

11-220

11-220

SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)

A PORTION OF SECTION 19, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M.

KITTITAS COUNTY, WASHINGTON

TAX PARCEL NUMBERS : 20-15-19056-0001 TO 20-15-19056-0019 AND 20-15-19056-0067 TO 20-15-19056-0079

AUDITOR'S FILE NO.

200907210021

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BENNETT-SFS LLC, A WASHINGTON LIMITED LIABILITY COMPANY ("BENNETT") OWNER IN FEE SIMPLE OF THE DESCRIBED REAL PROPERTY, DOES HEREBY ALTER AND AMEND THE PLAT OF SUNCADIA, PHASE 1 DIVISION 13A, IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON, AS PER PLAT THEREOF RECORDED IN BOOK 111 OF PLATS, PAGES 163 THROUGH 168, RECORDS OF KITTITAS COUNTY, WASHINGTON, TO THE EXTENT REFLECTED HEREON AND AS SET FORTH HEREIN, AND DOES FURTHER HEREBY DECLARE THIS PLAT.

BENNETT - SFS, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

BY: Paul Glasnik
ITS: Authorized Signer

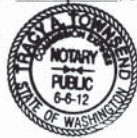
BY: Yuichiro Ono
ITS: MANAGER

STATE OF WASHINGTON }
COUNTY OF King } SS

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Paul Glasnik AND Yuichiro Ono TO ME KNOWN TO BE THE Authorized Signer AND Manager RESPECTIVELY OF BENNETT - SFS, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, THE COMPANY THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT THEY ARE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 2nd DAY OF July, 2009.

PRINTED NAME: Tracy A. Townsend
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
MY COMMISSION EXPIRES: 6/6/2012



LEGAL DESCRIPTION

LOTS 1 THROUGH 19, 67 THROUGH 78 AND TRACT AC-1 OF SUNCADIA - PHASE 1 DIVISION 13A, IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON, AS PER PLAT THEREOF RECORDED IN BOOK 111 OF PLATS, PAGES 163 THROUGH 168, UNDER AUDITOR'S FILE NO. 200808210001, ALL IN THE RECORDS OF SAID COUNTY.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF "SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)" IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 19, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M.; THAT THE DISTANCES AND COURSES AND ANGLES ARE SHOWN HEREON CORRECTLY; THAT THE MONUMENTS WILL BE STAKED CORRECTLY ON THE GROUND AS CONSTRUCTION IS COMPLETED AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE PLATING REGULATIONS.

DATED THIS 25th DAY OF June, A.D., 2009.

Michael R. Bowen
MICHAEL R. BOWEN, PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 29294



RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF KITTITAS COUNTY BOARD OF COMMISSIONERS, THIS 21 DAY OF July, A.D., 2009, AT 29 MINUTES PAST 12 O'CLOCK P.M., AND RECORDED IN VOLUME 11 OF PLATS, ON PAGES 220, RECORDS OF KITTITAS COUNTY, WASHINGTON.

BY: Gerald Pittet
COUNTY AUDITOR

Kavanaugh
KITTITAS COUNTY AUDITOR DEPUTY
AUDITOR'S FILE NO. 200907210021

RATIFICATION OF LENDER

KNOW ALL MEN BY THESE PRESENTS, THAT SUMITOMO FORESTRY SEATTLE, INC., A WASHINGTON CORPORATION, THE BENEFICIARY UNDER A DEED OF TRUST ENCUMBERING THE HEREIN DESCRIBED REAL PROPERTY, DOES HEREBY RATIFY AND CONFIRM THE ABOVE DECLARATIONS, RESERVATIONS AND THE PLAT AS HEREIN DESCRIBED, AND DOES HEREBY WAIVE ALL CLAIMS FOR DAMAGES WHATSOEVER ARISING FROM THE CONSTRUCTION AND MAINTENANCE OF PUBLIC FACILITIES AND PUBLIC PROPERTY WITHIN THE SUBDIVISION SO PLATTED.

SUMITOMO FORESTRY SEATTLE, INC., A WASHINGTON CORPORATION

BY: Yuichiro Ono
ITS: Director

STATE OF WASHINGTON }
COUNTY OF KITITAS KING } SS

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Yuichiro Ono TO ME KNOWN TO BE THE Manager/Director, SUMITOMO FORESTRY SEATTLE, INC., A WASHINGTON CORPORATION, THE CORPORATION THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE/SHE IS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT.

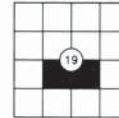
GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 2nd DAY OF July, 2009.

