

# THE LEGACY AT SUNCADIA SUNCADIA - PHASE 1 DIVISION 6

A PORTION OF SECTIONS 19 AND 20, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M.  
KITITIAS COUNTY, WASHINGTON

AUDITOR'S REFERENCE

## EASEMENTS AND NOTES

- 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 KITITIAS COUNTY, WASHINGTON, UNDER AUDITOR'S FILE NO. 200505040001 (THE "PHASE 1 DIVISION 3 PLAT") ARE BEING REPLATED 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THE ORIGINAL BOUNDARY LINES OF SAID TRACTS Z-2 AND G-6) OR OTHERWISE SET FORTH ON THE PHASE 1 DIVISION 3 PLAT, ARE SUPERSEDED BY THIS PLAT.
- 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.
- 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.
- 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, 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. 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.
- 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 KITITIAS COUNTY, WASHINGTON AND SUNCADIA, LLC RELATING TO THE DEVELOPMENT COMMONLY KNOWN AS SUNCADIA MASTER PLANNED RESORT" RECORDED APRIL 16, 2009, UNDER KITITIAS COUNTY AUDITOR'S FILE NO. 200904160090, AS NOW OR HEREAFTER AMENDED (HEREINAFTER THE "DEVELOPMENT AGREEMENT").
- 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.
- 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.
- 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 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.
- 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.
- 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.
- THIS PLAT DOES NOT SHOW ALL EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS OR OTHER MATTERS APPARENT OR OF RECORD WHICH MAY BE DISCLOSED ON A POLICY OF TITLE INSURANCE.

## RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF KITITIAS 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 KITITIAS COUNTY, WASHINGTON.

BY : \_\_\_\_\_ KITTITAS COUNTY AUDITOR  
DEPUTY COUNTY AUDITOR \_\_\_\_\_ KITTITAS COUNTY AUDITOR

AUDITOR'S REFERENCE: \_\_\_\_\_



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DRAWN BY: C.A.F./R.F.G. SHEET 6 OF 6