

SUNCADIA - PHASE 3 DIVISION 14 (TUMBLE CREEK)

AUDITOR'S REFERENCE

LP-18-00002

A PORTION OF SECTIONS 14 AND 23, TOWNSHIP 20 NORTH, RANGE 14 EAST, W.M.
KITITAS COUNTY, WASHINGTON

ASSESSOR MAP NUMBER 20-14-14050-0021, PARCEL ID NUMBER 950057

EASEMENTS AND NOTES

1. TRACT A AS DESCRIBED AND/OR DELINEATED ON THE FACE OF THAT CERTAIN SURVEY RECORDED AUGUST 30, 2018, UNDER AUDITOR'S FILE NO. 201808300046 AND FILED IN BOOK 41 OF SURVEYS AT PAGE 179; BEING A PORTION OF TRACT Z-1 AND A PORTION TRACT G-1 OF THE PLAT OF SUNCADIA - PHASE 3 DIVISIONS 6 TO 9 (TUMBLE CREEK), RECORDED IN BOOK 9 OF PLATS, PAGES 190 THROUGH 220, IS BEING REPLATTED HEREIN, AND THE PLAT NOTES, EASEMENTS OR OTHERWISE SET FORTH IN SAID PLAT WITH RESPECT TO SAID TRACT ARE SUPERSEDED BY THIS PLAT.

2. ALL ROADS, INCLUDING ALL RIGHTS OF WAY FOR THE SAME, WITHIN THIS PLAT AND THE RESORT ARE PRIVATE. NEW SUNCADIA RESERVES TO ITSELF NON-EXCLUSIVE EASEMENTS ON, OVER, AND UNDER THE PRIVATE ROADS WITHIN THIS PLAT FOR ACCESS, TRAIL AND GOLF PURPOSES, INCLUDING WITHOUT LIMITATION SIGNS, CART PATHS, IRRIGATION SYSTEMS; THE RIGHT OF INGRESS AND EGRESS FOR THEIR CONSTRUCTION AND MAINTENANCE; AND GOLF COURSE USE AND IMPROVEMENTS; TOGETHER WITH THE RIGHT TO GRANT ADDITIONAL NON-EXCLUSIVE EASEMENTS ON, OVER AND UNDER SUCH ROADS TO THIRD PARTIES FOR THE SAME OR SIMILAR PURPOSES; AND TOGETHER WITH THE RIGHT TO GRANT SUCH ACCESS AND USE RIGHTS TO PROPERTIES OUTSIDE THE PLAT AND TO PERSONS WHO DO NOT OTHERWISE OWN PROPERTY WITHIN THE RESORT.

3. NEW SUNCADIA RESERVES TO ITSELF A UTILITY EASEMENT (INCLUDING WITHOUT LIMITATION, WATER, SANITARY SEWER, DRAINAGE, POWER, CABLE, FIBER OPTIC, GAS, AND TELECOMMUNICATIONS FACILITIES) ADJOINING EACH PROPERTY LINE OF ALL LOTS AND TRACTS WITHIN THIS PLAT IN WHICH TO CONSTRUCT, MAINTAIN, OPERATE, REPAIR, REPLACE AND ENLARGE UNDERGROUND PIPES, CONDUITS, CABLES AND WIRES, TOGETHER WITH ALL REASONABLY NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THERETO FOR THE PURPOSE OF SERVING THIS PLAT AND SUCH OTHER PROPERTY AS NEW SUNCADIA SHALL APPROVE. UPON COMPLETION OF ANY WORK, ALL DISTURBANCES TO THE SURFACE OR IMPROVEMENTS SHALL BE RESTORED BY THE PARTY PERFORMING THE WORK TO AS GOOD OR BETTER CONDITION AS EXISTING IMMEDIATELY PRIOR TO SUCH WORK. THE WIDTH OF SUCH EASEMENT SHALL BE TEN FEET (10.00') AS TO THE FRONT AND REAR PROPERTY LINES AND FIVE FEET (5.00') ON SIDE PROPERTY LINES COMMON WITH ANOTHER LOT OR TRACT WITHIN THIS PLAT. NEW SUNCADIA FURTHER RESERVES THE RIGHT TO GRANT ADDITIONAL NON-EXCLUSIVE EASEMENTS TO THIRD PARTIES FOR THE SAME OR SIMILAR PURPOSES.

