

THE HIGHLANDS ON FIDALGO ISLAND

IN THE N.E. 1/4, SEC. 23, TWP 35 N., RNG 1 E., W.M.

CITY OF ANACORTES, WASHINGTON

FEBRUARY 2008

AUDITORS CERTIFICATE

200803170001

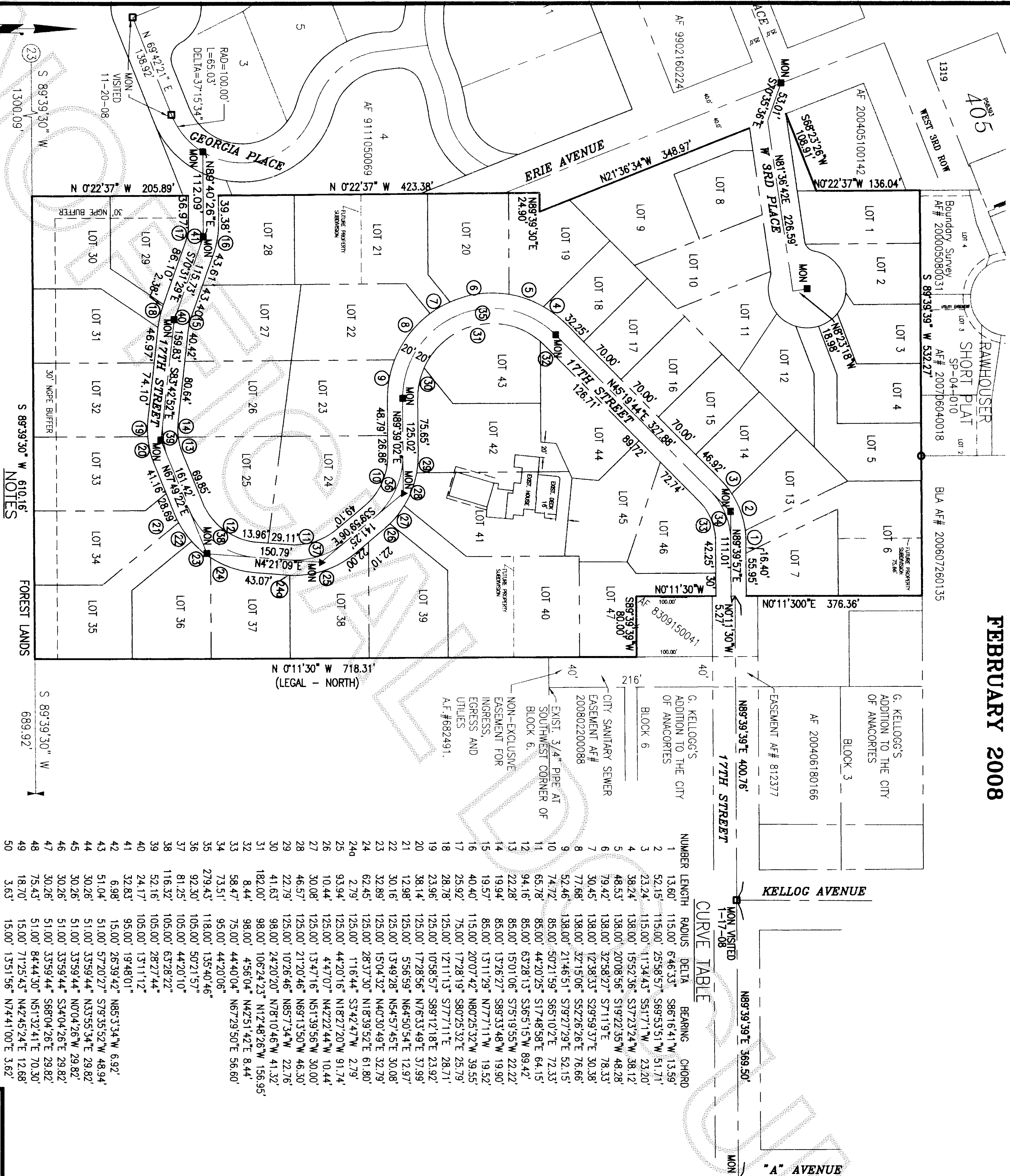
Skagit County Auditor

3/17/2008 Page 1 of 5 8:33AM

J. Yungquist by: M. J. J. Auditor

GENERAL INFORMATION

- Assessor's Account No. 3609-408-000-0002, P58395, 350123-0-013-0105, P31730, 350123-1-001-0206, P31745, 350123-0-005-0006, P31719, 350123-0-006-0005, P31720, 350123-0-006-0104, P31721 AND 350123-0-013-0006, P31729.
- Description and exception information is from Chicago Title Company Island Division, Order No. ICG44123, dated October 31, 2007.
- This property is SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants and other instruments of record including but not limited to those instruments referred to in Chicago Title Company Report referenced under Note 2 above. Said report lists documents recorded under Auditors File Number 682491 (access and utility easement, noted on plan), 8703200034 (Warranty Deed), 8703200035 (Warranty Deed), 8707110055 (CC&Rs to be removed), 366913 (Reservation), 366912 (Reservation), 812377 (easement shown on dwg), 200504080094 (record of survey) and 893759 (record of survey). Deed of trust is recorded under Auditors File Number 200708130134.
- The easements under Auditor file numbers 393038 (PSE Easement), 607940 (PSE Easement), 812377 (access & utility easement) and 200802040176 (PSE Easement) are hereby extinguished and replaced by new utility easements as shown on the face of this plat.
- Zoning: (R2) Residential Low Density District
- Water Supply: City of Anacortes
- Sewer Disposal: City of Anacortes
- Storm Sewer: City of Anacortes
- Phone: Verizon
- Gas: Cascade Natural Gas
- Cable: Comcast NW



