

FINAL PLAT OF WEST TERRACE FIFTH ADDITION, PHASE II A PORTION OF THE NE 1/4 OF SECTION 18, TOWNSHIP 24 NORTH, RANGE 42 EAST W.M., SPOKANE COUNTY, WASHINGTON MARCH, 2019 PW-2040-14

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 8th DAY OF APRIL 2019 AT 11:44 A.M. IN BOOK 41 OF PLATS AT PAGE 1-2 AT THE REQUEST OF ADAMS & CLARK, INC.

(Signed) [Signature] County Auditor

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Frank Freeze, Inc., a Delaware Corporation, have caused to be platted into Lots, Blocks, Tracts, and Public Streets, the land shown hereon to be known as West Terrace Fifth Addition Phase II, being a parcel of land described as follows:

That portion of the NE1/4 of Section 18, Township 24 North, Range 42, East. W. M., Spokane County, Washington, lying northeasterly of the Alteration to the final plat of West Terrace Fifth Addition, filed in Book 39 of Plats at Pages 68 and 69, hereinafter referred to as "Plat" and west of Thomas Mallen Road, described as follows:

Beginning at the northeast corner of said Section 18; thence southerly along the east line of said NE1/4 of Section 18, and the centerline of said Thomas Mallen Road, S02°30'24"E 601.48 feet; thence leaving the east line of said NE1/4 of Section 18 and centerline of Thomas Mallen Road, S87°29'36"W 30.00 feet to a point on the west right-of-way line of Thomas Mallen Road being the TRUE POINT OF BEGINNING; thence southerly along said west right-of-way line, S02°30'24"E 799.42 feet to a point on the north line of said Tract A of said "Plat" projected easterly; thence S87°29'36"W 10.00 feet along the projected north line of said Tract A to the northeast corner of said Tract A; thence continuing along the north line of said Tract A the following three (3) courses: 1. S87°29'36"W 20.00 feet; 2. S54°29'23"W 376.15 feet; 3. S62°26'22"W 124.67 feet to the southeast corner of Lot 13 Block 2 of said "Plat"; thence along the east line of said Lot 13, N19°36'39"W 182.25 feet to the northeast corner of said Lot 13; thence along the east line of Lot 7 Block 3 of said "Plat", N12°42'10"W 50.45 feet to the southeast corner of Lot 6 Block 3 of said "Plat"; thence along the east line of said Lot 6 Block 3 and the east line of Tract B, a private road also known as Masters Lane, N11°17'56"W 215.63 feet; thence along the north line of said Tract B, S66°47'48"W 37.05 feet to the point of curve of a 187.00 foot radius curve to the right; thence continuing along the north line of said Tract B and the arc of said curve, through a central angle of 113°5'47", 37.85 feet to the southeast corner of Lot 2 Block 3 of said "Plat"; thence along the east line of said Lot 2 Block 3 and the east line of Lot 7 Block 1 of said "Plat", N10°09'41"W 226.56 feet to the northeast corner of said Lot 7 Block 1; thence along the north line of said Lot 7 Block 1 and the north right-of-way line of Floyd Drive, S74°46'30"W 37.21 feet to the southeast corner of Lot 6 Block 1 of said "Plat"; thence along the east line of said Lot 6 Block 1, N06°06'41"W 161.89 feet to the northeast corner of said Lot 6 Block 1; thence along the south line of Lot 8 Block 6 of West Terrace Addition filed in Book 18 of Plats at Page 10, N89°58'52"E 90.59 feet to the southerly corner common to lots 8 and 9 Block 6 of said West Terrace Addition; thence along the south line and the south line projected of Lot 9 Block 6 of said West Terrace Addition, N77°21'11"E 214.33 feet; thence leaving said south line projected, N54°58'35"E 140.27 feet; thence N42°33'43"E 220.67 feet; thence N87°29'36"E 125.71 feet to the TRUE POINT OF BEGINNING.

Containing 10.94 acres.

This plat is approved for single family dwellings only.

They do hereby dedicate to public use forever the street rights-of-way shown within the boundary of this plat.

