DRAINAGE EASEMENT FOR SP 87-504

We, Gary L. Britt and Marcia W. Britt, husband and wife, hereby declare we, by Instrument No. 8811290170, dated Nov. 29, 1988, records of Spokane County, are the owners of the land which encompasses the following described lands and that we hereby give a perpetual easement over those lands for the purposes as herein stated:

EASEMENT NO. ONE:

A strip of land 20.00 feet in width being 10.00 feet each side of the following described centerline:

Commencing at the Southeast corner of Section 28, T29N, R43E W.M., Spokane County, Washington; thence N00°-12'-00"W along the East line of the SE ¼ said Section 28 a distance of 1039.03 feet; thence S89°-48'-00"W a distance of 966.49 feet to the Westerly end of the centerline of an existing drainage channel at the shoreline of Bailey Lake and being the True Point of Beginning for this description; thence S78°-18'-28"E a distance of 231.67 feet; thence S63°-55'-28"E a distance of 326.82 feet to the terminal point of easement no. one.

Easement No. One follows the existing drainage ditch and culvert from Bailey Lake to the drainage area of Bear Creek and is for the purpose of maintenance, repairs, or replacement of any part of those ditches or structures.

EASEMENT NO. TWO:

A parcel of land in the SE ¼ of Section 28, T29N, R43E W.M., Spokane County, Washington further described as follows:

Commencing at the Southeast corner of said Section 28; thence N00°-12'-00"W along the East line of said SE ¼ a distance of 1039.03 feet; thence S89°-48'-00"W a distance of 966.49 feet to the Westerly end of the centerline of an existing drainage channel at the shoreline of Bailey Lake and being the True Point of Beginning for this description; thence N05°-28'-08"E along the shoreline of Bailey Lake a distance of 10.00 feet; thence N67°-33'-24"E a distance of 228.22 feet; thence S55°-09'-17"E a distance of 413.00 feet; thence N65°-26'-45"W a distance of 368.44 feet; thence S83°-38'-02"W a distance of 218.01 feet to the intersection with the shoreline of Bailey Lake, thence N05°-28'-08"E along said shoreline a distance of 10.00 feet to the True Point of Beginning.
Basement No. Two is for the continued maintenance of the area to insure that it will never be raised above its present day elevation of 1902.0 as established and referenced by elevation datum as shown on Short Plat No. 87-504, Spokane County.

Basement No. Two will allow Bailey Lake to overflow into the Bear Creek drainage before reaching an elevation of 1903.0 which has been established as the 100 year flood elevation.

Basement No. One and No. Two as described above are dedicated, for the purposes as stated, to the lot owners of the lands contained within the boundaries of Short Plat No. 87-504.

Exhibit No. One and No. Two as included herein show the original present day conditions of the areas and the Surveyors Certification that they are correct and both Exhibits are made a part hereof.

Exhibit No. One
Profile and Cross-Section of Emergency Overflow area.

Exhibit No. Two
Surveyors Certification of authenticity and accuracy.

ACKNOWLEDGEMENT:

STATE OF WASHINGTON
COUNTY OF Spokane

I, Juanita P. Olson, a notary public, do hereby certify that on this 1st day of March, 1989, personally appeared before me Gary L. Britt and Marcia W. Britt, who, being by me first duly sworn, declared that they have executed the foregoing instrument of their free and voluntary act.

Juanita P. Olson
Notary Public
Residing in Spokane
My Commission expires 8-1-21
PROFILE OF EMERGENCY OVERFLOW AREA

Existing Overflow Channel
Lake Elevation 1899.4

X-SECTION THROUGH STATION 2+20
(looking East)

EXHIBIT ONE
Sheet Two of Two
SURVEYORS CERTIFICATION

I, Earl E. Sanders, a Professional Land Surveyor, Washington State License No. 18740, hereby certify that the foregoing legal descriptions, Exhibits and field work were prepared by me or under my direct supervision and that they correctly identify the areas and conditions as stated above.

Earl E. Sanders, P.L.S. 18740