CURVE TABLE

CITY SANITARY SEWER EASEMENT AF# 200802200088					
EXIST. 3/4" PRE AT SOUTHWEST CORNER OF BLOCK 6.					
- NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND UTILITIES.					
A.F.#682491.					
S 89.39'30" W					
689.92'					
NUMBER	LENGTH	RADIUS	DELTA	BEARING	CHORD
1	13.60'	115.00'	6°46'33"	S86°16'41"W	13.59'
2	52.15'	115.00'	25°58'57"	S69°53'51"W	51.71'
3	23.24'	115.00'	11°34'43"	S81°7'11"W	23.20'
4	38.24'	136.00'	15°52'36"	S37°23'24"W	38.12'
5	48.53'	136.00'	20°08'56"	S19°22'35"W	48.28'
6	79.42'	138.00'	32°58'27"	S71°19'E	78.33'
7	30.45'	138.00'	12°38'33"	S29°59'57"E	30.36'
8	77.66'	136.00'	32°15'06"	S52°26'26"E	76.66'
9	52.46'	138.00'	21°46'51"	S79°27'29"E	52.15'
10	74.72'	85.00'	50°21'59"	S65°10'27"E	72.33'
11	65.78'	85.00'	44°20'25"	S17°48'58"E	64.15'
12	94.16'	85.00'	63°28'13"	S36°15'5"W	89.42'
13	22.28'	85.00'	15°01'06"	S75°19'55"W	22.22'
14	19.94'	85.00'	13°26'27"	S89°33'48"W	19.90'
15	19.57'	85.00'	13°11'29"	N77°7'11"W	19.52'
16	40.40'	115.00'	20°07'42"	N80°25'32"W	39.55'
17	25.92'	75.00'	17°28'19"	S80°25'32"E	25.79'
18	28.78'	125.00'	12°11'13"	S77°7'11"E	28.71'
19	23.96'	125.00'	10°58'57"	S89°12'18"E	23.92'
20	38.14'	125.00'	17°28'56"	N76°33'49"E	37.99'
21	12.96'	125.00'	5°56'59"	N64°50'54"E	12.97'
22	30.16'	125.00'	13°49'28"	N54°57'45"E	30.08'
23	32.88'	125.00'	15°04'32"	N40°30'49"E	32.79'
24	62.45'	125.00'	28°37'30"	N18°39'52"E	61.80'
25	2.79'	125.00'	1°16'44"	S3°42'47"W	2.79'
26	10.44'	125.00'	4°47'07"	N42°22'44"W	10.44'
27	30.08'	125.00'	13°47'16"	N51°39'56"W	30.00'
28	46.57'	125.00'	21°20'46"	N69°13'50"W	46.30'
29	22.79'	125.00'	10°26'46"	N85°7'34"W	22.76'
30	41.63'	98.00'	24°20'20"	N78°10'46"W	41.32'
31	182.00'	98.00'	106°24'23"	N12°48'26"W	156.95'
32	8.44'	98.00'	4°56'04"	N42°51'42"E	8.44'
33	58.47'	75.00'	44°40'04"	N67°29'50"E	56.60'
34	73.51'	95.00'	44°20'06"		
35	279.43'	118.00'	135°40'46"		
36	92.30'	105.00'	50°21'57"		
37	81.25'	105.00'	44°20'10"		
38	116.32'	105.00'	63°28'22"		
39	52.16'	105.00'	28°27'44"		
40	24.17'	105.00'	13°11'12"		
41	32.83'	95.00'	19°48'01"		
42	6.98'	15.00'	26°39'42"	N85°33'4"W	6.92'
43	51.04'	51.00'	57°20'27"	S79°35'52"W	48.94'
44	30.26'	51.00'	33°59'44"	N33°55'34"E	29.82'
45	30.26'	51.00'	33°59'44"	N0°04'26"E	29.82'
46	30.26'	51.00'	33°59'44"	S34°04'26"E	29.82'
47	30.26'	51.00'	33°59'44"	S68°04'26"E	29.82'
48	75.43'	51.00'	84°44'30"	N51°32'41"E	70.30'
49	18.70'	15.00'	71°25'43"	N42°45'24"E	12.68'
50	3.63'	15.00'	135°15'56"	N74°41'00"E	3.62'

VICINITY  
SCALE: NONE

P.W. PROJECT # 05-001-DEV

PLAT

FOR: BW & NS Investments, LLC  
PO Box 319  
Anacortes, WA 98221  
(360) 293-7431

A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 35, RNG. 1 EAST, W.M. CITY OF ANACORTES, WASHINGTON

HERRIGSTAD ENGINEERING

4320 Whistle Lake Road, Anacortes, WA 98221 (360) 299-8804

SHEET 1 OF 5

DWG: J363

DWN BY: DKH

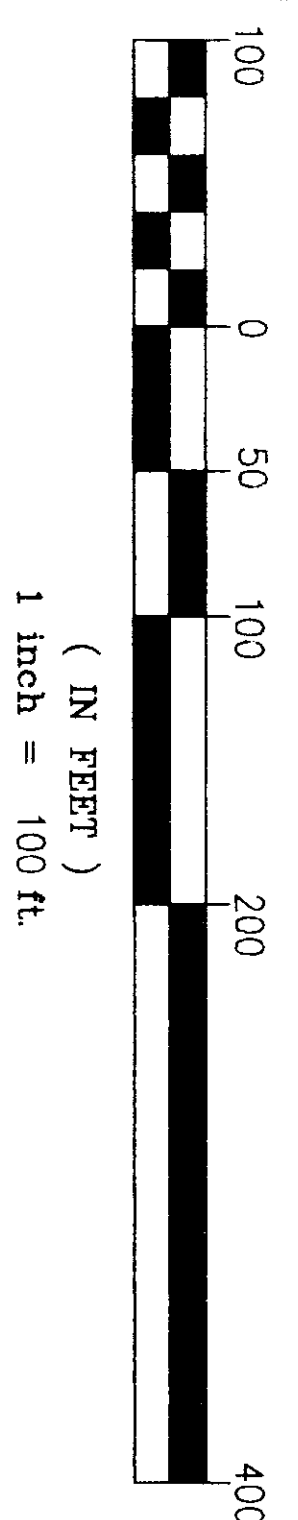
CHECK BY: CAC

DATE: Feb. 2008

SCALE: 1"=100'

JOB NO.: 383

GRAPHIC SCALE



(IN FEET)  
1 inch = 100 ft.

