



After Recording Return To: Spokane County Engineer  
Attn.: Development Services Department

County Road File No. RF2420  
Document Title: *Drainage Easement*  
Grantor(s): *West Terrace Joint Venture*  
Grantee(s): *Government, County of Spokane and the West Terrace Addition Homeowner's Association*  
Abbreviated Legal Description: Portion of SE¼ of Section 7, Township 24N., Range 42 E., W.M., Spokane County, WA.  
Legal Description: *See Attached Exhibits 1 through 6.*  
Assessor's Tax Parcel Number: *A portion of Parcel No. 24074.9070 SE¼ S7,T24N,R42,E, W.M. 5185118*

SPOKANE COUNTY DIVISION OF ENGINEERING  
Spokane County, Washington

**DRAINAGE EASEMENT**

IN THE MATTER OF *West Terrace 3<sup>rd</sup> Addition PUD* (Spokane County Project No. P1856, hereinafter referred to as the "project")

KNOW ALL MEN BY THESE PRESENTS, that the Grantor(s), West Terrace Joint Venture, for and in consideration of Mutual Benefits, the receipts of which is hereby acknowledged, grants to Spokane County, a political subdivision of the State of Washington, the Fairway Golf Course (TFGC), and the West Terrace Third Addition Homeowners Association (WTTAHOA) an Easement over, upon, and across the temporary turnaround and drainage area, legally described in the attached Exhibit 1 and shown on Exhibits 2 through 5.

The Easement granted to Spokane County, its authorized agents, TFGC, and the WTTAHOA, is for the purpose of allowing post-developed (volume and rates) stormwater drainage and/or runoff over and across the above-described lands, including but not limited to disposal into the drainage facilities located within the same above-described lands. The Grantor(s) and/or their successors in interest hereby agree not to obstruct, artificially collect or discharge the flow across or adjacent to the above described lands. The Grantor(s) and/or their successors in interest agree that Spokane County accepts no responsibility for maintaining this Easement. The Easement grants to Spokane County, it's authorized agents, TFGC, and the WTTAHOA, the right of ingress and egress to, over, and from said Easement for the purpose of inspection and emergency maintenance of drainage facilities.

R. E. Excise Tax Exempt  
Date: *March 1* 2005  
Spokane County Treas.  
By: *[Signature]*



TFGC has entered into an agreement with WTTAHOA, accepting the maintenance and operation of all of this easement area including all drainage ponds and pumping systems, golf course access paths, and subdivision entrance areas. The maintenance includes but shall not be limited to cleaning the outlet structures, pipes, repairs of irrigation systems, repairs of entrance lighting systems, operation and repair of all drainage pumping stations and systems, removing and disposing of the soil and grass sod at such time Spokane County deems necessary, removing debris, 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, replacing the soil and grass sod, fertilizing and weeding of landscaped areas.

Maintenance and operation shall be according to the Operation and Maintenance Manual prepared by Adams & Clark, Inc. With this agreement, TFGC has accepted the perpetual maintenance of said facilities and areas and the increase in post developed runoff volumes and rates. Further TFGC also has accepted the responsibility for property damage due to improper maintenance or operation of said facilities and shall be responsible for payment of all claims and other liabilities, which may become due for failure to perform said maintenance responsibilities. This agreement is perpetual and was recorded on 3-1-05, the Auditor Recording Number is 5185118. In exchange, WTTAHOA is responsible to pay FMLLC an annual fee on the 1<sup>st</sup> Day of May of each year. Spokane County does not accept any liability for any failure by TFGC to properly operate and maintain said facilities. The grantors, WTTAHOA, the property owners, or their successors in interest shall coordinate directly with TFGC any claims or damages that may arise from said maintenance responsibilities.

The Grantor(s) hereby accept complete and total responsibility for the construction of all related drainage facilities located within this Easement per the accepted road and drainage plans on file in the office of the Spokane County Engineer, including but limited to all drainage facilities necessary to convey, direct or route the stormwater runoff to said drainage facility or facilities.

If the Grantor(s), TFGC, WTTAHOA, and/or their successors in interest fail to maintain the facilities, a notice of such failure may be given to the Grantor(s) and/or their successors in interest. 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 Grantor(s) and/or their successors in interest.

The Grantor(s), TFGC, WTTAHOA and/or their successors in interest hereby release Spokane County, and all of its officers, employees and agents from any responsibility or liability for any damage whatsoever including inverse condemnation by or to any and all persons or property arising out of or in any way incident to or attributable to the storm drainage within the Easement.

This Easement described hereinabove is to and shall run with the land. No modification of the boundaries of said Easement can be made without prior approval of Spokane County.



IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal(s) this  
24<sup>th</sup> day of February, 2005

West Terrace Joint Venture

By: Charles R. Klar  
Charles R. Klar, \_\_\_\_\_

STATE OF Arizona  
COUNTY OF Maricopas

I certify that I know or have satisfactory evidence that Charles R. Klar, is the individual who appeared before me, and said individual acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledges it as the President of West Terrace Joint Venture to be the free and voluntary act of such party, for the uses and purposes mentioned in the instrument.

Dated this 24<sup>th</sup> day of February, 2005

Tammi M. Sumrall

NOTARY PUBLIC  
In and for the State of Arizona,  
residing at Scottsdale, AZ.  
My appointment expires 3-12-05.



Unofficial Document



EXHIBIT 1

Legal Descriptions  
of  
"Off-Site Drainage Easements  
to serve the Plat of West Terrace Third Addition, PUD

Easement "A"

That portion of the SE1/4 of Section 7, Township 24 North, Range 42 East, W.M., Spokane County, Washington, described as follows:

Beginning at the northwest corner of Lot 1 Block 3 of West Terrace First Addition, according to the plat recorded in Book 22, Pages 50 and 51, from which the northeast corner of said Lot 1 bears S78°02'27"E; thence N18°40'29"E 279.51 feet; thence N23°57'45"E 295.47 feet; thence N26°42'10"E 251.35 feet; thence N19°18'33"E 150.62 feet to the TRUE POINT OF BEGINNING, a point on a 20.00 foot radius non-tangent curve, the center of circle of which bears N43°12'07"W; thence along the arc of said curve, through a central angle of 83°53'25", 29.28 feet to the point of reverse curve of a 15.00 foot radius curve, the center of circle of which bears S40°41'18"W; thence along the arc of said curve through a central angle of 99°14'11", 25.98 feet to the point of tangent; thence S31°27'07"W 31.20 feet to the point of curve of a 60.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 80°28'48", 84.28 feet to the point of tangent; thence N68°04'05"W 6.83 feet; thence S21°28'14"W 43.40 feet; thence S37°42'04"W 76.64 feet; thence S28°18'43"W 33.74 feet to the point of curve of a 50.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 21°58'15", 19.17 feet to the point of tangent; thence S50°16'58"W 36.51 feet to the point of curve of a 50.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 42°10'52", 36.81 feet to the point of tangent; thence N87°32'10"W 43.47 feet to the point of curve of a 40.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 38°44'11", 27.04 feet to the point of tangent; thence N48°47'59"W 108.38 feet; thence N29°39'54"W 30.64 feet to the point of curve of a 100.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 73°52'05", 128.92 feet to the point of tangent; thence N44°12'11"E 60.66 feet; thence N49°02'22"E 49.96 feet to the point of curve of a 100.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 20°46'20", 36.25 feet to the point of tangent; thence N69°48'42"E 15.00 feet to the point of curve of a 30.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 54°50'44", 28.72 feet to the point of tangent; thence S55°20'34"E 57.45 feet; thence N83°42'26"E 42.62 feet; thence N63°44'32"E 47.36 feet to the point of curve of a 40.00 foot radius curve to the right; thence along the arc of said curve through a central angle of 111°54'32", 78.13 feet to the point of cusp of a 50.00 foot radius non-tangent curve, the center of circle of which bears S65°50'09"E; thence northeasterly along the arc of said curve through a central angle of 54°32'39", 47.60 feet; thence S60°25'52"E, on a non-tangent line, 18.62 feet to a point on a 90.00 foot radius non-tangent curve to the right, the center of circle of which bears S04°19'04"E; thence along the arc of said curve through a central angle of 48°57'19", 76.90 feet; thence S19°18'33"W, non-tangent line, 48.92 feet to the TRUE POINT OF BEGINNING.

Containing 2.19 acres



**Easement "B"**

That portion of the NW1/4 of the SE1/4 of Section 7, Township 24 North, Range 42 East, W.M., Spokane County, Washington, described as follows:

Beginning at the northwest corner of Lot 1 Block 3 of West Terrace First Addition, according to the plat recorded in Book 22, Pages 50 and 51, from which the northeast corner of said Lot 1 bears S78°02'27"E; thence N18°40'29"E 279.51 feet; thence N23°57'45"E 295.47 feet; thence N26°42'10"E 251.35 feet; thence N19°18'33"E 279.68 feet; thence N71°49'12"W 330.10 feet; thence S74°01'49"W 342.29 feet; S81°34'35"W 85.64 feet to the TRUE POINT OF BEGINNING; thence S52°16'14"E 37.15 feet; thence S07°27'01"E 184.96 feet; thence S82°32'59"W 165.64 feet; thence N12°10'17"W 10.07 feet; thence N67°14'17"W 19.81 feet; thence N82°32'59"E 163.59 feet; thence N07°27'01"W 156.71 feet; thence N52°16'14"W 37.18 feet; thence N07°16'14"W 10.78 feet; thence N89°50'28"E 20.16 feet to the TRUE POINT OF BEGINNING;

Containing 7,478 square feet.

