

# FINAL PLAT WELLINGTON HEIGHTS FIFTH ADDITION

A PORTION OF THE SW 1/4 OF THE NE 1/4 SECTION 29 TOWNSHIP 27 NORTH, RANGE 43 EAST, W.M. (PLANNED UNIT DEVELOPMENT) SPOKANE COUNTY, WASHINGTON

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT WELLINGTON 3RD LLC, A WASHINGTON LIMITED LIABILITY COMPANY, THE OWNER OF SAID PROPERTY TO BE PLATTED, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE PUBLIC FOREVER, ALL EASEMENTS, AND OTHER AREAS INTENDED FOR PUBLIC USE SHOWN HEREIN; SAID PLATTED LAND BEING DESCRIBED AS FOLLOWS TO BE KNOWN AS WELLINGTON HEIGHTS FIFTH ADDITION P.U.D., BEING THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 27 NORTH, RANGE 43 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 3 OF WELLINGTON HEIGHTS FORTH ADDITION AS RECORDED IN BOOK 38 OF PLATS, PAGES 83-84; THENCE ALONG SAID PLAT THE NEXT 3 CALLS:  
 (1) THENCE N03°29'36"W A DISTANCE OF 118.92 FEET; (2) THENCE N57°58'45"W A DISTANCE OF 51.66 FEET; (3) THENCE N02°17'12"W A DISTANCE OF 289.15 FEET TO THE SOUTH LINE OF WELLINGTON HEIGHTS THIRD ADDITION AS RECORDED IN BOOK 30 OF PLATS, PAGES 84-85; THENCE ALONG SAID PLAT THE NEXT 3 CALLS: (1) THENCE S87°46'02"W A DISTANCE OF 119.00 FEET; (2) THENCE S83°59'37"W A DISTANCE OF 30.06 FEET; (3) THENCE S87°46'02"W A DISTANCE OF 125.98 FEET TO THE EAST RIGHT OF WAY OF HATCH ROAD; THENCE S02°17'05"E ALONG SAID RIGHT OF WAY A DISTANCE OF 440.34 FEET TO THE NORTH RIGHT OF WAY OF MIDWAY ROAD; THENCE N86°50'06"E ALONG SAID RIGHT OF WAY A DISTANCE OF 320.21 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON, HAVING AN AREA OF 2.91 ACRES

THE FRONT, FLANKING SIDE, AND REAR YARD SETBACKS SHOWN ON THIS PLAT MAY BE VARIED FROM ONLY AFTER A VARIANCE APPROVAL IS OBTAINED. PUBLIC SEWERS SHALL BE CONSTRUCTED TO PROVIDE FOR THE CONNECTION OF EACH PARCEL TO THE COUNTY'S SYSTEM OF SEWERAGE. USES ON PROPERTIES WITHIN THE PROJECT SHALL BE REQUIRED TO CONNECT TO THE SEWER AND PAY APPLICABLE CHARGES PER THE COUNTY SEWER ORDINANCE. SEWER CONNECTION PERMITS SHALL BE REQUIRED. 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 DISPOSAL SYSTEMS SHALL NOT BE AUTHORIZED.

USE OF PRIVATE WELLS AND WATER SYSTEMS IS PROHIBITED. THE PUBLIC WATER SYSTEMS PURSUANT TO THE WATER PLAN APPROVED BY COUNTY AND STATE HEALTH AUTHORITIES, THE LOCAL FIRE PROTECTION DISTRICT, THE COUNTY BUILDING AND PLANNING DEPARTMENT AND WATER SURVEYOR, 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.