NOTES

- NEW RE-BAR WITH CAP NO. 9569 SET January 2008.
- NEW PK NAIL SET January 2008.
- FOUND AND RE-BAR WITH CAP PLS #8995 OR #9569.
- NEW CONCRETE MONUMENT SET January 2008.
- SURFACE MONUMENT SET IN SIDEWALK OR GUTTER FEB 2008.
- EXIST. CONCRETE MONUMENT
- EQUIPMENT USED: PENITAX 323N TOTAL STATION.
- NEW ASSIGNED ADDRESS
- ERROR OF CLOSURE MEETS WASHINGTON
- STATE STANDARDS: STANDARD FIELD TRAVERSE.
- SURVEY METHODS: BASED ON BOUNDARY SURVEY
- AF #200504080094



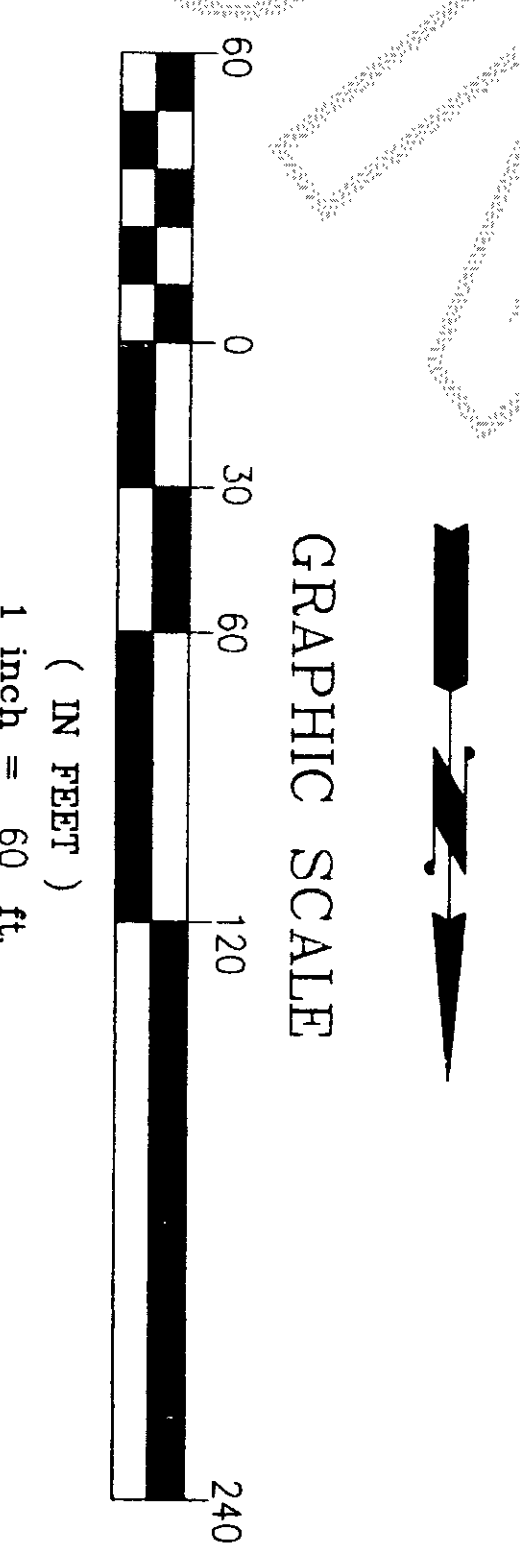
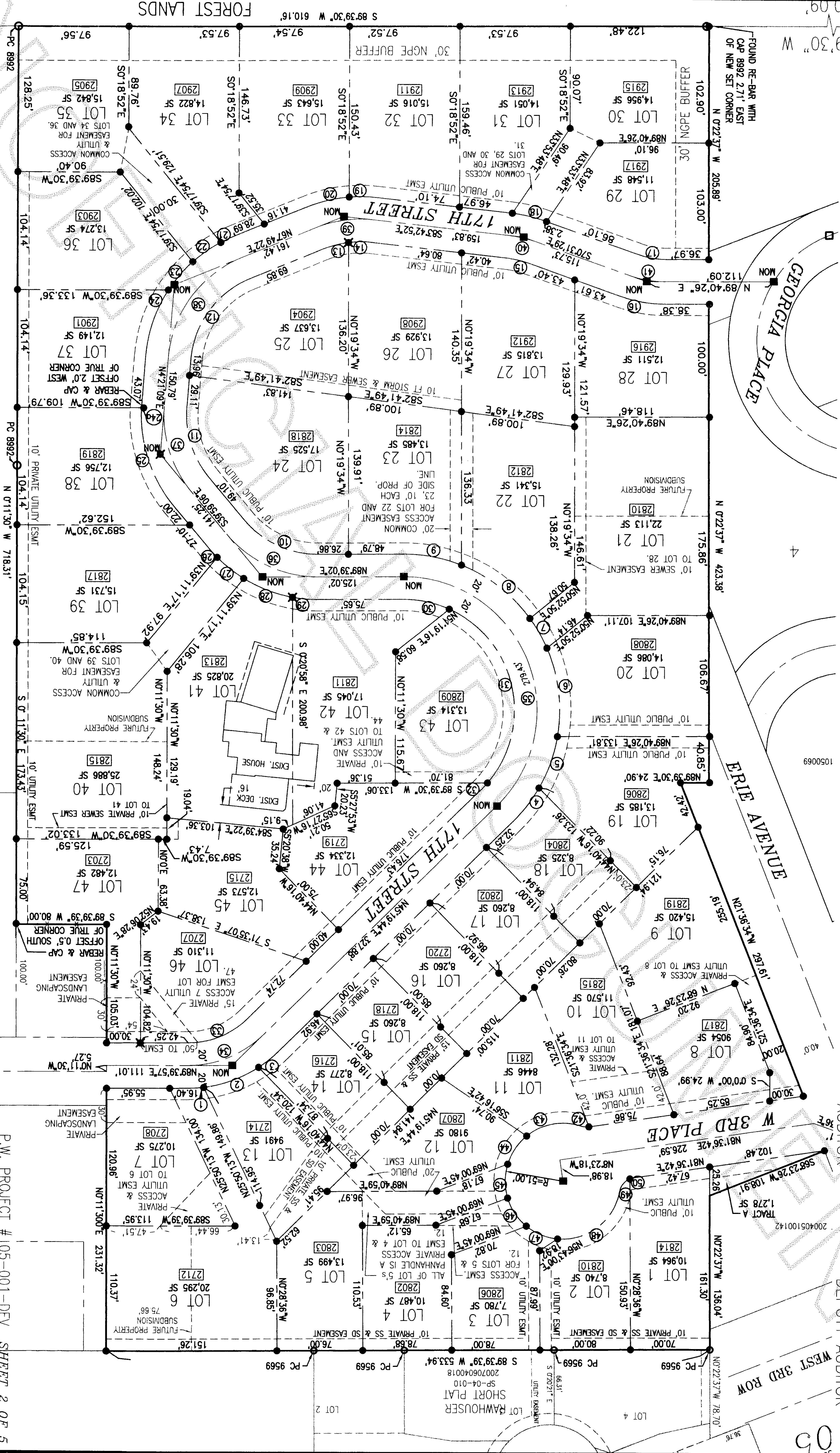
THE HIGHLANDS ON FIDALGO ISLAND  
IN THE N.E. 1/4, SEC. 23, TWP 35 N., RNG 1 E., W.M.  
CITY OF ANACORTES, WASHINGTON  
FEBRUARY 2008

