

NORTH BUCKEYE VALLEY ESTATES

A PORTION OF THE EAST 1/2 OF SECTION 9, T.27N., R.43E., W.M. SPOKANE COUNTY, WASHINGTON

4768564
SPOKANE COUNTY AUDITOR

FILED FOR RECORD THIS
4th DAY OF September 2002
AT 9:06 AM IN BOOK 28 OF PLATS
AT PAGE 3
REQUEST OF Little Spokane River LLC

J. Higdon
SPOKANE COUNTY AUDITOR

Bk 28
Pg 3
Sheet 1 of 3
#3569

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT LITTLE SPOKANE RIVER LLC, A WASHINGTON LIMITED LIABILITY COMPANY AND BANK OF WHITMAN HAS CAUSED TO BE PLATTED INTO LOTS, BLOCKS AND PRIVATE ROADS, THE LAND SHOWN HERE ON AND TO BE KNOWN AS "NORTH BUCKEYE VALLEY ESTATES", SAID LAND DESCRIBED AS A PORTION OF THE EAST HALF OF SECTION 9, T.27N. R.43E., W.M. SPOKANE COUNTY, WASHINGTON AND FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 9, THENCE S00°59'35"W, ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 2714.94' TO AN IRON PIN AT THE CENTER 1/4 CORNER OF SAID SECTION; THENCE S00°06'19"W A DISTANCE OF 240.89' TO AN IRON PIN AT THE NW CORNER OF CE #669-96"B"; THENCE, EAST, ALONG THE NORTH LINE OF SAID CE #669-96"B", A DISTANCE OF 899.34' TO AN IRON PIN AT THE NE CORNER OF SAID CE #669-96"B"; THENCE, N01°54'05"E, ALONG THE WEST LINE OF CE #237-95"B" A DISTANCE OF 231.30' TO AN IRON PIN AT THE NW CORNER OF SAID CE #237-95"B"; THENCE, S07°58'18"E, ALONG THE NORTH LINE OF SAID CE #237-95"B", A DISTANCE OF 802.74' TO AN IRON PIN ON THE WEST LINE OF CE #664-96"B"; THENCE, N01°00'12"E, ALONG SAID WEST LINE AND EXTENSION THEREOF, A DISTANCE OF 199.11' TO AN IRON PIN AT A POINT OF CURVE ON THE WEST LINE OF CE #664-96"A", THENCE, AROUND A CURVE LEFT, AND ALONG SAID WEST LINE, THROUGH A CENTRAL ANGLE OF 06°39'25" AN ARC DISTANCE OF 441.51' A CHORD BEARING OF N02°19'30"W A DISTANCE OF 441.26' TO AN IRON PIN AT A POINT OF TANGENT AT THE SW CORNER OF CE #675-95"H"; THENCE, N05°30'13"W, ALONG THE WEST LINE OF SAID CE #675-95"H", A DISTANCE OF 375.48' TO AN IRON PIN AT A POINT OF CURVE; THENCE, AROUND A CURVE LEFT THROUGH A CENTRAL ANGLE OF 00°19'32" AN ARC DISTANCE OF 19.80' A CHORD BEARING OF N05°48'09"W A DISTANCE OF 19.80' TO AN IRON PIN AT THE NW CORNER OF SAID CE #675-95"H"; ALONG THE WEST LINE OF PARCEL 50 OF SURVEY RECORDED 72 OF SURVEYS, PAGES 90 THROUGH 97, THENCE, N69°22'50"E (RECORD N69°24'45"E), ALONG THE NORTH LINE OF SAID CE #675-95"H", A DISTANCE OF 278.86' (RECORD 278.43') TO AN IRON PIN AT THE NW CORNER OF CE #675-95"H"; THENCE N59°25'51"E, (RECORD N59°24'45"E) ALONG THE NORTH LINE OF SAID CE #675-95"H"; A DISTANCE OF 289.48' (RECORD 291.44') TO AN IRON PIN AT THE NE CORNER OF SAID CE #675-95"H"; THENCE, S08°03'49"E A DISTANCE OF 109.53' TO AN IRON PIN ON THE SOUTHWESTERLY RAILROAD RIGHT OF WAY; THENCE, N31°31'57"W A DISTANCE OF 219.18' TO AN IRON PIN ON THE NORTHEASTERLY RAILROAD RIGHT OF WAY; THENCE, N05°06'55"E (RECORD N05°05'29"E) A DISTANCE OF 1155.45' (RECORD 1156.80') ALONG THE WEST LINE OF THE PROPERTY CONVEYED BY WARRANTY DEED RECORDED UNDER RECORDING NO. 9510170205 TO AN IRON PIN AT A POINT ON THE NORTH LINE OF SAID SECTION 9; THENCE N07°29'45"W, ALONG SAID NORTH LINE, A DISTANCE OF 2197.53' TO THE POINT OF BEGINNING.