The owners of all lots within this subdivision shall be members of the West Terrace Fifth Addition Homeowners Association (WTFAHOA) created August 17, 2016 by the Secretary of State of the State of Washington under U.B.I. Number 604023976 and subject to the Articles of Incorporation and Bylaws thereof.

This plat is restricted by the terms of the Declaration Establishing Covenants, Conditions, and Restrictions for West Terrace Fifth Addition as recorded July 30, 2019 under Auditor's Document No. 6729178, which by reference is made a part hereof.

Setbacks shall be determined at the time of Building Permit issuance.

No direct access shall be allowed from lots to Thomas Mallen Road until such time as authorized by the County Engineer.

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 system, pursuant to the Water Plan approved by County and State health authorities, the local fire protection district, the County Building and Planning Department, and the 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.

Utility easements adjoining the rights-of-way of Champion Drive and Floyd Drive, as shown hereon, for electric, gas, phone, fiber, cable, are hereby dedicated for the use of serving utility companies for the construction, reconstruction, maintenance, protection, inspection and operation, of their respective facilities. Said companies reserve the right to prohibit the placement of brick, rock, or other masonry structures within the easement area which may interfere with said utilities and to prohibit, trim, or remove trees, bushes and landscaping without compensation within easement area. Storm-drain drywells and water meter boxes shall not be allowed in utility easement areas; however, lateral crossings by water, sewer, and storm drain lines are permitted. Serving utilities also reserve the right to cross border/sidewalk easements and common areas. If the developer or subcontractor should ditch beyond the limits of the platted easement strips shown hereon, the easement shall then be identified by the actual physical location of the installed utilities, except said easement shall not encroach on any border easements shown hereon.

Tracts A, B, C, D and E, as shown on this plat, are hereby dedicated to the West Terrace 5th Addition Homeowners Association created under State Document Number 604023976.

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, Tract E, is subject to the separate ROAD EASEMENT AND MAINTENANCE AGREEMENT as recorded September 27, 2017, under Auditor's Document No. 6643697 which by reference is made a part hereof.

TRACT E IS HEREBY DEDICATED TO THE WEST TERRACE 5TH ADDITION HOMEOWNERS ASSOCIATION (WTFAHOA) FOR THE PURPOSES OF CONVEYING STORMWATER RUNOFF AND FOR INSTALLING, OPERATING AND MAINTAINING DRAINAGE FACILITIES THAT DISPOSE OF STORMWATER RUNOFF.

In consideration of the approval by Spokane County of the Plat of West Terrace Fifth Addition (Spokane County Project No. P-2040, hereinafter referred to as the "plat"), undersigned covenants and agrees that:

Spokane County and its authorized agents are hereby granted the right to ingress and egress to, over and from all public and private drainage easements and Tracts 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 or the West Terrace Fifth Addition Homeowners Association. Spokane County does not accept the responsibility to inspect or maintain any drainage facilities and/or structures 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 owners 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 owners 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. 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.

Spokane County does not accept the responsibility of maintaining the drainage course on private lots or floodplain areas within 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 meet the minimum requirements as set forth in the current building code. 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 accepted plans on file at the Spokane County Engineer's Office. Any proposed changes to the accepted road and drainage plans must be accepted 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 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 that what is normally observed or anticipated. Because stormwater runoff from adjacent properties has discharged onto this plat prior to development, stormwater runoff will likely continue to do so after development.

If groundwater or mottled soil is encountered during basement excavation, it is Spokane County's recommendation that protective measures that meet the requirements of the current building code, with respect to dampproofing and waterproofing, be implemented as a part of the basement foundation construction.

The property owners within this plat shall maintain all natural drainage channels, drainage ditches, and water quality swales ('208' swales) situated on their respective properties, and any portion of a '208' swale situated in a public right-of-way adjacent to their respective properties, with a permanent ground cover as specified in the currently accepted plans on file at Spokane County's Engineer's Office. No structures, including fences, shall be constructed directly over or within a '208' swale 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 WTFAHOA or its successors in interest shall maintain all drainage facilities, located in common areas, easements and Tracts, 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 stormwater pipes, structures, ditches, drainage ponds, swales; replacement of drainage facilities as needed; and maintaining live native-type dryland grasses or lawn turf in the drainage facilities located in drainage easements, 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 accepted plans. The WTFAHOA is also responsible for removing and disposing of the soils 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. The WTFAHOA shall be responsible for payment of all claims and other liabilities which may become due for said maintenance responsibilities.