AUDITORS CERTIFICATE



200803170001  
Skagit County Auditor  
3/17/2008 Page 2 of 5 8:33AM

AUDITOR  
DEPUTY AUDITOR  
WEST 3RD ROW



- NOTES
1. NEW RE-BAR WITH CAP NO. 9569 SET January 2008.
  2. NEW PK NAIL SET January 2008.
  3. FOUND AND RE-BAR WITH CAP PLS #8995 OR #9569.
  4. NEW CONCRETE MONUMENT SET January 2008.
  5. EQUIPMENT USED: PENTAX 323N TOTAL STATION.
  6. NEW ASSIGNED ADDRESS.
  7. ERROR OF CLOSURE MEETS WASHINGTON STATE STANDARDS.
  8. SURVEY METHODS: STANDARD FIELD TRAVERSE.
  9. BASIS OF BEARINGS: BASED ON BOUNDARY SURVEY AF #200504080094



**PLAT**

FOR: BW & NS Investments, LLC  
PO Box 319  
Anacortes, WA 98221  
(360) 293-7431

**HERRIGSTAD ENGINEERING**  
4320 Whistle Lake Road, Anacortes, WA 98221 (360) 299-8804

A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 35, RNG. 1 EAST, W.M. CITY OF ANACORTES, WASHINGTON

DWG.: J383  
DWN BY: DKH  
CHECK BY: CAC  
DATE: Feb. 2008  
SCALE: 1"=60'  
JOB NO.: 383

P.W. PROJECT # 05-001-DEV SHEET 2 OF 5



THE HIGHLANDS ON FIDALGO ISLAND  
IN THE N.E. 1/4, SEC. 23, TWP 35 N., RNG 1 E., W.M.  
CITY OF ANACORTES, WASHINGTON  
FEBRUARY 2008

AUDITORS CERTIFICATE

200803170001  
Skagit County Auditor  
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AUDITOR DEPUTY AUDITOR

LEGAL DESCRIPTION

PARCEL A: **AND PARCEL E:**

That portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, described as follows:

Beginning at the Northwest corner of Block 6, G, Kellogg's Addition to the City of Anacortes, according to the plat thereof recorded in Volume 1 of Plats, page 39, records of Skagit County; thence South 89°51' West a distance of 200 feet along the Westerly projection of the South boundary line of 17th Street as shown on said plat; Thence South parallel with the West line of said G, Kellogg's Addition to the City of Anacortes, 175 feet, more or less, to the North line of that tract conveyed to Harold Clure by instrument dated April 26, 1966, and recorded under Auditor's File No. 682491, records of Skagit County, Washington; Thence following the North line of said Clure tract, South 89°51' West a distance of 47 feet, more or less, to a point where the Clure tract runs North 31 feet; Thence North 31 feet; Thence South 89°51' West a distance of 128 feet; Thence South along the West line of said Clure tract 100 feet, more or less, to the North line of that portion of the South Half of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, conveyed to Harold Clure by instrument dated October 4, 1977, and recorded under Auditor's file No. 866225, records of Skagit County, Washington; Thence Westerly along said North line to the Northwest corner of said tract; Thence North along the West line of the Southeast Quarter of the Northeast Quarter of said Section 23, a distance of 274 feet, more or less, to the Westerly production of the center line of 17th Street as shown on the aforementioned plat; Thence Easterly along said line to the West line of said G, Kellogg's Addition to the City of Anacortes; Thence South 30 feet to the point of beginning.

