

HIGHLAND TERRACES**NE1/4, NE1/4, SEC. 21, TWP. 24 N., R. 6 E., W.M.****PLN 00-00002****CITY OF ISSAQUAH, KING COUNTY, WASHINGTON****NOTES AND RESTRICTIONS**

1) NO FUTURE LOT OR PORTION OF A LOT IN THIS PLAT SHALL BE DIVIDED AND SOLD OR RESOLD OR OWNERSHIP CHANGED OR TRANSFERRED WHEREBY THE OWNERSHIP OF ANY PORTION OF THIS PLAT SHALL BE LESS THAN THE AREA REQUIRED FOR THE ZONING IN WHICH LOCATED.

2) FOUNDATIONS OF ANY STRUCTURES MAY NOT BE LOCATED OUTSIDE THE AREA DELINEATED BY THE BUILDING SETBACK LINES (BSBL), EXCEPT MINOR INTRUSIONS MAY BE PERMITTED AS APPROVED BY THE CITY OF ISSAQUAH.

3) NO LINES OR WIRES FOR TRANSMISSIONS OF ELECTRIC CURRENT OR FOR TELEPHONE, CABLE TELEVISION, TELECOMMUNICATIONS OR DATA TRANSMISSION USES SHALL BE PLACED OR PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

4) THE LOTS IN THIS PLAT ARE SUBJECT TO KCC 21.A.43 AND ISSAQUAH ORDINANCE NO. 2376 OR AS IT MAY BE AMENDED WHICH IMPOSED IMPACT FEES TO FUND SCHOOL SYSTEM IMPROVEMENTS NEEDED TO SERVE NEW DEVELOPMENT. AS A CONDITION OF FINAL APPROVAL, 50% OF THE IMPACT FEES DUE FOR THE PLAT SHALL BE ASSESSED AND COLLECTED IMMEDIATELY PRIOR TO RECORDING, USING CITY OF ISSAQUAH APPROVED FEE SCHEDULES IN EFFECT WHEN THE PLAT RECEIVES FINAL APPROVAL. THE BALANCE OF THE ASSESSED FEE SHALL BE ALLOCATED TO THE DWELLING UNITS IN THE PLAT AND SHALL BE COLLECTED PRIOR TO BUILDING PERMIT ISSUANCE.

5) ALL FEES REQUIRED BY KING COUNTY CODE 14.75 MITIGATION PAYMENT SYSTEM (MPS) HAVE BEEN PAID.

6) THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO OR FROM SE 48TH STREET OR 228TH AVENUE SE, FROM THOSE LOTS WHICH ABUT THOSE STREETS.

7) RESTRICTIONS FOR SENSITIVE AREA TRACT "D" AND SENSITIVE AREAS AND BUFFERS:
DEDICATION OF A SENSITIVE AREA TRACT CONVEYS TO THE PUBLIC A BENEFICIAL INTEREST IN THE LAND WITHIN THE TRACT. THIS INTEREST INCLUDES THE PRESERVATION OF NATIVE VEGETATION FOR ALL PURPOSES THAT BENEFIT THE PUBLIC HEALTH, SAFETY, AND WELFARE, INCLUDING CONTROL OF SURFACE WATER AND EROSION, MAINTENANCE OF SLOPE STABILITY, AND PROTECTION OF PLANT AND ANIMAL HABITAT. THE SENSITIVE AREA TRACT IMPOSES UPON ALL PRESENT AND FUTURE OWNERS AND OCCUPIERS OF THE LAND IN THE TRACT THE OBLIGATION, ENFORCEABLE ON BEHALF OF THE PUBLIC BY THE CITY OF ISSAQUAH, TO LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THE TRACT. THE VEGETATION WITHIN THE TRACT MAY NOT BE CUT, PRUNED, COVERED BY FILL, REMOVED OR DAMAGED WITHOUT APPROVAL IN WRITING FROM THE CITY OF ISSAQUAH, UNLESS OTHERWISE PROVIDED BY LAW.

THE COMMON BOUNDARY BETWEEN THE TRACT AND ANY ADJACENT AREA OF DEVELOPMENT ACTIVITY IN THE SUBJECT PLAT MUST BE MARKED OR OTHERWISE FLAGGED TO THE SATISFACTION OF THE CITY OF ISSAQUAH PRIOR TO ANY CLEARING, GRADING, BUILDING CONSTRUCTION OR OTHER DEVELOPMENT ACTIVITY. THE REQUIRED MARKING OR FLAGGING SHALL REMAIN IN PLACE UNTIL ALL DEVELOPMENT PROPOSAL ACTIVITIES IN THE VICINITY OF THE SENSITIVE AREA ARE COMPLETED.

NO BUILDING FOUNDATIONS ARE ALLOWED BEYOND THE REQUIRED 15 FOOT BUILDING SETBACK LINE, UNLESS OTHERWISE PROVIDED BY LAW.