**Easement "C"**

That portion of the NW1/4 of the SE1/4 of Section 7, Township 24 North, Range 42 East, W.M., Spokane County, Washington, described as follows:

Beginning at the northwest corner of Lot 1 Block 3 of West Terrace First Addition, according to the plat recorded in Book 22, Pages 50 and 51, from which the northeast corner of said Lot 1 bears S78°02'27"E; thence N18°40'29"E 279.51 feet; thence N23°57'45"E 295.47 feet; thence N26°42'10"E 251.35 feet; thence N19°18'33"E 279.68 feet; thence N71°49'12"W 330.10 feet; thence S74°01'49"W 342.29 feet; S81°34'35"W 85.64 feet; thence S89°50'28"W 427.59 feet to the TRUE POINT OF BEGINNING; thence continuing S89°50'28"W 62.79 feet; thence S64°35'10"W 187.44 feet; thence S37°18'43"W 167.33 feet to a point on a 44.20 foot radius non-tangent curve, the center of circle of which bears S74°02'53"E; thence southerly along the arc of said curve through a central angle of 132°17'02", 102.05 feet to the point of tangent; thence N63°40'05"E 82.33 feet; thence N56°52'56"E 90.58 feet; thence N68°04'35"E 27.82 feet; thence N35°33'35"E 45.63 feet; thence N45°07'26"E 51.65 feet; thence N35°29'28"E 55.37 feet; thence N11°32'39"E 35.36 feet; thence N22°07'27"W 17.03 feet to the TRUE POINT OF BEGINNING;

Containing 1.00 acres.

Unofficial Copy of Document

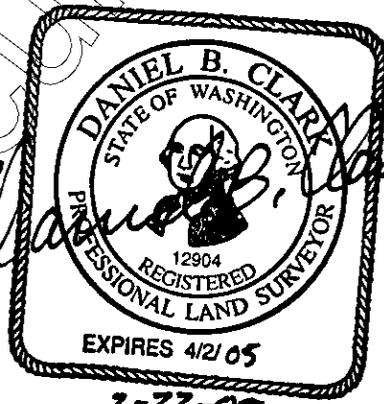


Easement "D"

That portion of the NW1/4 of the SE1/4 of Section 7, Township 24 North, Range 42 East, W.M., Spokane County, Washington, described as follows:

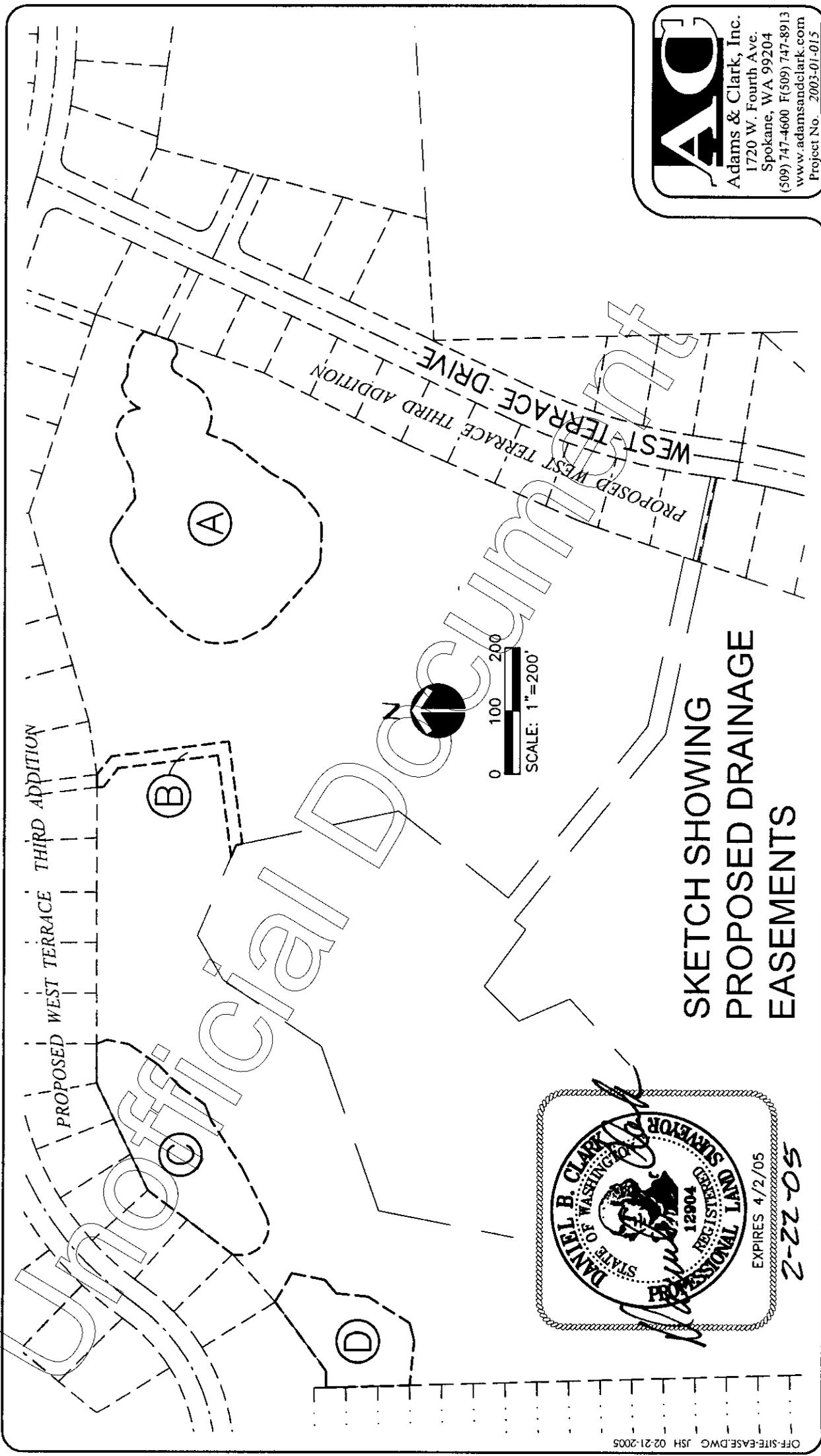
Beginning at the northwest corner of Lot 1 Block 3 of West Terrace First Addition, according to the plat recorded in Book 22, Pages 50 and 51, from which the northeast corner of said Lot 1 bears S78°02'27"E; thence N18°40'29"E 279.51 feet; thence N23°57'45"E 295.47 feet; thence N26°42'10"E 251.35 feet; thence N19°18'33"E 279.68 feet; thence N71°49'12"W 330.10 feet; thence S74°01'49"W 342.29 feet; S81°34'35"W 85.64 feet; thence S89°50'28"W 490.38 feet; thence S64°35'10"W 187.44 feet; thence S37°18'43"W 167.33 feet; thence S48°05'28"W 100.89 feet to the TRUE POINT OF BEGINNING; thence S53°25'05"W 133.75 feet; thence S88°17'41"W 26.66 feet; thence S01°42'21"E 130.64 feet; thence S84°09'29"E 69.24 feet; thence N75°57'24"E 29.50 feet; thence N32°12'39"E 77.62 feet; thence N05°41'14"E 49.57 feet; thence N48°32'44"E 27.99 feet; thence N11°25'20"E 52.52 feet; thence N60°00'46"W 51.96 feet to the TRUE POINT OF BEGINNING;

Containing 24,810 square feet.



Unofficial Document

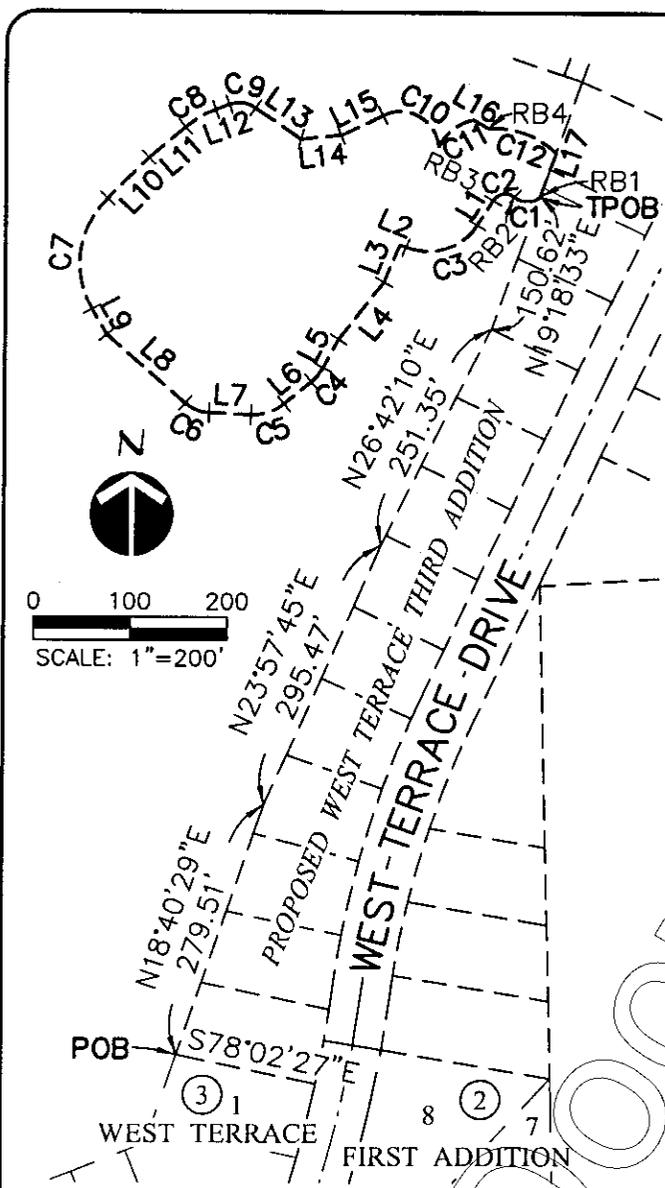
**AC**  
 Adams & Clark, Inc.  
 1720 W. Fourth Ave.  
 Spokane, WA 99204  
 (509) 747-4600 F(509) 747-8913  
 www.adamsandclark.com  
 Project No. 2003-01-015