If the WTFAHOA or their successors in interest, fail to maintain the drainage facilities in conformance with the accepted drainage plans and the Operations and Maintenance Manual, on file at the Spokane County Engineer's Office, a notice of such failure may be given to the WTFAHOA 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 WTFAHOA or their successors in interest.

Should the WTFAHOA 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 WTFAHOA at the time of said termination. The successors in interest shall share equally in the responsibility and cost of maintaining said drainage facilities.

The private roads, 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.

This covenant and agreement shall run with the land in perpetuity, and shall be binding upon the owner, their heirs, successors and assigns, including the obligation to participate in the maintenance of the drainage facilities as provided herein.

All Lots within this Plat contain erodible soils

No basements shall be allowed on any residence within this plat until such time as a basement study prepared by a Geotechnical Engineer.

This property is located in close proximity to Fairchild Air Force Base and is routinely subject to military aircraft overflight activity; occupants may experience inconvenience, annoyance or discomfort from noise, smell or other effects of military aircraft activities.

All or part of the land shown hereon is subject to:

- 1) An Avigation Easement and the terms and conditions thereof recorded April 11, 1969, as Auditor's Document No. 420133C.
2) An easement and the terms and conditions thereof recorded October 11, 1985, as Auditor's Document No. 8510110215.
3) An easement and the terms and conditions thereof recorded May 15, 1986, as Auditor's Document No. 8605150383.
4) An easement and the terms and conditions thereof recorded October 27, 2006, as Auditor's Document No. 5453073.
5) An easement and the terms and conditions thereof recorded September 1, 1993, as Auditor's Document No. 9309010371.
6) An Avigation Easement and the terms and conditions thereof recorded December 14, 2016 as Auditor's Document No. 6562826.

IN WITNESS WHEREOF I have set my hand:

Frank Freeze, Inc. A Delaware Corporation,

by [Signature]

Title: AUTHORIZED AGENT

ACKNOWLEDGMENT

STATE OF Washington COUNTY OF Spokane

On this 12 day of March 2019, before me personally appeared Charles Klar, to me known to be the President of Frank Freeze, Inc., a Delaware Corporation that executed the within and foregoing instrument, and acknowledged said instrument to be their free and voluntary act and deed for the uses and purposes therein mentioned and stated on oath that he is authorized to execute said instrument. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Notary Public in and for the State of Washington residing in Spokane County My commission expires May 17, 2020



SPOKANE COUNTY PUBLIC WORKS DEPARTMENT

Examined and approved this 4th day of April 2019.

[Signature] Spokane County Engineer

SPOKANE REGIONAL HEALTH DISTRICT

Examined and approved this 2nd day of April 2019.

[Signature] Spokane Regional Health Officer

SPOKANE COUNTY DIRECTOR OF ENVIRONMENTAL SERVICES

Examined and approved this 3rd day of April 2019.

[Signature] Spokane County Director of Environmental Services

SPOKANE COUNTY ASSESSOR

Examined and approved this 8th day of April 2019.

[Signature] Spokane County Assessor

SPOKANE COUNTY BUILDING AND PLANNING DEPARTMENT

Examined and approved this 4th day of April 2019.

[Signature] Spokane County Department of Building & Planning

SPOKANE COUNTY TREASURER

I, Treasurer of Spokane County, Washington, do hereby certify that all taxes which have been levied and become chargeable against the land shown within this map and described in the dedication of this plat, have been fully paid, satisfied, and discharged. Dated this 8 day of April 2019.

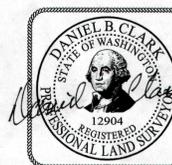
[Signature] Spokane County Treasurer



SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Spokane County Subdivision Ordinance.

