



**City of Bellevue
Development Services Department
Land Use Division Staff Report**

Proposal Name: Savoy Park Final Short Plat Amendment
Proposal Address: 803 92nd Ave NE
Proposal Description: Amend approved final short plat document to revise the private storm drain easement.
File Number: 08-112965-LF
Applicant: Kirkwood Company, Inc.
Decisions Included: Administrative Decision for a Final Short Plat Amendment through Process II, Land Use Code 20.45B.240.

**State Environmental Policy Act Exempt (WAC 197-11-800(6)(a))
Threshold Determination:**

Department Decision:

Approval with Conditions

Drew Folsom
Assistant Planner
Development Services Department

Application Date: March 20, 2008
Notice of Application: May 1, 2008
Decision Publication Date: February 19, 2009
Appeal Deadline: March 5, 2009

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

I. Description of Proposal

The applicant is requesting final short plat amendment approval to change the dimensions of an existing 10 foot wide storm drainage easement located at the western edge of the Savoy Park Short Plat. This amendment is intended to locate the existing storm drainage system constructed in support of this short plat entirely within the boundaries of the storm drainage easement. This short plat was recorded on June 17, 2004. The easement width will be increased from 10 feet to as much as 17.74 feet at the western edge of the property line dividing lots 2 and 3. The width of the easement will then taper to 10 feet towards the middle of the western boundaries of lots 2 and 3. The storm drainage easement as recorded on the face of the short plat overlaps a Retained Vegetation Area (RVA) which is intended as an area of nondisturbance. Segments of the storm drainage system were installed outside the recorded storm drainage easement to avoid the RVA. The installed storm drainage system will be located entirely within the boundaries of the new easement. An existing minor building element (covered porch) constructed over the installed storm drainage system on lot 2 will be located within the revised easement. The Land Use Code does not restrict the placement of structures within utility easements, however, the Utilities Department must approve any proposed improvements within utility easements.

II. Site Description and Context

Site Characteristics

The Savoy Park Short Plat is a .86-acre subdivision located within the Northwest Subarea of the Comprehensive Plan. The short plat contains 3 single family lots which range in size from 12,090 square feet to 12,930 square feet. All 3 lots are developed with single family residences. The property is located in the R-3.5 zoning district and is surrounded by single family development.

Site Design

All 3 lots of the short plat gain access from a shared driveway via 92nd Ave NE. The site contains several utility drainage easements and retained vegetation areas. The revised easement is located on lots 2 and 3 which are developed with single family residences.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

Consistency with Standard Land Use Code Requirements

The proposed short plat amendment will not have any affect on required Land Use Code dimensional requirements or density for the R-3.5 zoning district as applied to these lots.

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

There are no Critical Areas located on the subject property. Short Plats not containing Critical Areas are exempt form SEPA review pursuant to WAC 197-11-800(6)(a).

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

The Utilities Department has no concerns and recommends approval of the final short plat amendment.

B. Fire Department Review

The Fire Department has no concerns and recommends approval of the final short plat amendment.

C. Transportation Department Review

The Transportation Department has no concerns and recommends approval of the final short plat amendment.

VI. PUBLIC NOTICE AND COMMUNITY INPUT

Application Date: March 20, 2008

Public Notice (500 feet): May 1, 2008 (Includes sign installation at the site)

Minimum Comment Period: May 15, 2008

Notice of Application was published in the City of Bellevue's *Weekly Permit Bulletin* and the *Seattle Times* on May 1, 2008. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day.

The city received several public inquiries of a general nature and some specific inquiries related to the size of the public information sign. No substantive comments regarding the merits of this proposal were received from the public.

VII. Decision Criteria:

20.45B.240 Final short plat – Revision.

B. Short subdivisions may be revised in accordance with the following requirements:

1. All affected ownership interests within the originally recorded short subdivision must be a party to the revision application, or must express written agreement to the proposed revision, including written agreement to accept ownership of any property, or to transfer or convey ownership of any property, which may be necessary as a result of the revision.