8) ALL BUILDING DOWNSPOUTS AND DRAINS FROM ALL IMPERVIOUS SURFACES SUCH AS PATIOS AND DRIVEWAYS SHALL BE CONNECTED TO THE PERMANENT STORM DRAIN OUTLET. THIS PLAN SHALL BE SUBMITTED WITH APPLICATION OF ANY BUILDING PERMIT. ALL CONNECTIONS OF THE DRAINS MUST BE CONSTRUCTED AND APPROVED PRIOR TO THE FINAL BUILDING INSPECTION APPROVAL. FOR THOSE LOTS THAT ARE DESIGNATED FOR INDIVIDUAL LOT INFILTRATION SYSTEMS, THE SYSTEMS SHALL BE CONSTRUCTED AT THE TIME OF THE BUILDING PERMIT AND SHALL COMPLY WITH THE PLAN ON FILE.

9) ALL INDIVIDUAL STUBOUTS AND INFILTRATION SYSTEM SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE LOT OWNER.

10) STREET TREES SHALL BE OWNED AND MAINTAINED BY THE ABUTTING LOT OWNERS OR THE HIGHLAND TERRACE ASSOCIATION, UNLESS THE CITY OF ISSAQUAH HAS ADOPTED A MAINTENANCE PROGRAM.

11) TRACT B, SHALL BE IMPROVED AS A PRIVATE JOINT USE DRIVEWAY SERVING A MAXIMUM OF TWO LOTS. LOTS 11 AND 12 SHALL HAVE UNDIVIDED OWNERSHIP OF TRACT B, AND RESPONSIBILITY FOR MAINTAINING THE DRIVEWAY TRACT SHALL BE DIVIDED EQUALLY BETWEEN THE OWNERS OF THE BENEFITED LOTS AS WELL. AND SUBJECT TO A PRIVATE STORM DRAINAGE EASEMENT, THE PRIVATE STORM DRAINAGE EASEMENT IS FOR THE BENEFIT OF LOTS 11, 12, AND 13, AND SHALL BE BY MAINTAINED BY LOTS 11, 12, AND 13.

12) TRACT C, SHALL BE IMPROVED AS A PRIVATE JOINT USE DRIVEWAY SERVING A MAXIMUM OF TWO LOTS. LOTS 5 AND 6 SHALL HAVE UNDIVIDED OWNERSHIP OF TRACT B, AND RESPONSIBILITY FOR MAINTAINING THE DRIVEWAY TRACT SHALL BE DIVIDED EQUALLY BETWEEN THE OWNERS OF THE BENEFITED LOTS AS WELL. TRACT C IS ALSO SUBJECT TO A PUBLIC SANITARY SEWER AND PUBLIC WATER EASEMENT, AND A PUBLIC STORM DRAINAGE EASEMENT.

13) TRACT D, IS A SENSITIVE AREA TRACT HEREBY CONVEYED TO HIGHLAND TERRACE ASSOCIATION UPON RECORDING AND THE ASSOCIATION SHALL MAINTAIN TRACT D IN ACCORDANCE WITH NOTE 7 ABOVE.

14) TRACT E, IS A JOINT USE TRACT FOR THE PLACEMENT OF THE STORM DRAINAGE FACILITIES AND THE PLAT RECREATION IMPROVEMENTS. THIS TRACT IS DEDICATED TO THE CITY OF ISSAQUAH FOR THE USE AND MAINTENANCE OF THE STORMWATER FACILITIES. THE RECREATION IMPROVEMENTS PLACED WITHIN THE TRACT HOWEVER, SHALL BE PRIVATELY-OWNED BY AND THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.

15) KCC 16.82.150D APPLIES TO THE SUBJECT PROPERTY. THEREFORE CONSTRUCTION WORK INVOLVING SOIL DISTURBANCE, GRADING, AND FILLING OF THE SITE, INCLUDING INDIVIDUAL RESIDENTIAL BUILDING PAD PREPARATION, IS PROHIBITED FROM OCTOBER 1 THROUGH MARCH 31, UNLESS OTHERWISE APPROVED BY KING COUNTY DES OR ITS SUCCESSOR AGENCY, CONSISTENT WITH THE PROVISIONS OF KCC 16.82.150D.

16) THE PRIVATE STORM DRAINAGE EASEMENT WITHIN LOTS 2, 3, 4, AND 5, IS FOR THE BENEFIT OF LOTS 2, 3, 4, 5, AND 6. LOTS 2, 3, 4, 5, AND 6 SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND RECONSTRUCTION OF THAT PORTION OF THE STORM DRAINAGE SYSTEM USED IN COMMON.

17) THE TEMPORARY TURN-AROUND EASEMENT WITHIN TRACT D, IS GRANT TO THE CITY OF ISSAQUAH, AND THE PUBLIC AND SHALL AUTOMATICALLY EXPIRES WHEN THE PUBLIC STREET IS EXTENDED TO THE EAST, AND ACCEPTED AND MAINTAINED BY THE CITY OF ISSAQUAH.