EXCEPT the East 120 feet of the North 30 feet thereof.

Situated in Skagit County, Washington.

PARCEL B:

That portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, described as follows:

Beginning on the center line of 17th Street, as shown upon the map of G, Kellogg's Addition to the City of Anacortes, according to the plat thereof recorded in Volume 1 of Plats, page 39, records of Skagit County, where said center line intersects the West line of said G, Kellogg's Addition; Thence North along the West line of said addition to the Southwest corner of Block 3, of said addition; Thence South 89°51' West 120 feet along the North line of 17th Street projected West from said addition; Thence due North 216 feet, more or less, to the South line of 16th Street projected West from said addition; Thence West along the West projection of the South line of said 16th Street to the West line of the Southeast Quarter of the Northeast Quarter of said Section 23; Thence South along said West line to the projection West of the center line of 17th Street; Thence North 89°51' East along said center line to the point of beginning; EXCEPT the East 120 feet of the South 30 feet thereof.

Situated in Skagit County, Washington.

PARCEL C:

That portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, described as follows: Beginning 200 feet West of the Northwest corner of Block 6, G, Kellogg's Addition to the City of Anacortes; Thence South 175 feet, more or less, to the North line of the tract conveyed to Harold H. Clure, et ux, as represented in Auditor's File No. 682491, records of Skagit County, Washington; Thence East along the North line of said Clure tract 150 feet, more or less, to the West line of tract conveyed to R. Threet et ux, under Auditor's File No. 822882, records of Skagit County, Washington; Thence North along the West line of the Threet tract to the South line of 17th Street extended West; Thence West along said line of 17th Street to the point of beginning.

EXCEPT the North 100 feet of the East 80 feet of the above description.

Situated in Skagit County, Washington.

PARCEL D: Lots 8 through 10, Block 407, and Lot 10, Block 408, NORTHERN PACIFIC ADDITION TO ANACORTES, according to the plat thereof recorded in Volume 2 of Plats, pages 9 through 11, records of Skagit County, Washington. Situated in Skagit County, Washington.

PARCEL F:

A portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, beginning at the Northwest corner of Block 6, G, KELLOGG'S ADDITION TO THE CITY OF ANACORTES, WASHINGTON, according to the plat thereof recorded in Volume 1 of Plats, page 39, records of Skagit County, Washington; Thence South 89°51' West, a distance of 207.00 feet; Thence North a distance of 31.00 feet; Thence South 89°51' West a distance of 128.00 feet; Thence South a distance of 731.00 feet, more or less, to the South boundary of said Southeast Quarter of the Northeast Quarter; Thence East 335.00 feet along said South boundary of the Southeast Quarter of the Northeast Quarter; Thence North, a distance of 700.00 feet, more or less, to the true point of beginning; TOGETHER WITH the South Half of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian.

EXCEPT that portion thereof lying Easterly of the Westerly line of that certain tract as conveyed to Harold R. Clure, et ux, by deed dated April 26, 1966, and recorded May 6, 1966, under Auditor's File No. 682491, records of Skagit County, Washington, said line being approximately 1,024.5 feet West of the East line of said Section; AND EXCEPT that portion of said Southeast Quarter of the Northeast Quarter of said Section described as follows:

A portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian;

Beginning at the Northwest corner of Block 6, G, Kellogg's Addition to the City of Anacortes, Washington, according to the plat thereof recorded in Volume 1 of Plats, page 39, records of Skagit County, Washington; also shown on record of Survey recorded under Auditor's File No. 893759, records of Skagit County, Washington; Thence 89°39'39" West, a distance of 40.0 feet along the South boundary of 17th Street extended Westerly from said addition and South 0°11'30" East, a distance of 175.00 feet to the true point of beginning of this description; Thence South 89°39'30" West, a distance of 207.00 feet; Thence North 0°11'30" West, a distance of 31.00 feet; Thence South 89°39'30" West, a distance of 128.00 feet; Thence South 0°11'30" West, a distance of 80.52 feet; Thence South 89°39'30" West, a distance of 274.58 feet; Thence South 25°21'22" East, a distance of 24.80 feet; Thence on arc to the left with a radius of 30.00 feet and length of 23.68 feet; Thence South 70°35'24" East, a distance of 44.92 feet; Thence on arc to the left with a radius of 75.00 feet and a length of 11.18 feet; Thence South 79°07'40" East, a distance of 52.32 feet; Thence on arc to the right with a radius of 125.00 feet and a length of 60.88 feet; Thence South 51°13'19" East, a distance of 84.22 feet; Thence on arc to the left with a radius of 75.00 feet and a length of 51.22 feet; Thence North 89°39'02" East, a distance of 43.67 feet; Thence on arc to the right with a radius of 125.00 feet and a length of 99.44 feet; Thence North 39°11'17" East, a distance of 97.92 feet; Thence North 89°39'30" East, a distance of 114.85 feet; Thence North 0°11'30" West, a distance of 173.43 feet, to the true point of beginning.

(The above described parcel is also known as Parcel A of that Boundary Survey prepared by Crossman & Associates Land Surveyors, dated March 4, 2005, Job No. 2004-34, recorded April 8, 2005, under Auditor's File No. 200504080094, records of Skagit County, Washington, and will become Lot 1, Pond Tract, Lots 1-7 and Lots 11-17 of that subdivision, Highland Acres, upon approval and recording of said subdivision).

