CITY HEIGHTS - PHASE 2

NE1/4 NW1/4 & NW1/4 NE1/4 & NE1/4 NE1/4 IN SEC. 27, T. 20 N., R. 15 E., W.M. KITTITAS COUNTY, WASHINGTON

DEDICATION

MY APPOINTMENT EXPIRES

KNOW ALL PERSONS BY THESE PRESENTS THAT CITY HEIGHTS HOLDINGS, LLC, THE UNDERSIGNED OWNER(S), IN FEE SIMPLE OF THE LAND HEREBY PLATTED, AND COPPER LEAF, LLC, THE MORTGAGEE THEREOF, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, AVENUES, PLACES AND PUBLIC EASEMENTS OR WHATEVER PUBLIC PROPERTY THERE IS SHOWN ON THE PLAT AND THE USE FOR ANY AND ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES. ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON LOTS, BLOCKS, TRACTS, ETC. SHOWN ON THIS PLAT IN THE REASONABLE ORIGINAL GRADING OF ALL THE STREETS, AVENUES, PLACES, ETC. SHOWN HEREON. ALSO, THE RIGHT TO DRAIN ALL STREETS OVER AND ACROSS ANY LOT OR LOTS WHERE WATER MIGHT TAKE A NATURAL COURSE AFTER THE STREET OR STREETS ARE GRADED. ALSO, ALL CLAIMS FOR DAMAGE AGAINST ANY GOVERNMENTAL AUTHORITY ARE WAIVED WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SAID ROADS.

TRACTS B THROUGH Q, AND TRACT S ARE HEREBY GRANTED AND CONVEYED TOGETHER WITH ALL MAINTENANCE OBLIGATIONS TO THE THE CITY HEIGHTS HOMEOWNERS ASSOCIATION (HOA).

TRACTS A, R AND T ARE FOR FUTURE DEVELOPMENT AND SHALL BE RETAINED BY CITY HEIGHTS HOLDINGS, LLC, A WASHINGTON LIMITED LIARLITY COMPANY

THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS SUBDIVISION HAVE ASSUMED COMMON OWNERSHIP OF SAID TRACTS. IN THE EVENT THAT THE HOA SHOULD BE DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS PREVIOUSLY OWNED BY THE HOA AS WELL AS RESPONSIBILITY FOR MAINTAINING THE TRACTS. MEMBERSHIP IN THE HOA AND PAYMENT OF DUES OR OTHER ASSESSMENTS FOR MAINTENANCE PURPOSES SHALL BE A REQUIREMENT OF LOT OWNERSHIP, AND SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT. THIS COVENANT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HOA, THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION AND ALL OTHERS HAVING ANY INTEREST IN THE TRACTS OR LOTS.

THE UNDERSIGNED OWNER OR OWNERS OF THE INTEREST IN THE REAL ESTATE DESCRIBED HEREIN HEREBY DECLARE THIS MAP AND DEDICATE THE SAME FOR A COMMON INTEREST COMMUNITY NAMED CITY HEIGHTS - PHASE 2, A PLAT COMMUNITY, AS THAT TERM IS DEFINED IN THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT, SOLELY TO MEET THE REQUIREMENTS OF THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT AND NOT FOR ANY PUBLIC PURPOSE. THIS MAP AND ANY PORTION THEREOF IS RESTRICTED BY LAW AND THE DECLARATION FOR CITY HEIGHTS. RECORDED LINDER KITTITAS COLINITY AUDITOR'S FILE NO.

