

DESCRIPTION:

TRACT 2, SHORT PLAT NO. BURL-2-94, APPROVED AUGUST 24, 1994, RECORDED SEPTEMBER 1, 1994 IN VOLUME 11 OF SHORT PLATS, PAGES 117 AND 118, UNDER AUDITOR'S FILE NO. 9409010088 AND BEING A PORTION OF THE WEST 1/2 OF THE EAST 1/2 OF TRACT 73, "PLAT OF THE BURLINGTON ACREAGE PROPERTY", AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON.

TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT ALL TAXES HERETOFORE LEVIED AND WHICH HAVE BECOME A LIEN UPON THE LANDS HEREIN DESCRIBED HAVE BEEN FULLY PAID AND DISCHARGED ACCORDING TO THE RECORDS OF MY OFFICE, UP TO AND INCLUDING THE YEAR OF 2003.

I, KATE JUNDUST, TREASURER OF SKAGIT COUNTY, WASHINGTON, HEREBY CERTIFY THAT A CERTAIN DEPOSIT HAS BEEN PAID TO COVER ANTICIPATED TAXES UP TO AND INCLUDING THE YEAR 2003. THIS 28th DAY OF December 2003.

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AND ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS, OR FOR OTHER PUBLIC USE, ARE PAID IN FULL. THIS 28th DAY OF December 2003.

NOTES

1. THIS PLAT IS SUBJECT TO NOTES AND DEDICATION SHOWN ON SHORT PLAT NO. BURL-2-94 APPROVED AUGUST 24, 1994, RECORDED SEPTEMBER 1, 1994 IN VOLUME 11 OF SHORT PLATS, PAGES 117 AND 118, UNDER AUDITOR'S FILE NO. 9409010088, RECORDS OF SKAGIT COUNTY, WASHINGTON.
2. ZONING: R-8400
3. ● - INDICATES IRON REBAR SET WITH YELLOW CAP - SURVEY NUMBER SEMRAU 9622 OR SEMRAU 28626
- - INDICATES EXISTING REBAR OR IRON PIPE FOUND.
- ✕ - INDICATES SET MAG NAIL/SHINER.
- ⊗ - INDICATES CONCRETE MONUMENT SET.
- ⊙ - INDICATES CONCRETE MONUMENT FOUND
4. MERIDIAN: ASSUMED
5. BASIS OF BEARING: SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 5, T.34 N., R.4 E., W.M. - SOUTH 89°37'43" EAST.
6. SURVEY DESCRIPTION IS FROM SUBDIVISION GUARANTEE, ORDER NO. 71743, FIRST AMERICAN TITLE INSURANCE COMPANY, DATED NOVEMBER 14, 2002
7. THIS PROPERTY IS SUBJECT TO AND TOGETHER WITH EASEMENTS, RESERVATIONS, RESTRICTIONS COVENANTS AND OTHER INSTRUMENTS OF RECORD INCLUDING BUT NOT LIMITED TO THOSE INSTRUMENTS RECORDED UNDER AUDITOR'S FILE NUMBERS 9211200089, 9409150097, 9409010088, 774881, 200210120075 AND 200208270141.
8. INSTRUMENTATION: LEICA TCA 1105, THEODOLITE DISTANCE MEETER.
9. SURVEY PROCEDURE: FIELD TRAVERSE
10. FOR ADDITIONAL SURVEY AND SUBDIVISION INFORMATION, SEE SKAGIT COUNTY SHORT PLAT NO. 1-77 RECORDED IN VOLUME 2 OF SHORT PLATS, PAGE 21, PLAT OF UMBARGER TRACT 1 RECORDED IN VOLUME 9 OF PLATS, PAGES 91-108, AND THE PLAT OF SKAGIT COUNTY ARE PLATS 1 RECORDED IN VOLUME 13 OF PLATS, PAGES 179-180, ALL RECORDS OF SKAGIT COUNTY, WASHINGTON.
11. BULDER SHOULD BE AWARE THAT THIS SHORT PLAT IS LOCATED IN THE FLOODPLAIN OF THE SKAGIT RIVER AND SIGNIFICANT ELEVATION MAY BE REQUIRED FOR THE FIRST FLOOR OF RESIDENTIAL CONSTRUCTION.
12. ROAD DRAINAGE SYSTEM IS AN INFILTRATION SYSTEM. ANY AND ALL RESIDENCES ON LOTS IN THIS PLAT SHALL HAVE THE FIRST FLOOR ELEVATION AT A MINIMUM OF ONE (1) FOOT ABOVE THE HIGHEST TOP OF CURB GRADE ADJOINING SAID LOT.

