

DESCRIPTION:

THE EAST 180 FEET OF LOTS 1 AND 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-SSI-02, APPROVED JULY 22, 2002, RECORDED AUGUST 2, 2002, UNDER AUDITOR'S FILE NO. 200208020109, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING LOT 1 AND A PORTION OF LOT 2 OF CITY OF BURLINGTON SHORT PLAT NO. BURL-5-94, APPROVED JANUARY 20, 1995, RECORDED JANUARY 25, 1995, IN VOLUME 11 OF SHORT PLATS, PAGES 173 AND 174, UNDER AUDITOR'S FILE NO. 9501250055, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE WEST 1/2 OF TRACT 73, PLAT OF THE BURLINGTON ACCEAGE PROPERTY, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON.

TOGETHER WITH LOT 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-5-94, APPROVED JANUARY 20, 1995, RECORDED JANUARY 25, 1995, IN VOLUME 11 OF SHORT PLATS, PAGES 173 AND 174, UNDER AUDITOR'S FILE NO. 9501250055, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE WEST 1/2 OF TRACT 73, PLAT OF THE BURLINGTON ACCEAGE PROPERTY, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON.

EXCEPT THAT PORTION OF SAID LOT 2, SHORT PLAT NO. BURL-5-94 AS CONVEYED BY BOUNDARY LINE ADJUSTMENT DEED RECORDED ON JUNE 25, 1997, UNDER AUDITOR'S FILE NO. 97025004, RECORDS OF SKAGIT COUNTY, WASHINGTON, DESCRIBED AS LYING EASTERLY OF THE EAST LINE OF LOT 1 OF SAID SHORT PLAT NO. BURL-5-94.

ALSO EXCEPT THE WESTERLY 112.00 FEET OF THE NORTHERLY 90.00 FEET OF THAT PORTION OF SAID LOT 2, SHORT PLAT NO. BURL-5-94 AS MEASURED ALONG THE NORTHERLY AND WESTERLY LINES OF SAID LOT 2.

TOGETHER WITH THAT PORTION OF LOT 2, BURLINGTON SHORT PLAT NO. BURL-SSI-02, RECORDED UNDER AUDITOR'S FILE NO. 200208020109, RECORDS OF SKAGIT COUNTY, WASHINGTON, LYING SOUTH OF THE NORTH LINE OF THAT PORTION OF THE ABOVE DESCRIBED LOT 2, BURLINGTON SHORT PLAT NO. BURL-5-94, DESCRIBED IN "QUIT CLAIM DEED FOR BOUNDARY LINE ADJUSTMENT" RECORDED UNDER AUDITOR'S FILE NO. 200512040076, RECORDS OF SKAGIT COUNTY, WASHINGTON, EXTENDED EAST TO THE WEST LINE OF THE EAST 180 FEET OF LOTS 1 AND 2 OF BURLINGTON SHORT PLAT NO. BURL-SSI-02.

TOGETHER WITH AN EASEMENT FOR ACCESS AND UTILITIES OVER THAT CERTAIN PROPERTY DELINEATED AS "MIRACLE LANE" ON BURLINGTON SHORT PLAT NO. BURL-SSI-02, WHICH LIES WESTERLY OF THE ABOVE DESCRIBED PROPERTY.

EXCEPT THOSE PORTIONS CONVEYED BY BOUNDARY LINE ADJUSTMENT DEED RECORDED DECEMBER 30, 2005, UNDER AUDITOR'S FILE NO. 200512300026, RECORDS OF SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

PARCEL "1":

THAT PORTION OF THE EAST 180 FEET OF LOTS 1 AND 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-SSI-02, APPROVED JULY 22, 2002, RECORDED AUGUST 2, 2002, UNDER AUDITOR'S FILE NO. 200208020109, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING LOT 1 AND A PORTION OF LOT 2 OF CITY OF BURLINGTON SHORT PLAT NO. BURL-5-94, APPROVED JANUARY 20, 1995, RECORDED JANUARY 25, 1995, IN VOLUME 11 OF SHORT PLATS, PAGES 173 AND 174, UNDER AUDITOR'S FILE NO. 9501250055, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE WEST 1/2 OF TRACT 73, PLAT OF THE BURLINGTON ACCEAGE PROPERTY, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON, SAID PORTION BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID EAST 180 FEET OF LOTS 1 AND 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-SSI-02;
THENCE NORTH 89°39'07" WEST 140.00 FEET ALONG THE SOUTH LINE OF SAID EAST 180 FEET OF LOTS 1 AND 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-SSI-02;
THENCE NORTH 00°18'19" WEST 60.00 FEET PARALLEL WITH THE EAST LINE OF SAID EAST 180 FEET OF LOTS 1 AND 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-SSI-02;
THENCE SOUTH 89°39'07" EAST 140.00 FEET TO SAID EAST LINE OF SAID EAST 180 FEET OF LOTS 1 AND 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-SSI-02;
THENCE SOUTH 00°18'19" EAST 60.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