"DRY" UTILITY EASEMENTS (ELECTRIC, GAS, PHONE, FIBER, CABLE TV) AS SHOWN ON THE HEREIN DESCRIBED PLAT ARE HEREBY DEDICATED FOR THE USE OF SERVING UTILITY COMPANIES FOR THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, PROTECTION, INSPECTION AND OPERATION OF THEIR RESPECTIVE FACILITIES, TOGETHER WITH THE RIGHT TO PROHIBIT CHANGES IN GRADE OVER INSTALLED UNDERGROUND CONDUITS AND THE RIGHT TO PROHIBIT, TRIM AND/OR REMOVE TREES, BUSHES, ROADS, LANDSCAPING, WITHOUT COMPENSATION WHEN AFFECTING UTILITIES WITHIN THE EASEMENTS. THIS PROVISION ALSO PROHIBITS THE PLACEMENT OF BRICK, ROCK OR MASONRY STRUCTURES THAT MAY INTERFERE WITH THE CONSTRUCTION, RECONSTRUCTION, RELIABILITY, MAINTENANCE, AND SAFE OPERATION OF SAME. STORM DRAIN DRY WELLS, SWALES AND WATER METER BOXES SHALL NOT BE PLACED WITHIN THE "DRY" EASEMENTS; HOWEVER, LATERAL CROSSINGS BY STORM DRAIN, WATER AND SEWER LINES ARE PERMITTED, SERVING TO CROSS UNDER THE "DRY" EASEMENTS AND TO CROSS BORDERS, PRIVATE ROADS OR LANES AND COMMON AREAS.

THE BORDER EASEMENTS 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 SHALL 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 NEEDED FOR THE SAFE AND EFFICIENT VEHICULAR MOVEMENT. ANY OTHER EASEMENTS GRANTED OR DEDICATED WITHIN THIS BORDER EASEMENT AREA WILL BE SUBORDINATE TO THE RIGHTS CREATED BY THIS EASEMENT AND ARE SUBJECT TO SPOKANE COUNTY ENGINEERS PERMIT PROCESS PRIOR TO USAGE.

WARNING: SPOKANE COUNTY HAS NO RESPONSIBILITY TO BUILD, IMPROVE, MAINTAIN OR OTHERWISE SERVICE THE PRIVATE ROADS AND ASSOCIATED DRAINAGE FACILITIES CONTAINED WITHIN OR PROVIDING SERVICE TO THE PROPERTY DESCRIBED IN THIS PLAT. BY ACCEPTING THIS PLAT OF SUBSEQUENTLY BY ALLOWING A BUILDING PERMIT TO BE ISSUED FOR 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 OR ITS ASSOCIATED DRAINAGE FACILITIES. THIS REQUIREMENT IS 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 BUILDING LOTS WITHIN THIS PLAT ARE SUBJECT TO SUBSURFACE INVESTIGATION AND RECOMMENDATIONS IN THE DESIGN OF BASEMENTS OR RETAINING STRUCTURES AT THE TIME OF THE RESIDENTIAL BUILDING OR GRADING PERMITS.

THE PRIVATE ROADS AND/OR COMMON AREAS AND TRACTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION CREATED BY DOCUMENT RECORDED DECEMBER 30, 2004 UNDER STATE UBI NUMBER 602458519.

THE STATUS OF THE AREAS DESIGNATED AS, SUBSERVIENT ESTATES FOR TAX PURPOSES CANNOT BE CHANGED WITHOUT 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. NO DIRECT ACCESS SHALL BE ALLOWED FROM LOTS TO MIDWAY ROAD OR HATCH ROAD, UNTIL SUCH TIME AS AUTHORIZED BY THE SPOKANE COUNTY ENGINEERS.

THE SUBDIVIDER SPOKANE COUNTY WILL CONSTRUCT THE PRIVATE ROADS AND ASSOCIATED DRAINAGE FACILITIES IN CONFORMANCE WITH THE APPROVED PLANS ON FILE IN THE COUNTY ENGINEER'S OFFICE. A LOT IS SERVED BY A PRIVATE ROAD WHEN: A. THE ONLY ROAD FRONTAGE FOR THE LOT IN THE DEVELOPMENT IS ON THE PRIVATE ROAD; OR, B. A LOT HAVING FRONTAGE ON MORE THAN ONE ROAD (PUBLIC OR PRIVATE) CONSTRUCTS AN APPROACH TO THE PRIVATE ROAD.

THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION OR THEIR SUCCESSORS IN INTEREST SHALL MAINTAIN THE PRIVATE ROADS AND ASSOCIATED DRAINAGE FACILITIES IN CONFORMANCE WITH THE APPROVED PLANS ON FILE IN THE COUNTY ENGINEER'S OFFICE.

THE OWNER(S) OF ANY LOT CREATED BY THE DEVELOPMENT OR ALTERNATION THEREOF AND SERVED BY A PRIVATE ROAD SHALL BE RESPONSIBLE FOR MAINTENANCE OF SAID PRIVATE ROAD, INCLUDING ASSOCIATED DRAINAGE FACILITIES.

MAINTENANCE FINANCING OF THE PRIVATE ROADS AND ASSOCIATED DRAINAGE FACILITIES SHALL BE IN A MANNER DETERMINED BY THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION OR THEIR SUCCESSORS IN INTEREST.

SHOULD THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION BE TERMINATED FOR ANY REASON, THE SUCCESSORS IN INTEREST SHALL BE THE INDIVIDUAL LOT OWNERS, OR THEIR SUCCESSORS IN INTEREST, WHO ARE MEMBERS OF THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION.

AT THE TIME OF SALE OF THE PROPERTY, THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID PRIVATE ROAD INCLUDING ASSOCIATED DRAINAGE FACILITIES. THE COUNTY IS WILLING TO ACCEPT THE DEDICATION OF SUCH ROAD AND DRAINAGE FACILITIES, EACH LOT OWNER SHALL EXECUTE ANY DOCUMENTS NECESSARY TO ACCOMPLISH SUCH DEDICATION.

OWNERS OF LOTS WITHIN THE DEVELOPMENT WHO ARE SERVED BY SUCH ROAD, MAY SUE AND RECOVER DAMAGES AND ATTORNEYS' FEES FROM ANY OWNER OF ANY LOT WITHIN THE DEVELOPMENT WHICH IS SIMILARLY SERVED WHO REFUSES TO PARTICIPATE IN THE ROAD AND DRAINAGE FACILITIES CONSTRUCTION, FINANCING, AND MAINTENANCE.

WHENEVER THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION OR THEIR SUCCESSORS IN INTEREST FAIL TO MAINTAIN THE DRAINAGE FACILITIES IN CONFORMANCE WITH THE APPROVED DRAINAGE PLAN, A NOTICE WILL BE GIVEN TO THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION OR THEIR SUCCESSORS IN INTEREST BY THE COUNTY, IF NOT CORRECTED WITHIN 10 DAYS OF THE DATE OF THE NOTICE, THE COUNTY WILL CORRECT THE DEFICIENCY AT THE EXPENSE OF THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION, THEIR SUCCESSORS IN INTEREST, OR LOTS IN THE DEVELOPMENT.

SPOKANE COUNTY DOES NOT ACCEPT THE RESPONSIBILITY OF MAINTAINING THE DRAINAGE COURSE ON PRIVATE LOTS WITHIN DRAINAGE EASEMENTS OR FLOODPLAIN AREAS, 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.

THE PRIVATE ROADS AND TRACT "A" 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 WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION. A DRAINAGE EASEMENT IS GRANTED TO SPOKANE COUNTY OVER ALL TRACTS AND LOTS WITHIN THE DRAINAGE EASEMENT FOR THE PURPOSES OF INSPECTION AND EMERGENCY MAINTENANCE OF THE DRAINAGE FACILITIES, IF NOT PROPERLY MAINTAINED BY THE PROPERTY OWNER(S) OF THE WELLINGTON HEIGHTS THIRD ADDITION 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 AGREES IN WRITING. NEITHER DOES SPOKANE COUNTY ACCEPT ANY LIABILITY FOR ANY FAILURE BY THE PROPERTY OWNER(S) OR THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION TO PROPERLY MAINTAIN SUCH AREAS.