18) SUBJECT TO COMMUNICATION LINES EASEMENT AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER RECORDING NUMBER 5945365. EASEMENT AMENDS, CANCELS AND SUPERSEDES THAT CERTAIN EASEMENT RECORDED UNDER RECORDING NUMBER 5756538. (PLOTTED)

19) SUBJECT TO INGRESS, EGRESS AND UTILITIES EASEMENT AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER RECORDING NUMBER 7301260413. (PLOTTED)

20) SUBJECT TO UNDERGROUND UTILITY EASEMENT AND THE TERMS AND CONDITIONS THEREOF AS RECORDED UNDER RECORDING NUMBER 8408170667. (NOT PLOTTED)

21) SUBJECT TO ALL COAL, OIL, GAS, AND MINERAL RIGHTS, AS RECORDED UNDER RECORDING NUMBER 3577941. (NOT PLOTTED)

22) SUBJECT TO NOTICE OF ADOPTION OF CONNECTION CHARGES FOR SAMMAMISH PLATEAU WATER AND SEWER DISTRICT RECORDED UNDER RECORDING NUMBERS 9307301617, 9811051363, AND 9901150609. (NOT PLOTTED)

23) SUBJECT TO RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON PROPERTY HEREIN DESCRIBED AS GRANTED IN DEED, RECORDED UNDER RECORDING NUMBER 9011140868. (PLOTTED)

24) SUBJECT TO MATTERS DISCLOSED BY SURVEY RECORDED UNDER RECORDING NUMBER 8809239001. (NOT PLOTTED)

25) TERMS AND CONDITIONS OF NOTICE OF CHANGES BY WATER, SEWER AND/OR STORM AND SURFACE WATER UTILITIES, RECORDED UNDER RECORDING NUMBER 20040414002865. (NOT PLOTTED)

EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO PUGET SOUND ENERGY, QUEST COMMUNICATIONS, COMCAST CABLE, CITY OF ISSAQUAH, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR 10 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND PARCELS 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 ELECTRIC, TELEPHONE, AND UTILITY SERVICE TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND PARCELS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

AN EASEMENT IS HEREBY DEDICATED AND CONVEYED UPON THE RECORDING OF THIS PLAT TO THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT OVER, UNDER, THROUGH AND UPON THE EASEMENTS SHOWN ON THIS PLAT DESCRIBED AS "SANITARY SEWER EASEMENT" (SSE) OR "WATER EASEMENT" (WE) AND AS DESCRIBED BELOW:

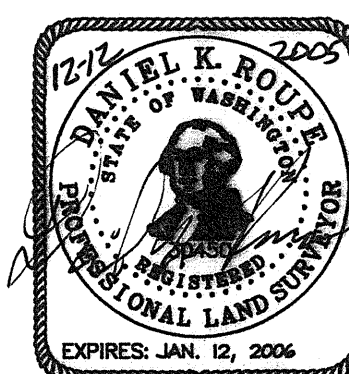
THE EXTERIOR 10 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND PARCELS (WE & SSE); THE SOUTH 15' OF LOT 11 (WE), THE SOUTH 10' FEET OF LOT 12 (WE), A PORTION OF LOTS 12 AND 13 (SSE), AND THE ENTIRETY OF TRACTS B AND C (WE & SSE), IN WHICH TO INSTALL, LAY, CONSTRUCT, MAINTAIN, INSPECT, REPLACE, REPAIR, REMOVE, RENEW, USE AND OPERATE WATER AND SEWER SYSTEMS AND APPURTENANCES FOR THIS SUBDIVISION AND OTHER PROPERTY, TOGETHER WITH THE RIGHT TO ENTER UPON THE EASEMENT AT ALL TIMES WITH ALL NECESSARY MAINTENANCE AND CONSTRUCTION EQUIPMENT FOR THE PURPOSES STATED. NO STRUCTURES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS. THE GRANTOR COVENANTS THAT NO STRUCTURES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS, INCLUDING FENCES OR ROCKERIES, SHALL BE ERRECTED OVER, UPON OR WITHIN, AND NO TREES, BUSHES OR OTHER SHRUBBERY SHALL BE PLANTED IN THE AREA OF GROUND FOR WHICH THE EASEMENT IN FAVOR OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT HAS BEEN APPROVED.

FOR EASEMENTS ACROSS THE ENTIRETY OF TRACTS B AND C, JOINT USE DRIVEWAY TRACTS, THE DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY COST OF PAVEMENT REPLACEMENT OR REPAIR NECESSITATED BY DAMAGE INCURRED THROUGH THE NORMAL OPERATION OR MAINTENANCE OF THE WATER AND/OR SEWER FACILITIES, EXCEPT THAT IN THE EVENT THAT THE SURFACING IS REMOVED BY THE GRANTEE FOR ANY UNDERGROUND CONSTRUCTION, UNDERGROUND REPAIR OR REPLACEMENT OF THE WATER AND/OR SEWER LINES, THE SURFACING SHALL BE RESTORED AS NEARLY AS REASONABLY POSSIBLE TO ITS CONDITIONS PRIOR TO PLACEMENT OF THE WATER OR SEWER.

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CITY OF ISSAQUAH



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