EXCEPT THE RAILROAD RIGHT OF WAY OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, CONTAINING 3.33 ACRES MORE OR LESS.

BE IT FURTHER KNOWN THAT;

LOT "A" OF BLOCK 2 AND LOT "C" OF BLOCK 1 ARE HEREBY DEDICATED TO THE "BUCKEYE VALLEY ESTATES HOMEOWNER'S ASSOCIATION". SAID LOTS AND PARCEL "B" (WHICH HAS BEEN GRANTED AS AN EASEMENT TO SAID HOMEOWNER'S ASSOCIATION FROM PARCEL 46 (CE3 564-96"B")), ARE FOR CONSTRUCTION, INGRESS, EGRESS AND MAINTENANCE OF DRAINAGE FACILITIES FOR DRAINAGE PONDS "A", "B", AND "C" AS SHOWN HEREON AND AS DETAILED ON THE ENGINEERING DOCUMENTS AS PREPARED BY "HAIN ENGINEERING" DATED 6-15-02. THESE LOTS AS WELL AS THE 10' EASEMENTS, IMMEDIATELY ADJOINING THE ROADWAY EASEMENTS AS WELL AS EXISTING EASEMENTS AS DEDICATED BY INSTRUMENT BOOK 1806 PAGE 280 AND OTHER INSTRUMENTS, SHALL BE THE RESPONSIBILITY OF SAID HOMEOWNER'S ASSOCIATION FOR ALL REQUIREMENTS OF THIS DOCUMENT.

UTILITY EASEMENTS SHOWN ON THE HEREIN DESCRIBED PLAT ARE HEREBY DEDICATED TO THE SERVING UTILITIES FOR THE CONSTRUCTION, RECONSTRUCTION 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, AND TOGETHER WITH THE RIGHT TO ACCESS SAID UTILITY EASEMENTS THROUGH ANY BORDER EASEMENTS AND FUTURE RIGHT OF WAY ACQUISITION AREAS SHOWN HEREON.

DRAINAGE EASEMENTS AS PLATTED AND SHOWN HEREON, WHICH ARE FOR THE PURPOSE OF CONVEYING AND STORING STORM WATER RUNOFF, AND FOR INSTALLING, OPERATING AND MAINTAINING DRAINAGE PONDS AND DRAINAGE FACILITIES WHICH DISPOSE OF AND TREAT STORM WATER RUNOFF, ARE HEREBY GRANTED TO THE "BUCKEYE VALLEY ESTATES HOMEOWNER'S ASSOCIATION" AND SPOKANE COUNTY. TRACTS "A" AND "C" ARE HEREBY DEDICATED TO THE "BUCKEYE VALLEY ESTATES HOMEOWNER'S ASSOCIATION" FOR THE PURPOSE OF CONVEYING AND STORING STORM WATER RUNOFF AND FOR INSTALLING, OPERATING AND MAINTAINING DRAINAGE PONDS AND DRAINAGE FACILITIES WHICH DISPOSE OF AND TREAT STORM WATER RUNOFF. A DRAINAGE EASEMENT IS GRANTED TO SPOKANE COUNTY OVER TRACTS "A" AND "C" FOR INSPECTION AND EMERGENCY MAINTENANCE OF STORM WATER 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 "BUCKEYE VALLEY ESTATES 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 SUCH 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 WHICH PERIODICALLY DISCHARGE STORM WATER RUNOFF ONTO INDIVIDUAL LOTS WITHIN THIS PLAT. STORM WATER RUNOFF FROM NEARBY UPHILL PROPERTIES SHOULD BE EXPECTED, AND DURING SNOW MELT PERIODS OR WET SEASONS THE LOTS MAY BE SUBJECT TO HIGHER AMOUNTS OF STORM WATER RUNOFF THAN WHAT IS NORMALLY OBSERVED OR ANTICIPATED. BECAUSE STORM WATER RUNOFF FROM ADJACENT PROPERTIES HAVE DISCHARGED ONTO THIS PLAT PRIOR TO DEVELOPMENT, STORM WATER RUNOFF WILL LIKELY CONTINUE TO DO SO AFTER DEVELOPMENT.