TRACT "A"

SP-1-77 INDICATES THAT THE CORNERS OF THE LOTS WERE MARKED WITH REBAR WITH YELLOW CAPS MARKED R&L 6702. WHEN STAKING THE LOTS IN SAKHLOW ANNEX WE FOUND THAT THE CORNER POINTS SET FOR THE NORTHWEST AND SOUTHWEST CORNERS OF LOT 8 OF SAID SP-1-77 WERE SET APPROXIMATELY 6.0 FEET SOUTH OF THE PLATED LOCATION. APPARENTLY THE OCCUPATION ALONG THE NORTH WAS ESTABLISHED BASED UPON THE STAKING OF SHORT PLAT NO. 1-77. IN CONVERSATION WITH THE OWNER TO THE NORTH (LOT 25, PLAT OF UMBARGER TRACTS) HE SAID HE MOVED HIS FENCE SOUTH TO MATCH THE STAKING DONE FOR SAID SHORT PLAT NO. 1-77. THE EXISTING OCCUPATION ALONG THE NORTH LINE OF THIS PLAT APPEAR TO BE AN EXTENSION OF SP-1-77.

Plat of NIELSEN PARK
SECTION 5, T. 34 N., R. 4 E., W.M.
BURLINGTON, WASHINGTON
SHEET 1 OF 2

PRIVATE DRAINAGE EASEMENT

AN EASEMENT FOR THE PURPOSE OF CONVEYING LOCAL STORM WATER RUNOFF IS HEREBY GRANTED IN FAVOR OF ALL ABUTTING LOT OWNERS IN THE AREAS DESIGNATED AS PRIVATE DRAINAGE EASEMENTS. THE MAINTENANCE OF PRIVATE DRAINAGE EASEMENTS ESTABLISHED AND GRANTED HEREIN SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS AND THEIR HEIRS, PERSONAL REPRESENTATIVES, AND ASSIGNS.

THE CITY OF BURLINGTON IS HEREBY GRANTED THE RIGHT TO ENTER SAID EASEMENTS FOR EMERGENCY PURPOSES AT ITS OWN DISCRETION.