Situated in Skagit County, Washington

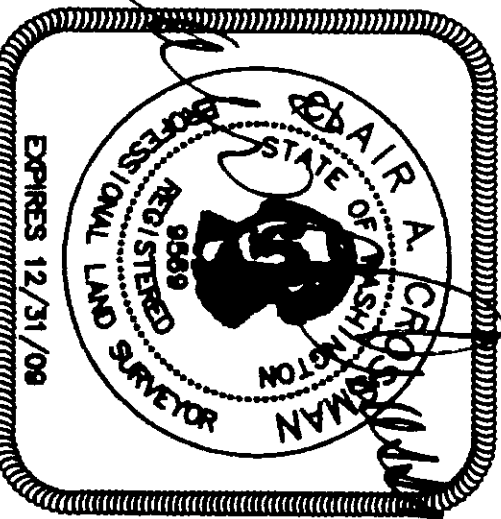
PARCEL G:

The land referred to herein in the County of Skagit, State of Washington and is described as follows:

A portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, beginning at the Northwest corner of G, Kellogg's Addition to the City of Anacortes, Washington, according to the plat thereof, recorded in Volume 1 of Plats, page 39, records of Skagit County, Washington, also as shown on record of survey recorded under Auditor's File No. 893759, records of Skagit County, Washington; Thence South 89°39'39" West, a distance of 40.0 feet along the South boundary of 17th Street extended Westerly from said addition and South 0°11'30" East, a distance of 175.00 feet to the true point of beginning of this description; Thence South 89°39'30" West, a distance of 207.00 feet; Thence North 9°11'30" West, a distance of 31.00 feet; Thence South 89°39'30" West, a distance of 128.00 feet; Thence South 89°39'30" West, a distance of 80.52 feet; Thence South 89°39'30" West, a distance of 274.58 feet; Thence South 25°21'22" East, a distance of 24.80 feet; Thence on arc to the left with a radius of 30.00 feet and a length of 23.68 feet; Thence South 70°35'24" East, a distance of 44.92 feet; Thence on arc to the left with a radius of 75.00 feet and a length of 11.18 feet; Thence South 70°07'40" East, a distance of 52.32 feet; Thence on arc to the right with a radius of 125.00 feet and a length of 60.88 feet; Thence South 51°13'19" East, a distance of 84.22 feet; Thence on arc to the left with a radius of 75.00 feet and a length of 51.22 feet; Thence North 89°39'02" East, a distance of 43.67 feet; Thence on arc to the right with a radius of 125.00 feet and a length of 99.44 feet; Thence North 39°11'17" East, a distance of 97.92 feet; Thence North 89°39'30" East, a distance of 114.85 feet; Thence North 0°11'30" West, a distance of 173.43 feet, to the true point of beginning;

(Also known as Tract B of Boundary Line Adjustment recorded April 8, 2005, under Auditor's File No. 200504080094, records of Skagit County, Washington.)

Situated in Skagit County, Washington



3-03-08

<b>PLAT</b>		FOR: BW & NS Investments, LLC PO Box 319 Anacortes, WA 98221 (360) 293-7431	
A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 35, RNG. 1 EAST, W.M. CITY OF ANACORTES, WASHINGTON		DWN BY: DKH	
		CHECK BY: CAC	
		DATE: April 2007	
HERRIGSTAD ENGINEERING		SCALE: 1"=60'	
4320 Whistle Lake Road, Anacortes, WA 98221 (360) 299-8804		JOB NO.: 383	

P.W. PROJECT # 05-001-DEV

SHEET 3 OF 5



THE HIGHLANDS ON FIDALGO ISLAND  
IN THE N.E. 1/4, SEC. 23, TWP 35 N., RNG 1 E., W.M.  
CITY OF ANACORTES, WASHINGTON  
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AUDITORS CERTIFICATE

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Skagit County Auditor  
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UTILITY EASEMENTS

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 front ten (10) feet, or as shown on the plat, of front boundary lines all lots, tracts and spaces within the plot lying parallel with and adjoining all public street(s) in which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits, cables and wires all necessary or convenient underground or ground mounted appurtenances thereto for the purpose of serving this subdivision and 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 stated. This easement replaces the easement recorded under Auditor's file number 330308 and 607940 recorded for the benefit of Puget Sound Energy, Inc.
2. A 20' public utility easement is hereby conveyed to the City of Anacortes under and upon lots 2, 3, 4, 5, 12, 13, & 14 as shown on the plat which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits, cables and wires for the same purposes as described in No. 1 above.
3. A 10' public utility easement is hereby conveyed to the City of Anacortes and CASCADE NATURAL GAS COMPANY under and upon lots 19 & 20 as shown on the plat, for a total width of 20 feet, which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits, cables and wires for the same purposes as described in No. 1 above.
4. A non-exclusive private access and utility easement as shown on the plat on and across Lot 30 is for the benefit of lots 29, 31 will remain private and the responsibility of the property owners for which they serve.
5. A non-exclusive private access and utility easement as shown on the plat on and across Lot 35 is for the benefit of lots 34 and 36 and will remain private and the responsibility of the property owners for which they serve.
6. A non-exclusive private access and utility easement as shown on the plat on and across Lot 40 is for the benefit of lot 39 and will remain private and the responsibility of the property owners for which they serve.
7. A non-exclusive private access and utility easement as shown on the plat on and across Lots 22 & 23 is for the benefit of both lots and will remain private and the responsibility of the property owners for which they serve.
8. A non-exclusive private access and utility easement as shown on the plat on and across Lot 7 is for the benefit of lot 6 and will remain private and the responsibility of the property owners for which they serve.
9. A non-exclusive private access and utility easement as shown on the plat on and across Lot 46 is for the benefit of lot 47 and will remain private and the responsibility of the property owners for which they serve.
10. A non-exclusive private access and utility easement as shown on the plat on and across Lot 7 is for the benefit of lot 6 and will remain private and the responsibility of the property owners for which they serve.
11. A non-exclusive private access and utility easement as shown on the plat on and across Lot 43 is for the benefit of lots 42 & 44 and will remain private and the responsibility of the property owners for which they serve.
12. A non-exclusive private access and utility easement as shown on the plat on and across Lot 5 is for the benefit of lots 4 & 12 and will remain private and the responsibility of the property owners for which they serve.
13. A non-exclusive private access and utility easement as shown on the plat on and across Lot 10 is for the benefit of lot 11 and will remain private and the responsibility of the property owners for which they serve.
14. A non-exclusive private access and utility easement as shown on the plat on and across Lot 9 is for the benefit of lot 8 and will remain private and the responsibility of the property owners for which they serve.
15. A non-exclusive private storm drainage and sanitary sewer easement as shown on the plat on and across lots 1 through 6, 13 through 18, 36 through 40 and lot 47 and is for the benefit of those lots and their divided successors and is for storm water and sanitary sewer discharge and is the responsibility of the lots for which they serve to construct, operate, maintain, repair, replace and enlarge underground storm water pipes.
16. A non-exclusive private sanitary sewer easement as shown on the plat on and across lot 21 is for the benefit of lot 28 and is for sanitary sewer discharge and is the responsibility of the lots for which they serve to construct, operate, maintain, repair, replace and enlarge underground storm water pipes.
17. A non-exclusive private sanitary sewer easement as shown on the plat on and across lots 40, 45, and 47 is for the benefit of lot 41 and is for sanitary sewer discharge and is the responsibility of the lots for which they serve to construct, operate, maintain, repair, replace and enlarge underground storm water pipes.
18. A non-exclusive private landscaping easement as shown on the plat on and across lots 7, 46 and 47 is for the benefit of the homeowners association and will be maintain be such as described in the CC & Rs.

