

S.E. SEC. 26,

of the OF AUGUST ANACORTES, 2004 WASHINGTON 35 RN

The South Southeast Willamette Half of the Quarter of S Meridian; Half e Southeast Section 26, Quarter o Township 으 f the Southeast (35 North, Range Quarter of je 1 East of

LEGAL

DESCRIPTION

EXCEPT the s recorded 392055 ar East and t 45 feet thereof as convey May 21, 1946, and October nd 8610070073, records of t conveyed to er 7, 19 Skagit 1986, under Auditor's it County, Washington; the City of Anacortes

AND EXC Havekost File No. (EXCEPT that No. entire portion o. 287 by deed records of d tion thereof deed recorde Skagit Cour County, corded f conveyed to Sko ded April 14, 195 unty, Washington; Skagit 1959, u t County under Au ty for Auditor's

TOGETHER WITH Lots 1 through 18, inclusive, Block 1; Lots 1 through 18, inclusive, Block 2; Lots 1 through 9, inclusive, Block 3; Lots 1 through 10, inclusive, Block 4; Lots 1 through 20, inclusive, Block 5; and Lots 1 through 20, inclusive, Block 5; and Lots 1 through 20, inclusive, Bock 6; all in Colver's Addition to Anacortes, according to the plat thereof recorded in Volume 1 of Plats, page 26, records of Skagit County, Washington. And Lot 4 of City of Anacortes short plat no. ANA-93-003, as approved September 10, 1993 and recorded September 15, 1993, in Volume 10 of Short Plats, pages 233 and 234, under Auditor's File No. 9309150050, records of Skagit County, Washington. Being a portion of the Southeast Quarter of Section 26, Township 35 North, Range 1 East of the Willamette Meridian; yn 20 Juccording records of short pl/ Ser4 inclusive, Blo inclusive, Blo through 20, TOGETHER Block 1; e, Block 3 ive, Block , <u>5</u>.

TOGETHER WITH the Vacated Streets contained ⊇. Colvers Addition.

EXCEPT that portion conveyed to the Cirecorded July 2, 2003, under Auditor's Skagit County, Washington, and as shown under Auditor's File No. 200304240060. shown City File 약 9 N O Anacortes under instrumen lo. 200307020105, records Boundary Line Adjustment instrument

Situated in Skagit County, Washington.

ASEMENT RECITALS

1. An easement is hereby reserved for and conveyed to the CITY OF ANACORTES, PUGET SOUND ENERGY INC., VERIZON TELEPHONE COMPANY, CASCADE NATURAL GAS COMPANY, AND COMCAST CABLE TELEVISION COMPANY and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots, tracts and spaces within the plat lying parallel with and adjoining all street(s) and adjacent to "A" Avenue as shown in which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits. cables and wires all necessary or convenient underground or ground other property with electric, gas, telephone and other utility service, together with the right to enter upon the streets, lots, tracts and spaces at all times for the purposes herein er upon stated.

across shown be r TRACT 25'-0" 25'-0" easement is hereby granted to RACT B and LOT 40 and a 10'-0" eas the plat for the same purposes as trestored to its prior conditions after constants. y to the City of Ana easement for LOT as stated in item 1 ter construction by t LOT 29 and 29 and LOT 30 s on and and and and and LOT 30 as he easement utilizing the

with the property ≧ utility ರ್ owners easements and 8" s for o n drain pipe all lots will remain p in the street r private and the right-of-way of responsibility and

4. The 10'-0' 27, 31, 35, 36, be operated, ma maintenance by 0'-0" Private 36, 37 and 3 1, maintained c the ivate Storm Easements on and across lots 5, 8, and 38 as shown on the plat will remain private ned and restored to prior condition following any property owners which they serve: _____

5. A private 10' water easement is hereby granted to Rich Johnson and respective successors across Tract C for the purposes of extending a water service to his property. The easement is for the purpose in which to construct, operate, maintain, repair, replace and enlarge underground pipes for the purpose of serving the property owned. The easement shall be restored to its prior condition after construction by those utilizing the easement.