PARCEL "2":

THAT PORTION OF THE EAST 180 FEET OF LOTS 1 AND 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-SSI-02, APPROVED JULY 22, 2002, RECORDED AUGUST 2, 2002, UNDER AUDITOR'S FILE NO. 200208020109, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING LOT 1 AND A PORTION OF LOT 2 OF CITY OF BURLINGTON SHORT PLAT NO. BURL-5-94, APPROVED JANUARY 20, 1995, RECORDED JANUARY 25, 1995, IN VOLUME 11 OF SHORT PLATS, PAGES 173 AND 174, UNDER AUDITOR'S FILE NO. 9501250055, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE WEST 1/2 OF TRACT 73, PLAT OF THE BURLINGTON ACCEAGE PROPERTY, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON, SAID PORTION BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT B, BURLINGTON SHORT PLAT NO. SS-1-05, APPROVED MARCH 22, 2005, RECORDED MARCH 24, 2005, UNDER AUDITOR'S FILE NO. 200503240099, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE EAST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF TRACT 73, PLAT OF THE BURLINGTON ACCEAGE PROPERTY, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON;
THENCE SOUTH 00°18'19" EAST 181.42 FEET ALONG THE WEST LINE OF SAID SHORT PLAT NO. SS-1-05 TO A CURVE;
THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 36.00 FEET AND AN INITIAL TANGENT BEARING OF NORTH 00°18'19" WEST, THROUGH A CENTRAL ANGLE OF 45°00'00", AN ARC DISTANCE OF 28.27 FEET TO A POINT OF TANGENCY;
THENCE NORTH 45°18'19" WEST 24.73 FEET;
THENCE NORTH 44°41'41" EAST 15.00 FEET;
THENCE NORTH 86°59'32" WEST 32.55 FEET;
THENCE NORTH 01°02'29" EAST 126 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID EAST 180 FEET OF LOTS 1 AND 2, CITY OF BURLINGTON SHORT PLAT NO. BURL-SSI-02;
THENCE EASTERLY ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Plat of ASPEN LANE PHASE 2

SECTION 5, T. 34 N., R. 4 E., W.M.
BURLINGTON, WASHINGTON

SHEET 1 OF 3

PARCEL "B":

AN EASEMENT FOR STORM SEWER AND DRAINAGE LINES ACROSS THE EAST 20 FEET OF THE FOLLOWING DESCRIBED TRACT AS GRANTED BY INSTRUMENT RECORDED FEBRUARY 28, 2006, UNDER AUDITOR'S FILE NO. 200602280130:

TRACT 2 OF SHORT PLAT NO. 34-82, APPROVED JANUARY 24, 1983, AND RECORDED JANUARY 25, 1983, UNDER AUDITOR'S FILE NO. 8301250001, IN VOLUME 6 OF SHORT PLATS, PAGE 44, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING LOCATED IN THE WEST THREE-QUARTERS OF THE WEST 1/2 OF TRACT 73, OF THE "PLAT OF THE BURLINGTON ACCEAGE PROPERTY", AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON.

