

UPPER TERRACE ESTATES

A PORTION OF THE WEST 1689.24 FEET OF THE S 1/2 N 1/2 N 1/2 NE 1/4 SECTION 29, T27N, R43E W.M., SPOKANE COUNTY, WASHINGTON

4834879
Bk 28
Pg 49
Sheet 1 of 2
8593
filed 1/20/03 3:00pm
J. Highem

BASIS OF BEARING

N00°14'00"W FROM THE CENTER QUARTER CORNER SECTION 29, T27N, R43E W.M., SPOKANE COUNTY, WASHINGTON AND THE NORTH QUARTER CORNER OF SAID SECTION 29, AS REPORTED ON RECORD OF SURVEY BOOK 17, PAGE 36.

REFERENCES

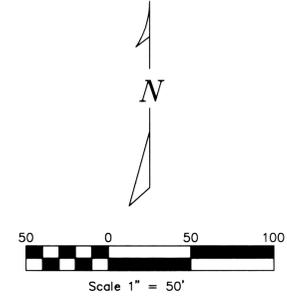
RECORD OF SURVEY, BOOK 3, PAGE 2
RECORD OF SURVEY, BOOK 11, PAGE 55
RECORD OF SURVEY, BOOK 17, PAGE 36

LEGEND

- SET 1/2" x 24" I.PIN W/YPC 18740
- △ SET 5/8" x 30" I.PIN W/YPC 18740
- FOUND AS NOTED
- ✱ STREET LIGHT

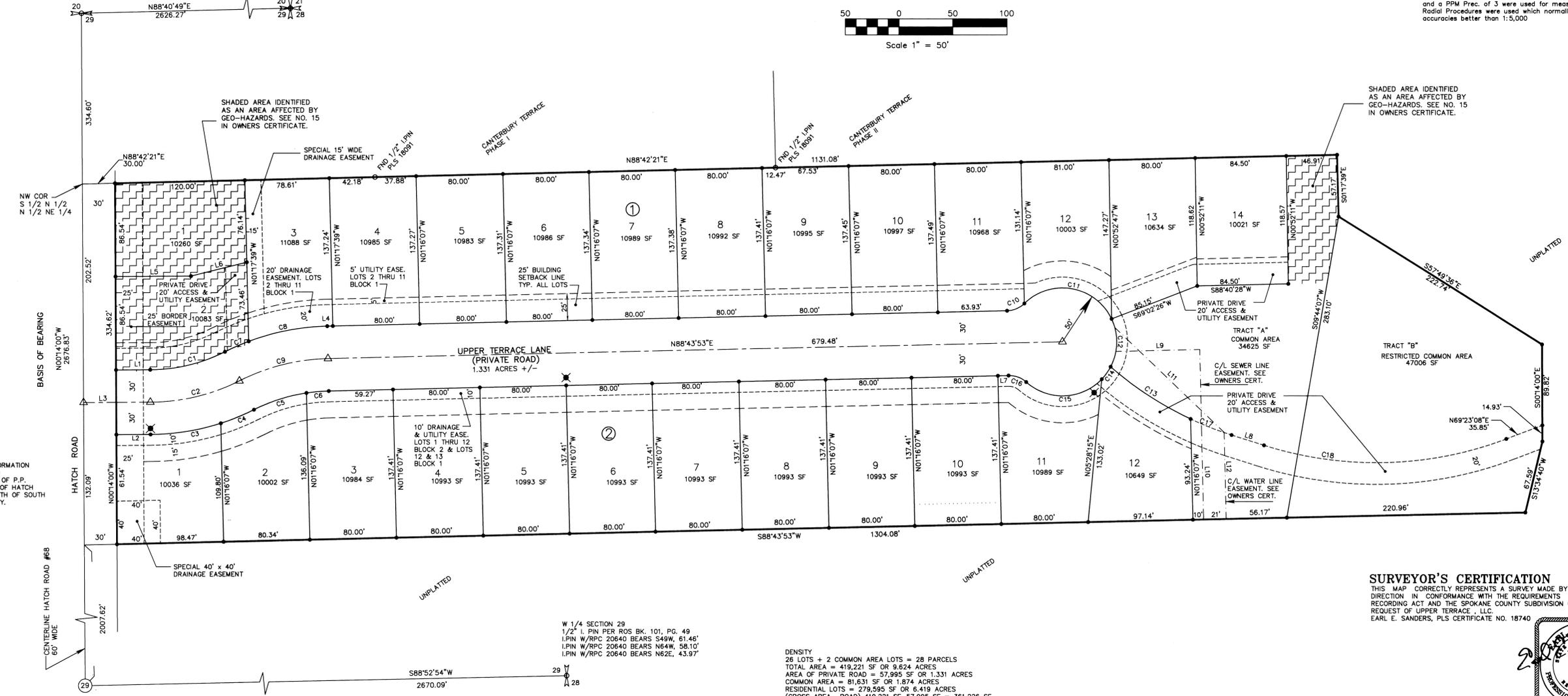
EQUIPMENT & PROCEDURES

A 10" Total Station with a Std. Dev. of 3mm and a PPM Prec. of 3 were used for measurements. Radial Procedures were used which normally produce accuracies better than 1:5,000



N 1/4 SECTION 29
3/4" I. PIN LCR 8101070236
PP W/T & T BEARS N25E, 67.03'
12" PINE W/TACK IN FACE BEARS N50E, 45.54'
RR TIE W/T & T BEARS WEST, 31.91'

NE CORNER SECTION 29
10"x10" CONC. POST W/PK NAIL IN TOP
12" PINE W/NAIL & TAG BEARS N10W, 44.90'
12" PINE W/NAIL & TAG BEARS S14W, 19.10'
20" FIR W/TAG BEARS S60E, 39.62'



ELEVATION INFORMATION
COUNTY DATUM
SPIKE IN FACE OF P.P.
ON EAST SIDE OF HATCH
ROAD, 38' NORTH OF SOUTH