| DECLARATION FOR CITY HEIGHTS, RECORDED UNDER KITTITTAS COUNTY AUDITO | R'S FILE NO |
|---|--|
| IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS THIS DAY OF | , 20 |
| CITY HEIGHTS HOLDINGS, LLC, A WASHINGTON LIMITED LIABILITY COMPANY | COPPER LEAF, LLC |
| | |
| | |
| | |
| BY: | BY: |
| ITS: | ITS: |
| | |
| A CIZNICIA/I ED CMENTO | |
| <u>ACKNOWLEDGMENTS</u> | |
| STATE OF WASHINGTON) SS. | |
| COUNTY OF) | |
| I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE/THEY) SIGNED THIS INSTI AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE HOLDINGS, LLC, A WASHINGTON LIMITED LIABILITY COMPANY TO BE THE FREE AT PURPOSES MENTIONED IN THE INSTRUMENT. | RUMENT, ON OATH STATED THAT (HE/SHE/THEY) WAS/WERE OF CITY HEIGHTS |
| DATED: | |
| SIGNATURE: | |
| (PRINT NAME) | |
| NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, | |
| RESIDING AT | |
| MY APPOINTMENT EXPIRES | |
| | |
| STATE OF WASHINGTON) SS. | |
| COUNTY OF | |
| I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT | OF COPPER LEAF, LLC TO |
| DATED: | |
| SIGNATURE: | |
| (PRINT NAME)NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, | |
| RESIDING AT | |

LEGAL DESCRIPTION

TRACT GG, CITY HEIGHTS - PHASE I AS RECORDED IN VOLUME 14 OF PLATS, AT PAGES 39 THROUGH 48, UNDER AUDITOR'S FILE NO. 202301190012, RECORDS OF KITTITAS COUNTY, WASHINGTON;

SITUATE IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

SURVEYOR'S CERTIFICATE & ACKNOWLEDGMENT

ARE SHOWN ON THE MAP.

2/3/2023

MARK R. PENDERGRAFT
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 48383

STATE OF WASHINGTON
COUNTY OF KING

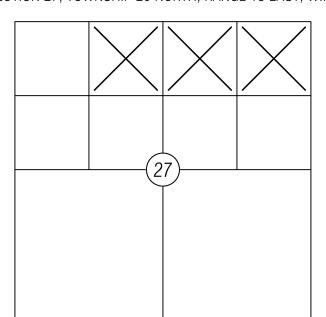
COUNTY OF KING

DATE

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT MARK RUSSEL PENDERGRAFT IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

| DATED |
|---|
| |
| |
| (CONTACTOR OF MOTARY) |
| (SIGNATURE OF NOTARY) |
| |
| (LEGIBLY PRINT OR STAMP NAME OF NOTARY) |
| NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, |
| RESIDING AT |
| MY APPOINTMENT EXPIRES |
| INIT ALL OUNTWICKLE LALINES |

<u>INDEXING</u> SECTION 27, TOWNSHIP 20 NORTH, RANGE 15 EAST. W.M.



CITY OF CLE ELUM APPROVALS

<u>MAYOR</u>

THIS SUBDIVISION MEETS ALL MINIMUM REQUIREMENTS AND STANDARDS OF THE CITY OF CLE ELUM SUBDIVISION ORDINANCE. ALL PROCEDURES OF SAID ORDINANCE HAVE BEEN COMPLIED WITH.

MAYOR - CITY OF CLE ELUM DATE

PLANNING DIRECTOR

THIS SUBDIVISION MEETS ALL MINIMUM REQUIREMENTS AND STANDARDS OF THE CITY OF CLE ELUM SUBDIVISION ORDINANCE. ALL PROCEDURES OF SAID ORDINANCE HAVE BEEN COMPLIED WITH.

PLANNING DIRECTOR- CITY OF CLE ELUM DATE

PUBLIC WORKS

THIS SUBDIVISION MEETS ALL MINIMUM REQUIREMENTS AND STANDARDS OF THE CITY OF CLE ELUM SUBDIVISION ORDINANCE. ALL PROCEDURES OF SAID ORDINANCE HAVE BEEN COMPLIED WITH.

PUBLIC WORKS DIRECTOR - CITY OF CLE ELUM DATE

CITY ENGINEER

THIS SUBDIVISION MEETS ALL MINIMUM REQUIREMENTS AND STANDARDS OF THE CITY OF CLE ELUM SUBDIVISION ORDINANCE. ALL PROCEDURES OF SAID ORDINANCE HAVE BEEN COMPLIED WITH.

CITY ENGINEER - CITY OF CLE ELUM DATE

CERTIFICATE OF KITTITAS COUNTY TREASURER

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PLATTED PROPERTY DESCRIBED HEREON ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN PAID AND DISCHARGED.

