

# FINAL P.U.D. PLAT OF MORNINGSIDE PHASE II

Located in the West 1/2 of Section 30, T.25 N., R.45 E., W.M. Spokane County, Washington

AUDITOR'S CERTIFICATE  
 FILED FOR RECORD THIS 17th DAY OF August 2002  
 AT 3:59 P.M. IN BOOK 27 OF Plats Pg 99  
 COUNTY AUDITOR DEPUTY  
 J. Higdon  
 sheet 1 of 2  
 # 3566

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that DAHM DEVELOPMENT, INC., a Washington Corporation, WASHINGTON TRUST BANK, a Washington Corporation, RICHARD B. JARVIS AND RUTH L. JARVIS, husband and wife, d/b/a JAY INVESTMENT COMPANY, have caused to be platted into Lots, Blocks, and Tracts the land shown hereon, to be known as MORNINGSIDE PHASE II, being a parcel of land in the West 1/2 of Section 30, T.25 N., R. 45 E., W.M., in Spokane County, State of Washington, described as follows:

Beginning at the most Easterly corner of the Plat of Morningside, Phase I as per Plat thereof recorded in Volume 22 of plats, pages 88 and 89, Spokane County, Washington; thence, S.56°55'42"W., along said Plat Boundary 177.09 feet; thence S.17°26'23"W., 43.33 feet to the beginning of curve to the right, the radius of which bears S.55°02'57"W., a distance of 482.50 feet; thence along said curve to the right, through a central angle of 08°31'39", an arc distance of 71.81 feet to the beginning of a curve to the right, the radius of which bears S.63°34'36"W., a distance of 20.00 feet; thence along said curve to the right, through a central angle of 108°38'01", an arc distance of 37.92 feet; thence S.25°04'00"E., 36.65 feet to the beginning of a curve to the right, the radius of which bears S.07°47'23"E., a distance of 20.00 feet; thence along said curve to the right, through a central angle of 80°47'46", an arc distance of 28.20 feet to the beginning of a curve to the right, the radius of which bears S.73°00'23"W., a distance of 475.00 feet; thence along said curve to the right through a central angle of 09°12'14", an arc distance of 76.30 feet; thence S.07°47'23"E., 84.72 feet to the beginning of a curve to the right, the radius of which bears S.82°12'37"W., a distance of 20.00 feet; thence along said curve to the right, through a central angle of 90°00'00", an arc distance of 31.42 feet; thence N.82°12'37"E., 165.71 feet to the beginning of a curve to the left, the radius of which bears N.07°47'23"W., a distance of 1150.00 feet; thence along said curve to the left, through a central angle of 25°12'53", an arc distance of 506.09 feet; thence N.38°37'13"W., 358.12 feet; thence S.86°16'49"W., 320.00 feet to the Point of Beginning.

Area = 5.22 Acres

Side yard, rear yard and front yard setbacks shall be determined at the time building permits are requested unless those setbacks are specifically drafted on this final plat.

The public water system, pursuant to the WATER PLAN approved by County and State Health authorities, the local fire protection district, County Division of Building and Code Enforcement, and water purveyor, shall be installed within this subdivision, and the subdivider/sponsor shall provide for individual domestic water services well as fire protection to each lot prior to sale of each lot and prior to issuance of a building permit for each lot.

Use of private wells and water systems is prohibited.

A public sewer system will be made available for the plat and individual service will be provided to each lot prior to sale. Use of individual on-site sewage systems shall not be authorized.

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 ULID by petition method pursuant to RCW 36.94, which petition includes the owner(s)' property; and further not to object by the signing of a protest petition against the formation of a ULID by resolution method pursuant to RCW Chapter 36.94 which includes the owner(s)' property. PROVIDED, this condition shall not prohibit the owner(s) or successor(s) from objecting to any assessment(s) on the property as a result of improvements called for in conjunction with the formation of a ULID by either petition or resolution under RCW Chapter 36.94.

The owners of all lots within this subdivision shall be members of the SYCAMORE AT MORNINGSIDE HOMEOWNER'S ASSOCIATION and subject to the Articles of Incorporation and Bylaws thereof. SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SYCAMORE AT MORNINGSIDE, as recorded under Auditor's Document No. 4753215, which by reference is made part hereof.