PLAT BOUNDARY.

C 1/4 SECTION 29
BRASS CAP PER ROS BK. 101, PG. 49
26" PINE W/T & T BEARS N89W, 37.14'
30" PINE W/T & T BEARS S32W, 52.67'
PP W/T & T BEARS N53E, 35.73'

W 1/4 SECTION 29
1/2" I. PIN PER ROS BK. 101, PG. 49
I.PIN W/RPC 20640 BEARS S49W, 61.46'
I.PIN W/RPC 20640 BEARS N64W, 58.10'
I.PIN W/RPC 20640 BEARS N62E, 43.97'

DENSITY
28 LOTS + 2 COMMON AREA LOTS = 28 PARCELS
TOTAL AREA = 419,221 SF OR 9.624 ACRES
AREA OF PRIVATE ROAD = 57,995 SF OR 1.331 ACRES
COMMON AREA = 81,631 SF OR 1.874 ACRES
RESIDENTIAL LOTS = 279,595 SF OR 6.419 ACRES
(GROSS AREA - ROAD) 419,221 SF - 57,995 SF = 361,226 SF
361,226 SF / 28 PARCELS = 12,901 SF OR 3.38 UNITS PER ACRE
361,226 SF / 26 PARCELS = 13,893 SF OR 3.14 UNITS PER ACRE

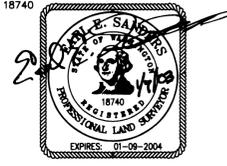
| NUMBER | DIRECTION | DISTANCE | |
|--------|-------------|----------|------------------------------------|
| L1 | N89°46'00"E | 31.48' | |
| L2 | N89°46'00"E | 31.48' | |
| L3 | N89°46'00"E | 61.49' | |
| L4 | N88°43'53"E | 5.18' | |
| L5 | N89°46'00"E | 69.53' | |
| L6 | N76°04'41"E | 53.37' | |
| L7 | N89°43'53"E | 9.84' | |
| L8 | S72°28'39"E | 31.50' | |
| L9 | S88°43'53"W | 77.94' | CENTERLINE OF A 20' WIDE SEWERLINE |
| L10 | N01°16'07"W | 157.41' | UTILITY EASEMENT. |
| L11 | N46°16'07"W | 140.58' | CENTERLINE OF A 10' WIDE WATERLINE |
| L12 | N01°16'07"W | 80.06' | UTILITY EASEMENT |