TAX ID(S) OF EXISTING PARCELS BEING HEREIN SUBDIVIDED:

KITTITAS COUNTY TREASURER DATE

CERTIFICATE OF KITTITAS COUNTY ASSESSOR

I HEREBY CERTIFY THAT CITY HEIGHTS - PHASE 2 HAS BEEN EXAMINED BY ME AND I FIND THE PROPERTY TO BE IN AN ACCEPTABLE CONDITION FOR PLATTING

TAX ID(S) OF EXISTING PARCELS BEING HEREIN SUBDIVIDED:

KITTITAS COUNTY ASSESSOR DATE

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS ______ DAY OF ______, 20_____ AT _____

IN BOOK ______ OF PLATS AT PAGE _____ AT THE REQUEST OF MARK PENDERGRAFT, PLS.

AUDITOR, KITTITAS COUNTY DEPUTY COUNTY AUDITOR



P.O. BOX 289, WOODINVILLE, WA 98072 425.486.1252 | WWW.MEADGILMAN.COM

PROJ. NO. 22022 SHEET 1 OF 9

- 1. THIS PROPERTY IS SUBJECT TO CLASSIFICATION UNDER THE DESIGNATED FOREST LAND STATUTE RCW 84.33. SLATE OF THIS PROPERTY WITHOUT NOTICE OF COMPLIANCE TO THE COUNTY ASSESSOR WILL CAUSE A SUPPLEMENTAL ASSESSMENT, INTEREST, AND PENALTY TO BE ASSESSED.
- 2. THIS SITE IS SUBJECT TO POSSIBILITY OF TAP CONNECTION CHARGES LEVIED BY THE CITY OF CLE ELUM, WASHINGTON WITH RESPECT TO CONNECTION TO EITHER THE CITY WATER OR SEWER FACILITIES, NOTICE OF WHICH IS GIVEN BY INSTRUMENT RECORDED UNDER KITTITAS COUNTY AUDITOR'S FILE NO. 569881 AS ATTACHED BY ANNEXATION INTO THE CITY OF CLE ELUM BY ORDINANCE NO. 1352 UNDER AUDITOR'S FILE NO. 201111140007. NOTED HERE.
- 3. THIS SITE IS SUBJECT TO LIENS, LEVIES, AND ASSESSMENTS OF THE CITY OF CLE ELUM AS CONTAINED IN ORDINANCE NO. 1352 ANNEXING SAID PREMISES AND OTHER LAND AS RECORDED UNDER AUDITOR'S FILE NO. 201111140007. NOTED HERE.
- 4. THIS SITE IS SUBJECT TO LIENS, LEVIES, AND ASSESSMENTS OF THE ROAD MAINTENANCE AGREEMENT AS RECORDED UNDER AUDITOR'S FILE NO. 200402230049. PERTAINS TO PORTIONS OF EASEMENT GRANTED ON SURVEY RECORDED UNDER AUDITOR'S FILING NUMBER 200210210026. WHICH IS SHOWN HEREON.
- 5. THIS SITE IS SUBJECT THE PROVISIONS CONTAINED IN DEED FROM NORTHERN PACIFIC RAILROAD COMPANY, A CORPORATION TO THE CLE ELUM RAILROAD COMPANY, A CORPORATION, AS RECORDED IN BOOK P OF DEEDS, AT PAGE 229. THE DOCUMENT CONTAINS INSUFFICIENT INFORMATION TO LOCATE HEREON.
- 6. THIS SITE IS SUBJECT TO CONSENT TO LOCATE ROAD AND WAIVER OF RELINQUISHMENT OF ALL CLAIMS OF DAMAGE CAUSED OR ARISING BY REASON OF LAYING OUT, ESTABLISHMENT, AND MAINTENANCE OF A PUBLIC ROAD AS DISCLOSED BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 30914. NOTED HERE.
- 7. THIS SITE IS SUBJECT TO AN EASEMENT FOR AN ELECTRIC TRANSMISSION LINE AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 87513. THE DOCUMENT DOES NOT APPEAR TO AFFECT THE PROPERTY.
- 8. THIS SITE IS SUBJECT TO AN EASEMENT FOR AN ELECTRIC TRANSMISSION LINE AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 88485. THE DOCUMENT CONTAINS INSUFFICIENT INFORMATION TO LOCATE HEREON.