The private roads and/or common areas shown on this plat are hereby dedicated to the Sycamore at Morningside Homeowners Association created by document recorded June 21, 2002 under State UBI number 602 214 625.

The private roads and/or 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 with out filing a replat.

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.

The County of Spokane is hereby granted the right of ingress and egress to all private roads, common areas and/or drainage easements.

The private roads and drainage easements are subject to the separate DECLARATION OF COVENANT as recorded May 7, 2002 under Auditor's Document No. 4723400, which by reference is made a part hereof.

There shall be no direct access from Lots to Chapman Road.

Utility easements are hereby granted to the serving utility companies adjoining Chapman Road and the private roadways labeled as Tract B. Said easements are for the construction, maintenance and operation of utilities, together with the right to inspect said utilities and to trim and/or remove brush and trees which may interfere with the construction, maintenance and operation of same, together with the right to access said utility easements through any "Future Right of Way Acquisition Area" shown herein. Provided, however, that any right of access or easements granted through any "Future Right of Way Acquisition Area" shall terminate upon said Acquisition Area becoming public right of way.

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 roads 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 the private roads. This requirement is and shall run with the land and shall be binding upon the owner, their heirs, successor or assigns, including the obligation to participate in the maintenance of the private roads as provided herein.

The five foot Future Acquisition Area adjacent to Chapman Road, as shown hereon, is subject to a separate Title Notice recorded with the Spokane County Auditor.

The Landscape Easement situated on Lot 1, Block 9, as shown hereon, is hereby granted to the Sycamore at Morningside Homeowners Association for entryway landscaping. Maintenance of said Landscape Easement shall be performed by the Sycamore at Morningside Homeowners Association.

Future Slope Easements, as may be required by Spokane County, are hereby granted along Chapman Road.

Construction of residences within this plat shall comply with the recommendations outlined in the "Summary of Limited Subsurface Drainage Study, Morningside Phase II, Spokane, Washington" dated November 9, 2001, prepared by Cummings Geotechnology, on file with the Spokane County Division of Building and Code Enforcement, as may be revised and approved.

Drainage easements as platted and shown hereon, which are for the purpose of conveying and storing stormwater runoff, and for installing, operating and maintaining drainage facilities which dispose of and treat stormwater runoff, are hereby granted to the Sycamore at Morningside Homeowner's Association and Spokane County. Tract B is hereby dedicated to the Sycamore at Morningside Homeowner's Association for the purpose of conveying and storing stormwater runoff, and for installing, operating and maintaining drainage facilities which dispose of and treat stormwater runoff. A drainage easement is granted to Spokane County over Tract B 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 facilities, if not properly maintained by the property owner(s) or the Sycamore at Morningside Homeowner's 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 the drainage course 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 Sycamore at Morningside Homeowner's Association or its successors in interest shall maintain any drainage facilities located in Tract B 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, and replacement of drainage facilities, as needed. The Sycamore at Morningside Homeowner's Association shall be responsible for payment of all claims and other liabilities which may become due for said maintenance responsibilities.

If the Sycamore at Morningside Homeowner's 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 Sycamore at Morningside Homeowner's 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 Sycamore at Morningside Homeowner's Association, or their successors in interest.

Should the Sycamore at Morningside Homeowner's 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 Sycamore at Morningside Homeowner's Association at the time of said termination. The successors in interest shall share equally in the responsibility and cost of maintaining said drainage facilities.

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.

## ACKNOWLEDGMENT

STATE OF WASHINGTON }  
 COUNTY OF SPOKANE } SS.

ON THIS 24th DAY OF July, 2002, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED RICHARD T. DAHM TO ME KNOWN TO BE THE PRESIDENT OF DAHM DEVELOPMENT, INC., A WASHINGTON CORPORATION, THE CORPORATION THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND TO OATH STATED THAT HE IS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR FIRST ABOVE WRITTEN.

*Richard T. Dahm*  
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,  
 RESIDING AT SPOKANE,  
 MY COMMISSION EXPIRES 9-1-05

IN WITNESS WHEREOF, the aforesaid owner has caused their corporate name to be hereunto subscribed and affixed their corporate seal (if any) this 24th day of July, 2002.

*Richard T. Dahm*  
 Richard T. Dahm, President  
 DAHM DEVELOPMENT, INC.,  
 a Washington Corporation



## ACKNOWLEDGMENT

STATE OF WASHINGTON }  
 COUNTY OF SPOKANE } SS.