| NUMBER | CD = | R = | L = | LC = | |
|--------|------------|--------|--------|-------------|--------|
| C1 | 26°22'26" | 155.72 | 71.68 | N76°34'47"E | 71.05 |
| C2 | 26°22'26" | 185.72 | 85.49 | N76°34'47"E | 84.74 |
| C3 | 17°31'57" | 215.72 | 66.01 | N81°00'02"E | 65.75 |
| C4 | 08°50'30" | 215.72 | 33.29 | N67°48'49"E | 33.26 |
| C5 | 18°03'28" | 163.58 | 51.55 | N72°25'18"E | 51.34 |
| C6 | 07°16'50" | 163.58 | 20.79 | N85°05'27"E | 20.77 |
| C7 | 06°09'55" | 223.58 | 24.06 | N66°28'31"E | 24.05 |
| C8 | 19°10'24" | 223.58 | 74.82 | N79°08'41"E | 74.47 |
| C9 | 25°20'19" | 193.58 | 85.61 | N76°03'43"E | 84.91 |
| C10 | 43°18'55" | 23.42 | 17.70 | N67°04'25"E | 17.29 |
| C11 | 109°22'40" | 50.00 | 98.45 | S73°34'1"E | 81.60 |
| C12 | 52°41'26" | 50.00 | 45.98 | S01°08'22"W | 44.38 |
| C13 | 16°15'25" | 313.39 | 88.92 | S56°49'43"E | 88.62 |
| C14 | 16°10'25" | 50.00 | 14.11 | S35°34'17"W | 14.07 |
| C15 | 88°23'18" | 50.00 | 77.13 | S87°51'08"W | 69.71 |
| C16 | 43°18'54" | 23.42 | 17.70 | N69°36'40"W | 17.29 |
| C17 | 07°29'13" | 313.39 | 40.95 | S68°42'02"E | 40.92 |
| C18 | 38°10'14" | 343.00 | 228.51 | N88°28'14"E | 224.30 |

| LOT ADDRESS | |
|-------------|-----|
| LOT | LOT |
| 1 | 607 |
| 2 | 603 |
| 3 | 611 |
| 4 | 617 |
| 5 | 621 |
| 6 | 705 |
| 7 | 711 |
| 8 | 717 |
| 9 | 723 |
| 10 | 803 |
| 11 | 807 |
| 12 | 813 |
| 13 | 819 |
| 14 | 821 |

SURVEYOR'S CERTIFICATION

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 UPPER TERRACE, L.L.C.
EARL E. SANDERS, PLS CERTIFICATE NO. 18740



SHEET 1 OF 2 DATE: JAN. 2003 JOB.#2050
PART OF THE N 1/2 NE 1/4
SEC. 29, T. 27N., R. 43E., W.M.
SPOKANE COUNTY, WASHINGTON

DURTSCHI & ASSOC., INC.
SURVEYING-PLANNING

P.O. BOX 700
9751 GOVERNMENT WAY, SUITE 5
HAYDEN LAKE, ID 83835
PHONE: (208) 772-2233
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UPPER TERRACE ESTATES

A PORTION OF THE WEST 1689.24 FEET OF THE S 1/2 N 1/2 N 1/2 NE 1/4 SECTION 29, T27N, R43E W.M., SPOKANE COUNTY, WASHINGTON

4834379
Bk 28
Pg 50
sheet 2 of 2
3593

OWNER'S CERTIFICATE OF DEDICATION

BE IT KNOWN BY ALL PERSONS, THAT UPPER TERRACE LLC, FRANK BURGER, MANAGING PARTNER, MR. & MRS. EDGAR SMITH LIVING TRUST, EDGAR V. SMITH AND CATHERINE L. SMITH, TRUSTEES, AND INLAND NORTHWEST BANK, JAMES ABRAHAMSON, SENIOR VICE PRESIDENT, ARE THE OWNERS OF CERTAIN LANDS IN A PORTION OF THE WEST 1689.24 FEET OF THE S2 N2 NE4 SECTION 29, T27N, R43E W.M., SPOKANE COUNTY, WASHINGTON AND HAVE CAUSED IT TO BE LAID OFF INTO BLOCKS, LOTS, AND ROADWAY, TO BE KNOWN AS "UPPER TERRACE ESTATES", AND IS FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID S 1/2 N 1/2 N 1/2 NE 1/4 SECTION 29; THENCE N88°42'21"E ALONG THE NORTH LINE OF THE S 1/2 N 1/2 N 1/2 NE 1/4 A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE CONTINUING ALONG SAID NORTH LINE N88°42'21"E A DISTANCE OF 1131.08 FEET; THENCE S01°17'39"E A DISTANCE OF 57.17 FEET; THENCE S57°49'36"E A DISTANCE OF 222.74 FEET; THENCE S00°14'00"E A DISTANCE OF 89.82 FEET; THENCE S13°34'40"W A DISTANCE OF 67.59 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID S 1/2 N 1/2 N 1/2 NE 1/4; THENCE S88°43'53"W A DISTANCE OF 1504.08 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF THE COUNTY ROAD (HATCH ROAD); THENCE N00°14'00"W A DISTANCE OF 334.62 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 9.624 ACRES MORE OR LESS.