- THIS SITE IS SUBJECT TO RIGHT-OF-WAY FOR COUNTY ROAD AND WAIVER AND RELINQUISHMENT OF ALL CLAIMS OF DAMAGE CAUSED OR ARISING BY REASON OF LAYING OUT, ESTABLISHMENT, AND MAINTENANCE OF A PUBLIC ROAD AS DISCLOSED BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 135836. NOTED HERE.
- 10. THIS SITE IS SUBJECT TO AN EASEMENT FOR AN ELECTRIC TRANSMISSION LINE AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 264899. THE DOCUMENT CONTAINS INSUFFICIENT INFORMATION TO LOCATE HEREON.
- 11. THIS SITE IS SUBJECT TO A RESERVATION OF OIL, GAS, MINERALS, OR OTHER HYDROCARBONS, AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 521473. NOTED HERE.
- 12. THIS SITE IS SUBJECT TO AN AGREEMENT AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 539737.
- 13. THIS SITE IS SUBJECT TO AN EASEMENT FOR A PEDESTRIAN AND BICYCLE TRAIL AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 199601250012. THE DOCUMENT CONTAINS INSUFFICIENT INFORMATION TO LOCATE HEREON.
- 14. THIS SITE IS SUBJECT TO AN EASEMENT FOR A PEDESTRIAN AND BICYCLE TRAIL AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 199601250013. THE DOCUMENT CONTAINS INSUFFICIENT INFORMATION TO LOCATE HEREON.
- 15. THIS SITE IS SUBJECT TO A PARTIAL WAIVER OF SURFACE USE RIGHTS AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 199604080028. NOTED HERE.
- 16. THIS SITE IS SUBJECT TO AN EASEMENT FOR UTILITIES, RECONSTRUCTION, USE, AND MAINTENANCE OF EXISTING ROADS, AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 200012270001. PLOTTED HEREON, THE EASEMENT DOCUMENT ALLOWS FOR THE RELOCATION OF THE ROAD.
- 17. THIS SITE IS SUBJECT TO AN EASEMENT FOR INGRESS, EGRESS, AND UTILITIES AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 200204050026. THE DOCUMENT CONTAINS INSUFFICIENT INFORMATION TO LOCATE HEREON.
- 18. THIS SITE IS SUBJECT TO RIGHTS, INTERESTS, OR CLAIMS WHICH MAY ARISE AS SHOWN ON THE FACE OF THE SURVEY RECORDED UNDER AUDITOR'S FILE NO. 200210210026. SHOWN HEREON WHERE APPLICABLE.
- 19. THIS SITE IS SUBJECT TO A ROAD MAINTENANCE AGREEMENT AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER AUDITOR'S FILE NO. 200402230049. NOTED HERE.
- 20. THIS SITE IS SUBJECT TO RIGHTS, INTERESTS, OR CLAIMS WHICH EXIST OR MAY ARISE AS SHOWN ON THE SURVEY AS RECORDED UNDER AUDITOR'S FILE NO. 20100827003. SHOWN HEREON WHERE APPLICABLE.
- 21. THIS SITE IS SUBJECT TO A DOCUMENT ENTITLED "CITY HEIGHTS ANNEXATION AND DEVELOPMENT AGREEMENT" AND THE TERMS AND CONDITIONS THEREOF. NOTED HERE.
- 22. THIS SITE IS SUBJECT TO THE CITY OF CLE ELUM ORDINANCE NO. 1353 DESIGNATING CITY HEIGHTS AS A PLANNED ACTION UNDER THE STATE ENVIRONMENTAL POLICY ACT. NOTED HERE.
- 23. THIS SITE IS SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, NOTES, SETBACKS, EASEMENTS, AS SET FORTH ON THE FACE OF THE PLAT OF CITY HEIGHTS PHASE LAS RECORDED LINDER AUDITOR'S FILE NO. 202301190012. SHOWN HEREON WHERE APPLICABLE