**SKETCH SHOWING  
 PROPOSED DRAINAGE  
 EASEMENTS**

**DANIEL B. CLARK**  
 STATE OF WASHINGTON  
 12004  
 REGISTERED  
 PROFESSIONAL LAND SURVEYOR  
*[Signature]*  
 EXPIRES 4/2/05  
 2-22-05

OFF-SITE-EASE.DWG JSH 02-21-2005



### SKETCH SHOWING PROPOSED DRAINAGE EASEMENT A

POB = POINT OF BEGINNING  
 TPOB = TRUE POINT OF BEGINNING

LINE TABLE		
LINE	BEARING	LENGTH
L1	S31°27'07"W	31.20'
L2	N68°04'05"W	6.83'
L3	S21°28'14"W	43.40'
L4	S37°42'04"W	76.64'
L5	S28°18'43"W	33.74'
L6	S50°16'58"W	36.51'
L7	N87°32'10"W	43.47'
L8	N48°47'59"W	108.38'
L9	N29°39'54"W	30.64'
L10	N44°12'11"E	60.66'
L11	N49°02'22"E	49.96'
L12	N69°48'42"E	15.00'
L13	S55°20'34"E	57.45'
L14	N83°42'26"E	42.62'
L15	N63°44'32"E	47.36'
L16	S60°25'52"E	18.62'
L17	S19°18'33"W	48.92'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	20.00'	83°53'25"	29.28'	17.97'
C2	15.00'	99°14'11"	25.98'	17.64'
C3	60.00'	80°28'48"	84.28'	50.78'
C4	50.00'	21°58'15"	19.17'	9.71'
C5	50.00'	42°10'52"	36.81'	19.28'
C6	40.00'	38°44'11"	27.04'	14.06'
C7	100.00'	73°52'05"	128.92'	75.17'
C8	100.00'	20°46'20"	36.25'	18.33'
C9	30.00'	54°50'44"	28.72'	15.57'
C10	40.00'	111°54'32"	78.13'	59.20'
C11	50.00'	54°32'39"	47.60'	25.78'
C12	90.00'	48°57'19"	76.90'	40.97'