BE IT FURTHER KNOWN THAT:

- NO ACCESS WILL BE ALLOWED DIRECTLY ONTO HATCH ROAD FROM LOTS 1 & 2, BLOCK 1 AND LOT 1, BLOCK 2 AS SHOWN HEREON.
- THE OWNER(S) OR SUCCESSOR(S) IN INTEREST AGREE TO JOIN IN ANY COUNTY-APPROVED STORMWATER MANAGEMENT PROGRAM AND TO PAY SUCH RATES AND CHARGES AS MAY BE FIXED THROUGH PUBLIC HEARINGS FOR SERVICE OR BENEFIT OBTAINED BY THE PLANNING, DESIGN, CONSTRUCTION, MAINTAINING OR OPERATION OF STORMWATER CONTROL FACILITIES.
- DEVELOPMENT WITHIN THIS SUBDIVISION SHALL CONFORM TO THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM AND CHAPTER 3.20 OF THE SPOKANE COUNTY CODE. PURCHASERS OF THE PROPERTY WITHIN THIS SUBDIVISION ARE WARNED OF POSSIBLE FLOODING OR PONDING AND OF POTENTIAL REQUIREMENT TO PURCHASE FLOOD INSURANCE. THIS WARNING SHALL BE CARRIED IN EACH AND EVERY DEED DRAWN TO TRANSFER OWNERSHIP OF ANY AND ALL PROPERTY WITHIN THE PLAT IN THE AREA OF SPECIAL FLOOD HAZARD. THIS CONDITION IS APPLICABLE TO DRIVEWAY APPROACHES, DRIVEWAYS AND PRIVATE ROADS CONSTRUCTED ON THE SITE FOR ACCESS.
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 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.
THE PRIVATE ROADS AND/OR COMMON AREAS SHOWN ON THE PLAT ARE HEREBY DEDICATED TO THE UPPER TERRACE ESTATES HOMEOWNERS ASSOCIATION FEB 09, 2000 CREATED BY DOCUMENTS RECORDED UNDER STATE UBI NUMBERS 2000 011 325 UNDER STATE UBI NUMBERS 2002 011 325. 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 ROAD AND DRAINAGE EASEMENTS ARE SUBJECT TO THE SEPARATE DECLARATION OF COVENANTS AS RECORDED JUNE 11, 2002 AND JUNE 17, 2002.
UNDER AUDITOR'S DOCUMENT NUMBERS 4737403 AND 4739450, RESPECTIVELY, WHICH BY REFERENCE IS MADE A PART HEREOF.
- AN EASEMENT IN GROSS OVER THE PRIVATE ROADWAY AND PRIVATE DRIVEWAY EASEMENT AREAS IS HEREBY GRANTED TO ALL PRIVATE AND PUBLIC UTILITIES.
- THE LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED IN SPOKANE COUNTY RECORDS, INSTRUMENT NO. 4760520, DATED AUGUST 13, 2002.
- THE BORDER EASEMENT AS SHOWN HEREON ARE HEREBY GRANTED TO SPOKANE COUNTY AND ITS AUTHORIZED AGENTS, AND TO THE PUBLIC FOR ROAD PURPOSES, INCLUDING BUT NOT LIMITED TO CURBS, SIDEWALKS, DRAINAGE, SIGNAGE, AND OTHER USAGE DEEMED NECESSARY BY THE SPOKANE COUNTY ENGINEER FOR THE SAFETY AND WELFARE OF THE PUBLIC. NO FENCE OR PORTION THEREOF WILL BE CONSTRUCTED WITHIN SAID EASEMENT WITHOUT PERMISSION OF THE SPOKANE COUNTY ENGINEER, NOR WILL ANY OBJECTS BE PLACED IN SAID EASEMENT THAT WOULD OBSTRUCT THE SIGHT DISTANCE NECESSARY FOR SAFE AND EFFICIENT VEHICULAR MOVEMENT. ANY OTHER EASEMENTS GRANTED OR DEDICATED WITHIN THE BORDER EASEMENT AREA WILL BE SUBORDINATE TO THE RIGHTS CREATED BY THE EASEMENT AND ARE SUBJECT TO SPOKANE COUNTY ENGINEERS PERMIT PROCESS PRIOR TO USAGE.