EASEMENT PROVISIONS

- 1. A PUBLIC UTILITY EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF CLE ELUM AND ALL UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE ENTIRETY OF TRACTS F, G, J, N, O, P, AND THAT PORTION AS SHOWN HEREON, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPE, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH WATER, SEWER, ELECTRIC, TELEPHONE, GAS, TELEVISION CABLE AND OTHER UTILITY SERVICES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSES HEREIN STATED. FOLLOWING ANY MAINTENANCE, REPAIR, REPLACEMENT, OR CONSTRUCTION OF THE UTILITIES, THE EASEMENT AREA SHALL BE RESTORED TO THE CONDITION EXISTING PRIOR TO THE UTILITY WORK AS NEARLY AS PRACTICABLE.
- 2. A SNOW PLOW EASEMENT, AS SHOWN HEREON, IS HEREBY GRANTED AND CONVEYED TO THE CITY OF CLE ELUM AND THE CITY HEIGHTS HOMEOWNERS ASSOCIATION. THE CITY OF CLE ELUM SHALL HAVE THE RIGHT TO UTILIZE THE EASEMENT AREA FOR SNOW PLOWING AND SNOW STORAGE ALONG ALL PUBLIC STREETS SHOWN HEREON. THE CITY HEIGHTS HOMEOWNERS ASSOCIATION SHALL HAVE THE RIGHT TO UTILIZE THE EASEMENT AREA FOR SNOW PLOWING AN SNOW STORAGE ALONG THE PRIVATE ROADS AS SHOWN HEREON.
- 3. A PUBLIC SEWER EASEMENT AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF CLE ELUM. THE CITY OF CLE ELUM SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIR, AND RECONSTRUCTION OF THE PUBLIC SEWER FACILITIES LYING WITHIN SAID EASEMENT.
- 4. A PUBLIC WATER EASEMENT AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF CLE ELUM, IT SUCCESSORS AND ASSIGNS, FOR POTABLE WATER. THE CITY OF CLE ELUM SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND RECONSTRUCTION OF THE PUBLIC WATER FACILITIES LYING WITHIN SAID EASEMENT.
- 5. A PRIVATE SEWER EASEMENT OVER TRACT K AND LOTS 44 AND 45, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 44 AND 45. THE OWNERS OF LOTS 44 AND 45 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THEIR RESPECTIVE PRIVATE SEWER FACILITIES LYING WITHIN SAID EASEMENT.
- 6. A PRIVATE SEWER EASEMENT OVER TRACT K AND LOTS 46 AND 47, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 46 AND 47. THE OWNERS OF LOTS 46 AND 47 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THEIR RESPECTIVE PRIVATE SEWER FACILITIES LYING WITHIN SAID EASEMENT.
- 7. A PRIVATE SEWER EASEMENT OVER TRACT Q AND LOT 60, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOT 58. THE OWNERS OF LOT 58 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THE PRIVATE SEWER FACILITIES LYING WITHIN SAID EASEMENT.
- 8. A PRIVATE SEWER EASEMENT OVER TRACT Q AND LOT 60, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 59 AND 60. THE OWNERS OF LOTS 59 AND 60 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THEIR RESPECTIVE PRIVATE SEWER FACILITIES LYING WITHIN SAID EASEMENT.
- 9. A PRIVATE ACCESS AND UTILITIES EASEMENT OVER LOT 61, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 60. THE OWNERS OF LOTS 60 AND 61 SHALL SHARE EQUALLY IN THE COST OF MAINTENANCE, REPAIRS AND RECONSTRUCTION OF THE SHARED DRIVEWAY AND SHALL BE SOLELY RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THEIR RESPECTIVE PRIVATE UTILITIES LYING WITHIN SAID EASEMENT.
- 10. A PRIVATE WATER EASEMENT OVER LOT 58, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOT 59. THE OWNERS OF LOT 59 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THE PRIVATE WATER FACILITIES LYING WITHIN SAID EASEMENT.
- 11. A PRIVATE SEWER EASEMENT OVER TRACT K, AS SHOWN HEREON, IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOT 48. THE OWNERS OF LOT 48 SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIRS, AND RECONSTRUCTION OF THE PRIVATE SEWER FACILITIES LYING WITHIN SAID EASEMENT.
- 12. A PUBLIC EMERGENCY VEHICLE ACCESS EASEMENT IS HEREBY GRANTED OVER THE ENTIRETY OF TRACTS F, G, J, N, O, AND P FOR THE PURPOSE OF EMERGENCY VEHICULAR ACCESS.
- 13. A 60.00 FOOT WIDE PUBLIC ACCESS EASEMENT OVER TRACT H IS HEREBY GRANTED AND CONVEYED TO THE PUBLIC FOR THE RIGHT OF VEHICULAR INGRESS AND EGRESS TO THE EXISTING ROAD LYING WITHIN THE 60 FOOT EASEMENT AS GRANTED BY AUDITOR FILE NUMBERS 200012270001, 200302030013. THE CITY HEIGHTS HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE COST OF MAINTENANCE, REPAIR, AND RECONSTRUCTION OF THE ROAD SURFACE LYING WITHIN SAID EASEMENT AND SHALL ALSO HAVE THE RIGHT TO RELOCATE THE EASEMENT AS NEEDED IN THE FUTURE.
- 14. A 12.00 FOOT PUBLIC PEDESTRIAN AND BICYCLE TRAIL EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE PUBLIC FOR PEDESTRIAN AND NON-MOTORIZED VEHICLE USE CENTERED OVER THE PROPOSED TRAIL AS CONSTRUCTED OR TO BE CONSTRUCTED LYING WITHIN TRACTS A, B, E, H, L, M, U, V, W, X, Z, AND AA. THE CITY HEIGHTS HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE, REPAIR, AND RECONSTRUCTION OF THE TRAIL FACILITIES LYING WITHIN SAID TRACTS.
- 15. A PUBLIC VEHICULAR ACCESS EASEMENT OVER TRACTS F AND G IS HEREBY GRANTED AND CONVEYED TO THE CITY OF CLE ELUM FOR CITY STAFF AND THE CITY'S CONTRACTORS TO TURN AROUND AND TO ACCESS EDERRA DRIVE FROM THE PUBLIC PORTION OF LATITUDE DRIVE. THE CITY HEIGHTS HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE, REPAIR, AND RECONSTRUCTION OF THE ROAD SURFACE LYING WITHIN SAID TRACTS.