Finding: All owners within the recorded short plat signed a Supplemental Declaration of Savoy Park Short Plat expressing written agreement to the proposed revision. No transfer of property is proposed or necessary.

2. Any features contained in the original short subdivision which have been relied upon in subsequent land development or land use planning decisions and which are still applicable at the time of application shall be incorporated in the short subdivision revision, unless such features are provided by other legal means at the time of short subdivision revision.

Finding: All features contained in the original preliminary short plat approval, in addition to the revised storm drainage easement, are required to be incorporated into the final short plat mylar. See Conditions of Approval in Section VIII.

3. Procedures and requirements established by this chapter for preliminary short subdivision approval shall be applicable to revision requests. Revisions shall comply with applicable conditions and provisions of the original plat or short plat and shall not adversely affect access, easements, or any land use requirements as provided for in the laws of the City.

Finding: The Savoy Park Final Short Plat Amendment was processed per the requirements of LUC20.45B.080. The short plat amendment complies with all applicable conditions and provisions of the original short plat. The amendment to revise the storm drainage easement will not adversely affect access, easements, or any land use requirements.

4. Approval of any revision shall be filed and recorded as a supplemental declaration of short subdivision which shall contain the adjusted legal description and shall be effective upon being recorded by the Department of Planning and Community Development with the King County Department of Records and Elections and upon receipt of proof of recording.

Finding: The applicant is required to record a supplemental declaration of short subdivision containing the adjusted legal description(s) as a condition of approval of this permit. See Conditions of Approval in section VIII.

VII. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, SEPA, City Code, and standard compliance reviews, the Director of the Development Services Department does hereby **approve** the Savoy Park Final Short Plat Amendment **with conditions**.

VIII. Conditions of Approval:

The following conditions are imposed under authority referenced:

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES

The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances including but not limited to:

Applicable Codes, Standards and Ordinances Contact Person

| | |
|---|----------------------------|
| Fire Code – BCC 23.11 | Adrian Jones, 425-452-6030 |
| Land Use Code – BCC Title 20 | Drew Folsom, 425 452-4441 |
| Transportation Development Code – BCC 14.60 | Carl Wilson, 425-452-4228 |
| Utility Code – BCC Title 24 | Don Rust, 425-452-4856 |

GENERAL CONDITIONS OF APPROVAL

1. Incorporation of Features in Original Savoy Park Short Plat

All features contained in the original preliminary short plat approval, in addition to the revised storm drainage easement, shall be incorporated into the final short plat mylar.

AUTHORITY: Land Use Code 20.45B.240
REVIEWER: Drew Folsom, Development Services Department

2. Recording of the Supplemental Declaration of Savoy Park Short Plat

Applicant shall record the Supplemental Declaration of Savoy Park Short Plat with the King County Department of Records and Elections.

AUTHORITY: Land Use Code 20.45B.240
REVIEWER: Drew Folsom, Development Services Department

LIST OF ATTACHMENTS

- A. Plans and Drawings
- B. Vicinity Map

AMENDED SAVOY PARK SHORT PLAT

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., KING COUNTY, WASHINGTON

AMENDED SHORT PLAT NOTE:
PURPOSE OF THIS AMENDMENT IS TO REVERSE THE PRIVATE STORM DRAIN EASEMENT OVER AND UPON LOTS 2 AND 3 AS SHOWN ON THE FACE OF THIS SHORT PLAT.