[Signature] Daniel B. Clark Registered Professional Land Surveyor



FINAL PLAT OF WEST TERRACE FIFTH ADDITION, PHASE II A PORTION OF THE NE 1/4 OF OF SECTION 18, TOWNSHIP 24 NORTH, RANGE 42 EAST W.M., SPOKANE COUNTY, WASHINGTON MARCH, 2019 PW-2040-14

AUDITOR'S CERTIFICATE

6795417 BOOK 41 of PLATS AT PAGE 1-2

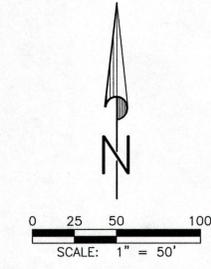
NE SECTION CORNER COUNTY ENGINEER'S CORNER NO. 1375 FOUND 3/4" IRON PIPE PER SR4, SR5, SR6, SR8 & SR11, WITH NO ID, 1.0' BELOW SURFACE ON CENTERLINE OF THOMAS MALLEN ROAD

REFERENCE POINTS A) FOUND SMALL NAIL AND BROKEN 3/4" BRASS TAG IN AN OLD BLAZE ON THE EAST SIDE OF A 30" YELLOW PINE PER SR11, SR6 & SR8, S18'W 85.46' B) FOUND A TACK & 3/4" BRASS TAG MARKED "A&C INC. 12904" IN THE CENTERLINE OF AN OLD BLAZE ON THE SOUTH FACE OF A 36" PINE PER SR11, N64'W 21.00'

Table with columns: CURVE, DELTA ANGLE, RADIUS, ARC LENGTH, CHORD BEARING, CHORD LENGTH. Lists curves C1 through C15 with their respective measurements.

Table with columns: LINE, BEARING, DISTANCE. Lists line L1 with bearing N87°29'36"E and distance 40.00'.

Table with columns: RADIAL, BEARING. Lists radials R1 through R8 with their respective bearings.



LEGEND

- SET 1/2" REBAR W/YPC MARKED "A&C INC. 12904"
SET 5/8" REBAR W/YPC MARKED "A&C INC. 12904"
FOUND 1/2" REBAR W/YPC MARKED "A&C INC. 12904" PER SR14, UNLESS SHOWN OTHERWISE
COMPUTED POINT, NOTHING FOUND OF SET
TPOB = TRUE POINT OF BEGINNING
YPC = YELLOW PLASTIC CAP
(R) = RADIAL
SECTION CORNER

SURVEY REFERENCES:

- SR1 = Record of Survey, Book 13 Page 13
SR2 = Plat of Four Lakes Golf & Country Club Subdivision No. 1, Volume 9 Page 64
SR3 = Land Corner Record, ADN 7909210032
SR4 = Record of Survey, Book 37 Page 8
SR5 = Record of Survey, Book 48 Page 13
SR6 = Plat of West Terrace First Addition, Volume 22 Page 51
SR7 = Record of Survey, Book 64 Page 6
SR8 = Record of Survey, Book 104 Page 54
SR9 = Record of Survey, Book 105 Page 10
SR10 = Record of Survey, Book 107 Page 67
SR11 = Plat of West Terrace Third Addition, Volume 30 Pages 99-103
SR12 = Plat of Foxtail Estates, Volume 33 Pages 83 & 84
SR13 = Plat of Takoda Park, Volume 33 Page 93
SR14 = Final Plat of West Terrace Fifth Addition, Book 18, Page 10

BASIS OF BEARINGS:

N02°30'24"W between found monuments at the intersection of Melville Road and Thomas MalLEN Road and the northeast corner of Section 18 per SR14.