IF GROUNDWATER OR MOTTLLED SOIL IS ENCOUNTERED DURING BASEMENT EXCAVATION, IT IS SPOKANE COUNTY'S RECOMMENDATION THAT PROTECTIVE MEASURES THAT MEET THE REQUIREMENTS OF THE CURRENT UBC CODE WITH RESPECT TO DAMP-PROOFING AND WATER-PROOFING BE IMPLEMENTED AS PART OF THE BASEMENT FOUNDATION CONSTRUCTION.

THE PROPERTY OWNER(S) SHALL BE 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 FROM ALL PRIVATE ROADS AND TRACT "A" FOR THE PURPOSES OF INSPECTION AND EMERGENCY MAINTENANCE OF THE DRAINAGE FACILITIES, IF NOT PROPERLY MAINTAINED BY THE PROPERTY OWNER(S) OF THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION, 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 WELL, OR A DOORWAY). SAID POSITIVE DRAINAGE SHALL CONSIST OF A MINIMUM SLOPE OF 5% 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 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 OR DRAINAGE CONVEYANCE DITCH SITUATED IN A PUBLIC RIGHT-OF-WAY ADJACENT TO THEIR RESPECTIVE PROPERTIES, WITH A PERMANENT GROUND COVER SUCH AS LIVE NATIVE-TYPE DRYLAND GRASSES OR LAWN TURF AS SPECIFIED IN THE CURRENTLY ACCEPTED PLANS ON FILE AT SPOKANE COUNTY ENGINEER'S OFFICE. ALL DRAINAGE FACILITIES FOR THIS PLAT, INCLUDING ANY '208' SWALES, SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS ON FILE AT 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 PROPERTY OWNER(S) WITHIN THIS PLAT SHALL MAINTAIN ALL NATURAL DRAINAGE CHANNELS, DRAINAGE DITCHES, AND ALL WATER QUALITY SWALES ('208' SWALES) SITUATED ON THEIR RESPECTIVE PROPERTIES, AND ANY PORTION OF A '208' SWALE OR DRAINAGE CONVEYANCE DITCH SITUATED IN A PUBLIC RIGHT-OF-WAY ADJACENT TO THEIR RESPECTIVE PROPERTIES, WITH A PERMANENT GROUND COVER SUCH AS LIVE NATIVE-TYPE DRYLAND GRASSES OR LAWN TURF AS SPECIFIED IN THE CURRENTLY ACCEPTED PLANS ON FILE AT SPOKANE COUNTY ENGINEER'S OFFICE. NO STRUCTURES, INCLUDING FENCES, SHALL BE CONSTRUCTED DIRECTLY OVER OR WITHIN A WATER QUALITY SWALE, NATURAL DRAINAGE CHANNEL OR DRAINAGE DITCH WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SPOKANE COUNTY ENGINEER. PROPERTY OWNER(S) MAINTENANCE RESPONSIBILITIES SHALL INCLUDE, BUT IS NOT LIMITED TO MOWING, IRRIGATING AND KEEPING THE AREA FREE OF DEBRIS.

THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION IS RESPONSIBLE TO KEEP OPEN AND CLEAN RELATED STORMWATER PIPES AND/OR STRUCTURES; REPLACEMENT OF DRAINAGE FACILITIES AS NEEDED; REMOVING AND DISPOSING OF THE SOIL AND GRASS SOD LOCATED IN DRAINAGE FACILITIES SITUATED WITHIN EASEMENTS ON PRIVATE LOTS AT SUCH TIME SPOKANE COUNTY DEEMS NECESSARY, AND REPLACING THE SOIL AND GRASS SOD. 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) OR THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION TO PROPERLY MAINTAIN SUCH AREAS. SPOKANE COUNTY IS ONLY RESPONSIBLE FOR MAINTAINING THE STORMWATER STRUCTURES LOCATED WITHIN THE PUBLIC ROW AS SHOWN IN THE FINAL PLAT DOCUMENTS. THE PROPERTY OWNER(S) AND/OR WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR PAYMENT OF ALL CLAIMS AND OTHER LIABILITIES, WHICH MAY BECOME DUE FOR SAID MAINTENANCE RESPONSIBILITIES.