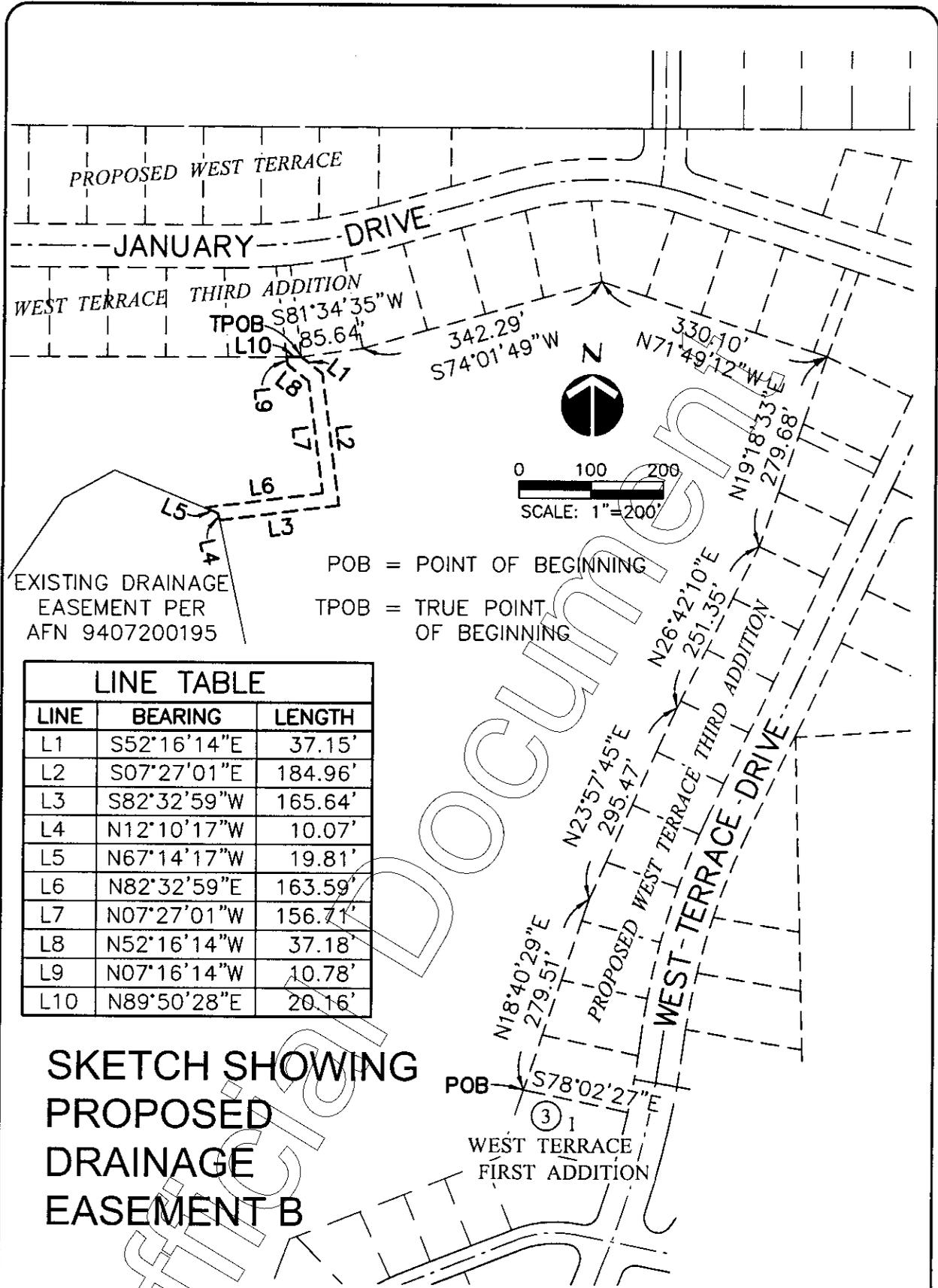
BEARING TABLE	
LINE	BEARING
RB1	N43°12'07"W
RB2	S40°41'18"W
RB3	S65°50'09"E
RB4	S04°19'04"E

OFF-SITE-EASE.DWG JSH 02-24-2005





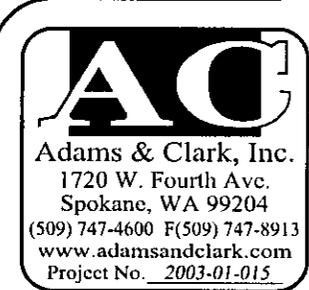
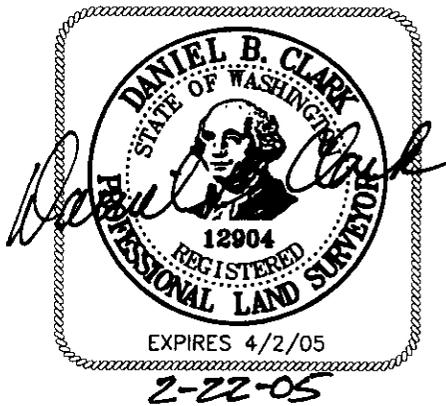
Adams & Clark, Inc.  
 1720 W. Fourth Ave.  
 Spokane, WA 99204  
 (509) 747-4600 F(509) 747-8913  
 www.adamsandclark.com  
 Project No. 2003-01-015