ODEN ODAGE MATUDAL ADEAG & DUDI IO ODAGEG (#105 AG QUANTI ATIVE)

| OPEI | OPEN SPACE, NATURAL AREAS, & PUBLIC SPACES (*125 AC CUMULATIVE) | | | | |
|--------------------|---|--------------|-----------------------------------|--|--|
| PHASE | TRACT NAME | AREA (ACRES) | DESIGNATION / DESCRIPTION | | |
| 1 | TOTAL FROM PH 1 | 18.32 | TOTAL OPEN SPACE FROM PHASE 1 | | |
| 2 | TRACT B | 0.73 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT C | 0.04 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT D | 0.17 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT E | 0.04 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT H | 1.64 | OPEN SPACE / STORMWATER (PRIVATE) | | |
| 2 | TRACT I | 0.35 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT K | 0.27 | OPEN SPACE / STORMWATER (PRIVATE) | | |
| 2 | TRACT L | 0.40 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT M | 1.27 | OPEN SPACE / STORMWATER (PRIVATE) | | |
| 2 | TRACT Q | 0.25 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT S | 0.13 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT U | 0.54 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT V | 0.74 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT W | 0.35 | OPEN SPACE (PRIVATE) | | |
| 2 | TRACT X | 0.32 | OPEN SPACE / STORMWATER (PRIVATE) | | |
| 2 | TRACT Y | 1.02 | OPEN SPACE / STORMWATER (PRIVATE) | | |
| 2 | TRACT Z | 1.03 | OPEN SPACE / STORMWATER (PRIVATE) | | |
| 2 | TRACT AA | 0.84 | OPEN SPACE / STORMWATER (PRIVATE) | | |
| 2 | TRACT BB | 0.63 | OPEN SPACE / STORMWATER (PRIVATE) | | |
| PH. | ASE 2 TOTAL | 10.76 | | | |
| TOTAL FROM PHASE 1 | | 18.32 | TOTAL OPEN SPACE FROM PHASE 1 | | |
| | | | | | |
| CUI | RRENT TOTAL | 29.08 | | | |

*PER THE DEVELOPER AGREEMENT APPENDIX B AND H, 125 ACRES (35% OF TOTAL SITE ACREAGE)
TO BE SET ASIDE AS OPEN SPACE, NATURAL AREAS, PARKS, RECREATION AREAS, VILLAGE
GREENS. COMMONS OR PUBLIC ASSEMBLY AREAS OR OTHERWISE UNDEVELOPED SPACE.