PRINTED NAME: Tracy A. Townsend
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
MY COMMISSION EXPIRES: 6/6/2012



SUBDIVISION LOCATOR

NOT TO SCALE



TOWNSHIP 20 NORTH,
RANGE 15 EAST, W.M.

RATIFICATION OF LENDER

KNOW ALL MEN BY THESE PRESENTS, THAT SUNCADIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY, THE BENEFICIARY UNDER A DEED OF TRUST ENCUMBERING THE HEREIN DESCRIBED REAL PROPERTY, DOES HEREBY RATIFY AND CONFIRM THE ABOVE DECLARATIONS, RESERVATIONS AND THE PLAT AS HEREIN DESCRIBED, AND DOES HEREBY WAIVE ALL CLAIMS FOR DAMAGES WHATSOEVER ARISING FROM THE CONSTRUCTION AND MAINTENANCE OF PUBLIC FACILITIES AND PUBLIC PROPERTY WITHIN THE SUBDIVISION SO PLATTED.

SUNCADIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: EASTON RIDGE INVESTORS, LLC,
A DELAWARE LIMITED LIABILITY COMPANY,
ITS MANAGING MEMBER

BY: Ronald D. Olson
ITS: Managing Director

BY: Gary Killison
ITS: Vice President

STATE OF WASHINGTON }
COUNTY OF KITTITAS } SS

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Ronald Olson AND Gary Killison TO ME KNOWN TO BE THE Managing Director AND Vice President RESPECTIVELY OF EASTON RIDGE INVESTORS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, THE MANAGING MEMBER OF SUNCADIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY, THE COMPANY THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT THEY ARE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 6th DAY OF July, 2009.

PRINTED NAME: Debbie J. Masters
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
MY COMMISSION EXPIRES: 8/29/2011



ESM CONSULTING ENGINEERS LLC
33915 1st Way South #200 | Federal Way, WA 98003
www.esmcivil.com