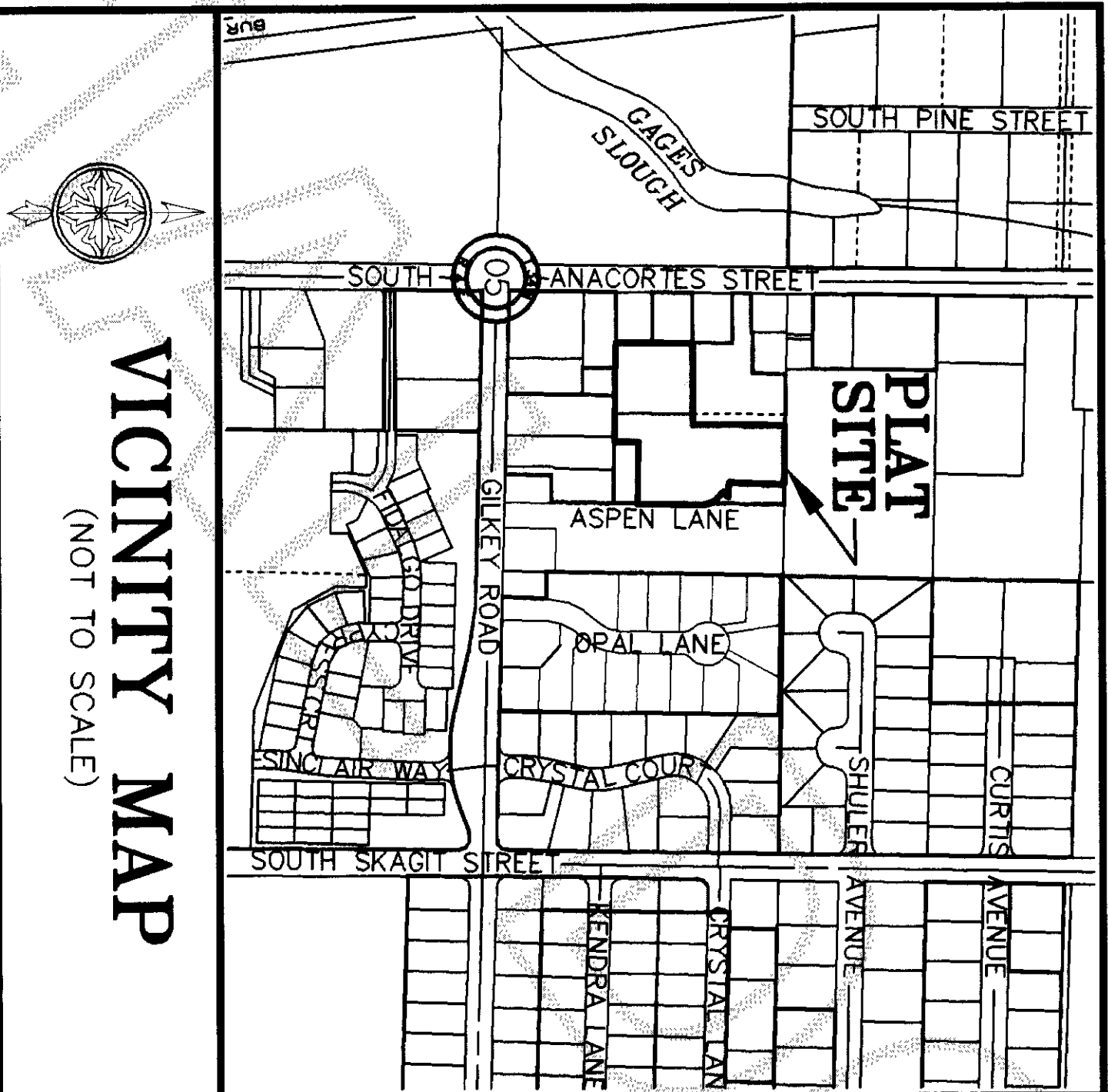
SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

PARCEL "C":

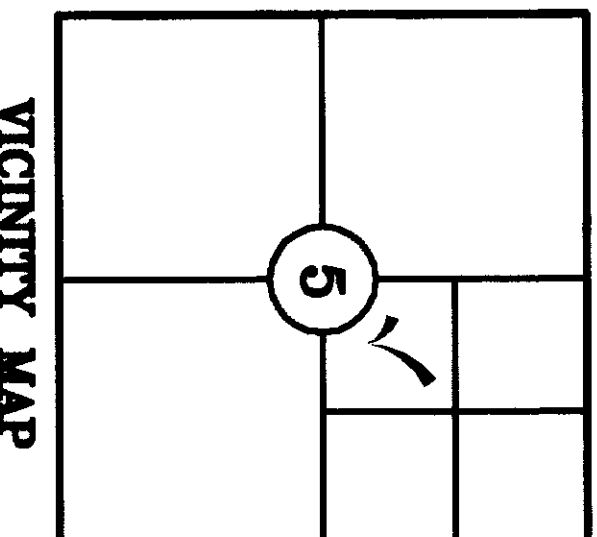
AN EASEMENT FOR STORM SEWER AND DRAINAGE LINES ACROSS THE WEST 20 FEET OF THE EAST 40 FEET OF THE FOLLOWING DESCRIBED TRACT AS GRANTED BY INSTRUMENT RECORDED MARCH 13, 2006, UNDER AUDITOR'S FILE NO. 200603130197:

TRACT 3 OF SHORT PLAT NO. 34-82, APPROVED JANUARY 24, 1983, AND RECORDED JANUARY 25, 1983, UNDER AUDITOR'S FILE NO. 8301250001, IN VOLUME 6 OF SHORT PLATS, PAGE 44, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE WEST 1/2 OF TRACT 73, "PLAT OF THE BURLINGTON ACCEAGE PROPERTY", AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.