NATIVE GROWTH PROTECTION EASEMENT

A Native Growth Protection Easement shall be provided along the project's southerly boundary line as well as western boundary in lots 29 and 30 as shown on the plat as a buffer or area to be left untouched with the following restrictions:

1. Hand removal of non-native exotic or adventitious plants.

2. Hazard trees shall be identified with concurrence of the City Forest Lands Manager. Hazard trees removed or blown down may be replaced by the City or the homeowner with 3' minimum appropriate native stock, which shall be maintained until able to survive without care.

3. If the buffer has been degraded by previous site disturbances, the Forest Advisory Board may approve a replanting plan using appropriate native stock.

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

CITY OF ANACORTES APPROVALS

Signature of Planning Director

ATTEST: City Clerk

Examined and approved this 11 day of MARCH, 2008

City Engineer

CITY TREASURERS 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 12 day of MARCH, 2008

Treasurer, City of Anacortes

COUNTY TREASURERS CERTIFICATE

I 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 2008.

Certified this 14th day of March, 2008

SURVEYORS CERTIFICATE

I hereby certify that the Highlands Plat on Fidalgo Island is based upon an actual survey and subdivision performed by me or under my supervision of Section 23, Township 35 North, Range 1 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 plotting regulations.

CLAIR A. CROSSMAN, P.L.S.

Certificate No. 9569

Date 3-03-08

TRACT A  
TRACT A IS DEDICATED TO THE CITY OF ANACORTES  
FOR THE PURPOSES OF RIGHT-OF-WAY.  
C C & R RECORDING # 200803170002

AUDITOR DEPUTY AUDITOR

DEDICATION

Know All Men by these Present that Skagit State Bank, mortgage holder, Harold R. Clure and Martha K. Clure, husband and wife, and BW & NS INVESTMENTS, LLC, owner of the land hereby platted, declare this plat and dedicate to the use of the public, forever, streets and avenues shown hereon and the use thereof for all public purposes, consistent with the use thereof for public highway purposes together with the right to make all necessary slope for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon.

Harold R. Clure  
Martha K. Clure

BW & NS INVESTMENTS, LLC

Skagit State Bank

State of Washington

County of Skagit

I certify that I know of have satisfactory evidence that Harold R. and Martha K. Clure, Husband and wife, signed this instrument, and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

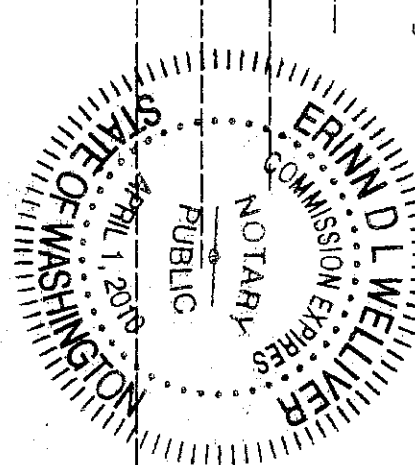
Given under my hand and official seal this 3rd day of March, 2008

Signed Anna D. Mueller

Name printed Anna D. Mueller

Residing at Anacortes, WA

My commissions expires 4/1/2010



State of Washington

County of Skagit

I certify that I know of have satisfactory evidence that Oels Strandberg & William M. signed this instrument, on oath stated that he is authorized to execute the

instrument and acknowledged it as the Managers

BW & NS INVESTMENTS, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

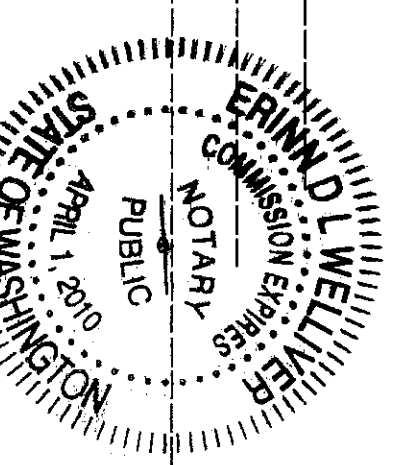
Given under my hand and official seal this 3rd day of March, 2008