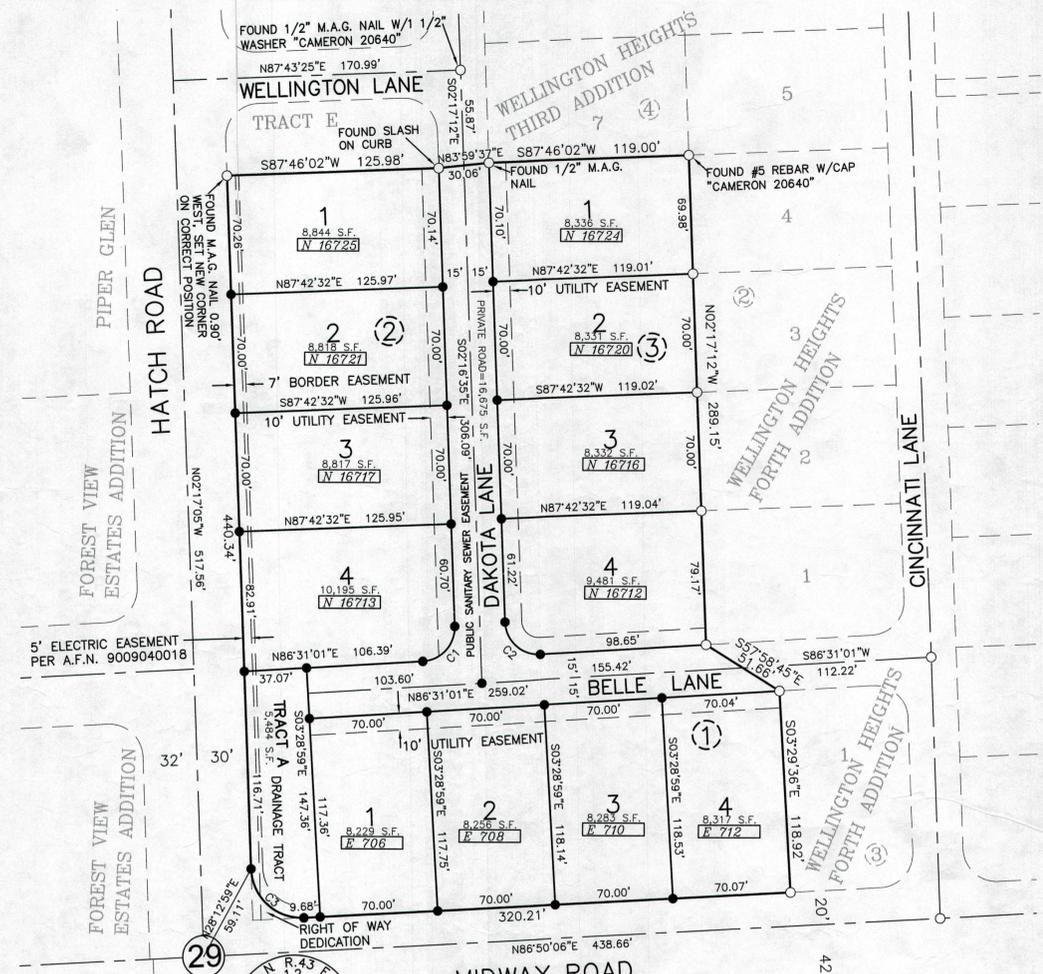
THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION OR ITS SUCCESSORS IN INTEREST SHALL MAINTAIN ALL DRAINAGE FACILITIES LOCATED IN THE PRIVATE TRACTS OR COMMON AREAS IN CONFORMANCE WITH THE ACCEPTED PLANS AND THE OPERATIONS AND MAINTENANCE MANUAL AS PREPARED BY THE DESIGN ENGINEER, MOUNTAIN CREST ENTERPRISES, BOTH OF WHICH ARE ON FILE AT THE SPOKANE COUNTY ENGINEER'S OFFICE. MAINTENANCE OF DRAINAGE FACILITIES INCLUDES, BUT IS NOT LIMITED TO, KEEPING OPEN AND CLEANING STORMWATER PIPES, STRUCTURES, DITCHES, DRAINAGE PONDS, SWALES; REPLACEMENT OF DRAINAGE FACILITIES AS NEEDED; MAINTAINING LIVE NATIVE-TYPE DRYLAND GRASSES OR LAWN TURF IN THE POND FACILITIES 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; MOWING, IRRIGATING AND KEEPING THE AREA FREE OF DEBRIS; REMOVING AND DISPOSING OF THE SOIL AND GRASS SOD LOCATED IN DRAINAGE FACILITIES SITUATED WITHIN TRACTS OR COMMON AREAS AT SUCH TIME SPOKANE COUNTY DEEMS NECESSARY, AND REPLACING THE SOIL AND GRASS SOD. THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ALL CLAIMS AND OTHER LIABILITIES, WHICH MAY BECOME DUE FOR SAID MAINTENANCE RESPONSIBILITIES.