VICINITY MAP (NOT TO SCALE)



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 2007.
DEPOSIT HAS BEEN PAID TO COVER ANTICIPATED TAXES UP TO AND INCLUDING THE YEAR

I, KATE JUNOUST, TREASURER OF SKAGIT COUNTY, WASHINGTON, HEREBY CERTIFY THAT THIS 4th DAY OF May, 2007, Kate Junoust by John B. Semrau DEPUTY SKAGIT COUNTY TREASURER

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, BE PAID IN THIS 4th DAY OF May, 2007.

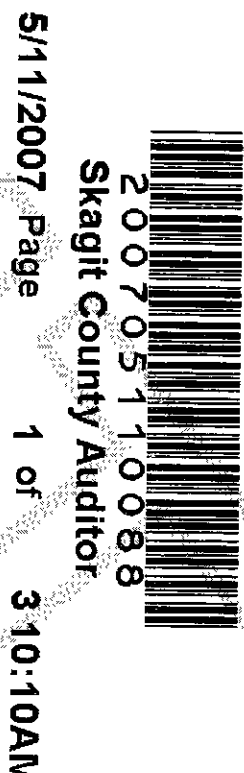
CITY FINANCE DIRECTOR

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT OF "**ASPEN LANE PHASE 2**" 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 PLATTING REGULATIONS.

John B. Semrau DATE 5-2-07
JOHN B. SEMRAU, P.E., P.L.S., CERTIFICATE NO. 28626
SEMRAU ENGINEERING & SURVEYING, PLLC
2118 RIVERSIDE DRIVE SUITE 208
MOUNT VERNON, WA 98273
PHONE (360) 424-9566

AUDITOR'S CERTIFICATE



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

J. Youngquist Andrew N. Stenbom
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 PLATTED, DO HEREBY DECLARE THIS PLAT AND DEDICATED TO THE USE OF THE PUBLIC FOREVER ALL ROADS AND WAYS, EXCEPT PRIVATE AND CORPORATE ROADS 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 REASONABLE GRADING OF THE ROADS AND WAYS, WHERE WATER MIGHT TAKE A NATURAL COURSE IN THE ORIGINAL GRADING OF ROADS AND WAYS HERON, NO DRAINAGE WATER ON ANY LOT OF LOTS SHALL BE DIVERTED OR BLOCKED FROM ITS NATURAL COURSE, SO AS TO DISCHARGE OR DRAINAGE WATERS IN CULVERTS OR DRAINS OR TO HAMPER ROAD DRAINAGE. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR RETURNING SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER, IN WITNESS WHEREOF, WE HAVE HERETO SET OUR HANDS AND SEALS THIS DAY OF 2007.

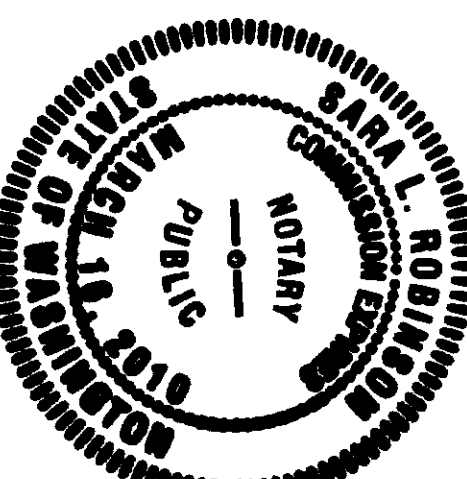
APPROVED:

PEOPLES BANK
James H. Bandy SVR

ACKNOWLEDGMENT

STATE OF WASHINGTON
COUNTY OF SKAGIT
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Brian Bandy SIGNED THIS INSTRUMENT, ON OATH STATED THAT he IS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE manager OF ASPEN LANE, L.L.C., TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

