AUDITOR'S REFERENCE

THE LEGACY AT SUNCADIA
SUNCADIA - PHASE 1 DIVISION 6
A PORTION OF SECTIONS 19 AND 20, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M.
KITTITAS COUNTY, WASHINGTON

EASEMENTS AND NOTES

1. TRACT Z-2 AND A PORTION OF TRACT G-6 OF SUNCADIA - PHASE 1 DIVISION 3, RECORDED IN BOOK 9 OF PLATS, PAGES 94 THROUGH 120, RECORDS OF KITTITAS COUNTY, WASHINGTON, UNDER AUDITOR'S FILE NO. 200505040001 (THE "PHASE 1 DIVISION 3 PLAT") ARE BEING REPLATTED HEREIN. TO THE EXTENT THE SAME AFFECT THIS PROPERTY, THE PLAT NOTES, EASEMENTS (INCLUDING BUT NOT LIMITED TO THE 10' UTILITY EASEMENT ALONG THE ORIGINAL BOUNDARY LINES OF SAID TRACTS Z-2 AND G-6) OR OTHERWISE SET FORTH ON THE PHASE 1 DIVISION 3 PLAT, ARE SUPERSEDED BY THIS PLAT.

2. ALL ROADS, INCLUDING ALL RIGHTS OF WAY FOR THE SAME, WITHIN THIS PLAT AND THE RESORT ARE PRIVATE. 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 NEW-SUN-BELL (COLLECTIVELY, THE "UTILITY SERVICE PROVIDERS"), AND THEIR SUCCESSORS AND/OR ASSIGNS NON-EXCLUSIVE EASEMENTS UNDER AND UPON ALL ROADS WITHIN THIS PLAT, TRACT AC-1 AND THOSE PORTIONS OF LOTS 11, 12 AND 25 DESCRIBED BELOW, ALL 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 PUBLIC AND PRIVATE ROADS AND SAID TRACT AC-1. 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.
THOSE PORTIONS OF LOTS 11 AND 12 IDENTIFIED HEREON AS 10' EASEMENT FOR STORM DRAINAGE; AND
THAT PORTION OF LOT 25 IDENTIFIED HEREON AS 20' UTILITIES EASEMENT.

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 KITTITAS COUNTY, WASHINGTON AND SUNCADIA LLC RELATING TO THE DEVELOPMENT COMMONLY KNOWN AS SUNCADIA MASTER PLANNED RESORT" RECORDED APRIL 16, 2009, UNDER KITTITAS COUNTY AUDITOR'S FILE NO. 200904160090, AS NOW OR HEREAFTER AMENDED (HEREINAFTER 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 SPECIFICALLY ASSIGNS TO A TRANSFEREE ALL OR ANY PORTION OF THE RIGHTS AND INTERESTS RESERVED BY AND/OR GRANTED TO NEW SUNCADIA UNDER THIS PLAT.

8. 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.

9. 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.

10. LOTS 22, 23 AND 24 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 22, 23 AND 24.

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF KITTITAS COUNTY BOARD OF COMMISSIONERS, THIS _____ DAY OF _____ A.D., 2017, AT _____ MINUTES PAST _____ O'CLOCK ____.M., AND RECORDED IN VOLUME _____ OF PLATS, ON PAGES _____, RECORDS OF KITTITAS COUNTY, WASHINGTON.

BY : _____ _____
DEPUTY COUNTY AUDITOR KITTITAS COUNTY AUDITOR

AUDITOR'S REFERENCE: _____

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ZACHARY T. LENNON
STATE OF WASHINGTON
44925
REGISTERED
PROFESSIONAL LAND SURVEYOR

DATE : 2017-04-10	JOB NO. 998-753-016-0002
DRAWN BY: C.A.F./R.F.G.	SHEET 6 OF 6

DWG NAME : \\ESM8\ENGR\ESM-JOBS\1634\001\009\SURVEY PLOTS\P1D6-FP-06.DWG