DEDICATION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SHORT SUBDIVIDED, DECLARE THIS SHORT PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SHORT SUBDIVISION MADE HEREBY, AND DEDICATE TO THE PUBLIC FOREVER ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE, WE RESERVE AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR LOTS AND TRACTS SHOWN ON THIS SHORT PLAT FOR PUBLIC PURPOSES. WE ALSO RESERVE THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR LOTS AND TRACTS SHOWN ON THIS SHORT PLAT FOR PUBLIC PURPOSES AS INDICATED, INCLUDING BUT NOT LIMITED TO STREETS, ALLEYS, UTILITY LINES AND DRAINAGE -- UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS SHORT PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO DEDICATE SUCH STREETS, EASEMENTS, OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, WE WAIVE FOR OURSELVES, FOR OUR HEIRS AND ASSIGNS, AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF BELLEVUE AND ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED TO THE ADJACENT LANDS OF THIS SHORT SUBDIVISION BY THE ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SHORT SUBDIVISION. THIS SHORT SUBDIVISION, DEDICATION, AND WAIVER OF CLAIMS IS MADE WITH FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES.

BY: RICHARD NEUMAN

BY: SUSAN USHIRODA

BANK OF AMERICA, N.A.

NAME: _____

ITS: _____

BY: LYNN STIER, W.L. CASHWERER TRUST

ITS: TRUSTEE

BANK OF AMERICA, N.A.

NAME: _____

ITS: _____

BY: MARK STABINGAS

BY: AMY STABINGAS

JPMORGAN CHASE BANK, N.A.

NAME: _____

ITS: _____

ACKNOWLEDGMENTS:

STATE OF WASHINGTON
COUNTY OF _____

ON THIS DAY PERSONALLY APPEARED BEFORE ME RICHARD NEUMAN TO ME KNOWN TO THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE SIGNED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON.
MY COMMISSION EXPIRES _____

STATE OF WASHINGTON
COUNTY OF _____

ON THIS DAY PERSONALLY APPEARED BEFORE ME SUSAN USHIRODA TO ME KNOWN TO THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT SHE SIGNED THE SAME AS HER FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON.
MY COMMISSION EXPIRES _____

STATE OF WASHINGTON
COUNTY OF _____

ON THIS DAY PERSONALLY APPEARED BEFORE ME _____ OF _____ STATE OF WASHINGTON
TO ME KNOWN TO BE THE _____ OF _____ BANK OF AMERICA, N.A. THE CORPORATION DESCRIBED IN FOREGOING INSTRUMENT, AND KNOWN TO THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID BANK OF AMERICA, N.A. FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE/SHE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY.
GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 2008, ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON.
MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF KIRKWOOD COMPANY INC., MARCH 2008.

William B. Rodgers
PROFESSIONAL LAND SURVEYOR

CERTIFICATE NO. 38916

SE 1/4, SW 1/4 OF SEC. 30, TWP 25 N., RGE. 5 E., W.M.

TRANSPORTATION DEPARTMENT

EXAMINED AND APPROVED: _____ DATE _____

REAL PROPERTY AND SURVEY _____ DATE _____

DEVELOPMENT REVIEW _____ DATE _____

UTILITIES DEPARTMENT

EXAMINED AND APPROVED: _____ DATE _____

ADMINISTRATOR _____ DATE _____

PLANNING & COMMUNITY DEVELOPMENT

EXAMINED AND APPROVED: _____ DATE _____

ADMINISTRATOR _____ DATE _____

KING CO. DEPT. OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____ 20____

ASSESSOR _____ DEPUTY ASSESSOR _____

ACCOUNT NO. _____

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____ AT _____ M. IN BOOK _____ OF SURVEYS AT PAGE(S) _____ AT _____ THE REQUEST OF THE CITY OF BELLEVUE.

SUPT. OF RECORDS _____



WILLIAM B. RODGERS
PROFESSIONAL LAND SURVEYOR
D.R. STRONG CONSULTING ENGINEERS
10604 NE 38TH PLACE, SUITE 101
KIRKLAND, WA, 98033
(425) 827-3063

DATE: 03/19/2008



City of Bellevue

AMENDED SHORT PLAT NO. 05-124177 LF

DATE: 03/19/08 SCALE: N/A DRAWN: EJS

SHEET 1 OF 4

MAR 21 2008

**AMENDED SAVOY PARK SHORT PLAT
A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 30, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M.,
KING COUNTY, WASHINGTON**

ACKNOWLEDGMENT:

STATE OF WASHINGTON)
COUNTY OF _____)

ON THIS DAY PERSONALLY APPEARED BEFORE ME MARK STABINGAS TO ME KNOWN TO THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE SIGNED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,
MY COMMISSION EXPIRES _____ 2008.