IF THE WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION, OR THEIR SUCCESSORS IN INTEREST, FAILS TO MAINTAIN THE DRAINAGE FACILITIES IN CONFORMANCE WITH THE ACCEPTED DRAINAGE PLANS AND THE OPERATIONS AND MAINTENANCE MANUAL AS PREPARED BY THE DESIGN ENGINEER ON FILE AT THE SPOKANE COUNTY ENGINEER'S OFFICE, A NOTICE OF SUCH FAILURE MAY BE GIVEN TO THE WELLINGTON HEIGHTS THIRD ADDITION 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 WELLINGTON HEIGHTS THIRD ADDITION HOMEOWNERS ASSOCIATION, OR THEIR SUCCESSORS IN INTEREST.

SHOULD THE WELLINGTON HEIGHTS THIRD ADDITION 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 WELLINGTON HEIGHTS THIRD ADDITION 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 AT ALL TIMES HEREINAFTER, AT THE TIME OF SALE OF THE PROPERTY, SHALL BE BINDING UPON THE OWNER(S), THEIR HEIRS, SUCCESSORS AND ASSIGNS, INCLUDING THE OBLIGATION TO PARTICIPATE IN THE MAINTENANCE OF THE DRAINAGE FACILITIES PROVIDED HEREIN.

THE PRIVATE ROADS KNOWN AS BELLE AND DAKOTA LANES ARE GRANTED AS A PERPETUAL EASEMENT TO SPOKANE COUNTY, ITS SUCCESSORS AND ASSIGNS FOR THE SOLE PURPOSE OF CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, REPAIRING, ALTERING, REPLACING, REMOVING, AND ALL OTHER USES OR PURPOSES WHICH ARE OR MAY BE RELATED TO A SEWER SYSTEM. SPOKANE COUNTY, ITS SUCCESSORS AND ASSIGNS AT ALL TIMES HEREINAFTER, AT THEIR OWN COST AND EXPENSE, MAY REMOVE ALL CROPS, BRUSH, GRASS OR TREES THAT MAY INTERFERE WITH THE CONSTRUCTING, INSTALLING, OPERATING, MAINTAINING, REPAIRING, ALTERING, REPLACING, REMOVING AND ALL OTHER USES OR PURPOSES WHICH ARE OR MAY BE RELATED TO A SEWER SYSTEM. THE GRANTOR(S) RESERVES THE RIGHT TO USE AND ENJOY THAT PROPERTY WHICH IS THE SUBJECT OF THIS EASEMENT FOR PURPOSES WHICH WILL NOT INTERFERE WITH THE COUNTY'S FULL ENJOYMENT OF THE RIGHTS HEREBY GRANTED; PROVIDED, THE GRANTOR(S) SHALL NOT ERRECT OR CONSTRUCT ANY BUILDING OR OTHER STRUCTURE OR DRILL ON THE EASEMENT, OR DIMINISH OR SUBSTANTIALLY ADD TO THE GROUND COVER OVER THE EASEMENT. THE EASEMENT DESCRIBED HEREIN ABOVE IS TO AND SHALL RUN WITH THE LAND.