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

DATE: 2009-06-24 | JOB NO. 1262-009-009-0005
DRAWN BY: F.D./D.L.R. | SHEET 1 OF 5

FEDERAL WAY (253) 838-6113
BOTHELL (425) 415-6144
ELLENSBURG (509) 674-1905

VOLUME/PAGE
11
220

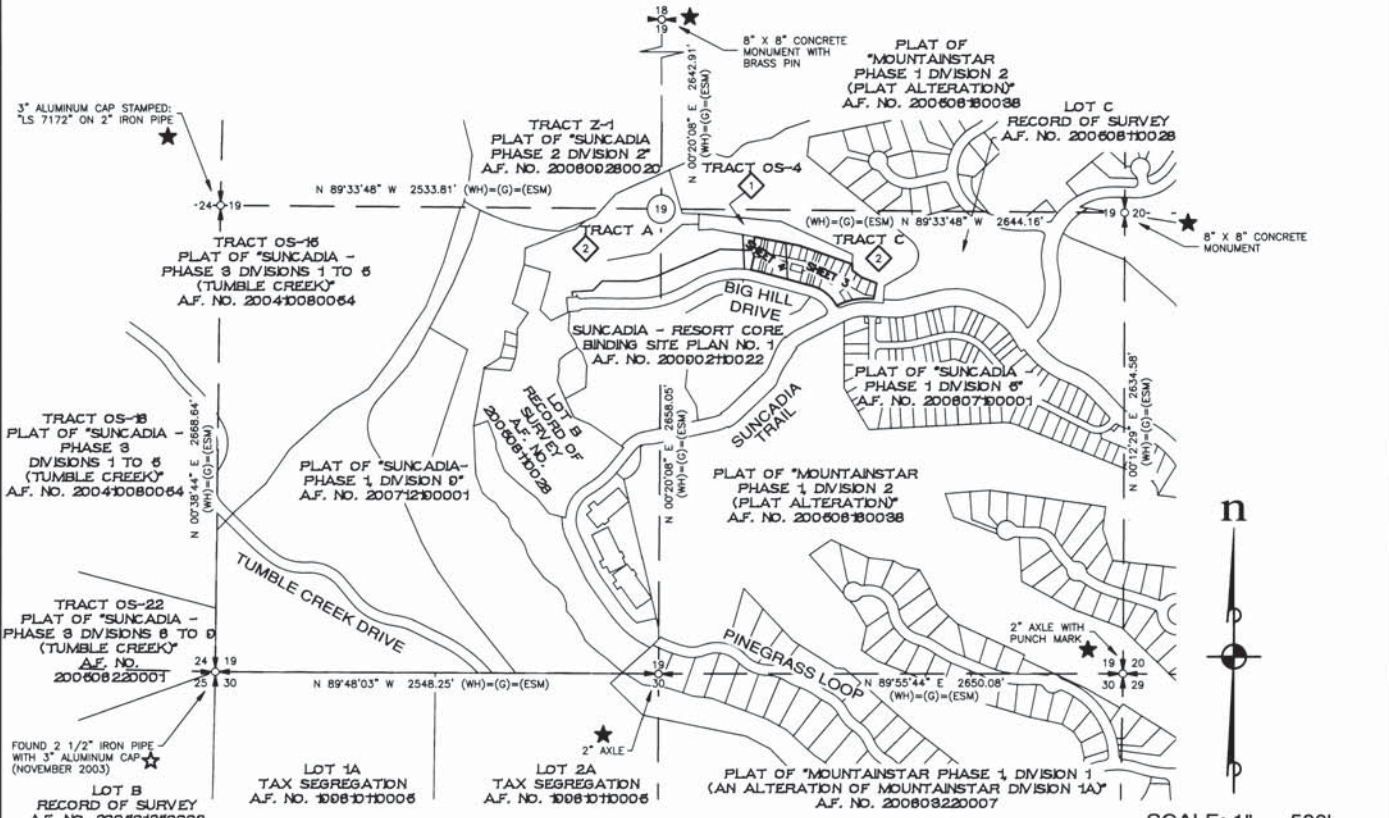
11-221

11-221

SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)

A PORTION OF SECTION 19, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M.
KITITAS COUNTY, WASHINGTON

AUDITOR'S FILE NO.
200907210021



APPROVALS

CERTIFICATE OF COUNTY ROAD ENGINEER
EXAMINED AND APPROVED THIS 13 DAY OF July, A.D., 2009.

KITITAS COUNTY ENGINEER

CERTIFICATE OF COUNTY COMMUNITY DEVELOPMENT SERVICES DIRECTOR
I HEREBY CERTIFY THAT THE PLAT OF "SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)" HAS BEEN EXAMINED BY ME AND I FIND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF KITITAS COUNTY.

DATED THIS 20 DAY OF July, A.D., 2009.

KITITAS COUNTY COMMUNITY SERVICES DIRECTOR

CERTIFICATE OF COUNTY TREASURER
HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW TO BE FILED.

DATED THIS 7th DAY OF July, A.D., 2009.

KITITAS COUNTY TREASURER

CERTIFICATE OF COUNTY HEALTH SANITARIAN
I HEREBY CERTIFY THAT THE PLAT OF "SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)" HAS BEEN EXAMINED BY ME AND I FIND THAT THE SEWAGE AND WATER SYSTEM HEREIN SHOWN DOES MEET AND COMPLY WITH ALL REQUIREMENTS OF THE COUNTY HEALTH DEPARTMENT.

DATED THIS 15th DAY OF July, A.D., 2009.

KITITAS COUNTY HEALTH OFFICER

CERTIFICATE OF COUNTY ASSESSOR
I HEREBY CERTIFY THAT THE PLAT OF "SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)" HAS BEEN EXAMINED BY ME AND I FIND THE PROPERTY TO BE IN ACCEPTABLE CONDITION FOR PLATTING.

DATED THIS 7 DAY OF July, A.D., 2009.

KITITAS COUNTY ASSESSOR

CERTIFICATE OF BOARD OF COUNTY COMMISSIONERS
EXAMINED AND APPROVED THIS 21st DAY OF July, A.D., 2009.

BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON

CHAIRMAN

ATTEST Janet Jorrie
CLERK OF THE BOARD

BASIS OF BEARINGS

WASHINGTON STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83/91. PROJECT IS REFERENCED VIA GPS TO NGS CONTROL POINTS "EASTON" (PID SX0682) AND "J358" (PID SX0459). THE DISTANCES SHOWN HEREIN ARE GROUND DISTANCES. TO CONVERT TO GRID DISTANCES, MULTIPLY BY A COMBINED AVERAGE SCALE FACTOR OF 0.999870387.