STATE OF WASHINGTON)
COUNTY OF _____)

ON THIS DAY PERSONALLY APPEARED BEFORE ME AMY STABINGAS TO ME KNOWN TO THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT SHE SIGNED THE SAME AS HER FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,
MY COMMISSION EXPIRES _____ 2008.

STATE OF WASHINGTON)
COUNTY OF _____)

ON THIS DAY PERSONALLY APPEARED BEFORE ME _____ OF
TO ME KNOWN TO BE THE _____
JPMORGAN CHASE BANK, N.A. THE CORPORATION DESCRIBED IN FOREGOING INSTRUMENT,
AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND
DEED OF SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN
MENTIONED, AND ON OATH STATED THAT HE/SHE WAS AUTHORIZED TO EXECUTE SAID
INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY COMPANY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 2008, ABOVE
WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,
MY COMMISSION EXPIRES _____

STATE OF WASHINGTON)
COUNTY OF _____)

ON THIS DAY PERSONALLY APPEARED BEFORE ME LYNN SYLER, W.L. CASHMERE TRUST TO ME KNOWN TO THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT SHE SIGNED THE SAME AS HER FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,
MY COMMISSION EXPIRES _____ 2008.

STATE OF WASHINGTON)
COUNTY OF _____)

ON THIS DAY PERSONALLY APPEARED BEFORE ME _____ OF
TO ME KNOWN TO BE THE _____
BANK OF AMERICA, N.A., THE CORPORATION DESCRIBED IN FOREGOING INSTRUMENT, AND
ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF
SAID LIMITED LIABILITY COMPANY FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON
OATH STATED THAT HE/SHE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT ON BEHALF OF
SAID LIMITED LIABILITY COMPANY.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ 2008, ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,
MY COMMISSION EXPIRES _____

| | |
|---|---|
|  | <p align="center">WILLIAM B. ROGERS PROFESSIONAL LAND SURVEYOR</p> <p align="center">D.R. STRONG CONSULTING ENGINEERS 10804 NE 38TH PLACE, SUITE 101 KIRKLAND, WA. 98033 (425) 827-5063</p> |
| DATE: 01/19/2008 | |

| | |
|--|--|
|  <p align="center">City of Bellevue</p> | <p>AMENDED SHORT PLAT NO. 05-124177 LF</p> |
| DATE: 03.19.08 | SCALE: N/A |
| DRAWN: EJS | NO. 03987 |
| SHEET 2 OF 4 | |

AMENDED SAVOY PARK SHORI PLAI
A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 30, TOWNSHIP 25 NORTH, RANGE 5 EAST, WM,
KING COUNTY, WASHINGTON

CONDITIONS OF APPROVAL

STORM DRAIN MAINTENANCE:

THE OWNERS OF LOTS 1, 2, AND 3, THEIR HEIRS AND ASSIGNS, SHALL ARRANGE FOR THE MAINTENANCE AND REPAIR OF THE STORM WATER FACILITIES TO ENSURE THAT THEY OPERATE AS INTENDED. THE COST OF MAINTENANCE, REPAIR, AND REPLACEMENT OF THE DRAINAGE CONVEYANCE SYSTEM SHALL BE BORNE EQUALLY BY THE OWNERS OF LOTS 1, 2, AND 3, THEIR HEIRS AND ASSIGNS.

SIGNIFICANT TREE RETENTION:

THE SIGNIFICANT TREES MUST BE RETAINED AND NOT BE REMOVED UNLESS AS OTHERWISE APPROVED IN WRITING BY THE CITY OF BELLEVUE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.