## NOTES

- 1) THIS SURVEY WAS BASED ON A TITLE REPORT PREPARED BY SPOKANE COUNTY TITLE COMPANY ORDER #SP16539, DATED JUNE 28, 2018
- 2) THIS PROPERTY MAY BE SUBJECT TO AN EASEMENT FOR SEWER IN FAVOR OF THE MEAD SCHOOL DISTRICT PER DOCUMENT 6321894 & 6321895 JULY 28, 2014.
- 3) THIS PROPERTY IS SUBJECT TO AN EASEMENT IN FAVOR OF WASHINGTON WATER POWER FOR A FIVE FOOT EASEMENT PER DOCUMENT #9009041118
- 4) THE BOUNDARY FOR THIS PLAT WAS PERFORMED ON APRIL 7, 2015.
- 5) THE RIGHT OF WAYS WERE CALCULATED PER ENGINEERS SECTION MAP ON FILE AT SPOKANE COUNTY.

## ACKNOWLEDGEMENT

IN WITNESS WHEREOF, THE AFORESAID OWNER HAS CAUSED HIS/HER NAME TO BE HERETO SUBSCRIBED THIS 24th DAY OF October, 2018.

WELLINGTON 3RD LLC, A WASHINGTON LIMITED LIABILITY COMPANY,  
 BY James Douglas ITS member

STATE OF WASHINGTON )  
 COUNTY OF SPOKANE ) SS

I CERTIFY THAT I KNOW OR THAT I HAVE SATISFACTORY EVIDENCE THAT Larice Dayless IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE/SHE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE/SHE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE USES AND PURPOSES STATED IN THE INSTRUMENT.

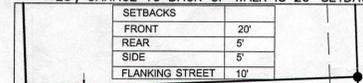
DATED THIS 24th DAY OF October, 2018.

William Adcock  
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT SPOKANE COUNTY, MY COMMISSION EXPIRES 10/12/2020

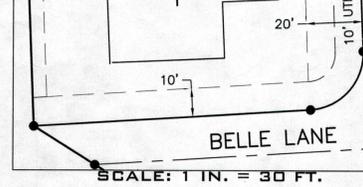
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE
C1	30.99'	20.00'	88°47'36"
C2	31.84'	20.00'	91°12'24"
C3	47.58'	30.00'	90°52'49"

## LOT SETBACK DETAIL (TYPICAL)

NOTE: ADD 1' TO REAR YARD SETBACK FOR EVERY 25', GARAGE TO BACK OF WALK IS 20' SETBACK



SCALE: 1 IN. = 30 FT.



LOCATION



SPOKANE COUNTY AUDITOR'S CERTIFICATE  
 FILED FOR RECORD THIS 17th DAY OF January 2019 AT 11:31 A.M., IN BOOK 42 OF PLATS AT PAGE 31 AT THE REQUEST OF WHIPPLE CONSULTING ENGINEERING.

