

KELKARI, A BINDING SITE PLAN

PORTION OF E. 1/2, SE. 1/4, SECTION 33, T. 24 N., R. 6 E., W.M.

CITY OF ISSAQUAH, KING COUNTY, WASHINGTON.

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LEGAL DESCRIPTION

THAT PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4, BLOCK 2, ASSESSOR'S PLAT OF WILDWOOD ACRES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 89 OF PLATS, PAGES 60 AND 61, IN KING COUNTY, WASHINGTON; THENCE SOUTH 05°26'54" WEST 80.00 FEET TO THE NORTH LINE OF LOT 4 OF CITY OF ISSAQUAH SHORT PLAT NUMBER SP-79-07 RECORDED UNDER RECORDING NUMBER 8008270624; THENCE ALONG THE NORTH LINE OF SAID LOT 4, NORTH 81°24'44" EAST 3.69 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT 4; THENCE ALONG THE EASTERLY LINE OF SAID LOT 4 SOUTH 15°27'31" EAST 223.93 FEET TO AN ANGLE POINT IN SAID EASTERLY LOT BOUNDARY LINE; THENCE CONTINUING ALONG SAID EASTERLY LINE OF SAID LOT 4, AND ALONG THE EASTERLY LINES OF LOTS 2 AND 3 OF SAID SHORT PLAT, SOUTH 01°59'39" WEST TO THE CENTERLINE OF CABIN CREEK; THENCE SOUTH 02°02'06" WEST PARALLEL TO THE EAST LINE OF SAID SECTION TO A POINT ON THE SOUTH LINE OF SAID SECTION DISTANT 700.00 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION; THENCE EAST ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID SECTION TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 545.00 FEET OF SAID SOUTHEAST QUARTER; THENCE WEST ALONG SAID SOUTH LINE OF THE NORTH 545.00 FEET OF THE SOUTHEAST QUARTER A DISTANCE OF 450.00 FEET; THENCE NORTH ALONG THE WEST LINE OF THE EAST 450.00 FEET OF SAID SOUTHEAST QUARTER TO THE EASTERLY LINE OF SAID ASSESSOR'S PLAT OF WILDWOOD ACRES; THENCE SOUTHWESTERLY AND WESTERLY ALONG THE EASTERLY LINE OF SAID PLAT TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF ISSAQUAH FOR WIDENING OF WILDWOOD BOULEVARD SOUTH BY DEED RECORDED UNDER RECORDING NUMBER 8412260441;

AND EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF WILDWOOD BOULEVARD SOUTH AND SUNRISE PLACE SOUTHWEST AS SHOWN IN THE ASSESSOR'S PLAT OF WILDWOOD ACRES, SAID INTERSECTION BEING 282.69 FEET SOUTH AND 718.88 FEET WEST OF THE EAST QUARTER CORNER OF SAID SECTION 'BASED ON LAMBERT GRID MERIDIAN'; THENCE SOUTH 05°26'54" WEST 438.56 FEET TO A TANGENT CURVE HAVING A RADIUS OF 315.63 FEET; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 26°44'00" AN ARC DISTANCE OF 147.26 FEET; THENCE SOUTH 21°17'06" EAST 132.98 FEET; THENCE NORTH 58°26'24" EAST 207.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 58°26'24" EAST 175.00 FEET; THENCE NORTH 31°33'36" WEST 240.00 FEET; THENCE SOUTH 58°26'24" WEST 175.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 31°33'36" EAST 240.00 FEET TO THE TRUE POINT OF THIS EXCEPTION;

ALSO EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 4, BLOCK 2, IN THE ASSESSOR'S PLAT OF WILDWOOD ACRES; THENCE SOUTH 84°33'06" EAST ALONG THE SOUTHERLY BOUNDARY OF SAID PLAT 45.00 FEET TO THE TRUE POINT OF BEGINNING OF THE EXCEPTION TRACT HEREIN DESCRIBED; THENCE CONTINUING SOUTH 84°33'06" EAST ALONG SAID SOUTHERLY PLAT BOUNDARY 15.00 FEET TO THE SOUTHEAST CORNER OF SUNRISE PLACE SOUTHWEST, AS DEDICATED IN SAID PLAT; THENCE NORTH 87°27'36" EAST 85.22 FEET TO A POINT "A" AS NOTED HEREINABOVE; THENCE SOUTH 31°33'36" EAST 225.00 FEET; THENCE SOUTH 58°26'24" WEST 189.04 FEET; THENCE NORTH 21°17'06" WEST 115.02 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 300.63 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°44'00" AN ARC DISTANCE OF 140.27 FEET TO A POINT OF TANGENCY; THENCE NORTH 05°26'54" EAST, PARALLEL WITH THE CENTERLINE OF SAID SUNRISE PLACE SOUTHWEST, A DISTANCE OF 43.66 FEET TO THE TRUE POINT OF BEGINNING OF THIS EXCEPTION TRACT; ALSO EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF ISSAQUAH BY DEED RECORDED UNDER RECORDING NUMBER 19990617000615 SAID DEED BEING A RE-RECORDING OR 9709291390.