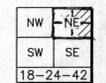
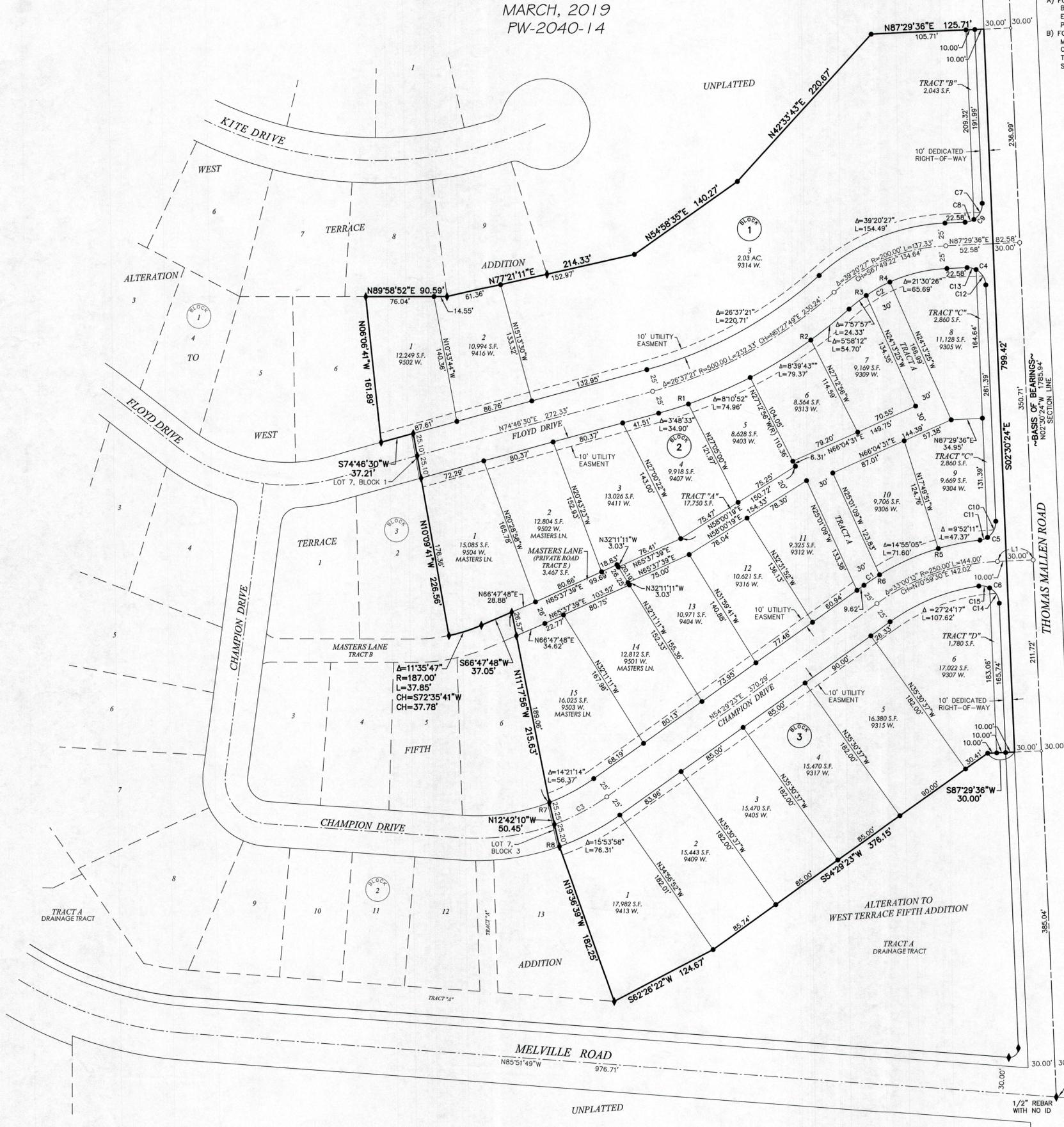
EQUIPMENT AND PROCEDURES:

This survey was performed with a 1 second total station theodolite using field traverse procedures, and using Global Positioning System (GPS) equipment with 5 mm. + 1 ppm. accuracy.

SURVEYOR'S NOTE:

1. The field control for this survey was performed, and the corners shown as found hereon were located, between January 2014 and July 2016.

TOTAL PLAT AREA: 10.94 ACRES
RIGHT-OF-WAY DEDICATION: 1.64 ACRES



Logo for Adams & Clark, Inc. with address: 1720 W. Fourth Ave., Spokane, WA 99201-5302. Phone: (509) 747-4600. Website: www.adamsandclark.com. Project No. 2017-01-034.

171034-PL-DWG.dgn 04-01-2019