RESTRICTIONS, COVENANTS

- 1. NO FURTHER DIVISION OF ANY LOT IS ALLOWED WITHOUT SUBMITTING FOR A NEW SUBDIVISION OR SHORT SUBDIVISION.
- 2. AREAS OF THE PLAT MAY CONTAIN COAL MINE HAZARDS, COAL MINE SHAFTS, AND ASSOCIATED FEATURES AND ARE SUBJECT TO THE RELEVANT MITIGATION MEASURES AS DETAILED IN THE CITY HEIGHTS ENVIRONMENTAL IMPACT STATEMENT AND ASSOCIATED TECHNICAL REPORTS ON FILE WITH THE CITY OF CLE ELUM.

VOL/PG

3. AT THE TIME OF ISSUANCE OF A BUILDING PERMIT FOR EACH ERU, EACH APPLICANT SHALL PAY TO THE CITY:

\$250 PER ERU STORMWATER FEE FOR THE SOLE PURPOSE OF IMPROVING STORMWATER FACILITIES;
\$750 PER ERU TO OFFSET IMPACTS ON CITY STREETS RESULTING FROM THE DEVELOPMENT OF CITY HEIGHTS;
\$400 PER ERU FOR CITY POLICE AND LAW ENFORCEMENT OPERATIONS AND EQUIPMENT NEEDS;
\$250 PER ERU FOR CITY FIRE AND EMERGENCY MEDICAL SERVICES OPERATIONS AND EQUIPMENT NEEDS;
\$200 PER ERU FOR CITY ADMINISTRATIVE OPERATIONS AND EQUIPMENT NEEDS;
\$375 PER ERU FOR CITY PUBLIC WORKS OPERATIONS AND EQUIPMENT NEEDS;
\$100 PER ERU FOR OPERATIONAL NEEDS OF THE CLE ELUM - ROSLYN MUNICIPAL COURT;

- 4. AT THE TIME OF ISSUANCE OF A BUILDING PERMIT FOR EACH ERU, THE APPLICANT SHALL ALSO PAY TO THE CITY \$2,250 PER ERU TO OFFSET IMPACTS TO FACILITIES OF THE CLE ELUM ROSLYN SCHOOL DISTRICT. SUCH PAYMENTS SHALL BE COLLECTED BY THE CITY AND DISTRIBUTED TO THE SCHOOL DISTRICT IN ACCORDANCE WITH THE PROVISIONS IN EFFECT AT THE TIME.
- THE CITY OF CLE ELUM SHALL HAVE THE RIGHT, BUT NOT THE RESPONSIBILITY TO ENTER UPON TRACTS F, G, H, I, J, K, M, N, O, P, X, Y, Z, AA, BB, AND ANY AREA SHOWN HEREON AS A PRIVATE DRAINAGE EASEMENT IN ORDER TO INSPECT, REPAIR, OR RECONSTRUCT THE PUBLIC OR PRIVATE DRAINAGE FACILITIES.
- 6. PARKING FOR RESIDENTIAL SINGLE FAMILY DEVELOPMENT WITH LOTS LESS THAN FIVE THOUSAND (5,000) SQUARE FEET IN SIZE INCLUDING CLUSTERS, ZERO LOT LINE AND COTTAGE STYLE HOMES, SHALL BE ALLOWED TO MEET THE PARKING REQUIREMENTS BOTH BY ON-STREET AND OFF-STREET PARKING INCLUDING DESIGNATED GROUP PARKING AREAS. OTHERWISE, DESIGNATED OFF-STREET PARKING SHALL BE PROVIDED FOR USES WITHIN CITY HEIGHTS, CONSISTENT WITH THE FOLLOWING:

RESIDENTIAL SINGLE FAMILY 2.0 PER DWELLING UNIT RESIDENTIAL ATTACHED - STUDIO/ONE BATHROOM 1.0 SPACES PER UNIT RESIDENTIAL ATTACHED - TWO BEDROOM 1.5 SPACES PER UNIT (AVERAGE) COMMERCIAL SPACE - RETAIL 3.0 SPACES PER 1000 SF OF GROSS BUILDING AREA COMMERCIAL SPACE - RESTAURANT 7.0 SPACES PER 1000 SF OF GROSS BUILDING AREA COMMERCIAL SPACE - OFFICE 4.0 SPACES PER 1000 SF OF GROSS BUILDING AREA 3.5 SPACES PER 1000 SE OF GROSS BUILDING AREA COMMUNITY CENTER PARKS / RECREATION 1.0 SPACES PER 3000 SF OF GROSS BUILDING AREA

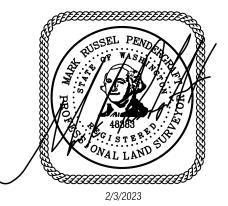
OFF-STREET LOADING SPACE SHALL BE REQUIRED FOR ANY COMMERCIAL BUILDING SPACE THAT EXCEEDS 40,000 SQUARE FEET. NO OFF-STREET LOADING SHALL BE REQUIRED FOR A COMMUNITY CENTER.

7. NO BUILDING SHALL CONTAIN A WOOD BURNING STOVE WITHIN THIS SUBDIVISION. OUTDOOR BURNING IS PROHIBITED ON PROPERTY WITHIN THIS SUBDIVISION.

TRACT NOTES

TRACTS B THROUGH Q, S, U THROUGH Z, AA, AND BB SHALL BE MAINTAINED BY THE CITY HEIGHTS HOMEOWNERS ASSOCIATION. TRACTS A, R, AND T ARE FOR FUTURE DEVELOPMENT AND SHALL BE MAINTAINED BY THE DEVELOPER. SEE THE FOLLOWING TABLE FOR TRACT USES:

| | TRACT PURPOSE TABLE | |
|------------|------------------------------|-----------|
| TRACT NAME | TRACT USE | AREA (SF) |
| TRACT A | FUTURE DEVELOPMENT | 70,753 |
| TRACT B | OPEN SPACE | 31,792 |
| TRACT C | OPEN SPACE | 1,542 |
| TRACT D | OPEN SPACE | 7,454 |
| TRACT E | OPEN SPACE | 1,778 |
| TRACT F | PRIVATE ACCESS AND UTILITIES | 25,102 |
| TRACT G | PRIVATE ACCESS AND UTILITIES | 5,702 |
| TRACT H | OPEN SPACE / STORMWATER | 71,344 |
| TRACT I | OPEN SPACE / STORMWATER | 15,061 |
| TRACT J | PRIVATE ACCESS AND UTILITIES | 3,282 |
| TRACT K | OPEN SPACE / STORMWATER | 11,618 |
| TRACT L | OPEN SPACE | 17,312 |
| TRACT M | OPEN SPACE / STORMWATER | 55,413 |
| TRACT N | PRIVATE ACCESS AND UTILITIES | 6,961 |
| TRACT 0 | PRIVATE ACCESS AND UTILITIES | 4,820 |
| TRACT P | PRIVATE ACCESS AND UTILITIES | 7,516 |
| TRACT Q | OPEN SPACE | 10,764 |
| TRACT R | FUTURE DEVELOPMENT | 8,849 |
| TRACT S | OPEN SPACE | 5,614 |
| TRACT T | FUTURE DEVELOPMENT | 13,600 |
| TRACT U | OPEN SPACE | 23,359 |
| TRACT V | OPEN SPACE | 32,142 |
| TRACT W | OPEN SPACE | 15,145 |
| TRACT X | OPEN SPACE / STORMWATER | 13,581 |
| TRACT Y | OPEN SPACE / STORMWATER | 44,541 |
| TRACT Z | OPEN SPACE / STORMWATER | 44,988 |
| TRACT AA | OPEN SPACE / STORMWATER | 36,602 |
| TRACT BB | OPEN SPACE / STORMWATER | 27,488 |





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