SURVEY INSTRUMENTATION

SURVEYING PERFORMED IN CONJUNCTION WITH THIS RECORD OF SURVEY UTILIZED THE FOLLOWING EQUIPMENT AND PROCEDURES:

10" TOTAL STATION MAINTAINED TO MANUFACTURER'S SPECIFICATIONS AS REQUIRED BY WAC-332-130-100

THREE DUAL FREQUENCY SURVEY GRADE GPS UNITS UTILIZING RAPID STATIC AND POST PROCESSING TECHNIQUES

PROCEDURE USED: FIELD TRAVERSE AND GPS WITH ACCURACY MEETING OR EXCEEDING THE REQUIREMENTS OF WAC-332-130-090

LEGEND

- (WH) BEARING AND/OR DISTANCE IS BASED UPON THE FIELD LOCATION OF THE FOUND CORNER AND THE COORDINATE POSITION ESTABLISHED BY W&H PACIFIC FOR MOUNTAINSTAR IN 2002.
- (ESM) BEARING AND/OR DISTANCE IS BASED UPON THE FIELD LOCATION OF THE FOUND CORNER AND/OR THE COORDINATE POSITION ESTABLISHED BY W&H PACIFIC FOR MOUNTAINSTAR IN 2002. ESM LOCATED THE EXISTING CORNERS AS SHOWN IN 2003. ESM CONCURRED WITH THE COORDINATE POSITION ESTABLISHED BY W&H PACIFIC AND ACCEPTED THEIR POSITION.
- ★ W&H PACIFIC FIELD LOCATED THE CORNER FOUND AT THIS LOCATION. ESM ACCEPTED THEIR POSITION.
- ☆ W&H PACIFIC FIELD LOCATED THE CORNER FOUND AT THIS LOCATION. ESM LOCATED THIS CORNER IN 2003. ESM CONCURRED WITH THE COORDINATE POSITION ESTABLISHED BY W&H PACIFIC AND ACCEPTED THEIR POSITION.
- (G) BEARING AND/OR DISTANCE FROM THAT RECORD OF SURVEY BY GOLDSMITH & ASSOCIATES AS RECORDED IN BOOK 30 OF SURVEYS, PAGES 104-107, UNDER AUDITOR'S FILE NO. 200407290063.
- ① PLAT OF "SUNCADIA - PHASE 1 DIVISION 9" A.F. NO. 200712190001
- ② RECORD OF SURVEY (BOUNDARY LINE ADJUSTMENT) A.F. NO. 200805020040

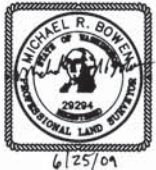


RECORDER

RECORDED ON July 21, 2009 @ 12:29 pm
IN VOL 11 - PG 221 IN KITITAS CO.

Jerald Pottet
AUDITOR

Koberman
DEPUTY RECORDER



ESM CONSULTING ENGINEERS & C
33915 1st Way South #200
Federal Way, WA 98003

www.esmcivil.com

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

DATE: 2009-08-24 | JOB NO. 1262-009-009-005
DRAWN BY: W.D.D./F.D./D.L.R. | SHEET 2 OF 5

FEDERAL WAY (206) 838-8113
ROTHIELL (425) 415-8144
ELLSBURG (509) 874-1805

VOLUME/PAGE
11 / 221

11-222

11-222

SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)