MODIFICATIONS/REVISIONS:

IT IS EXPECTED THAT MODIFICATION AND REVISIONS TO THIS BINDING SITE PLAN AND ITS APPROVED DESIGN PLANS, CONDITIONS OF APPROVAL, AND DOCUMENTS MAY BE NECESSARY AND NORMAL DURING THE COURSE OF IT'S DEVELOPMENT. THE CITY OF ISSAQUAH PLANNING DEPARTMENT AND THE PUBLIC WORKS DEPARTMENT SHALL REVIEW AND TAKE SUCH ACTION AS THEY SHALL REASONABLY DETERMINE IS CONSISTENT WITH APPLICABLE CITY POLICIES AND ORDINANCES WITH RESPECT TO ANY PROPOSED MODIFICATION OR DEVIATION FROM THE APPROVED BINDING SITE PLAN AND/OR DOCUMENTS ATTACHED THERETO. THE BURDEN OF PROOF TO DEMONSTRATE WHY A MODIFICATION OR DEVIATION IS NEEDED SHALL BE PLACED ON THE APPLICANT. MODIFICATIONS AND REVISIONS SHALL BE DONE IN ACCORDANCE WITH CITY OF ISSAQUAH BINDING SITE PLAN RULES AND REGULATIONS.

THERE SHALL BE NO MODIFICATION TO THE LOT GEOMETRY TO THIS BINDING SITE PLAN EXCEPT PROVIDED IN THIS SECTION.

COVENANTS

ALL LOTS WITHIN THIS BINDING SITE PLAN SHALL BE SUBJECT TO COVENANTS TO BE RECORDED PRIOR TO THE FIRST SALE OF ANY INTEREST IN THE SUBJECT PROPERTY

DRAINAGE COVENANT

FOLLOWING THE ORIGINAL AND REASONABLE GRADING OF THE ROADS AND STREETS SHOWN HEREON, DRAINAGE WATERS ENTERING ANY LOT OR LOTS SHALL BE RECEIVED, AND NOT BLOCKED FROM, ENTERING AT THEIR NATURALLY OCCURRING LOCATION AND DRAINAGE WATERS SHALL BE DISCHARGED FROM ANY LOT OR LOTS TO A CITY-APPROVED DRAINAGE SYSTEM OR, IN ABSENCE OF SUCH SYSTEM, AT THE NATURAL LOCATION WITH FLOW RATE CONTROL SYSTEMS AND ENERGY DISSIPATORS AS REQUIRED BY CITY ORDINANCE. WITHIN EACH LOT, THE DOWNSPOUT AND YARD DRAINS SHALL CONNECT TO THE STORM DRAINAGE SYSTEM. MAINTENANCE, OPERATION AND REPAIR OF BUILDING AND LOT DRAINS SERVING PRIVATE PROPERTIES SHALL BE THE RESPONSIBILITY OF THE OWNER(S) OF THE PROPERTIES SERVED. ON PRIVATE PROPERTY, STORM DRAINAGE WHICH DO NOT CONSTITUTE PART OF A CONTINUOUS, CONSTRUCTED DRAINAGE SYSTEM SERVING DEVELOPED CITY PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNERS.

RESTRICTIONS

1. NO LOT OR PORTION OF A LOT IN THIS BINDING SITE PLAN SHALL BE DIVIDED AND SOLD OR RESOLD OR OWNERSHIP CHANGED OR TRANSFERRED WHEREBY THE OWNERSHIP OF ANY PORTION OF THIS SITE PLAN SHALL BE LESS THAN THE AREA REQUIRED FOR THE USE DISTRICT IN WHICH IT IS LOCATED.
2. THIS BINDING SITE PLAN IS SUBJECT TO THE CONDITIONS WITH MSP 94-01 AND SDP 97-09.
3. ALL DEVELOPMENT WITHIN THIS BINDING SITE PLAN SHALL BE IN CONFORMANCE WITH SUBSEQUENT SITE PLAN OR SPECIAL DEVELOPMENT APPROVAL.
4. NO DIVISION, REDIVISION, OR SUBDIVISION OF ANY LOT SHALL BE PERMITTED WITHOUT APPROVAL OF AN APPROPRIATE PROCEDURE BY THE CITY OF ISSAQUAH.
5. PARCELS A, B, AND C EACH CONTAIN UNDEVELOPED AREAS AND UTILITY AND TRAIL EASEMENTS. IN ADDITION, PARCEL A INCLUDES SEVERAL BUILDINGS WHICH FORM A PART OF THE WILDWOOD APARTMENTS. THE UNDEVELOPED AREAS IN EACH PARCEL MAY CONTAIN CRITICAL AREAS AS DEFINED BY THE ISSAQUAH MUNICIPAL CODE, WHICH CRITICAL AREAS MAY NOT BE DEVELOPED OR ALTERED, AND THE VEGETATION ON WHICH MAY NOT BE DISTURBED EXCEPT FOR PURPOSES OF HABITAT ENHANCEMENT AS PART OF A PROJECT THAT HAS RECEIVED PRIOR WRITTEN APPROVAL FROM THE CITY AND ANY OTHER AGENCY WITH JURISDICTION OVER SUCH ACTIVITY. THE EXACT BOUNDARIES OF SUCH CRITICAL AREAS SHALL BE DETERMINED BY THE CITY OF ISSAQUAH UPON APPLICATION FOR A DEVELOPMENT PERMIT.