6. This property is SUBJECT TO and TOGETHER WITH ease restrictions, covenants and other instruments of record incluto those instruments referred above. Said report lists docu Auditors File Number 9501120049 (10' PSE easement to be 20040301010128 (10' PSE easement to be abandoned), and (Boundary Adjustment survey) Deeds of trust are recorded Number 200302210171, 200302210173 and 200302210172. nts of record including but in the second including but in the second report lists documents recessement to be about e abandoned), 200304240060 reservations, ut not limited recorded

SIDEWALK AND **PEDESTRIAN** EASEMENT

pedestrian access of control of the pedestrian access of the pedestrian access of the pedest side of lots 3 encroachment. In owners are resposil 70, 으 Road, Sidewalk and Pedestrian easement is hereby conveyed f Anacortes accross the south side of lot 37 for the purpose rian access and sidewalk & road encroachment. In addition casement is hereby conveyed to the City of Anacortes accross side of lots 32, 33, 34 and 39 for the purpose of a road acchment. In the event of road or sidewalk replacement the hallower resposible for the replacement of lost property corners. Ω 10,

puposes of access a shall be maintained of easement shall be given Easement Recitals. is dedicated to of access and ed to the homeowners for which they serve and utility services. The common access d as stated in the Home Owners CC&R's. granted to the utility companies as stated for the driveway Utilities in #1

POND

Tract C public and is hereby conveyed to the City of Anacortes for Cond maintenance of a Sanitary Sewer Pump Station access parking and trail to the forest lands. Construction, on in addition

NATIVE GROWTH PROTECTION **EASEMENT TRACT**

Condition #38. The eastern side of the minimum 50 foot NGPE buffer administered by the City of Anacortes of the condition #38. according to the standard specific by

- shown on
- approved site plan.
 b. Trail easements as oc. The property lines as approved plan. approved by the and lot areas of 35 and 38
- site plan. d. During constru-contoured, graded and seeded v areas in the buffer

with grass to reduce erosion.

1. Hand removal of non-native exotic or adventitious plants.
2. Hazard trees shall be identified with concurrence of the Manager. Hazard trees removed or blown down may be reported the homeowner with 3' minimum appropriate native stock maintained until able to survive without care.
3. If the buffer has been degraded by previous site disturbe Advisory Board may approve a replanting plan using appropriate management. s site disturbances, using appropriate r he City For Lands he City

under

hand and t

- day

of August

AND OPEN SPACE TRACT

Tract B will remain in the common ownership of the Fir Crest Homed Association for Common open space, Water Quality Swale and Infiltrat Pond is the responsibility of Homeowners Association for maintenance the storm drainage system and pond located on said tract.

wetland shall be protected

- following exceptions: Minimal easements for on the necessary storm drainage facilities

e exceptions the Native Growth Protection Easement with the following restrictions:

State of Washington County of Skagit I certify that I know signed this instrumen

Before and during the course of any grading, building development activity on a lot subject to the NGPE, the between the easement and the area of development activity of otherwise marked to the satisfaction of the City of ding construction, or othe the common boundary nt activity must be fence of Anacortes. other

Washington

앜 Skagit

I certify that I know of I signed this instrument ar act of such party for thinstrument. of have satisfactory eviden and acknowledged it to the uses and purposes m mentioned С е fre ⊇. ७

Given under r Notary Public printed my hand ic in and f Erinn DL Welliver for the State of Washington

Residing at Anacortes **MA**

commissions expires April 2006

SURVEYORS

SURVEYORS CERTIFICATE hereby certify that the Plat of Fir Cupon as actual survey and subdivision 35 North, Range 1 East, W.M.; that the are shown correctly on the ground; a with the provisions of the statutes an upon 35 N are with he Plat of Fir Crest PUD is bas and subdivision of Section 24, sst, W.M.; that the courses and n the ground; and that I have the statutes and platting regula t PUD is based Section 24, Tov courses and dist

Certificate N_O 9569

DEDICATION

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8/31/2004 Page

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3:55PM

200408310219 Skagit County Auditor

Know All Men b Development NV hereby platted, avenues shown thereof for pub and for pub streets and Men by these Present that Washington Federal Savings, mortgage holder, Fir Crest ant NW LLC, owner and William R. Welch and Robbi J. Welch, owners of the land atted, declare this plat and dedicate to the use of the public forever, streets and shown hereon and the use thereof for all public purposes consistent with the use fills upon the lots and blocks shown hereon in the original reasonable grading of and avenues shown hereon