4. NEW SUNCADIA RESERVES TO ITSELF AND GRANTS TO SUNCADIA WATER COMPANY, LLC, SUNCADIA ENVIRONMENTAL COMPANY, LLC, SUNCADIA COMMUNITY COUNCIL AND EASTON RIDGE COMMUNICATIONS LLC (COLLECTIVELY, THE "UTILITY SERVICE PROVIDERS"), AND THEIR SUCCESSORS AND/OR ASSIGNS A NON-EXCLUSIVE EASEMENT UNDER AND UPON THOSE PORTIONS OF LOTS 2, 4, 5, 6, 9 AND 10 IDENTIFIED AS "UTILITY EASEMENTS," TRACT AC-1, AND ALL ROADS WITHIN THIS PLAT AT SUCH LOCATIONS AND UPON SUCH CONDITIONS AS NEW SUNCADIA SHALL DETERMINE, IN WHICH TO CONSTRUCT, MAINTAIN, OPERATE, REPAIR, REPLACE AND ENLARGE UNDERGROUND PIPES, CONDUITS, CABLES AND WIRES, TOGETHER WITH ALL REASONABLY NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THERETO FOR THE PURPOSE OF SERVING THIS PLAT AND SUCH OTHER PROPERTY AS NEW SUNCADIA SHALL APPROVE WITH WATER, SANITARY SEWER, STORM DRAINAGE, ELECTRIC, GAS, TELEPHONE, TELEVISION AND SUCH OTHER UTILITY SERVICES AS NEW SUNCADIA SHALL REQUEST. NEW SUNCADIA FURTHER GRANTS TO THE UTILITY SERVICE PROVIDERS A NON-EXCLUSIVE EASEMENT FOR THE RIGHT TO ENTER UPON THOSE PORTIONS OF THE LOTS AND TRACTS WITHIN THIS PLAT BEING TEN FEET (10.00') IN WIDTH AND LYING PARALLEL WITH AND ADJOINING ALL ROADS WITHIN THE RESORT NOW OR HEREAFTER PLATTED AND/OR CONSTRUCTED, FOR THE PURPOSE OF PERFORMING WORK IN SUCH ADJACENT ROADS. UPON COMPLETION OF ANY WORK, ALL DISTURBANCES TO THE SURFACE OR IMPROVEMENTS SHALL BE RESTORED BY THE UTILITY COMPANY PERFORMING THE WORK TO AS GOOD OR BETTER CONDITION AS EXISTING IMMEDIATELY PRIOR TO SUCH WORK. NEW SUNCADIA FURTHER RESERVES THE RIGHT TO GRANT ADDITIONAL NON-EXCLUSIVE EASEMENTS TO THIRD PARTIES FOR THE SAME OR SIMILAR PURPOSES.

5. NOTHING IN THIS PLAT OR ANY COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, DECLARATIONS OR OTHERWISE SHALL SUPERSEDE, AMEND OR TAKE PRECEDENCE OVER THE "AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN KITITAS COUNTY, WASHINGTON AND SUNCADIA LLC RELATING TO THE DEVELOPMENT COMMONLY KNOWN AS SUNCADIA MASTER PLANNED RESORT" RECORDED APRIL 16, 2009, UNDER KITITAS COUNTY AUDITORS' FILE NO. 200904160090, AS NOW OR HEREAFTER AMENDED (THE "DEVELOPMENT AGREEMENT").

6. THIS PLAT IS AND SHALL BE SUBJECT TO CERTAIN COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND EASEMENTS ("CCR'S") AND DESIGN GUIDELINES PURSUANT TO THE DEVELOPMENT OF THE RESORT AND MAY ALSO BE SUBJECT TO OTHER MATTERS APPARENT OR OF RECORD WHICH ARE NOT SPECIFICALLY DISCLOSED ON THIS PLAT. ALL IMPROVEMENTS TO LOTS SHALL BE WITHIN THE IMPROVEMENT ENVELOPES ESTABLISHED BY NEW SUNCADIA.

7. NEW SUNCADIA, AS DEFINED HEREINABOVE, SHALL MEAN NEW SUNCADIA, LLC AND ITS SUCCESSORS AND ASSIGNS, IF A RECORDED INSTRUMENT EXECUTED BY NEW SUNCADIA ASSIGNS TO A TRANSFEREE ALL OR ANY PORTION OF THE RIGHTS AND INTERESTS RESERVED TO NEW SUNCADIA UNDER THIS PLAT.

8. NOTWITHSTANDING ANY STATUS AS A COMMUNITY ASSET OR ELEMENT BENEFITING ANY OR ALL LOTS WITHIN THIS PLAT, THE BOUNDARIES OF OPEN SPACE (OS) TRACT(S) CREATED BY THIS PLAT MAY BE MODIFIED AND/OR SUCH TRACT(S) MAY BE ALTERED AS TO SIZE, SHAPE AND LOCATION BY THE THEN OWNER(S) OF SUCH TRACT(S) AS OTHERWISE ALLOWED BY APPLICABLE LAW, THE DEVELOPMENT AGREEMENT, AND THE CCR'S AND WITHOUT REQUIRING AN AMENDMENT OF THIS PLAT.

9. LOTS 8, 9 AND 10 ARE GRANTED A NON-EXCLUSIVE EASEMENT FOR ACCESS (INGRESS AND EGRESS) AND UTILITIES OVER, UNDER AND ACROSS TRACT AC-1, THE EXACT WIDTH AND LOCATION OF WHICH SHALL BE AGREED UPON BY NEW SUNCADIA AND THE LOT OWNER(S) AT SUCH TIME AS APPLICATION FOR CONSTRUCTION IS SUBMITTED TO THE DESIGN REVIEW COMMITTEE PURSUANT TO THE CCR'S. PROVIDED, HOWEVER, SAID EASEMENT SHALL BE LOCATED AND BE OF SUFFICIENT WIDTH AND LOCATION SO AS TO PROVIDE APPROPRIATE ACCESS AND UTILITIES TO EACH OF SAID LOTS 8, 9 AND 10.