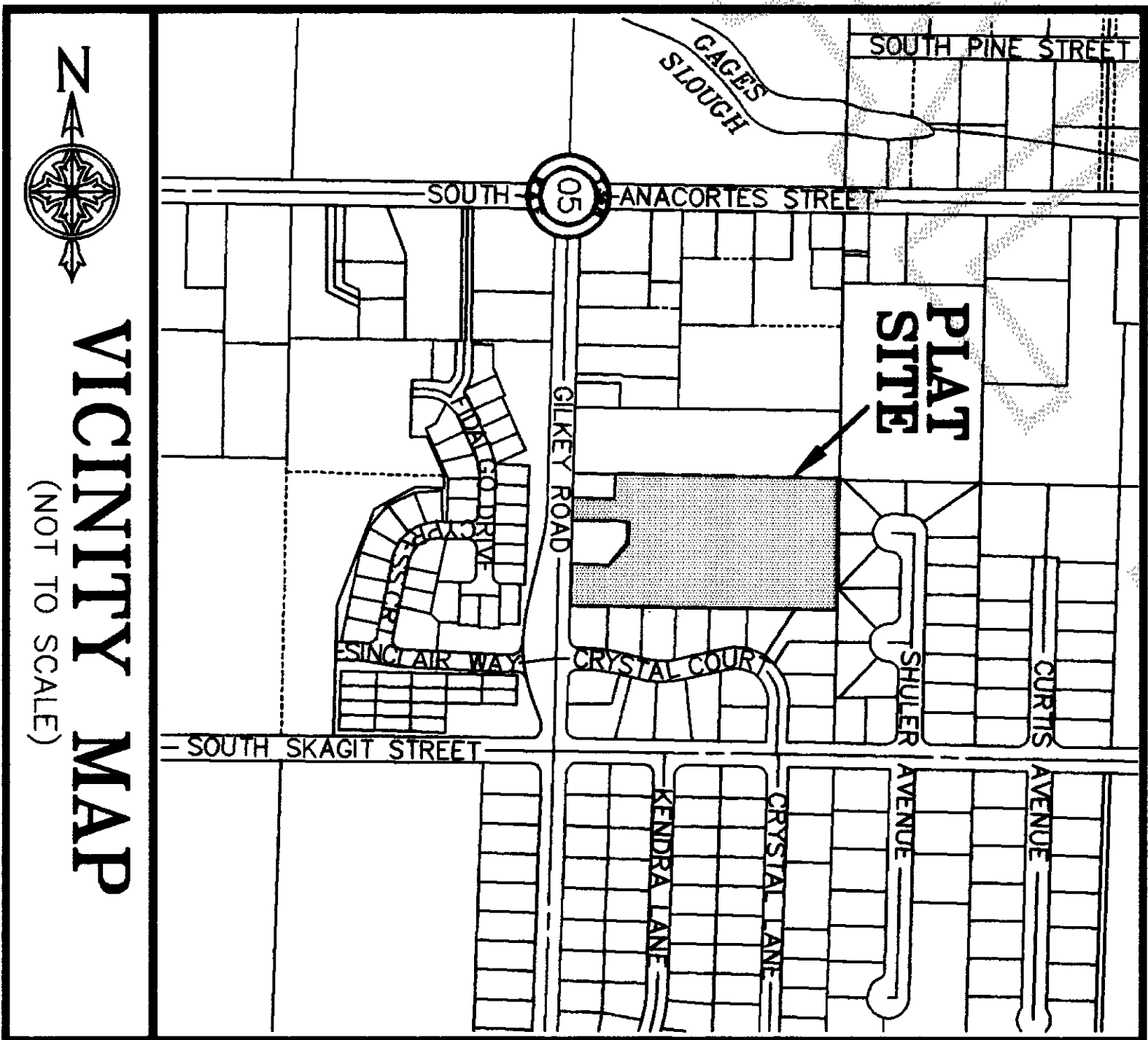
EASEMENTS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO CITY OF BURLINGTON, PUBLIC UTILITY DISTRICT NO. 1, SKAGIT SOUND ENERGY, VERIZON, CASCADE NATURAL GAS CORP., AND AT&T BROADBAND AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE ROAD AND UTILITY EASEMENTS AS SHOWN HEREON AND OTHER UTILITY EASEMENTS SHOWN ON THE FACE OF THE PLAT, IN WHICH TO INSTALL, LAY, CONSTRUCT, REPAIR, OPERATE, MAINTAIN AND REMOVE UTILITY SYSTEMS, LINES, FIXTURES, AND APPURTENANCES ATTACHED THERETO, FOR THE PURPOSE OF PROVIDING UTILITY SERVICES TO THE SUBDIVISION AND THEREAFTER. THE RIGHT TO ENTER UPON THE LOTS AND TRACTS OF LAND HEREIN FOR THE PURPOSES SET FORTH IN THIS EASEMENT SHALL BE THE RESPONSIBILITY OF THE SUBDIVISION. THE CITY OF BURLINGTON SHALL BE RESPONSIBLE FOR ALL UNNECESSARY AND ABUSE OF ANY REAL PROPERTY OWNER IN THE SUBDIVISION BY THE EXERCISE OF RIGHTS AND PRIVILEGES HEREIN GRANTED.

WATER PIPELINE EASEMENT

EASEMENTS ARE GRANTED TO PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, A MUNICIPAL CORPORATION, ITS SUCCESSORS OR ASSIGNS, THE PERPETUAL RIGHT, PRIVILEGE, AND AUTHORITY ENABLING THE PLD TO DO ALL THINGS NECESSARY OR PROPER IN THE CONSTRUCTION AND MAINTENANCE OF A WATER LINE, LINES OR RELATED FACILITIES, INCLUDING THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN, INSPECT, IMPROVE, REMOVE, RESTORE, ALTER, REPLACE, RELOCATE, CONNECT TO AND LOCATE WITH NECESSARY APPURTENANCES FOR TRANSPORTATION OF WATER OVER, ACROSS, ALONG, IN AND UNDER THE LANDS AS SHOWN ON THIS PLAT TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID LANDS ACROSS ADJACENT LANDS OF THE GRANTOR.