¥۵ shington eral Savings

Robb) J. Welch	Williams Welch	Fir Crest Development NW LLC	
		elsotrandberg	

gton

State of Washing County of Skagit I certify that I k signed this instru it I know or have satisfactory evidence that **Nets Strandberg** FARMAN. A.C. instrument, on oath stated that (hexshe/they/) (was/are) authorized to execute the

instrument and acknowledged it as the Dente MANGEL AST VP Washington Federal Savings, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Given under my hand and official seal this 30th day of August under r y Public <u>г</u>. Э day of August

Notary Residing at commissions printed but Ancecages garlow hand and official seal this 30" and for the State of Washington Actualiza

instrument Fir Crest D It I know or have satisfactory evidence that Nels Strandberg instrument, on oath stated that (he/she/they/) (was/are) authorized acknowledged it as the _______spment LLC, to be the free and voluntary act ses and purposes mentioned in the instrument ਰ੍ਹ such ó execute

Name printed Residing at Erinn DL Melliver and official seal this 30th for the State of Washington

Anacortes WA
ons expires April 1, 2006

of Washington of Skagit

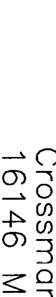
I certify that I know on this instrument and a party for the uses an of have satisfactory evidence that William R. acknowledged it to be the free and voluntary and purposes mentioned in the instrument. Welch signed act of such

Residing Name Notary Given under r y Public printed CHERYL hand and official so and for the State MOUNT VERNON Hormstrom seal e of Il this __<u>2</u>_ Washington 30 24 day of Chaust

expires

10-15

hoor-



Associates un Road

SURVEYOR



PROPERTY OWNER/SUBDIVIDER
Fir Crest Development NW |
P.O. Box 319
Anacortes, WA 98221
(360) 293-7431

SHEETω OF

CONDITIONS

DECISION FOR THE

F; TO

ISSUE Crest

A PRELIMINARY PLANNED UNIT

DEVELOPMENT

PLAN PERMIT

S H SEC 35

OF ANACORTES, WASHINGTON

UGUST 2004

as proposed by

Based issue (he 14 acres shown on the application shall be deeded to the Anacortes Community Forest Lands, applicant. the he foregoing Findings of Fact and Conclusions preliminary development plan permit for the Fir <u>o</u> of Law, the Crest PUD Anacortes subject to Planning Director is hereby the following conditions:

- the Z 0 than 40 -family residences shall be built on the 26.89acre project site as shown 9 Drawing
- The Works for /August shall comply wit ter, sewer, single-2, 2002. with the er, street City <u>o</u> Anacortes and storm construction starium required by s to these f the City