SPOKANE COUNTY DEPARTMENT OF BUILDING & PLANNING  
 EXAMINED AND APPROVED THIS 14th DAY OF January 2019  
Sammy Jones  
 DEPARTMENT OF BUILDING AND PLANNING

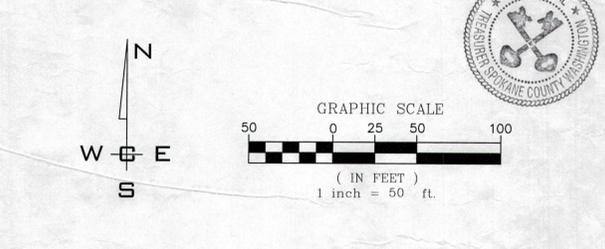
SPOKANE COUNTY PUBLIC WORKS DEPARTMENT  
 EXAMINED AND APPROVED THIS 8th DAY OF January 2019  
Chad Stiles  
 SPOKANE COUNTY ENGINEER

SPOKANE COUNTY ENVIRONMENTAL SERVICES  
 EXAMINED AND APPROVED THIS 28th DAY OF January 2019  
Erin Smith  
 SPOKANE COUNTY UTILITIES

SPOKANE REGIONAL HEALTH DISTRICT  
 EXAMINED AND APPROVED THIS 14th DAY OF January 2019  
Conor E. Allen  
 FOR SPOKANE REGIONAL HEALTH OFFICER

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 THE 17th DAY OF January 2019  
Mike Baumgardner by Shannon Wilson  
 SPOKANE COUNTY TREASURER, BY DEPUTY

SPOKANE COUNTY ASSESSOR  
 EXAMINED AND APPROVED THIS 14th DAY OF January 2019  
P. Paul Dewey  
 SPOKANE COUNTY ASSESSOR BY DEPUTY



BASIS OF BEARINGS  
 THE BASIS OF BEARING FOR THIS PLAT IS N86°50'06"E ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 29 AS SHOWN ON THE FINAL PLAT OF WELLINGTON HEIGHTS THIRD ADDITION AS RECORDED IN BOOK 30 OF PLATS, PAGES 84 & 85.

RECORD DOCUMENTS  
 (R1) FINAL PLAT OF WELLINGTON HEIGHTS THIRD ADDITION FILED IN BOOK 30 OF PLATS, PAGES 84 & 85.  
 (R2) RECORD OF SURVEY FILED IN BOOK 101 OF SURVEYS PAGE 49.  
 (R3) RECORD OF SURVEY FILED IN BOOK 17 OF SURVEYS PAGE 36.  
 (R4) FINAL PLAT OF WELLINGTON HEIGHTS FORTH ADDITION FILED IN BOOK 38 OF PLATS, PAGES 83 & 84.

EQUIPMENT & PROCEDURES  
 THIS SURVEY WAS PERFORMED WITH A TOPCON "HYPER V" RTK GPS SYSTEM AND A 5-SECOND TOPCON GPT 3005LW TOTAL STATION THEODOLITE USING FIELD TRAVELER PROCEDURES ACHIEVING MINIMUM CLOSURE STANDARDS PER WAC 332-130-090, WAC 332-130-100.

LEGEND  
 ● SET #4 REBAR & PLASTIC CAP OR NAIL & WASHER, AS APPLICABLE, MARKED "WCE LS 43610"  
 ○ FOUND #4 REBAR WITH PLASTIC CAP MARKED "WCE LS 43610" UNLESS OTHERWISE NOTED

LOT ADDRESS  
N 7237th LOT ADDRESS

## SURVEYOR'S CERTIFICATE

I, JON A. GORDON, 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 DIRECTION; 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 TO THE REQUIREMENTS OF THE COUNTY OF SPOKANE SUBDIVISION ORDINANCE.

JON A. GORDON, P.L.S. CERTIFICATE NO. 43610  
 DATE: 10/19/18

COUNTY OF SPOKANE  
 FILE NO. PN-1908-02

FD BK: 63,1179,1762	CIVIL		SHEET 1 OF 1
DATE: 10/16/18	STRUCTURAL		
DRAWN: JAG/BAG	SURVEYING		
REVIEWED: JAG	TRAFFIC		
	PLANNING		
	LANDSCAPE	WHIPPLE CONSULTING ENGINEERS 21 SOUTH PINES ROAD SPOKANE VALLEY, WA 99206 PH: 509-893-2617 FAX: 509-928-0227	JOB NUMBER 15-1426