GRANTOR, ITS HEIRS, SUCCESSORS, OR ASSIGNS HEREBY CONVEYS AND AGREES NOT TO CONSTRUCT OR PERMIT TO BE CONSTRUCTED STRUCTURES OF ANY KIND ON THE EASEMENT AREA WITHOUT WRITTEN APPROVAL OF THE GENERAL MANAGER OF THE DISTRICT. GRANTOR SHALL CONDUCT ITS ACTIVITIES AND ALL OTHER ACTIVITIES ON GRANTOR'S PROPERTY SO AS NOT TO INTERFERE WITH, OBSTRUCT OR ENDANGER THE UTILITY OF ANY IMPROVEMENTS OR OTHER FACILITIES NOW OR HEREAFTER MAINTAINED UPON THE EASEMENT OR IN ANY WAY INTERFERE WITH, OBSTRUCT OR ENDANGER THE DISTRICT'S USE OF THE EASEMENT.

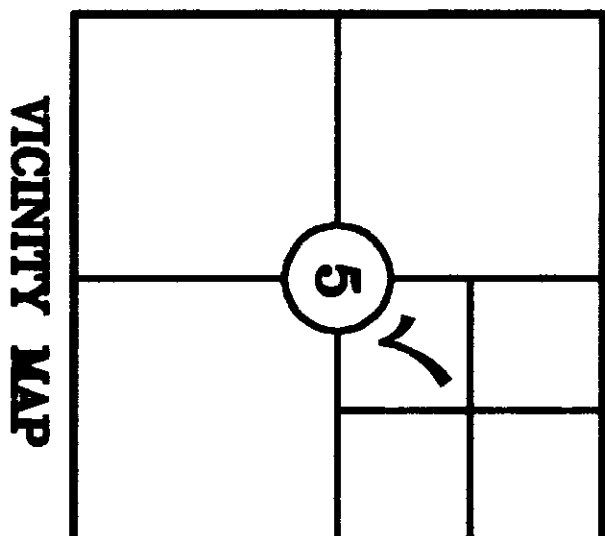


VICINITY MAP
(NOT TO SCALE)

SURVEYOR'S CERTIFICATE

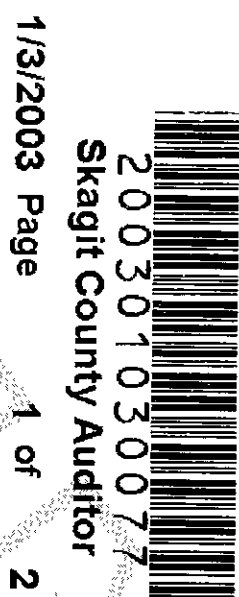
I HEREBY CERTIFY THAT THE PLAT OF "NIELSEN PARK" IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., THAT THE COURSES AND DISTANCES ARE SHOWN CORRECTLY ON THE GROUND, AND THAT I HAVE COMPLIED WITH THE PROVISIONS OF THE STATUTES AND PLATING REGULATIONS.

DATE 12-18-03
JOHN B. SEMRAU, P.E., P.L.S., CERTIFICATE NO. 28626
SEMRAU ENGINEERING & SURVEYING, PLLC
2118 RIVERSIDE DRIVE, SUITE 104
MOUNT VERNON, WA 98273
PHONE (360) 424-9566