ON THIS 22nd DAY OF July, 2002, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED RICHARD B. JARVIS AND RUTH L. JARVIS D/B/A JAY INVESTMENT COMPANY, A WASHINGTON COMPANY, THE COMPANY THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID INDIVIDUALS, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND TO OATH STATED THAT THEY ARE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR FIRST ABOVE WRITTEN.

*Sandra J. Hecking*  
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,  
 RESIDING AT SPOKANE,  
 MY COMMISSION EXPIRES 8-1-04



IN WITNESS WHEREOF, the aforesaid owners have caused their names to be hereunto subscribed and affixed their seals (if any) this 22nd day of July, 2002.

Richard B. Jarvis and Ruth L. Jarvis  
 D/B/A Jay Investment Company

By: *Richard B. Jarvis*  
 Richard B. Jarvis

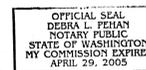
By: *Ruth L. Jarvis*  
 Ruth L. Jarvis

## ACKNOWLEDGMENT

STATE OF WASHINGTON }  
 COUNTY OF SPOKANE } SS.

ON THIS 24th DAY OF July, 2002, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED *Constance M. Bischoff* TO ME KNOWN TO BE THE R.S.V.P. OF WASHINGTON TRUST BANK INC., A WASHINGTON CORPORATION, THE CORPORATION THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND TO OATH STATED THAT HE/SHE IS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR FIRST ABOVE WRITTEN.

*Constance M. Bischoff*  
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,  
 RESIDING AT SPOKANE,  
 MY COMMISSION EXPIRES 4-29-05



IN WITNESS WHEREOF, the aforesaid owner has caused their corporate name to be hereunto subscribed and affixed their corporate seal (if any) this 24th day of July, 2002.

WASHINGTON TRUST BANK,  
 a Washington Corporation.

By: *Constance M. Bischoff*  
 Its: *Senior Vice President*

## APPROVALS:

SPOKANE COUNTY DIVISION OF UTILITIES  
 EXAMINED AND APPROVED THIS 1st DAY OF August 2002  
*[Signature]*  
 SPOKANE COUNTY DIVISION OF UTILITIES

SPOKANE COUNTY DIVISION OF ENGINEERING AND ROADS  
 EXAMINED AND APPROVED THIS 20th DAY OF July 2002  
*[Signature]*  
 SPOKANE COUNTY ENGINEER

SPOKANE COUNTY DIVISION OF PLANNING  
 EXAMINED AND APPROVED THIS 1st DAY OF August 2002  
 601: *[Signature]*  
 DIRECTOR, SPOKANE DIVISION OF PLANNING

SPOKANE REGIONAL HEALTH DISTRICT  
 EXAMINED AND APPROVED THIS 1st DAY OF August 2002  
*[Signature]*  
 REGIONAL HEALTH OFFICER

SPOKANE COUNTY ASSESSOR  
 EXAMINED AND APPROVED THIS 1st DAY OF August 2002  
*[Signature]*  
 SPOKANE COUNTY ASSESSOR BY DEPUTY

SPOKANE COUNTY COMMISSIONERS  
 THIS FINAL PLAT WAS APPROVED AND ACCEPTED BY THE COUNTY COMMISSIONERS OF SPOKANE COUNTY, WASHINGTON, ON THIS 1st DAY OF August 2002.  
*[Signature]*  
 CHAIRMAN, SPOKANE COUNTY COMMISSIONERS

SPOKANE COUNTY TREASURER  
 I DO HEREBY CERTIFY THAT ALL TAXES WHICH HAVE BEEN LEVIED AND BECOME CHARGEABLE AGAINST THE LAND SHOWN WITHIN THIS MAP HAVE BEEN FULLY PAID THIS 1st DAY OF August 2002.  
*[Signature]*  
 SPOKANE COUNTY TREASURER BY DEPUTY



## Surveyor's Certificate

I, Richard C. Souza, certify that I am a Professional Land Surveyor licensed in the State of Washington; that this plat represents a survey made by me or under my supervision; that it is a true and correct representation of the land actually surveyed; that all monuments shown hereon actually exist as shown; and that this plat conforms in all respects to the provisions of law.