THE PROPERTY OWNER(S) WITHIN THIS PLAT SHALL MAINTAIN ALL NATURAL DRAINAGE CHANNELS AND DRAINAGE DITCHES SITUATED ON THEIR RESPECTIVE PROPERTIES. NO STRUCTURES, INCLUDING FENCES, SHALL BE CONSTRUCTED DIRECTLY OVER OR WITHIN A NATURAL DRAINAGE CHANNEL OR DRAINAGE DITCH 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 BUCKEYE VALLEY ESTATES HOMEOWNER'S ASSOCIATION OR ITS SUCCESSORS IN INTEREST SHALL MAINTAIN ANY DRAINAGE FACILITIES, LOCATED IN TRACTS A AND C, 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., REPLACEMENT OF DRAINAGE FACILITIES AS NEEDED, AND MAINTAINING LIVE NATIVE-TYPE DRYLAND GRASSES OR LAWN TURF IN THE "208" SWALES LOCATED IN COMMON AREAS OR TRACTS, WITH OPTIONAL SHRUBBERY AND/OR TREES, WHICH DO NOT OBSTRUCT THE FLOW AND PERCOLATION OF STORM DRAINAGE WATER IN THE DRAINAGE SWALES AS INDICATED BY THE APPROVED PLANS. THE BUCKEYE VALLEY ESTATES HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR PAYMENT OF ALL CLAIMS AND OTHER LIABILITIES WHICH MAY BECOME DUE FOR SAID MAINTENANCE RESPONSIBILITIES.

IF THE BUCKEYE VALLEY ESTATES 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 BUCKEYE VALLEY ESTATES 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 BUCKEYE VALLEY ESTATES HOMEOWNER'S ASSOCIATION, OR THEIR SUCCESSORS IN INTEREST.

SHOULD THE BUCKEYE VALLEY ESTATES 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 BUCKEYE VALLEY ESTATES 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 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 HOMEOWNER'S ASSOCIATION WAIVE ANY AND ALL CLAIMS FOR DAMAGES AGAINST ANY GOVERNMENT 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.

SIDE YARD AND REAR YARD 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 SUBDIVISION MAY BE VARIED FROM IF PROPER ZONING OR VARIANCE APPROVALS ARE OBTAINED.

LOTS 1, 2, AND 3 OF BLOCK 1 ARE RESTRICTED TO ACCESS ALONG THE PRIVATE DRIVE NEAR THEIR WESTERLY BOUNDARY. LOT 4 OF BLOCK 1 IS RESTRICTED TO ACCESS ON HALF MOON LAKE LANE, AND SHALL NOT ACCESS THROUGH THIS PRIVATE DRIVE. SAID PRIVATE DRIVE IS WITHIN A 60' WIDE EASEMENT WHICH IS ALSO RESERVED AS AN EASEMENT FOR UTILITIES. THE 30' WIDE UTILITY EASEMENT EXTENDING NORTH THROUGH SAID LOT 1 AND ALIGNED WITH THE WESTERLY 30' OF SAID 50' ACCESS AND UTILITY EASEMENT IS RESERVED FOR USE BY THE "WHITWORTH WATER DISTRICT NO. 2".

SIGHT DISTANCE EASEMENT ON LOT 6, BLOCK 3, AS PLATTED AND SHOWN HEREON, IS HEREBY GRANTED TO SPOKANE COUNTY AND ITS AUTHORIZED AGENTS FOR THE SOLE PURPOSE OF ALLOWING A CLEAR VIEW SIGHT DISTANCE TRIANGLE OVER AND ACROSS THE EASEMENT. THE OWNER OF SAID LOT AGREES NOT TO OBSTRUCT OR IN ANY MANNER ALLOW ANY OBSTACLE TO BLOCK THIS CLEAR VIEW TRIANGLE BETWEEN A HEIGHT OF THREE (3) FEET AND A HEIGHT OF SEVEN (7) FEET ABOVE THE ROAD PAVEMENT ELEVATION ADJACENT TO SAID LOT. 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 THE SIGHT DISTANCE AREA. IF THE PROPERTY OWNER FAILS TO MAINTAIN THE SIGHT DISTANCE AREA IN REASONABLE CONFORMANCE WITH THE APPROVED PLANS ON FILE IN THE OFFICE OF THE SPOKANE COUNTY ENGINEER, A NOTICE WILL BE GIVEN TO THE PROPERTY OWNER. IF NOT CORRECTED AFTER TEN (10) DAYS, SPOKANE COUNTY HAS THE RIGHT TO RESTORE THE SIGHT DISTANCE AREA TO THAT OF THE APPROVED PLANS ON FILE, OR HAVE IT RESTORED BY OTHERS. ALL COSTS INVOLVED WILL BE CHARGED TO THE PROPERTY OWNER.