10. ACCESS TO THIS PLAT VIA TUMBLE CREEK DRIVE SHALL BE AS SET FORTH IN THAT CERTAIN DECLARATION OF NON-EXCLUSIVE EASEMENT (TUMBLE CREEK DRIVE) RECORDED UNDER KITITAS COUNTY AUDITOR'S FILE NO. 200410050015, AS NOW OR HEREAFTER AMENDED (THE "TUMBLE CREEK EASEMENT") AND SHALL BE SUBJECT TO THE TERMS AND CONDITIONS THEREIN. THE TUMBLE CREEK EASEMENT IS HEREBY AMENDED TO ADD THIS PLAT AS A BENEFITED PROPERTY THEREUNDER.

11. ACCESS TO THIS PLAT VIA JENKINS DRIVE SHALL BE AS SET FORTH IN THAT CERTAIN DECLARATION OF NON-EXCLUSIVE EASEMENT (JENKINS DRIVE) RECORDED UNDER KITITAS COUNTY AUDITOR'S FILE NO. 200410050012, AS NOW OR HEREAFTER AMENDED (THE "JENKINS DRIVE EASEMENT") AND SHALL BE SUBJECT TO THE TERMS AND CONDITIONS THEREIN. THE JENKINS DRIVE EASEMENT IS HEREBY AMENDED TO ADD THIS PLAT AS A BENEFITED PROPERTY THEREUNDER. DUE TO TOPOGRAPHY AND CONSTRUCTION ACTIVITIES WITHIN AND WITHOUT THIS PLAT, ACCESS TO LOTS AND TRACTS VIA JENKINS DRIVE WILL BE FURTHER RESTRICTED PURSUANT TO THAT CERTAIN JENKINS DRIVE TRAFFIC SAFETY PLAN DATED OCTOBER 5, 2004, A COPY OF WHICH IS ON FILE WITH KITITAS COUNTY DEPARTMENT OF PUBLIC WORKS AND WITH THE RESORT AND WHICH MAY BE AMENDED AND/OR RELEASED AS TO PORTIONS OR ALL OF JENKINS DRIVE UPON APPROVAL BY NEW SUNCADIA AND KITITAS COUNTY DEPARTMENT OF PUBLIC WORKS; AND, IN THE EVENT A PLAT IS RECORDED WHICH INCLUDES ALL OR PORTIONS OF THE JENKINS DRIVE EASEMENT, THE JENKINS TRAFFIC SAFETY PLAN SHALL AUTOMATICALLY TERMINATE AS TO SUCH PORTIONS.

12. UTILITIES SERVING THIS PLAT SHALL BE AS PROVIDED UNDER THE TERMS AND CONDITIONS OF THAT CERTAIN TUMBLE CREEK UTILITY EASEMENT RECORDED UNDER KITITAS COUNTY AUDITOR'S FILE NO. 200410050013, AS NOW OR HEREAFTER AMENDED, AND THAT CERTAIN RESERVOIR UTILITY EASEMENT RECORDED UNDER KITITAS COUNTY AUDITOR'S FILE NO. 200410050014, AS NOW OR HEREAFTER AMENDED. SAID DOCUMENTS, AND EACH OF THEM ARE HEREBY AMENDED TO ADD THIS PLAT AS A BENEFITED PROPERTY THEREUNDER.

13. THE EASEMENTS GRANTED HEREINABOVE MAY BE AMENDED AND/OR RELOCATED BY THE EASEMENT HOLDER(S) AND THE THEN-OWNER(S) OF THE PROPERTY BURDENED BY SUCH EASEMENT AS MAY BE REASONABLY NECESSARY WITHOUT REQUIRING AN AMENDMENT OF THIS PLAT, PROVIDED THAT ANY SUCH AMENDMENT OR RELOCATION SHALL NOT UNREASONABLY IMPAIR THE RIGHTS GRANTED HEREUNDER AND SUCH AMENDMENT SHALL BE PLACED OF RECORD.

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF KITITAS COUNTY BOARD OF COMMISSIONERS, THIS _____ DAY OF _____ A.D., 2018, AT _____ MINUTES PAST _____ O'CLOCK _____ M., AND RECORDED IN VOLUME _____ OF PLATS, ON PAGES _____, RECORDS OF KITITAS COUNTY, WASHINGTON.

BY : _____
DEPUTY COUNTY AUDITOR KITITAS COUNTY AUDITOR

AUDITOR'S REFERENCE: _____

ESM CONSULTING ENGINEERS LLC
33400 8th Ave. S, #205
Federal Way, WA 98003

FEDERAL WAY (253) 838-6113
EVERETT (425) 297-9900

www.esmcivil.com

Civil Engineering | Land Surveying | Land Planning
Public Works | Project Management | Landscape Architecture

DATE : 2018-10-11 JOB NO. 998-767-017-0100
DRAWN BY: C.A.F./R.F.G. SHEET 5 OF 5