Certificate No. 37544

*Richard C. Souza*  
 Richard C. Souza  
 Licensed Professional Land Surveyor



REVISIONS	Taylor Engineering, Inc. Civil Design and Land Planning W. 106 Mission Ave. Spokane, Washington 99201 (509) 328-3371 FAX (509) 328-8224	SCALE: 1"=60'	SHEET 1 OF 2
DWN: JDH	DATE: 6-17-02	FINAL P.U.D. PLAT OF MORNINGSIDE PHASE II	
CK'D:	DATE:	CADD FILE: 0100SK15.DWG	

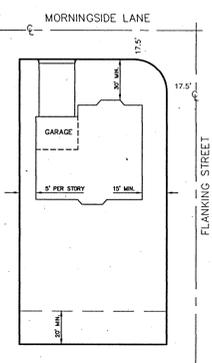
4758853  
BK 27  
2002 PG 100  
sheet 2 of 2  
# 3566

AUDITOR'S CERTIFICATE  
FILED FOR RECORD THIS 27<sup>th</sup> DAY OF August 2002 PG 100  
AT 3:59 P.M. IN BOOK 27 OF PLATS pg 100  
COUNTY AUDITOR DEPUTY  
*J. Higden*

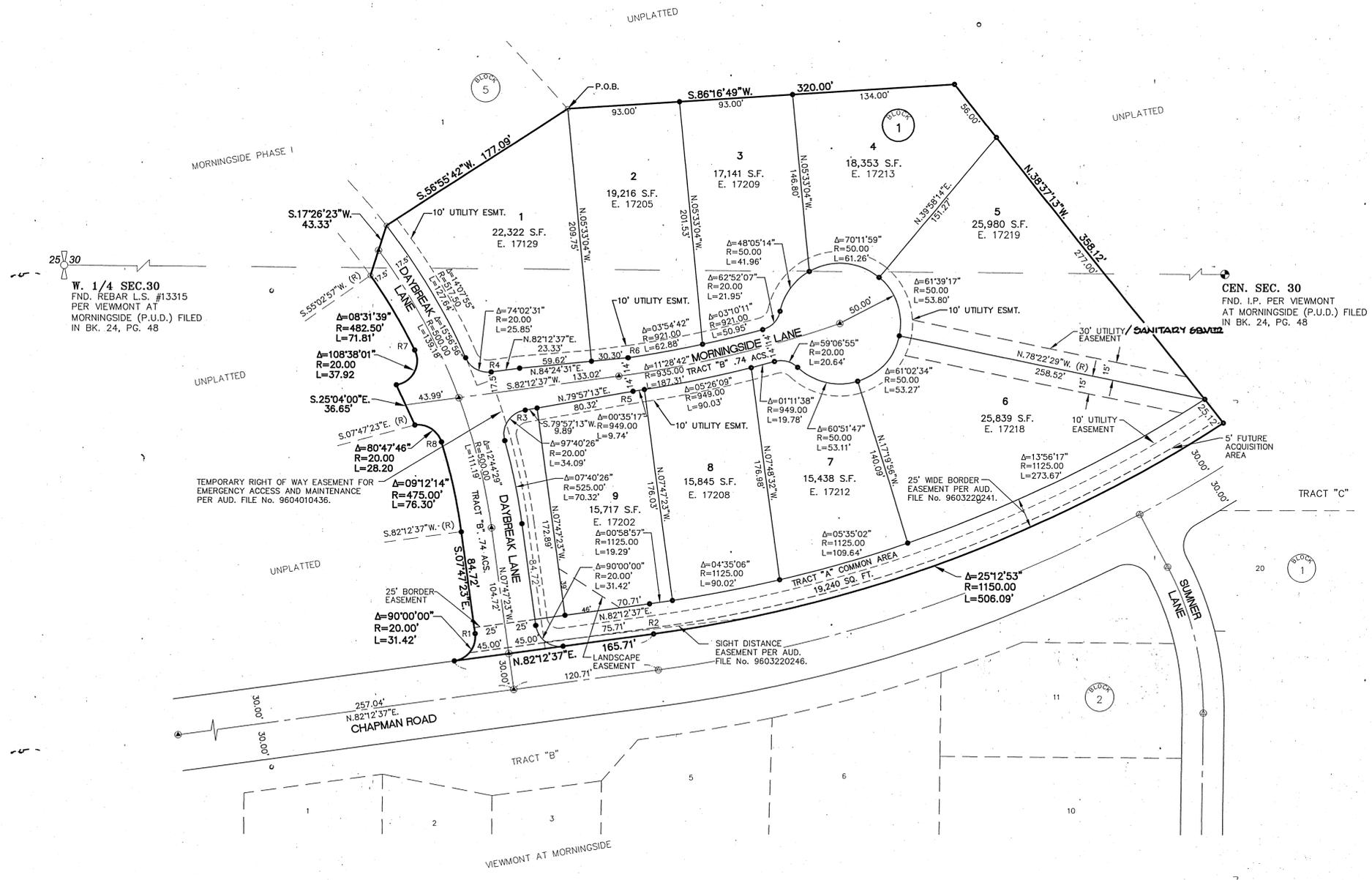
# FINAL P.U.D. PLAT OF MORNINGSIDE PHASE II