TREE PROTECTION PLAN:

THE DESIGNATION OF TREES ON THE TREE PRESERVATION PLAN ESTABLISHES A COVENANT BY THE OWNER TO LEAVE UNDISTURBED ALL TREES AS SHOWN ON THE TREE PRESERVATION PLAN. THIS COVENANT SHALL RUN WITH THE LAND AND BE BINDING UPON FUTURE OWNERS. NO TREE TOPPING, TREE CUTTING OR TREE REMOVAL SHALL OCCUR UNLESS REQUIRED OR APPROVED BY THE CITY OF BELLEVUE. EXCEPT FOR ORDINARY LANDSCAPE MAINTENANCE, NO CONSTRUCTION, CLEARING OR LAND ALTERATION ACTIVITIES SHALL OCCUR WITHIN THE DRIP LINE [DEFINED AS ONE FOOT FOR EVERY ONE INCH OF TREE DIAMETER AT BREAST HEIGHT(090)] OF TREES SHOWN ON THE TREE PRESERVATION PLAN UNLESS REQUIRED OR APPROVED BY THE CITY OF BELLEVUE. ACTIVITIES IN VIOLATION OF THIS COVENANT ARE SUBJECT TO A PENALTY, INCLUDING WITHOUT LIMITATION, FINES AND MITIGATION REQUIREMENTS. THE CITY OF BELLEVUE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THE REQUIREMENTS, TERMS AND CONDITIONS OF THIS COVENANT BY ANY METHOD AVAILABLE UNDER LAW. IT IS THE OBLIGATION OF THE OWNER TO COMPLY WITH THE TERMS OF THE TREE PRESERVATION PLAN AND THIS COVENANT.

NATIVE GROWTH PROTECTION AREA:

DEDICATION OF NATIVE GROWTH PROTECTION AREAS (NGPA) ESTABLISHES, ON ALL PRESENT AND FUTURE OWNERS, AND USERS OF THE LAND, AN OBLIGATION TO LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THE AREY. THE PURPOSE OF PREVENTING HARM TO PROPERTY AND THE ENVIRONMENT, INCLUDING BUT NOT LIMITED TO CONTROLLING SURFACE WATER RUNOFF AND EROSION, MAINTAINING SOIL STABILITY, PREVENTING VEGETATION DAMAGE, AND PREVENTING THE IMPLEMENTATION OF AN ENHANCEMENT PLAN REQUIRED OR APPROVED BY THE CITY. ANY WORK, INCLUDING REMOVAL OF DEAD, DISEASED OR DYING VEGETATION, IS SUBJECT TO PERMIT REQUIREMENTS OF CITY OF BELLEVUE CODES. THE CITY OF BELLEVUE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THE REQUIREMENTS, TERMS, AND CONDITIONS OF THIS RESTRICTION BY ANY METHOD AVAILABLE UNDER LAW. THE OBLIGATION TO ENSURE THAT ALL TERMS OF THE NGPA ARE MET IS THE RESPONSIBILITY OF THE UNDERLYING OWNER.

SANITARY SEWER MAINTENANCE:

THE OWNERS OF LOTS 1, 2, AND 3, THEIR HEIRS AND ASSIGNS, SHALL ARRANGE FOR THE MAINTENANCE AND REPAIR OF THE SANITARY SEWER FACILITIES TO ENSURE THAT THEY OPERATE AS INTENDED. THE COST OF MAINTENANCE, REPAIR, AND REPLACEMENT OF THE SANITARY SEWER SYSTEM SHALL BE BORNE EQUALLY BY THE OWNERS OF LOTS 1, 2, AND 3, THEIR HEIRS AND ASSIGNS, EXCEPT THAT THE OWNERS OF THE LOWER PARCEL(S) SHALL NOT BE RESPONSIBLE FOR THAT PART OF THE SEWER LINE ABOVE THEIR CONNECTION. AND WHEN NECESSARY TO REPAIR, CLEAN OR RECONSTRUCT THE SEWER LINE, THE PARTIES TO THIS AGREEMENT SHALL HAVE A RIGHT OF ENTRY FOR THAT PURPOSE.