A PORTION OF SECTION 19, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M.
KITITAS COUNTY, WASHINGTON

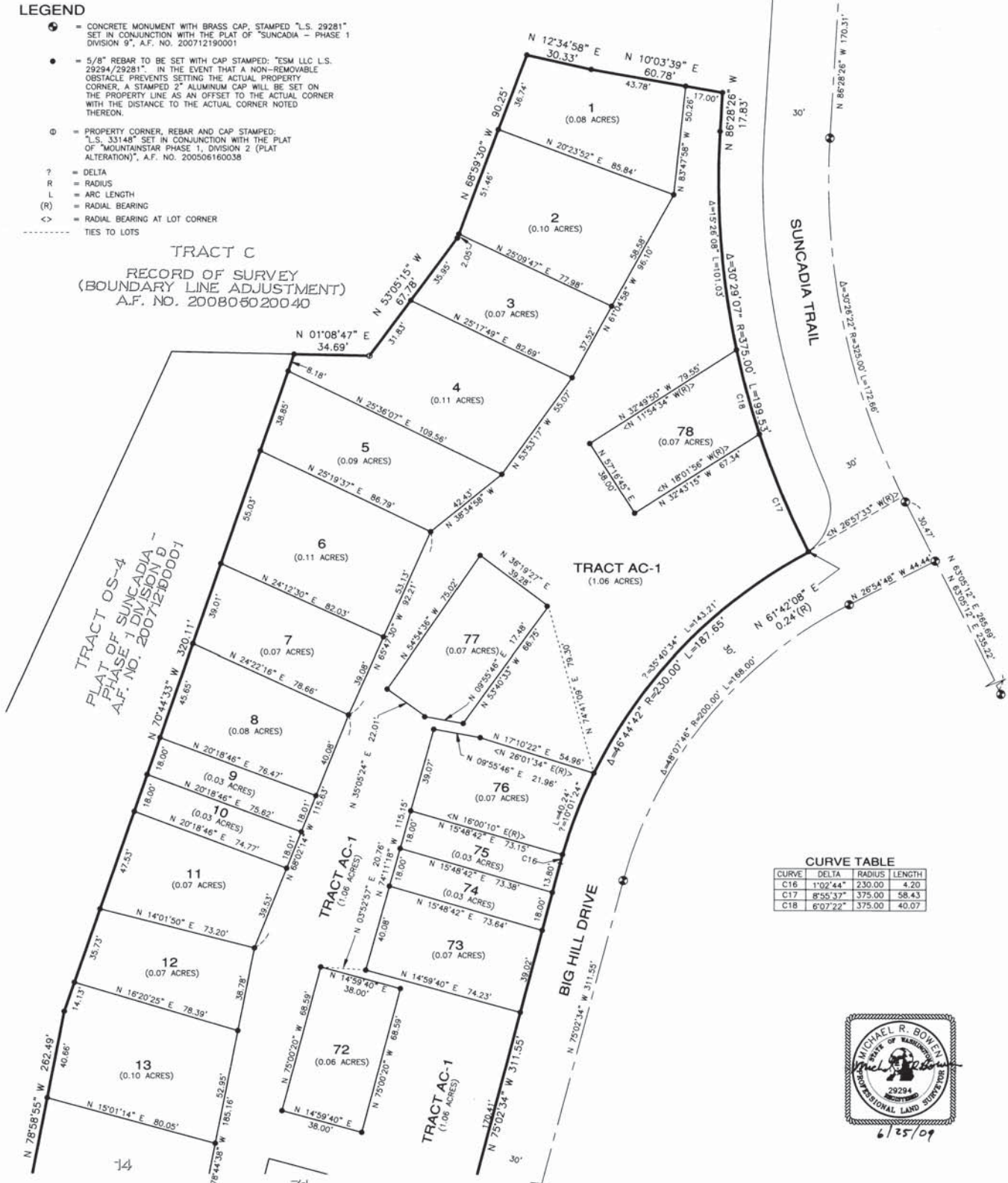
AUDITOR'S FILE NO.

200907210021

LEGEND

- = CONCRETE MONUMENT WITH BRASS CAP, STAMPED "L.S. 29281" SET IN CONJUNCTION WITH THE PLAT OF "SUNCADIA - PHASE 1 DIVISION 9", A.F. NO. 200712190001
- = 5/8" REBAR TO BE SET WITH CAP STAMPED: "ESM LLC L.S. 29294/29281". IN THE EVENT THAT A NON-REMOVABLE OBSTACLE PREVENTS SETTING THE ACTUAL PROPERTY CORNER, A STAMPED 2" ALUMINUM CAP WILL BE SET ON THE PROPERTY LINE AS AN OFFSET TO THE ACTUAL CORNER WITH THE DISTANCE TO THE ACTUAL CORNER NOTED THEREON.
- ⊙ = PROPERTY CORNER, REBAR AND CAP STAMPED: "L.S. 33148" SET IN CONJUNCTION WITH THE PLAT OF "MOUNTAINSTAR PHASE 1, DIVISION 2 (PLAT ALTERATION)", A.F. NO. 200506160038
- Δ = DELTA
- R = RADIUS
- L = ARC LENGTH
- (R) = RADIAL BEARING
- <> = RADIAL BEARING AT LOT CORNER
- = TIES TO LOTS

TRACT C
RECORD OF SURVEY
(BOUNDARY LINE ADJUSTMENT)
A.F. NO. 200806020040



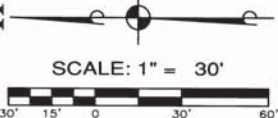
CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C16	1°02'44"	230.00	4.20
C17	8°55'37"	375.00	58.43
C18	6°07'22"	375.00	40.07



SEE SHEET 4 OF 5

Recorder
Recorded on July 21, 2009 at 12:29 PM
In Volume 11 Page 222 in Kittitas County
Deputy Recorder



ESM CONSULTING ENGINEERS LLC
33915 1st Way South #200
Federal Way, WA 98003
www.esmcivil.com