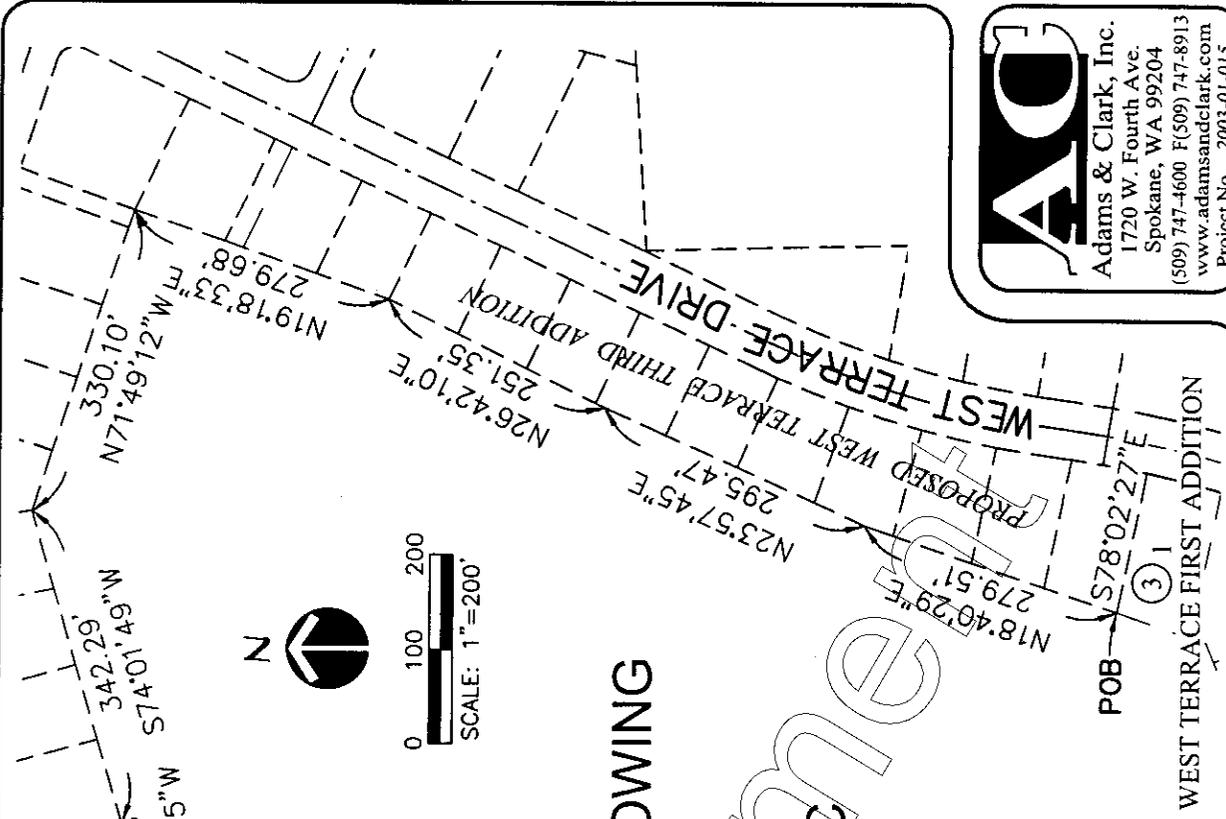
LINE TABLE		
LINE	BEARING	LENGTH
L1	S52°16'14"E	37.15'
L2	S07°27'01"E	184.96'
L3	S82°32'59"W	165.64'
L4	N12°10'17"W	10.07'
L5	N67°14'17"W	19.81'
L6	N82°32'59"E	163.59'
L7	N07°27'01"W	156.71'
L8	N52°16'14"W	37.18'
L9	N07°16'14"W	10.78'
L10	N89°50'28"E	20.16'

SKETCH SHOWING  
 PROPOSED  
 DRAINAGE  
 EASEMENT B

OFF-SITE-EASE.DWG JSH 02-21-2005



**AC**  
 Adams & Clark, Inc.  
 1720 W. Fourth Ave.  
 Spokane, WA 99204  
 (509) 747-4600 F(509) 747-8913  
 www.adamsandclark.com  
 Project No. 2003-01-015



**SKETCH SHOWING  
 PROPOSED  
 DRAINAGE  
 EASEMENT**

BEARING TABLE	
LINE	BEARING
RB1	S74°02'53"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°50'28"W	62.79'
L2	S64°35'10"W	187.44'
L3	S37°18'43"W	167.33'
L4	N63°40'05"E	82.33'
L5	N56°52'56"E	90.58'
L6	N68°04'35"E	27.82'
L7	N35°33'35"E	45.63'
L8	N45°07'26"E	51.65'
L9	N35°29'28"E	55.37'
L10	N11°32'39"E	35.36'
L11	N22°07'27"W	17.03'