VICINITY MAP

AUDITOR'S CERTIFICATE



200301030077
Skagit County Auditor
1/3/2003 Page 1 of 2 1:19PM

AT THE REQUEST OF SEMRAU ENGINEERING & SURVEYING P.L.L.C.,

1/3/2003 Page 1 of 2 1:19PM
Skagit County Auditor
DEPUTY

DEDICATION AND OWNER'S CERTIFICATE

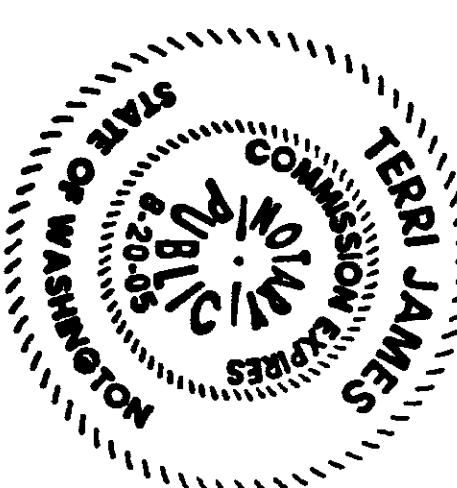
KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS IN THE FEE SIMPLE OR CONTRACT PURCHASER AND OR MORTGAGE HOLDER OF THE LAND HEREBY PLATED DO HEREBY DECLARE THIS PLAT AND DEDICATED TO THE USE OF THE PUBLIC FOREVER ALL ROADS AND WAYS, SHOWN HEREON WITH THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS, AND THE RIGHT TO CONTINUE TO DRAIN SAID ROADS AND WAYS OVER AND ACROSS ANY LOT OR LOTS, WHERE WATER MIGHT TAKE A NATURAL COURSE, IN THE ORIGINAL REASONABLE GRADING OF THE ROADS AND WAYS SHOWN HEREON, FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND ITS NATURAL COURSE SO AS TO DISCHARGE UPON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM HAMPER ROAD DRAINAGE. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR RENOVATING SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER. IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS 20th DAY OF December 2003.

CASTLE DEVELOPMENT PROPERTIES, LLC

GORDON KEYES, PRESIDENT

ACKNOWLEDGMENT

STATE OF WASHINGTON
COUNTY OF SKAGIT
I, GORDON KEYES, PRESIDENT OF CASTLE DEVELOPMENT PROPERTIES, LLC, DO HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT GORDON KEYES SIGNED THIS INSTRUMENT ON THE DATE STATED THAT HE IS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE PRESIDENT OF CASTLE DEVELOPMENT PROPERTIES, LLC TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.



SPECIAL CONDITIONS

1. EACH NEW HOME SHALL HAVE LAWN PLANTED, SHRUBS ADJACENT TO THE HOUSE AND AT LEAST ONE TREE PER LOT PRIOR TO SALE OR OCCUPANCY.
2. THE NEW SUBDIVISION SHALL MAXIMIZE THE REAR YARD SETBACK BY KEEPING THE FRONT YARDS AT THE 20 FOOT MINIMUM, AND REQUIRE THAT ANY WINDOWS CONSTRUCTED IN TWO STORY HOMES BE LIMITED TO THE SIDE FACING THE NEW STREET. STRUCTURES LOCATED IN THE REAR YARD WOULD BE LIMITED TO STORAGE BUILDINGS NO LARGER THAN 120 SQUARE FEET. GARAGES WOULD BE ATTACHED TO THE HOUSES.
3. A HOMEOWNER'S ASSOCIATION SHALL BE FORMED TO MAINTAIN THE OPEN SPACE AND DETENTION POND AREA.
4. DOWNSPOUTS SHALL BE CONNECTED THROUGH THE CURBS OR DIRECTLY TO THE STORM SEWER WHERE FEASIBLE.
5. LOTS 1, 2, 3, AND 4 SHALL BE LIMITED TO SINGLE STORY HOMES OR TWO STORY HOMES WITH NO WINDOWS FACING EAST.
6. LOTS 5, 6, 7, AND 8 SHALL MAXIMIZE THE REAR YARD SETBACK BY KEEPING THE FRONT YARDS AT THE 20 FOOT MINIMUM.
7. STRUCTURES LOCATED IN THE REAR YARDS ON LOTS 1-8 SHALL BE LIMITED TO STORAGE BUILDINGS NO LARGER THAN 120 SQUARE FEET. GARAGES SHALL BE ATTACHED TO THE HOUSES.
8. TREES SHALL BE PRESERVED ON LOTS 1, 2, 3, 6, 7, AND 8. ONE NEW EVERGREEN TREE SHALL BE PLANTED ON LOTS 5, 7, AND 8 TO REPLACE THE TREES THAT WERE REMOVED TO ACCOMMODATE HOUSE PLANS. A COVENANT SHALL BE FILED AGAINST ALL LOTS THAT RUNS WITH THE LAND TO NOTIFY FUTURE PROPERTY OWNERS OF THE REQUIREMENTS TO PRESERVE THE TREES. THE COVENANT SHALL ALSO STATE THAT THE TREES SHALL BE PRESERVED UNLESS A HAZARD IS IDENTIFIED BY A CERTIFIED ARBORIST, IN WHICH CASE THE CITY PLANNING DEPARTMENT SHALL BE NOTIFIED.
9. PRIOR TO HOUSE CONSTRUCTION, A TEMPORARY 6 FOOT CHAIN LINK FENCE, OR ALTERNATE APPROVED BY THE PLANNING DEPARTMENT, SHALL BE INSTALLED AROUND THE DRIP LINES OF EACH TREE OR GROUP OF TREES TO BE PROTECTED DURING CONSTRUCTION.