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

DATE: 2009-06-24 | JOB NO. 1262-009-009-0005
DRAWN BY: W.D.D./F.D./D.L.R. | SHEET 3 OF 5

VOLUME/PAGE
11/222

11-223

11-223

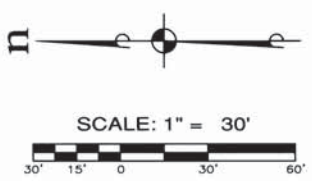
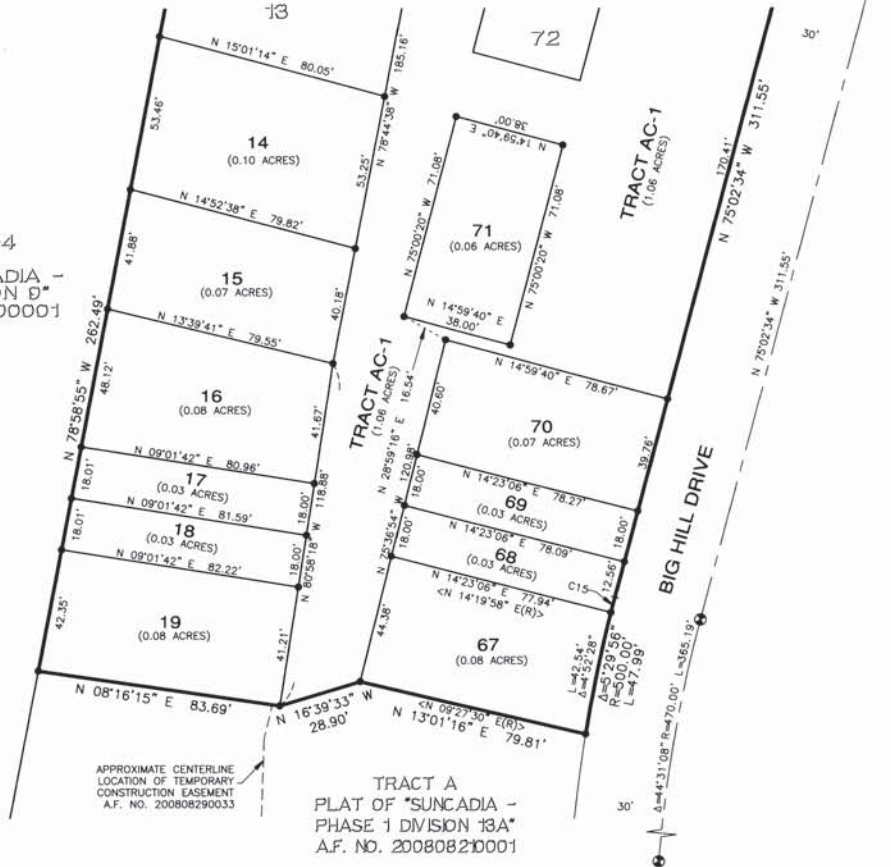
SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)

A PORTION OF SECTION 19, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M.
KITITAS COUNTY, WASHINGTON

AUDITOR'S FILE NO.
200907210021

SEE SHEET 3 OF 5

TRACT OS-4
PLAT OF "SUNCADIA -
PHASE 1 DIVISION 9"
A.F. NO. 200712100001



CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C15	0°37'28"	500.00	5.45

- LEGEND
- = CONCRETE MONUMENT WITH BRASS CAP, STAMPED "L.S. 29281" SET IN CONJUNCTION WITH THE PLAT OF "SUNCADIA - PHASE 1 DIVISION 9", A.F. NO. 200712190001
 - = 5/8" REBAR TO BE SET WITH CAP STAMPED: "ESM LLC L.S. 29294/29281". IN THE EVENT THAT A NON-REMOVABLE OBSTACLE PREVENTS SETTING THE ACTUAL PROPERTY CORNER, A STAMPED 2" ALUMINUM CAP WILL BE SET ON THE PROPERTY LINE AS AN OFFSET TO THE ACTUAL CORNER WITH THE DISTANCE TO THE ACTUAL CORNER NOTED THEREON.
 - ? = DELTA
 - R = RADIUS
 - L = ARC LENGTH
 - (R) = RADIAL BEARING
 - <> = RADIAL BEARING AT LOT CORNER
 - TIES TO LOTS

Recorder
Recorded on July 21, 2009 at 12:29 p.m.
In Vol 11, page 223 in Kittitas County

Arnold Pettit
Auditor

K. Anderson
Deputy Recorder



ESM CONSULTING ENGINEERS LLC
33915 1st Way South #200
Federal Way, WA 98003
www.esmcivil.com

FEDERAL WAY (253) 836-8113
BOTHELL (425) 415-6144
ELLENSBURG (509) 674-1905

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

DATE: 2009-06-24 JOB NO. 1262-009-009-0005
DRAWN BY: W.D.D./F.D./D.L.R. SHEET 4 OF 5

VOLUME/PAGE
11 / 223

11-224

11-224

SUNCADIA - PHASE 1 DIVISION 13A (PLAT ALTERATION)

A PORTION OF SECTION 19, TOWNSHIP 20 NORTH, RANGE 15 EAST, W.M.
KITITITAS COUNTY, WASHINGTON

AUDITOR'S FILE NO.