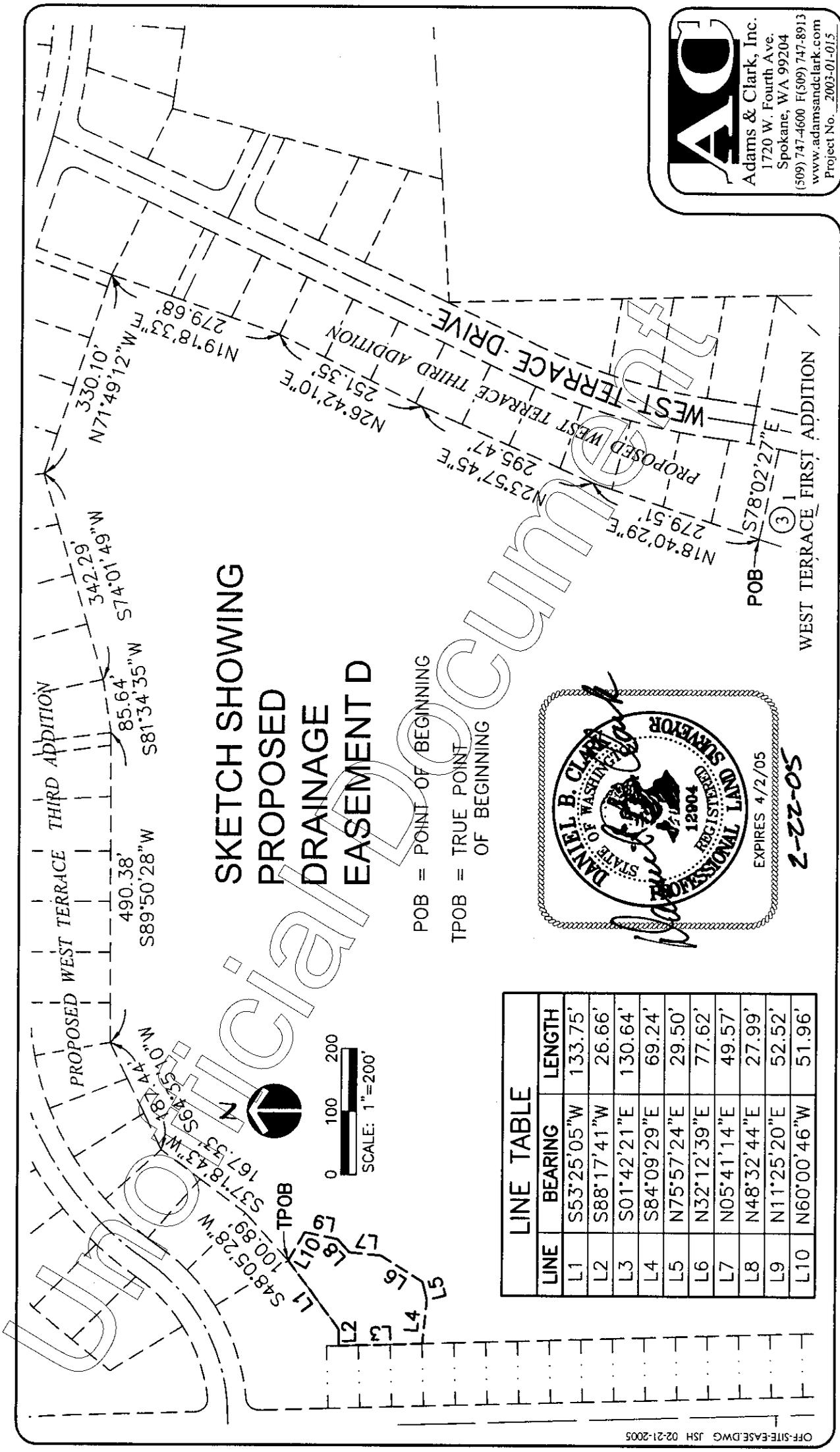
CURVE TABLE			
CURVE	RADIUS	DELTA	TANGENT
C1	44.20'	132°17'02"	99.95'

POB = POINT OF BEGINNING  
 TPOB = TRUE POINT OF BEGINNING

**DANIEL B. CLARK**  
 STATE OF WASHINGTON  
 12904  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 EXPIRES 4/2/05  
 2-22-05

OFF-SITE-EASE.DWG JSH 02-21-2005

**ACI**  
 Adams & Clark, Inc.  
 1720 W. Fourth Ave.  
 Spokane, WA 99204  
 (509) 747-4600 F(509) 747-8913  
 www.adamsandclark.com  
 Project No. 2003-01-015



**SKETCH SHOWING  
 PROPOSED  
 DRAINAGE  
 EASEMENT D**

POB = POINT OF BEGINNING  
 TPOB = TRUE POINT OF BEGINNING



2-22-05

LINE	BEARING	LENGTH
L1	S53°25'05"W	133.75'
L2	S88°17'41"W	26.66'
L3	S01°42'21"E	130.64'
L4	S84°09'29"E	69.24'
L5	N75°57'24"E	29.50'
L6	N32°12'39"E	77.62'
L7	N05°41'14"E	49.57'
L8	N48°32'44"E	27.99'
L9	N11°25'20"E	52.52'
L10	N60°00'46"W	51.96'