- THE 20 FOOT PRIVATE DRIVE (ACCESS & UTILITY) EASEMENT SHOWN WITHIN LOTS 13 & 14, BLOCK 1 IS FOR THE EXCLUSIVE USE OF THE OWNERS OF LOTS 13 & 14, BLOCK 1.
- THE 20 FOOT PRIVATE DRIVE (ACCESS & UTILITY) EASEMENT SHOWN WITHIN LOT 12, BLOCK 2, AND THE TWO COMMON AREAS IS A PERPETUAL AND EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, & UTILITIES FOR THE ADJACENT LAND LYING EAST OF THE PLAT BOUNDARY.
- SETBACKS SHALL BE DETERMINED AT THE TIME BUILDING PERMITS ARE REQUESTED UNLESS THESE SETBACKS ARE SPECIFICALLY DRAFTED ON THIS PLAT. THE SETBACKS INDICATED ON THIS PLAT MAY BE VARIED FROM IF PROPER ZONING APPROVALS ARE OBTAINED.
- A PUBLIC SEWER SYSTEM WILL BE MADE AVAILABLE FOR THE PLAT AND INDIVIDUAL SERVICE WILL BE PROVIDED TO EACH LOT PRIOR TO SALE. THE USE OF INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEMS SHALL NOT BE AUTHORIZED.
- INDIVIDUAL TRACTS SHALL BE SUBJECT TO PAYMENT OF CURRENT APPLICABLE SEWER CONNECTION CHARGES AND/OR GENERAL FACILITIES CHARGES PRIOR TO THE ISSUANCE OF A SEWER CONNECTION PERMIT.
- THE USE OF PRIVATE WELLS AND WATER SYSTEMS IS PROHIBITED.
- THE PUBLIC WATER SYSTEM, PURSUANT TO THE WATER PLAN APPROVED BY COUNTY AND STATE HEALTH AUTHORITIES, THE LOCAL FIRE PROTECTION DISTRICT, THE COUNTY DIVISION OF CURRENT PLANNING AND THE WATER PURVEYOR, SHALL BE INSTALLED WITHIN THIS SUBDIVISION. THE APPLICANT SHALL PROVIDE 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.
- "UTILITY EASEMENTS" SHOWN ON THE PLAT OR DESCRIBED HEREIN, ARE HEREBY DEDICATED FOR THE EXCLUSIVE USE OF SERVING UTILITY COMPANIES, "UTILITIES," WHICH HOLD A FRANCHISE OR PERMIT GRANTED BY SPOKANE COUNTY OR OTHER GOVERNMENTAL ENTITY. USES ARE LIMITED TO THOSE WHICH ARE CONSISTENT WITH THE CONSTRUCTION, RECONSTRUCTION, PROTECTION, MAINTENANCE, AND OPERATION OF UTILITIES FOR: NATURAL GAS, ELECTRIC, WATER, TELEPHONE, TELECOMMUNICATIONS, AND CABLE TV FACILITIES. TOGETHER WITH THE RIGHT TO INSPECT SAID FACILITIES, RESTRICT MATERIAL CHANGES IN GRADE WITHIN SAID EASEMENT, AND TO TRIM AND/OR REMOVE BRUSH AND TREES OR OBSTACLES WHICH MAY INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OPERATIONS AND SAFETY OF THE UTILITIES FACILITIES."
- LOTS 1 AND 2, BLOCK 1, THE AREA EAST OF LOT 14, AND THE AREA SOUTH OF LOT 12, BLOCK 2, HAVE BEEN IDENTIFIED AS AREA AFFECTED BY GEO-HAZARDS. NO CONSTRUCTION ACTIVITY OR USE OF THESE GEO-HAZARD AREAS AS IDENTIFIED HEREIN SHALL OCCUR UNTIL SUCH TIME AS A GEO-HAZARD MITIGATION PLAN HAS BEEN SUBMITTED FOR REVIEW AND APPROVED BY THE SPOKANE COUNTY DIVISION OF CURRENT PLANNING, SPOKANE COUNTY DIVISION OF ENGINEERING AND ROADS/DEVELOPMENT SERVICES AND THE SPOKANE COUNTY DIVISION OF UTILITIES/STORMWATER UTILITY.