200907210021

EASEMENTS AND NOTES

1. THE PLAT OF SUNCADIA - PHASE 1 DIVISION 13A, AS RECORDED AUGUST 21, 2008, IN BOOK 11 OF PLATS, PAGES 163-168 IS BEING AMENDED HEREIN AS TO THE DESCRIBED REAL PROPERTY, AND THE PLAT NOTES, EASEMENTS OR OTHERWISE SET FORTH IN SUNCADIA - PHASE 1 DIVISION 9 AND MOUNTAINSTAR PHASE 1, DIVISION 2 (PLAT ALTERATION) AND SUNCADIA - PHASE 1 DIVISION 13A WITH RESPECT TO SAID PROPERTY ARE SUPERSEDED BY THIS PLAT.
2. THIS IS THE FIRST PHASE OF A THREE-PHASE PLAT WHICH SHALL BE COLLECTIVELY REFERRED TO AS PHASE 1 DIVISION 13. TRACT A WILL OR MAY BE FURTHER SUBDIVIDED INTO TWO TRACTS IN THE FUTURE AND, IN SUCH EVENT, WILL BE THE SECOND AND THIRD PHASES OF THIS PLAT.
3. BENNETT GRANTS UNTO SUNCADIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY ("SUNCADIA") 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 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 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 THE LESSER OF TEN FEET (10.00') OR THE DISTANCE BETWEEN SUCH PROPERTY LINE AND ANY STRUCTURE, INCLUDING FOOTINGS AND FOUNDATIONS, ON SUCH LOT OR TRACT. BENNETT FURTHER GRANTS UNTO SUNCADIA THE RIGHT TO GRANT ADDITIONAL NON-EXCLUSIVE EASEMENTS TO THIRD PARTIES FOR THE SAME OR SIMILAR PURPOSES; PROVIDED, HOWEVER, THE FOLLOWING LOTS SHALL NOT BE SUBJECTED TO SAID UTILITY EASEMENTS ALONG THE PROPERTY LINES COMMON TO THE SAID LOTS:
LOTS 8, 9, 10, AND 11
LOTS 16, 17, 18, AND 19
LOTS 67, 68, 69, AND 70
LOTS 73, 74, 75, AND 76
4. BENNETT GRANTS UNTO SUNCADIA, AND SUNCADIA WATER COMPANY, LLC AND SUNCADIA ENVIRONMENTAL COMPANY, LLC (COLLECTIVELY, THE "UTILITY SERVICE PROVIDERS"), AND THEIR SUCCESSORS AND/OR ASSIGNS, A NON-EXCLUSIVE EASEMENT 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 WITHIN THE RESORT, WITH THE EXCEPTION OF THE INTERNAL PRIVATE ROAD SYSTEM WITHIN THIS PLAT AS REFERENCED HEREINBELOW, 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 PARTY PERFORMING THE WORK TO AS GOOD OR BETTER CONDITION AS EXISTING IMMEDIATELY PRIOR TO SUCH WORK. BENNETT FURTHER GRANTS UNTO SUNCADIA 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 KITITITAS COUNTY, WASHINGTON, SUNCADIA LLC RELATING TO THE DEVELOPMENT COMMONLY KNOWN AS SUNCADIA MASTER PLANNED RESORT DATED DECEMBER 2, 2008, AS ADOPTED AND AUTHORIZED UNDER KITITITAS COUNTY RESOLUTION NO. 2009-37 ON APRIL 7, 2009, AND RECORDED APRIL 16, 2009, UNDER KITITITAS 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 ("CCRS") 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 SUNCADIA.
7. SUNCADIA, AS DEFINED HEREINABOVE, SHALL MEAN SUNCADIA, LLC AND ITS SUCCESSORS AND ASSIGNS, IF A RECORDED INSTRUMENT EXECUTED BY SUNCADIA ASSIGNS TO A TRANSFEREE ALL OR ANY PORTION OF THE RIGHTS AND INTERESTS GRANTED TO SUNCADIA UNDER THIS PLAT.