Water service shall be by an existing public water supply when approved by the Regional Engineer (Spokane), STATE DEPARTMENT of Health.

The Public water system pursuant to water plan approved by County and State Health Authorities, The Local Fire District, County Building Department and Water Purveyor, shall be installed within this subdivision and the Applicant shall 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.

Use of private wells and water systems is prohibited. *Juc*

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 OCTOBER 25, 2001 UNDER AUDITOR'S DOCUMENT NO. 4646478, WHICH BY REFERENCE IS MADE A PART HERETO

IN CONSIDERATION OF MUTUAL BENEFITS NOW OR TO BE HEREAFTER DERIVED, DO FOR THEMSELVES, THEIR HEIRS, GRANTEEES, 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 PETITION 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, GRANTEEES, 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 ESTIMATE 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 WATER CONTAINED IN THIS AGREEMENT SHALL EXPIRE AFTER TEN (10) YEARS FROM THE DATE OF EXECUTION BELOW. THIS PROVISION IS APPLICABLE TO PERRY ROAD AND WOLLARD ROAD WHICH PROVIDES PUBLIC ROAD ACCESS TO THIS PROPOSAL.

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 METHODS OF SEWAGE DISPOSAL MAY BE REQUIRED.

THE SPONSOR WILL ASSUME RESPONSIBILITY FOR THE PROVISION OF DOMESTIC USE WATER. *Juc*

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, 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.

William C. Dashiell
WILLIAM C. DASHIELL
PRINCIPAL, LITTLE SPOKANE RIVER, LLC.

F. Louise Robeson
F. LOUISE ROBESON
ASSIST. VICE PRES.
BANK OF WHITMAN

ACKNOWLEDGEMENT

STATE OF WASHINGTON
COUNTY OF SPOKANE
I, LAURA E. RICCI, a notary public, do hereby certify that on this 15th day of SEPTEMBER, 2002, personally appeared before me WILLIAM C. DASHIELL, who being by me first duly sworn, declared that he is the PRINCIPAL of Little Spokane River LLC, that he signed the foregoing document as PRINCIPAL of the corporation, and that the statements therein contained are true.



Laura Ricci
Notary Public
My Commission expires 03/13/04

ACKNOWLEDGEMENT

STATE OF WASHINGTON
COUNTY OF SPOKANE
I, LAURA E. RICCI, a notary public, do hereby certify that on this 15th day of SEPTEMBER, 2002, personally appeared before me F. LOUISE ROBESON, who being by me first duly sworn, declared that he is the ASST. VICE PRES. of Bank of Whitman, that he signed the foregoing document as ASST. VICE PRES. of the corporation, and that the statements therein contained are true.

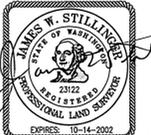


Laura Ricci
Notary Public
My Commission expires 03/13/04

SURVEYOR'S CERTIFICATE

This Map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act and the Spokane County Subdivision Ordinance at the request of Little Spokane River LLC

James W. Stillinger, PLS
Certificate No. 23122



SPOKANE COUNTY TREASURER

I HEREBY CERTIFY THAT THE REQUIRED TAXES ON THE HEREON PLATTED LAND HAVE BEEN FULLY PAID THIS 4th DAY OF Sept. 2002
Linda M. Wolverson by M. Enig
SPOKANE COUNTY TREASURER DEPUTY



SPOKANE COUNTY ASSESSOR

EXAMINED AND APPROVED
THIS 2nd DAY OF September 2002
John Mark Conroy by M.K. Wolf
SPOKANE CO. ASSESSOR BY DEPUTY