for

water,

access

storm

facilities

- 4. This project is subject to applicabe transportation, fire, school, and park acceptance of a complete building pound water latecomer charges may be and part . icable water, sewer, ark impact fees. The permit application be payable. sewer, and stormwater les. These fees are par ication and may differ rmwater general faci are payable at leve y differ from those facility els in and n effect levels hookup fect at t ookup fees ct at the ti currently in es and time of in effect; sewer
- 5. Prior to clearing or fill and as spelled out in the City's S City Department of Public Workydrology is maintained. The vincorporated in the project to are completed. All off—site stables shall be located in or fill and grade beginning, both a large parcel stane City's Storm Drainage Ordinance # 2441, shall be Public Works, and implemented. This Plan shall be ined. The water quality control plan shall address peroject to control pollution of stormwater runoff after off—site stormwater improvements shall be made belocated in the public tract and not the City right—of made | y rightstormwater plan and a water quality control plar be prepared by the applicant, approved by the e directed at ensuring that existing wetland permanent best management practices to be after construction and/or land clearing activities before construction or vegetation removal begins the applicant, approvisuring that existing managements.
- . A temporary erosion sedimentation control plan shall be y the City Director of Public Works. The plan shall identify uring construction and describe the measures that will be kely be employed include sedimentation ponds, silt fences, ntil conditions are favorable. prepared y the poter y used to r hay bail and submitted with the grading plan ntial for erosion and downstream sedi mitigate impacts of erosion. Measures filters, and restricting the amount of plan for approval sedimentation sures that will
- Dust control roads and/or restricting the inal development plan along techniques <u>¥</u> <u>≕</u> the þe with a c employed t of excavation ac of as required by access until the City plan. conditions Engineer; such are more h measures would include watering favorable and shall be detailed in
- The final development plan design shall be based on actual field and not on existing topographical maps.
- final be o Prior the operated on site p city any construction activity beginning, the proponent shall Public Works Director, and this bond will be available t o ensure prior to that the project's drainage system final Development Plan approval. operates 6 p the a performance bond in an amount acceptable. City of Anacortes for twelve months after as designed; no mechanical equipment
- 10. file consistent . Within a maximum of three years following the approval os with the Planning Commission a final development plan context e.(1) of Section 16.40 of the City of Anacortes Subdive Planning Commission may extend for one year the period venants shall be submitted with the final development plan nsistent with the preliminary development plan conditions. Subdivision Operiod for filliplan for ne preliminary development plan, the applicant ining in a final detailed form the information on Ordinance. At its discretion and for good confilling of the final development plan. Draft profilling Commission review and approval as preliminary a cause, project s being required
- evoked the applicant fails d and all that por that portion of the ausubject to the zoning or final area in and al approval for any reason included in the development of subdivision ordinances of reason, the preliminary approval shall be deemed to t plan for which final approval has not been twise applicable thereto. b e
- base Engineering review Engineering review and inspection fees are payable oned on engineering estimates of construction or actual inspection fee is 1,5% plus \$500.00. quotes actual construction work begins. work. The engineering review fee They are is .5% o
- 13. one side. road Lighting ç the north north of Fir shall be as SD Crest Place outlined 3 shall be Condition ω Μ **≭**⊨ <u>უ</u> ¥. d e Ŧ Curb ი ე gutter ŝ both sides and Ω
- Fir rest Place private dr drives ç off of ٥ ر public road; the Fir Crest Place, cul-de-sac designated as Ø t the north private. Crest Place shall Ω
- The CC&R's shall be submitted to the Planning Commission ð approval with the Final Development
- Street lighting shall be t yard areas. Street lig approved by the Public be energy efficient and lighting will be installed ic Works Director. shall Per PSE : t glare and/ Schedule 52 9 Option "B". Lighting downward ng fixtures u the street
- Building Department shall assign and confirm project stree

will be in Director.

approved

- developer. channelization and signage plan shall be submitted, approved the City Engineer, and installed
- 20. 21. A biofiltration system shall be built in this project to meet City Stashall contain condition(s) approved by the Planning Commission relative that the highest standards of water quality are maintained. A biofiltration ا ا sanitary sewer Owner's Association pump station shall manage ð be the designed common City areas stan Stormwater pesticide dedicated Ordinance management and ð standards; City. the Covenants
- N N Toe Oe sewer dwnd station shall meet standards set the
- 23. A geotechnical grading and road engineering report that and utility construction : t identifies shall be subsurface submitted w with th tions and makes specific recommendations ne Final Development Plan.
- through a tight lined flow across a large of series of perforated storm detention system It lined storm syste large grassy bio orated pipes and d m system y bio swo and drain swale. drain ro shall un be designed in the to a catch basin at thale. The water will then rock. ð the following v the bottor way: Q tured All road, rest place. The catch basin and f e. This footing drains his water will the and spread out then out t

26, RN MENT 8/31/2004 Page

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Street trees shall have Ω root cont ainment system as approved by the City Public Works Department.

26. ð be planted shall be sized as required by Ordinance.