8. THE FOLLOWING LOTS SHALL BE REFERRED TO AS "ZERO LOT LINE" LOTS AND THE RESIDENCES CONSTRUCTED THEREON MAY SHARE A COMMON WALL, ROOF OR OTHERWISE. MATTERS RELATIVE TO SUCH ATTACHED RESIDENCES SHALL BE SET FORTH IN A SEPARATE DOCUMENT OF RECORD AND/OR THE CCRS.
LOTS 8, 9, 10, AND 11
LOTS 16, 17, 18, AND 19
LOTS 67, 68, 69, AND 70
LOTS 73, 74, 75, AND 76
9. ACCESS TO AND FROM THE LOTS AND TRACTS WITHIN THIS PLAT TO PLATTED ROADS WITHIN THE RESORT SHALL BE VIA AN INTERNAL PRIVATE ROAD SYSTEM WITHIN THIS PLAT OVER AND ACROSS TRACT AC-1 AND A SIMILAR TRACT THAT MAY BE CREATED WITHIN TRACT A OF THE PLAT OF SUNCADIA - PHASE 1 DIVISION 13A, AS RECORDED AUGUST 21, 2008, IN BOOK 11 OF PLATS, PAGES 163-168. MATTERS RELATIVE TO THE WIDTH, LOCATION AND TERMS AND CONDITIONS OF SUCH SHARED ACCESS ROADS SHALL BE SET FORTH IN A SEPARATE DOCUMENT OF RECORD AND/OR THE CCRS PROVIDED, HOWEVER, SAID ROAD SYSTEM SHALL BE OF SUFFICIENT WIDTH AND LOCATION SO AS TO PROVIDE APPROPRIATE ACCESS TO EACH OF SAID LOTS AND TRACTS.
10. PARKING WITHIN PHASE 1 DIVISION 13 AND EACH LOT'S RIGHTS TO GARAGE OR OTHER PARKING SPACES WITHIN PHASE 1 DIVISION 13 SHALL BE FULLY SET FORTH IN A SEPARATE DOCUMENT OF RECORD AND/OR THE CCRS. ALL OR CERTAIN LOTS WITHIN PHASE 1 DIVISION 13 MAY BE SUBJECTED TO EASEMENTS IN FAVOR OF THE SUNCADIA RESIDENTIAL OWNERS ASSOCIATION OR SUCH OTHER ASSOCIATION WHICH MAY BE FORMED BY THE OWNERS OF THE LOTS AND TRACTS WITHIN PHASE 1 DIVISION 13, IF ANY, OR THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, FOR THE ULTIMATE BENEFIT OF OTHER LOTS WITHIN PHASE 1 DIVISION 13 FOR PURPOSES OF ACCESS TO AND USE OF SUCH PARKING AND/OR GARAGE SPACES. REFERENCE TO RECORD TITLE SHOULD BE MADE FOR PROVISIONS RELATIVE THERETO.
11. THE EXACT LOCATION OF THE EASEMENT RECORDED UNDER KITITITAS COUNTY AUDITOR'S FILE NO. 200710250021 IS NOT DISCLOSED IN SAID DOCUMENT AND IS NOT DELINEATED HEREON.
12. RIGHT OF WAY #2 CONTAINED IN THE EASEMENT RECORDED UNDER KITITITAS COUNTY AUDITOR'S FILE NO. 200812090029 LIES WITHIN TRACT AC-1; HOWEVER, THE EXACT LOCATION OF THE REFERENCED FACILITIES IS NOT DISCLOSED IN SAID DOCUMENT AND THE LOCATION OF THE EASEMENT IS NOT DELINEATED HEREON.

RECORDER

RECORDED ON July 21 2009 @ 12:29 PM
IN VOL. 11 - PG. 224 IN KITITITAS COUNTY

Gerald Pettit
Auditor

K. Sundara
DEPUTY RECORDER



8/25/09

ESM CONSULTING ENGINEERS LLC
 33915 1st Way South #200
 Federal Way, WA 98003

www.esmcivil.com

FEDERAL WAY (253) 836-6113
 BOTHELL (425) 415-6144
 ELLENBURG (509) 674-1905

Civil Engineering Public Works	Land Surveying Project Management	Land Planning Landscape Architecture
DATE : 2008-09-24	JOB NO. 1262-009-009-0005	
DRAWN BY: W.D./F.D./C.F./R.W./D.R		SHEET 5 OF 5

VOLUME/PAGE
11
224