACRE TRACTS, as per plat thereof recorded in Volume "A" of Plats, Page 191, described as follows:

COMMENCING at the southeast corner of Block 7, SOUTH RIDGE VIEW ADDITION, as per plat thereof recorded in Volume 1 of Plats, Page 79; thence N89°50'03"E 459.23 feet along the north line of 57th Avenue to the POINT OF BEGINNING;

thence N00°09'57"W 100.00 feet; thence N89°50'03"E 112.12 feet; thence N00°03'49"E 265.81 feet; thence S89°56'11"E 30.00 feet; thence S00°03'49"W 265.69 feet; thence N89°50'03"E 111.72 feet to the west line of Lot 6, Block 1, SULLIVAN & HUGHES ADDITION, as per plat thereof recorded in Volume 17 of Plats, Page 30; thence S00°03'49"W 100.00 feet along the west line of said Block 1, to the north line of 57th Avenue; thence S89°50'03"W 253.44 feet along the north line of 57th Avenue to the Point of Beginning;

situate in Government Lot 13 of Section 4 Township 24 North, Range 43 East, Willamette Meridian, County of Spokane, State of Washington.

The Drainage Easement granted to Spokane County and its authorized agents is for the sole purpose of allowing the flow of natural drainage and/or runoff from manmade facilities across and over the lands described above, and for the disposal of natural drainage and/or runoff from manmade facilities upon the lands described above.

Spokane County and its authorized agents are hereby granted the right of ingress and egress to, over and from said Easement for the purpose of inspection and emergency maintenance of water quality treatment swales ("208" swales) and other drainage facilities, if not properly maintained by the Grantor(s), or their successors in interest. Spokane County does not accept the responsibility to inspect or maintain the Drainage Easements or drainage swales, except for the drywell located as described above, nor does Spokane County accept any liability for any failure by the Grantor(s), or their successors in interest, to properly maintain such areas. The



Grantor(s) accepts complete and total responsibility for the construction and perpetual maintenance of the drywell located as described above.

The Grantor(s), or their successors in interest, shall be held responsible for keeping open and maintaining the surface path of natural or manmade drainage flow over and across the property.

The Grantor(s), or their successors in interest, shall maintain all water quality treatment swales ("208" swales) and drainage ditches situated on the property, and any portion of a "208" swale situated in the public right of way adjacent to the property, with a permanent ground cover as specified on the current approved plans on file at the office of the Spokane County Division of Engineering. The Grantor(s), or their successors in interest, may install approved shrubbery and/or trees which do not obstruct the flow and percolation of storm drainage water in the "208" swale and drainage ditches, as indicated by the current approved plans.

The Grantor(s), or their successors in interest, or their representatives shall inform each succeeding purchaser of all Drainage Easements on the property and of their responsibility for maintaining surface drainage paths and swales within said Easements.

Spokane County does not accept the responsibility of maintaining the drainage course within Drainage Easements or floodplain areas on the property, 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 the property.

This easement will terminate at such time the described areas are platted. At that time, the property subject to the easement described herein shall revert to Grantor(s) free and clear of any claim by Spokane County and its assigns to the continued right to use property subject to the easement.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this 28th day of MAY, 1997.

R.S. Land Development Co.

By: Terence A. Sullivan

By: _____

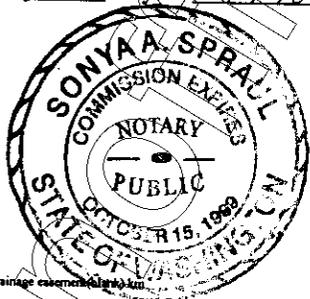
STATE OF WASHINGTON)
COUNTY OF SPOKANE) ss

I certify that I know or have satisfactory evidence that

Terence A. Sullivan

(is/are) the individual(s) who appeared before me, and said individual(s) acknowledged that (he/she/they) signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute the instrument and acknowledged it as the Marketing Partner of R+S Land Development to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 28th day of May, 1997.



Sonya A. Spraul
NOTARY PUBLIC
In and for the State of Washington,
residing at Spokane.
My appointment expires: 10-15-99