RETAINED VEGETATION AREA (RVA):

DEDICATION OF RETAINED VEGETATION AREAS (RVA) ESTABLISHES, ON ALL PRESENT AND FUTURE OWNERS AND USERS OF THE LAND, AN OBLIGATION TO LEAVE EXISTING HEALTHY TREES AND UNDERSTORY UNDISTURBED AND LIMITS LANDSCAPING OR OTHER ALTERATION TO REMOVAL OF SPECIES WITH A GROWTH HABITAT AT MATURITY COMPARABLE TO NATIVE OR COMPATIBLE SPECIES WITH A GROWTH HABITAT AT MATURITY COMPARABLE TO NATIVE VEGETATION FOR THE PURPOSE OF PREVENTING HARM TO PROPERTY AND THE ENVIRONMENT, INCLUDING BUT NOT LIMITED TO CONTROLLING SURFACE WATER RUNOFF AND EROSION, MAINTAINING SOIL STABILITY, BUFFERING AND PROTECTING LANDS AROUND OR BEHIND OF DEAD, DISEASED OR DYING VEGETATION. ANY WORK INCLUDING LANDSCAPING OR BEHIND OF DEAD, DISEASED OR DYING VEGETATION, IS SUBJECT TO PERMIT REQUIREMENTS OF CITY OF BELLEVUE CODES. THE CITY OF BELLEVUE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THE REQUIREMENTS, TERMS AND CONDITIONS OF THIS RESTRICTION BY ANY METHOD AVAILABLE UNDER LAW. THE OBLIGATION TO ENSURE THAT ALL TERMS OF THE RVA ARE MET IS THE RESPONSIBILITY OF THE UNDERLYING OWNER.

SCHEDULE B EXCEPTIONS:

- (PER TITLE REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED MARCH 6, 2008, FILE NO. 4209-1191436)
- 8. ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCE LINE/BOUNDARY DISCREPANCIES, NOTES AND/OR PROVISIONS SHOWN OR DISCLOSED BY SHORT PLAT OR PLAT SCHAFFERS REPLAY OF PORTION OF KENWOOD PARK AND EASTLAND ACRE TRACTS SUPPLEMENTAL, RECORDED IN VOLUME 41 OF PLATS, PAGE(S) 36.
- 9. EASEMENT INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN IN FAVOR OF PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION FOR THE ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM. AFR:2006030200988B. UNABLE TO DEPICT LOCATION.
- 10. ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCE LINE/BOUNDARY DISCREPANCIES, NOTES AND/OR PROVISIONS SHOWN OR DISCLOSED BY SHORT PLAT OR PLAT 05-124177LF, RECORDED UNDER RECORDING NUMBER 200602313900025.

- 11. COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE TITLE 42, SECTION 3604(C), OF THE UNITED STATES CODES. AFR:20070208000950.
- 12. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "STORM DRAINAGE OPERATIONS AND MAINTENANCE SCHEDULE". AFR:20070330003408.
- 13. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "PRIVATE STORM DRAIN SYSTEM COMPLIANCE". AFR:20070627001388.
- 14. RECORD OF SURVEY RECORDED NOVEMBER 7, 2005 UNDER RECORDING NO. 2005107090002C. SAID SURVEY DISCLOSES THE FOLLOWING MATTERS OF A FENCE ENCROACHMENT AS DELINEATED THEREON AFFECTS LOT 3.



WILLIAM B. ROGERS
 PROFESSIONAL LAND SURVEYOR
 D.R. STRONG CONSULTING ENGINEERS
 10604 NE 36TH PLACE, SUITE 101
 KIRKLAND, WA 98033
 (425) 827-3063

DATE: 02/19/2008

JOB NO. 03227



City of
 Bellevue

AMENDED SHORT PLAT NO. 05-124177 LF

DATE: 03/19/08 SCALE: N/A DRAWN: EJS JOB NO. 03227

Vicinity Map