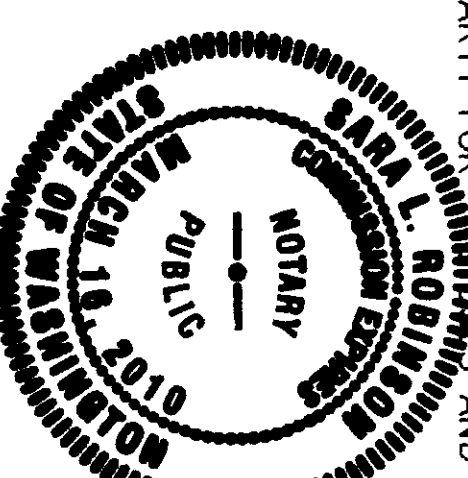
DATED May 4, 2007
SIGNATURE John B. Semrau
TITLE Notary Public
MY APPOINTMENT EXPIRES March 16, 2010



ACKNOWLEDGMENT

STATE OF WASHINGTON
COUNTY OF SKAGIT
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT John Bandy SIGNED THIS INSTRUMENT, ON OATH STATED THAT he IS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE manager OF ASPEN LANE, L.L.C., TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED May 4, 2007
SIGNATURE John B. Semrau
TITLE Notary Public
MY APPOINTMENT EXPIRES March 16, 2010



DECLARATION REFERENCE

DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR ASPEN LANE, WAS RECORDED WITH THE AUDITOR OF SKAGIT COUNTY, WASHINGTON, ON JUNE 23, 2006 UNDER FILE NO. 200606230189, RECORDS OF SKAGIT COUNTY, WASHINGTON. FIRST AMENDMENT TO DECLARATION OF COVENANTS FOR ASPEN LANE TO EXERCISE DEVELOPMENT RIGHT TO ADD PHASE 2, COMING WITH THE COVENANT BINDING EFFECT OF COVENANTS ON PHASE 2 PROPERTY WAS RECORDED WITH THE AUDITOR OF SKAGIT COUNTY, WASHINGTON, ON May 11, 2007 UNDER FILE NO. 200705110082, RECORDS OF SKAGIT COUNTY, WASHINGTON.