EASEMENT PROVISIONS

EASEMENTS ARE HEREBY CONVEYED AND GRANTED TO THE PURVEYORS OF UTILITIES SERVING THIS DEVELOPMENT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE AS-CONSTRUCTED UTILITY WITH THE NECESSARY EASEMENT WIDTH THROUGH ALL LOTS AND PARCELS IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLE, PIPELINE, AND WIRES WITH THE NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVICE TO THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, CABLE T.V. SERVICE, STORM DRAINAGE, SEWER AND WATER. TOGETHER WITH THE RIGHT TO ENTER UPON THE EASEMENTS AT ALL TIMES FOR THE PURPOSES STATED. ADDITIONALLY:

1. A STRIP OF LAND 10 FEET WIDE, PARALLEL AND ADJOINING DEDICATED RIGHTS-OF-WAY SHOWN ON THIS PLAT FOR UTILITIES.
2. "THE PROPOSED TRAIL TO SQUAK MOUNTAIN STATE PARK ALONG THE EASTERN SIDE OF THE KELKARI SITE SHALL BE PLACED IN A PERMANENT TRAIL EASEMENT AND RECORDED WITH KING COUNTY. THE EASEMENT SHALL READ AS FOLLOWS: A TRAIL EASEMENT IS HEREBY RESERVED TO THE BENEFIT OF THE CITY OF ISSAQUAH FOR THE PURPOSES OF PEDESTRIAN ACCESS ALONG THE REGIONAL TRAIL ALONG THE EASTERN PROPERTY AND NORTH ALONG THE UTILITY CORRIDOR TO THE HATCHERY ROAD. EASEMENT RESTRICTION: STRUCTURES, FILLS, CUTS, OBSTRUCTION (INCLUDING BUT NOT LIMITED TO DECKS, PATIOS, OUTBUILDINGS OR OVERHANGS) SHALL NOT BE ALLOWED WITHIN THE TRAIL EASEMENT. IN ADDITION, THE CONSTRUCTION OF FENCING SHALL NOT BE ALLOWED WITHIN THE TRAIL EASEMENT UNLESS OTHERWISE APPROVED BY THE CITY OF ISSAQUAH. SEATING, BENCHES, OUTLOOK AREA MAY BE ALLOWED IN THE EASEMENT WITH THE PERMISSION OF THE CITY OF ISSAQUAH."

NOTE

ALL DEVELOPMENT AND USE OF THE LAND DESCRIBED HEREIN SHALL BE IN ACCORDANCE WITH THIS BINDING SITE PLAN, AS IT MAY BE AMENDED WITH THE APPROVAL OF THE CITY, TOWN, OR COUNTY HAVING JURISDICTION OVER THE DEVELOPMENT OF SUCH LAND, AND IN ACCORDANCE WITH SUCH OTHER GOVERNMENTAL PERMITS, APPROVALS, REGULATIONS, REQUIREMENTS, AND RESTRICTIONS THAT MAY BE IMPOSED UPON SUCH LAND AND THE DEVELOPMENT AND USE THEREOF. UPON COMPLETION, THE IMPROVEMENTS ON THE LAND SHALL BE INCLUDED IN ONE OR MORE CONDOMINIUMS OR OWNED BY AN ASSOCIATION OR OTHER LEGAL ENTITY IN WHICH THE OWNERS OF UNITS THEREIN OR THEIR OWNERS' ASSOCIATIONS HAVE A MEMBERSHIP OR OTHER LEGAL OR BENEFICIAL INTEREST. THIS BINDING SITE PLANS SHALL BE BINDING UPON ALL NOW OR HEREAFTER HAVING ANY INTEREST IN THE LAND DESCRIBED HEREIN.



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