DECLARATION REFERENCE

THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE LOTS WITHIN THIS PLAT OF NIELSEN PARK, TO WHICH THIS SURVEY REFERS, WAS RECORDED WITH THE AUDITOR OF SKAGIT COUNTY, WASHINGTON, ON 10/20/03, 3:20PM.

AUDITOR'S FILE NO. 200301030077 RECORDS OF SKAGIT COUNTY, WASHINGTON.

APPROVAL

EXAMINED AND APPROVED THIS 23 DAY OF DECEMBER, 2003.
CITY ENGINEER, CITY OF BURLINGTON

Plat of NIELSEN PARK
SECTION 5, T. 34 N., R. 4 E., W.M.
BURLINGTON, WASHINGTON
SHEET 2 OF 2

LOT AREA AND ADDRESS INFORMATION

LOT NO.	AREA (SQ. FT.)	ADDRESS
1	8,810	1037 GILKEY ROAD
2	11,920	1098 OPAL LANE
3	11,360	1084 OPAL LANE
4	10,140	1070 OPAL LANE
5	10,110	1056 OPAL LANE
6	9,470	1042 OPAL LANE
7	9,400	1028 OPAL LANE
8	10,400	1014 OPAL LANE
9	8,690	1013 OPAL LANE
10	9,660	1025 OPAL LANE
11	8,640	1037 OPAL LANE
12	8,500	1049 OPAL LANE
13	9,500	1061 OPAL LANE
14	8,980	1073 OPAL LANE
15	14,540	1085 OPAL LANE
TRACT A		1,740

BUILDING SETBACK REQUIREMENTS

1. FRONT YARD MINIMUM MEAN DEPTH: 20 FEET
2. SIDE YARD MINIMUM MEAN WIDTH: FIVE FEET. THE TOTAL OF THE TWO SIDE YARDS SHALL BE 15 FEET. SIDE OF BUILDING MEANS THE OUTER FACE OF ANY PART OF THE BUILDING ROOF EAVES.
3. REAR YARD MINIMUM MEAN DEPTH: 20 FEET, EXCEPT LOTS 5, 6, 7 AND 8.
4. LOTS 5, 6, 7 AND 8 SHALL MAXIMIZE THE REAR YARD SETBACK BY KEEPING THE FRONT YARDS AT THE 20 FOOT MINIMUM.

CURVE INFORMATION

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH
C1	125.00'	152°7'31"	33.73'
C2	75.00'	224°2'30"	29.73'
C3	125.00'	235°2'18"	52.08'
C4	125.00'	141°7'43"	31.19'
C5	25.00'	481°1'23"	21.03'
C6	50.00'	41°06'42"	35.88'
C7	50.00'	60°06'10"	52.45'
C8	50.00'	23°05'14"	20.15'
C9	50.00'	43°25'52"	37.90'
C10	50.00'	27°40'01"	24.14'
C11	50.00'	22°43'39"	19.83'
C12	50.00'	58°15'07"	50.83'
C13	25.00'	481°1'23"	21.03'
C14	75.00'	05°00'08"	6.55'
C15	75.00'	33°09'53"	43.41'
C16	125.00'	04°32'35"	9.91'
C17	125.00'	18°09'55"	39.63'
C18	175.00'	15°27'31"	47.22'
C19	150.00'	15°27'31"	40.47'
C20	100.00'	22°42'30"	39.63'
C21	100.00'	38°10'01"	66.61'