APPROVAL

EXAMINED AND APPROVED THIS 10th DAY OF May, 2007.
CITY ENGINEER, CITY OF BURLINGTON

APPROVED BY THE COUNCIL OF THE CITY OF BURLINGTON, WASHINGTON

THIS 9th DAY OF May, 2007.
Myraux J. Stule
PLANNING DIRECTOR

ASPEN LANE PLAT CONDITIONS

1. FILL SHALL BE CAREFULLY PLACED TO PREVENT ANY ADVERSE DRAINAGE IMPACT ON ADJACENT PROPERTY. DRAINAGE SYSTEM SHALL INSURE THAT THERE IS NO RUNOFF ONTO ADJACENT PROPERTY.
2. HOUSE DESIGNS SHALL TAKE ADJACENT LOTS AND HOMES INTO CONSIDERATION TO AVOID AN ADVERSE VISUAL EFFECT AND TO PREVENT HIGHER WINDOWS FROM OVERLOOKING NEIGHBORING YARDS.
3. CONSTRUCT UTILITY AND ACCESS IMPROVEMENTS AS REQUIRED BY THE CITY ENGINEER, INCLUDING PROVIDING OF A SECOND MEANS OF EGRESS THROUGH MIRACLE LANE AT LEAST FOR EMERGENCY VEHICLES.
4. FIRE DEPARTMENT HYDRANT AND TURNAROUND STANDARDS SHALL BE MET.
5. COMPLY WITH TITLE 14, SURFACE WATER MANAGEMENT STANDARDS FOR TEMPORARY CONSTRUCTION AND LONG TERM RUNOFF QUANTITY AND QUALITY. DOWNSPOUTS SHALL BE CONNECTED THROUGH CURBS OR DIRECTLY TO THE STORM SEWER WHERE FEASIBLE.
6. PLANS FOR SANITARY SEWER, INCLUDING NEED FOR INDIVIDUAL PUMPS SHALL BE REVIEWED AND APPROVED BY THE PUBLIC WORKS DEPARTMENT AND SHALL BE INSPECTED BY THE CITY AT ALL PHASES.
7. COMPLY WITH COMPREHENSIVE PLAN.
8. CONSTRUCTION INSPECTION SHALL BE REQUIRED TO THE SATISFACTION OF THE CITY ENGINEER. THE CITY SHALL APPROVE THE QUALIFICATIONS OF ANY SPECIAL INSPECTOR AND DAILY REPORTS SHALL BE FILED WITH THE CITY.
9. IMPACT FEES SHALL BE PAID FOR SCHOOLS, FIRE, PARKS AND BRIDGE AT THE TIME OF BUILDING PERMIT ISSUANCE.
10. CONSTRUCTION OF FIRE HYDRANTS AND WATER MAINS SHALL BE COMPLETED AS REQUIRED FOR FIRE FLOW.
11. UTILITIES SHALL BE UNDERGROUND. EASEMENTS SHALL BE REQUIRED FOR ALL UTILITY LINES NOT LOCATED IN THE STREET RIGHT-OF-WAY.
12. THE STREET LIGHTING SYSTEM SHALL BE DESIGNED BY PUGET SOUND ENERGY AND APPROVED BY THE CITY ENGINEER PRIOR TO INSTALLATION, WHICH SHALL BE UNDERGROUND. STREETLIGHTS SHALL BE SHIELDED FROM GLARING INTO HOMES.
13. STRUCTURES FOR HOLDING MAILBOXES SHALL BE PROVIDED AT LOCATIONS APPROVED BY THE BURLINGTON POST MASTER AND THE CITY ENGINEER.
14. THE CITY SHALL REQUIRE APPROPRIATE MEASURES TO ENSURE THAT THERE IS TIMELY COMPLETION OF THE WORK. PUBLIC IMPROVEMENTS SHALL BE INSTALLED PRIOR TO FINAL PLAT APPROVAL, UNLESS, SPECIFICALLY AUTHORIZED BY THE CITY ENGINEER AND PLANNING DIRECTOR BASED ON SITE CONDITIONS. IN THOSE CASES, APPROPRIATE FINANCIAL ARRANGEMENTS AT 130% OF THE VALUE OF THE WORK, SUCH AS BONDS, SHALL BE REQUIRED. IN NO CASE SHALL BUILDING PERMITS BE ISSUED UNTIL PUBLIC IMPROVEMENTS ARE INSTALLED.
15. EACH NEW HOME SHALL HAVE LAWN PLANTED, SHRUBS ADJACENT TO THE HOUSE AND AT LEAST ONE TREE PER LOT PRIOR TO SALE OR OCCUPANCY.
16. DESIGN REVIEW SHALL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS. TO INSURE THAT THE RESULTING NEIGHBORHOOD PRESENTS AN ATTRACTIVE BLOCK FRONT THAT MINIMIZES THE VISUAL IMPACT OF ROWS OF GARAGE DOORS.
17. NO BOATS OR RV PARKING IN THE FRONT SETBACK AREA.
18. ALL CONDITIONS SHALL BE SHOWN ON THE FACE OF THE FINAL PLAT.
19. PROVIDE A 30 FOOT EASEMENT FOR DRAINAGE, ACCESS AND UTILITIES TO THE PROPERTY TO THE NORTH (DARRELL JOHNSON) TO PROVIDE ACCESS TO MIRACLE LANE.
20. MANUFACTURED HOMES PROHIBITED.
21. ON JANUARY 5, 2007 A DEVATION WAS REQUESTED TO NOT PROVIDE A THROUGH CONNECTION BETWEEN THE EAST END OF MIRACLE LANE AND THE NORTH END OF ASPEN LANE. IN RESPONSE TO THE REQUEST, THE CITY OF BURLINGTON TECHNICAL COMMITTEE REVIEWED THE ISSUE OF CONNECTING ASPEN LANE TO MIRACLE LANE AND EVALUATED ALL CURRENT CODES. A DETERMINATION WAS MADE THAT NO CONNECTION TO MIRACLE LANE WAS REQUIRED AND A LETTER WAS ISSUED ON JANUARY 20, 2007. THIS DEVATION MODIFIES IN PART PLAT CONDITION NO. 3 ABOVE.
22. SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED UNDER AFN 200606230189 AND FIRST AMENDMENT TO DECLARATION OF COVENANTS FOR ASPEN LANE COMMUNITY ASSOCIATION UNDER AFN 200603130197 WHICH ESTABLISHES ASPEN LANE COMMUNITY ASSOCIATION TO ADMINISTER THE COVENANTS AND TO MAINTAIN THE PROPERTY. THE CITY SHALL BE ADVISED OF THE CONTACT PERSON.