16. 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 PONDS AND DRAINAGE FACILITIES WHICH DISPOSE OF AND TREAT STORMWATER RUNOFF, ARE HEREBY GRANTED TO SPOKANE COUNTY AND THE UPPER TERRACE ESTATES HOMEOWNERS' ASSOCIATION. THE PRIVATE ROADS AND COMMON AREAS ARE HEREBY DEDICATED TO THE UPPER TERRACE ESTATES HOMEOWNERS' ASSOCIATION FOR THE PURPOSE OF CONVEYING AND STORING STORMWATER RUNOFF, AND FOR INSTALLING, OPERATING AND MAINTAINING DRAINAGE PONDS AND DRAINAGE FACILITIES WHICH DISPOSE OF AND TREAT STORMWATER RUNOFF. DRAINAGE EASEMENTS ARE GRANTED TO SPOKANE COUNTY OVER THE PRIVATE ROADS AND COMMON AREAS 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 UNDER 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 UPPER TERRACE ESTATES HOMEOWNERS' 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 "20B" 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 SUBJECT TO HIGH 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 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 UPPER TERRACE ESTATES HOMEOWNERS' ASSOCIATION OR ITS SUCCESSORS IN INTEREST SHALL MAINTAIN ALL DRAINAGE FACILITIES IN CONFORMANCE WITH THE ACCEPTED 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 "20B" 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 SWALE AS INDICATED BY THE APPROVED PLANS. THE UPPER TERRACE ESTATES HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR PAYMENT OF ALL CLAIMS AND OTHER LIABILITIES WHICH MAY BECOME DUE FOR SAID MAINTENANCE RESPONSIBILITIES.

IF THE UPPER TERRACE ESTATES HOMEOWNERS' 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 UPPER TERRACE ESTATES HOMEOWNERS' 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 UPPER TERRACE ESTATES HOMEOWNERS' ASSOCIATION, OR THEIR SUCCESSORS IN INTEREST.

SHOULD THE UPPER TERRACE ESTATES HOMEOWNERS' 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 UPPER TERRACE ESTATES HOMEOWNERS' 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 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.

[Signature]
UPPER TERRACE, LLC
FRANK BURGER, MANAGING PARTNER

[Signature]
MR. & MRS. EDGAR SMITH LIVING TRUST
EDGAR V. SMITH
TRUSTEE

[Signature]
INLAND NORTHWEST BANK
JAMES ABRAHAMSON
SENIOR VICE PRESIDENT

[Signature]
MR. & MRS. EDGAR SMITH LIVING TRUST
CATHERINE L. SMITH
TRUSTEE

ACKNOWLEDGMENT

ON THIS 21st DAY OF January 2003, BEFORE ME THE UNDERSIGNED, A NOTARY IN AND FOR THE STATE OF Washington, PERSONALLY APPEARED FRANK BURGER, KNOWN OR IDENTIFIED TO ME TO BE A MEMBER OF UPPER TERRACE, LLC THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME BY THEIR FREE AND VOLUNTARY ACT. WITNESS MY SIGNATURE AND OFFICIAL SEAL.

BRETT W. SMITH
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES 2-16-06

[Signature]
NOTARY FOR THE STATE OF Washington
RESIDING AT Spokane, Washington
COMMISSION EXPIRES: 2/16/06

ACKNOWLEDGMENT

ON THIS 8th DAY OF January 2003, BEFORE ME THE UNDERSIGNED, A NOTARY IN AND FOR THE STATE OF Washington, PERSONALLY APPEARED JAMES ABRAHAMSON, KNOWN OR IDENTIFIED TO ME TO BE THE SENIOR VICE PRESIDENT OF INLAND NORTHWEST BANK, INC., THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME BY THEIR FREE AND VOLUNTARY ACT. WITNESS MY SIGNATURE AND OFFICIAL SEAL.

