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06/25/1997 12:23P  
Spokane Co WA

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

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 57<sup>TH</sup> 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

R.E. Excise Tax Exempt

Date: 6-24 1997

Spokane County Treasurer

By: [Signature]

Those portions of Tracts 11, 12, 17 and 18 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 along the boundary of SOUTH RIDGE VIEW ADDITION the following three (3) courses: 1) N00°00'57"E 630.87 feet (N00°01'30"E 631.29' plat) to the northeast corner of Lot 4, Block 6, thence 2) N89°32'26"E 49.95 feet (N89°46'30"E 50.00' plat) to the southeast corner of Lot 5, Block 6, thence 3) N00°01'34"E (N00°01'30"E plat) 14.00 feet along the east line of said Lot 5, Block 6 to the POINT OF BEGINNING;

thence S74°03'32"E 136.93 feet; thence S89°58'45"E 222.57 feet; thence S42°03'03"W 41.50 feet; thence S89°56'11"E 90.00 feet; thence N00°03'49"E 100.00 feet; thence S42°03'03"W 79.58 feet; thence N89°58'45"W 230.19 feet; thence N74°03'32"W 138.39 feet to the east line of said Lot 5, Block 6; thence S00°01'34"E 10.40 feet 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 21<sup>st</sup> day of MAY, 1997.

R.S. Land Development Co.

By: Terence A. Sullivan

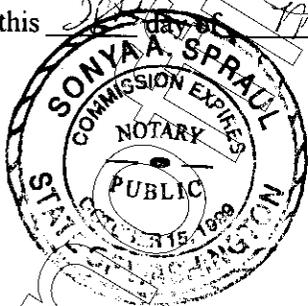
By: \_\_\_\_\_

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 Managing 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 21<sup>st</sup> 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