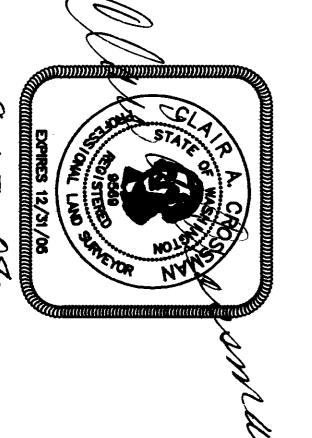
27. A 25' northwest property A 25' 5' utility easement shall be granted to the City in the northeast direction from the cul-de-sac at t corner of the development following approximately the 400' contour line to the north end of the line to provide utilities to future adjacent developments.

28. There shall approved by the a. Developm shall the be u e City a trail a ity Parks of the / location(s) shall be

- a. Decordination b. The Ca. The d City reser developer opment o with the reserves <u>₹</u> Ana ne ACFL train cacortes Parks the right to r grade along the length of the projects' southerly boundary; the trail location(s) shall is Director.

 ACFL trail and plantings on the south side of the development will be done in cortes Parks and Recreation Department.

 The right to relocate the trail to the south as necessary.
- School bus waiting area(s) and mailbox locations shall be as determined by the City Engineer.
- All lots created under this PUD shall or shall of shall of charged throughout the City of be subject to all City of Anacortes charges for Anacortes including applicable General Facilities utility services
 Charges.
- and sidewalk design shall meet "AASHTO" and City Public Works construction driveways shall not exceed a 15% grade. standards and ADA
- Control and Clearing City water quality s standards shall be reviewed, ds shall be met a: d, approved, and implemented as as required by the City Engineer. required by the City
- stural alteration necessary to develop this plat shall not encroach into adjacent land parcels without easements for such encroachment.
- A disclosure will be required to homebuyers that the City will use the adjacent property development for material and debris storage. to the South
- modifications beyond those approved herein are authorized.
- 37. Pag Drawing. Pages 11-15 of these Findings of Fact and Conclusions of Law shall be recorded with the Final Plat
- 38 The eastern administered by to the following a. Minimal side the side of the the City of , exceptions: **Anacortes** wetland shall be protected by a minimum 50 foot s according to the standard specifications, : NGPE buffer subject
- easements ed site plan. plan. for the necessary storm drainage facilities as shown on the
- easements
- Ġ The property site plan. lines approved by and lot areas the City. of Lots 18, 35, and 38 as shown on the approved
- ġ During and s construction disturbed areas eeded with grass to reduce (in the buffer may be re-contoured, graded erosion.
- belong 39. The western 25 feet of said 50-that ACFL management has direct co belong to the homeowners of Fir Cro Crest. 0-foot control wetland buffer shall be transferred to the City of Anacortes ACFL so over the eastern edge of the wetland. The remaining buffer would
- The sanitary sewer pump station shall be bermed so that accidental overflows do not the wetland. drain down slope
- ACFL m s shall restrict the management. ᅌ pesticides, herbicides and excessive fertilizer, unless otherwise approved
- 42. The accidental 42. The last and lowest catch basin accidental hydrocarbon spills. This coseparator is to be of the low—tech sin on catch on the cul—de—sac shall be designed as an oil—water separator to contain atch basin will be maintained by the City of Anacortes. The design of this inexpensive variety due to the length of the bio swale already proposed.
- e storm level sp rm drainage bio swale spreader discharge; k e and infiltgration system shall have an overflow piped directly to the wetland location and design shall be approved by ACFL management.
- 44. The property transferred to the City to become part of the ACFL shall be named Welch Woods.
- line abutting the priv side yard abutting ot homes in the same Setbacks shall be as abutting the private (access re 4-lot clu roads; c Ω foot 20setback from Fir Crest and a 10—foot setback from the property—foot setback from the propery line in what may be considered the foot setback in the back yards and side yards abutting other
- The lot coverage may 0 increased to 50% for single story residences.
- property -foot line t fence along f allowed in the Crest Way as yards facing Fir Crest Way with a shown in the application drawings. minimum setback of 10-feet from



SURVEYOR

Mt. Ve (360) rossman & A 6146 McLean Vernon, WA 9 0) 424-7359 Associates an Road 98273

> **PROPERTY**Fir Crest P.O. Вох WNER/SUBDIVIDER
> t Development NW
> < 319

Anacortes, (360) 293- \mathbb{X} 7431 98221

SHEET4 OF