EASEMENTS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF BURLINGTON, PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, PUGET SOUND ENERGY, VERIZON (GTE), CASCADE NATURAL GAS CORP., AND COMCAST CABLEVISION OF WASHINGTON, INC. (AT&T BROADBAND) AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE EXTERIOR FRONT BOUNDARY LINES OF ALL LOTS AND TRACTS AS SHOWN HEREON AND OTHER UTILITY EASEMENTS SHOWN ON THE FACE OF THE PLAT, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE, MAINTAIN AND REMOVE UTILITY SYSTEMS, LINES, FIXTURES AND APPURTENANCES ATTACHED THERETO, FOR THE PURPOSE OF PROVIDING UTILITY SERVICES TO THE SUBDIVISION AND OTHER PROPERTY, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AND TRACTS AT ALL TIMES FOR THE PURPOSES STATED, WITH THE UNDERSTANDING THAT ANY GRANTEE SHALL BE RESPONSIBLE FOR ALL UNNECESSARY DAMAGE IT CAUSES TO ANY REAL PROPERTY OWNER IN THE SUBDIVISION BY THE EXERCISE OF RIGHTS AND PRIVILEGES HEREIN GRANTED.

GRANT OF EASEMENTS RECORDED UNDER AUDITOR'S FILE NOS 200602280130 AND 200603130197 ARE DEDICATED FOR STORM SEWER AND DRAINAGE LINES FOR THE LOTS WITHIN THIS PLAT.

Plat of ASPEN LANE PHASE 2
SECTION 5, T. 34 N., R. 4 E., W.M.
BURLINGTON, WASHINGTON
SHEET 2 OF 3

PUD UTILITY 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 DISTRICT TO DO ALL THINGS NECESSARY OR PROPER IN THE CONSTRUCTION AND MAINTENANCE OF A WATER, AND COMMUNICATION LINE, LINES OR RELATED FACILITIES, INCLUDING THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN, INSPECT, IMPROVE, REMOVE, RESTORE, ALTER, REPLACE, RELOCATE, CONNECT TO AND LOCATE AT ANY TIME A PIPE OR PIPES, LINE OR LINES OR RELATED FACILITIES, ALONG WITH NECESSARY APPURTENANCES FOR THE TRANSPORTATION OF WATER, AND COMMUNICATION LINES OR OTHER SIMILAR PUBLIC SERVICES 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 GRANITOR, ALSO, THE RIGHT TO CUT AND/OR TRIM ALL BRUSH, OR OTHER GROWTH STANDING OR GROWING UPON THE LANDS OF THE GRANITOR WHICH, IN THE OPINION OF THE DISTRICT, CONSTITUTES A MENACE OR DANGER TO SAID LINE(S) OR TO PERSONS OR PROPERTY BY REASON OF PROXIMITY TO THE LINE(S), THE GRANITOR AGREES THAT TITLE TO ALL BRUSH, OTHER VEGETATION OR DEBRIS TRIMMED, CUT, AND REMOVED FROM THE EASEMENT PURSUANT TO THIS AGREEMENT IS VESTED IN THE DISTRICT.

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. GRANITOR SHALL CONDUCT ITS ACTIVITIES AND ALL OTHER ACTIVITIES ON GRANITOR'S PROPERTY SO AS NOT TO INTERFERE WITH, OBSTRUCT OR ENDANGER THE USEFULNESS 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.