Located in the West 1/2 of Section 30, T.25 N., R.45 E., W.M.  
Spokane County, Washington

MORNINGSIDE PHASE II BUILDING SETBACKS



**NOTE:**  
THIS PLAN REPRESENTS TYPICAL SINGLE-FAMILY RESIDENCES WITHIN THE P.U.D. ACTUAL RESIDENCES WILL DIFFER, AS THE DESIGNS WILL BE AT THE BUILDERS' DISCRETION.



**RADIAL BEARING TABLE**

R1	S.82°12'37\"W.
R2	N.07°47'23\"W.
R3	S.07°47'23\"E.
R4	N.07°47'23\"W.
R5	N.08°21'59\"W.
R6	N.08°21'59\"W.
R7	S.63°34'36\"W.
R8	S.73°00'23\"W.

**LEGEND**

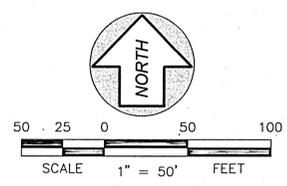
- SET 5/8\" REBAR W/ Y.P.C. L# 37544
- FOUND 1/2\" REBAR W/Y.P.C. L.S. 18091 \"MOORE\" OR AS NOTED
- ⊙ MONUMENT TO BE SET ON CENTERLINE WHEN ROADS ARE PAVED WITHIN THIS PLAT
- ⊙ EXISTING MONUMENT FOUND 1/2\" REBAR W/Y.P.C. L.S. 18091 \"MOORE\" OR AS NOTED

**BASIS OF BEARING:**

THE BEARING OF N.00°36'11\"E., ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 30, AS SHOWN ON VIEWMONT AT MORNINGSIDE P.U.D., PER FINAL PLAT RECORDED IN BOOK 24 OF PLATS, PAGE 48, WAS USED AS THE BASIS OF BEARING FOR THIS MAP.

**ACCURACY STATEMENT (WAC 332-130-100)**

THIS SURVEY WAS PERFORMED USING A SOKKIA SET 4 II B TOTAL STATION, A LEITZ LEVEL, AND A 100 FOOT CHAIN. HORIZONTAL DISTANCES ARE BASED ON THE NATIONAL GEODETIC SURVEY CALIBRATION BASELINE AT FELTS FIELD. FIELD TRAVERSE METHODS USED WERE AS PER WAC 332-130-090 PART C.



**Surveyor's Certificate**

I, Richard C. Souza, certify that I am a Professional Land Surveyor licensed in the State of Washington; that this plat represents a survey made by me or under my supervision; that it is a true and correct representation of the land actually surveyed; that all monuments shown hereon actually exist as shown; and that this plat conforms in all respects to the provisions of law.

37544  
Certificate No.

*Richard C. Souza* 01/18/02  
Richard C. Souza  
Licensed Professional Land Surveyor



REVISIONS		Taylor Engineering, Inc. Civil Design and Land Planning W. 106 Mission Ave. Spokane, Washington 99201 (509) 328-3371 FAX (509) 328-8224	SCALE: 1" = 50' OF 2	SHEET 2 OF 2
DWN: JDH	DATE: 03-27-02		FINAL P.U.D. PLAT OF MORNINGSIDE PHASE II	
CK'D: RCS	DATE: 03-28-02	CADD FILE: 01005PH2		