CAROL A. HAID
NOTARY PUBLIC
STATE OF WASHINGTON
EXPIRES AUGUST 1, 2003

[Signature]
NOTARY FOR THE STATE OF Washington
RESIDING AT Spokane, Washington
COMMISSION EXPIRES: 8-1-03

ACKNOWLEDGMENT

ON THIS 8th DAY OF January 2003, BEFORE ME THE UNDERSIGNED, A NOTARY IN AND FOR THE STATE OF Washington, PERSONALLY APPEARED EDGAR V. SMITH AND CATHERINE L. SMITH, KNOWN OR IDENTIFIED TO ME TO BE THE TRUSTEES OF MR. & MRS. EDGAR SMITH LIVING TRUST, THAT EXECUTED THE INSTRUMENT OR THE PERSONS WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIVING TRUST, AND ACKNOWLEDGED TO ME THAT SUCH LIVING TRUST EXECUTED THE SAME BY THEIR FREE AND VOLUNTARY ACT. WITNESS MY SIGNATURE AND OFFICIAL SEAL.

BRETT W. SMITH
STATE OF WASHINGTON
NOTARY PUBLIC
MY COMMISSION EXPIRES 2-16-06

[Signature]
NOTARY FOR THE STATE OF Washington
RESIDING AT Spokane, Washington
COMMISSION EXPIRES: 2/16/06

SPOKANE COUNTY AUDITOR

FILED FOR RECORD THIS 22nd DAY OF January 2003 AT 3:02 P.M. IN BOOK 21 OF PLATS AT PAGE 502. REQUEST OF Upper Terrace LLC
[Signature]
SPOKANE COUNTY AUDITOR

SPOKANE COUNTY DIVISION OF PLANNING

EXAMINED AND APPROVED THIS 16th DAY OF Jan 2003
[Signature]
DIRECTOR OF PLANNING

SPOKANE COUNTY DIVISION OF ENGINEERING AND ROADS

EXAMINED AND APPROVED THIS 19th DAY OF Jan 2003
[Signature]
SPOKANE COUNTY ENGINEER

SPOKANE COUNTY DIVISION OF UTILITIES

EXAMINED AND APPROVED THIS 11 DAY OF JAN 2003
[Signature]
SPOKANE COUNTY UTILITIES FOR: KEVIN COOME

SPOKANE REGIONAL HEALTH DISTRICT

EXAMINED AND APPROVED THIS 13 DAY OF JAN 2003
[Signature]
SPOKANE REGIONAL HEALTH OFFICER

SPOKANE COUNTY TREASURER

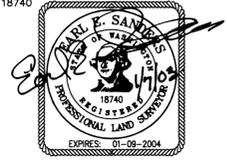
I HEREBY CERTIFY THAT THE REQUIRED TAXES ON THE HEREON PLATTED LAND HAVE BEEN FULLY PAID THIS 22 DAY OF Jan 2003
[Signature]
SPOKANE COUNTY TREASURER BY DEPUTY A. Beach

SPOKANE COUNTY ASSESSOR

EXAMINED AND APPROVED THIS 27th DAY OF Jan 2003
[Signature]
SPOKANE CO. ASSESSOR BY DEPUTY

SPOKANE COUNTY COMMISSIONERS

THIS PLAT WAS APPROVED AND ACCEPTED BY THE COUNTY COMMISSIONERS OF SPOKANE COUNTY WASHINGTON ON THIS 7th DAY OF JAN 2003
[Signature]
SPOKANE COUNTY COMMISSIONERS



SHEET 2 OF 2 DATE: JAN. 2003 JOB.#2050
PART OF THE N 1/2 NE 1/4 SEC.29, T.27N.,R.43E.,W.M.
SPOKANE COUNTY, WASHINGTON
DURTSCHI & ASSOC., INC. SURVEYING-PLANNING
P.O. BOX 700
9751 GOVERNMENT WAY, SUITE 5
HAYDEN LAKE, ID 83835
PHONE: (208) 772-2233
FAX: (208) 772-9231
E-MAIL: budeesy@aol.com