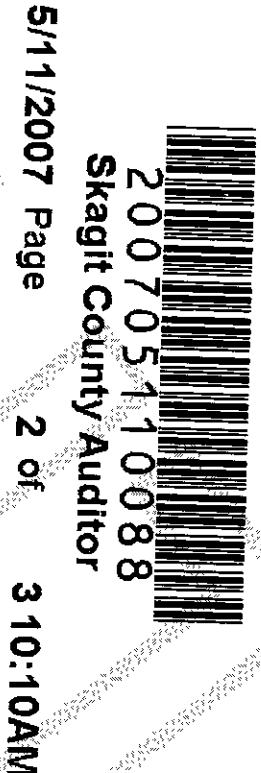
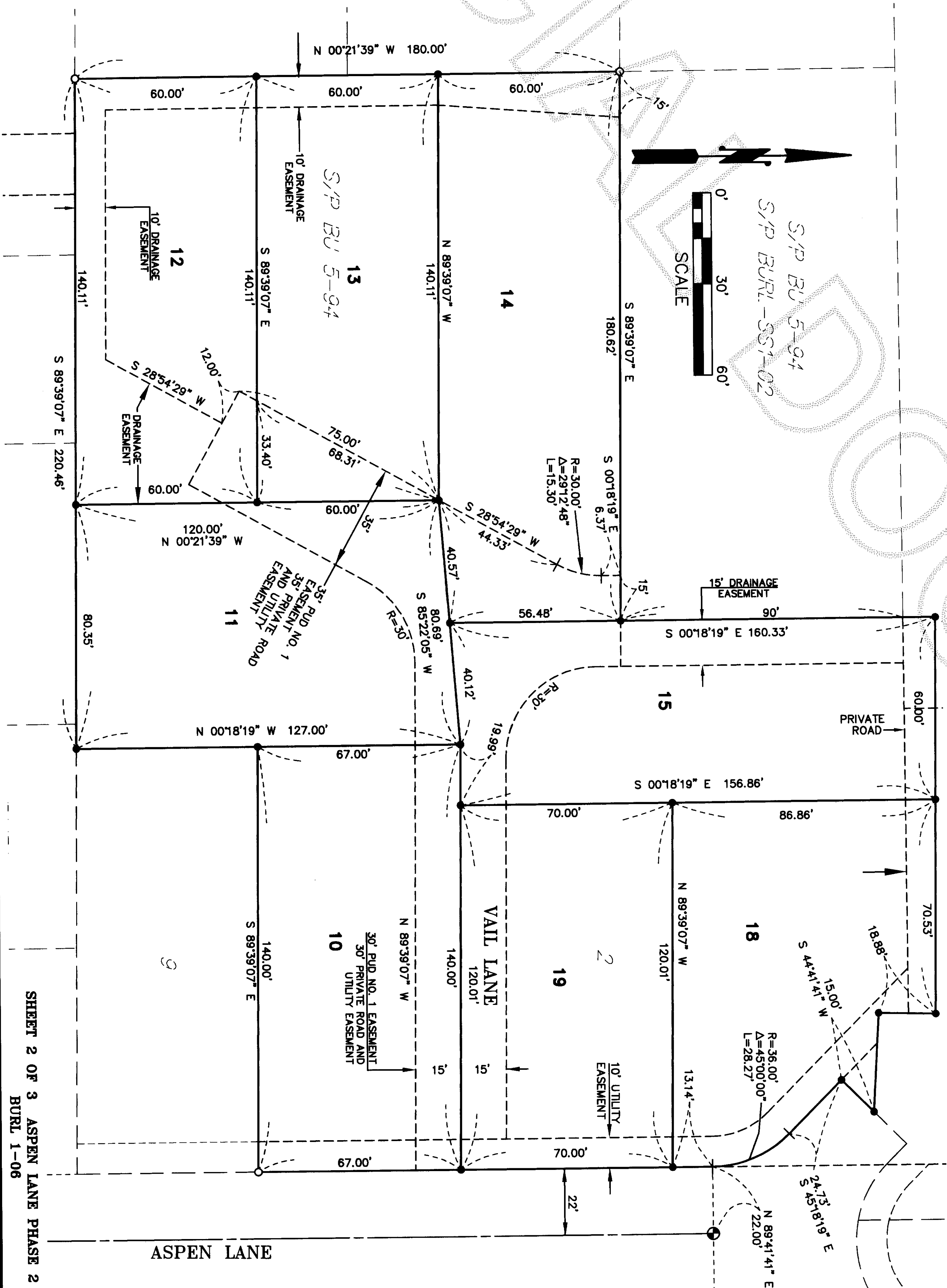
PRIVATE DRAINAGE EASEMENT

AN EASEMENT FOR THE PURPOSE OF CONVEYING LOCAL STORM WATER RUNOFF IS HEREBY GRANTED IN FAVOR OF ALL ADJUTING 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.

PRIVATE ROADWAY NOTE

VAIL LANE AND THE DRIVEWAY SERVING LOTS 15, 17 AND 18 ARE PRIVATE ROADWAYS TO BE MAINTAINED BY THE ASPEN LANE COMMUNITY ASSOCIATION. MAINTENANCE INCLUDES TREATMENT OF THE STORMWATER RUNOFF FROM THE ASPHALT SURFACES BY THE CATCH BASIN INSERT SYSTEM AT THE SOUTHWESTERLY END OF VAIL LANE AND THE GRASS SWALE ALONG THE WEST SIDE OF LOT 15. ALTERATIONS TO THESE STORMWATER TREATMENT SYSTEMS MUST BE APPROVED BY THE CITY ENGINEER.



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