Notary Public in and for the State of Washington

Name printed Anna D. Mueller

Residing at Anacortes, WA

My commissions expires 4/1/2010



State of Washington

County of Skagit

I certify that I know of have satisfactory evidence that Michael P. Fredlund signed this instrument, on oath stated that (he/she/they)

(he/she/they) authorized to execute the instrument and acknowledged it as the Assistant Vice President

of Skagit State Bank, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

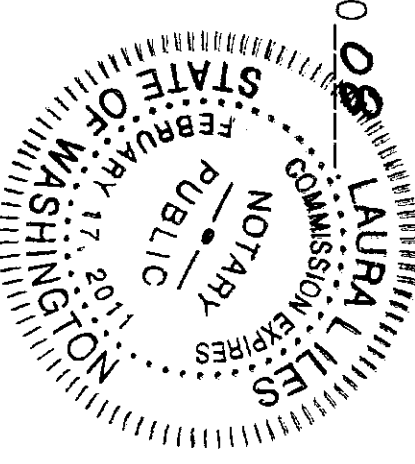
Given under my hand and official seal this 3rd day of March, 2008

Notary Public in and for the State of Washington

Name printed Laura L. Iles

Residing at Anacortes, WA

My commissions expires 2-17-11



P.W. PROJECT # 05-001-DEV

SHEET 4 OF 5

PLAT

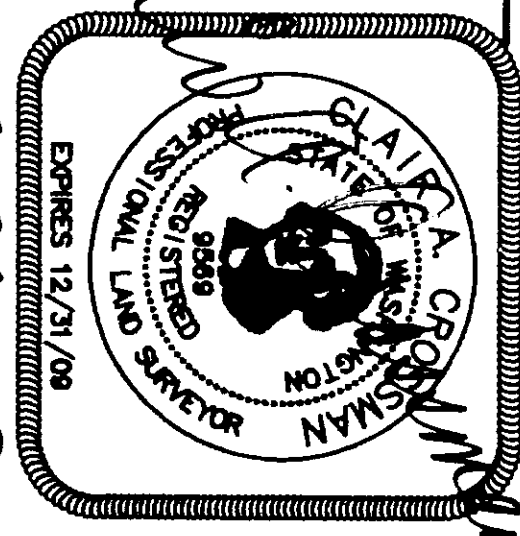
FOR: BW & NS Investments, LLC  
PO Box 319  
Anacortes, WA 98221  
(360) 293-7431

A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 35, RNG. 1 EAST, W.M.  
CITY OF ANACORTES, WASHINGTON

HERRIGSTAD ENGINEERING

4320 Whistle Lake Road, Anacortes, WA 98221 (360) 299-8804

SCALE: 1"=60'  
JOB NO.: 383





PLAT CONDITIONS

DECISION TO ISSUE A PRELIMINARY PLAT PERMIT FOR  
The Highland Acre 2005 Preliminary Plat Application

Based on the foregoing Findings of Fact and Conclusions of Law, the Anacortes Planning Director is hereby authorized to issue Preliminary Plat approval for the Highland Acres 2005 Preliminary Plat subject to the following conditions:

1. Prior to clearing or fill and grade taking place, both a Large Parcel Storm Water Plan and a Water Quality Control Plan, covering the project site and the 17th Street improvements, shall be prepared by the applicant, approved by the Public Works Director, and implemented.
  2. All offsite storm water improvements shall be made before construction or vegetation removal begins, including completion of the Dakota Avenue conveyance and outfall.
  3. A temporary erosion and sedimentation control plan shall be prepared by the applicant, approved by the Public Works Director, and implemented.
  4. The first phase of the drainage improvements noted in conditions # 2 and # 6 shall include the 17th Street system improvements as required by the Public Works Director.
  5. A perimeter, curtain drain shall be provided along the project exterior boundary lines as required by the Public Works Director.
  6. 17th Street shall be improved from "D" Avenue to "A" Avenue to full City standards, including a standard 32 foot wide street, standard curb gutter and sidewalk on both sides, and enclosed drainage system. From "A" Avenue to the subject property, 17th Street shall be improved to a 28 foot wide street, with rolled curbs on both sides, parking on one side, and a sidewalk on one side, meeting City standards. These standards shall address existing drainage problems along this street frontage as described in the project record and as agreed to by the applicant in his letter of November 5, 2005. In areas where existing conditions or obstructions prevent development to this width, the Public Works Director may authorize z reduced width with no parking, but the narrower sections shall be limited to the minimum necessary to accommodate the obstruction or condition. Meandering of the road alignment within the right-of-way to accommodate obstructions is a preferred solution where possible, rather than reducing the road width.
  7. The cost sharing arrangement between the applicant and the City for the 17th Street and associated drainage improvements shall be approved by the City Council at the same time as preliminary plat approval.
- A developer agreement stipulating the city/developer cost sharing details of the 17th street improvements and the off-site drainage improvements shall be executed by all parties prior to construction beginning.
8. The 30 foot wide native growth protection easement along the perimeter of the Anacortes Community Forest Lands shall be fenced off prior to any construction beginning.
  9. Maximum street slope shall not exceed 12 percent.
  10. Fire sprinklers for structure protection may be required by the Fire Department.
  11. Fire flow shall be addressed in a manner acceptable to the Fire Chief.
  12. Fill, grading, and blasting plans shall be reviewed by a Geotechnical Engineer, approved by the Building Department and at the developer's expense, and approved for construction prior to Grade and Fill permit issuance. Site Grade and Fill monitoring shall be provided during construction with progress reports and a final report provided to the Building Department for review and approval.
  13. Slopes steeper than 5 horizontal to 1 vertical receiving 5 feet or more of fill shall be keyed and benched as required by the Geotechnical Engineer and the International Building Code. The key shall be at least 10 feet wide and a 2 feet deep. The benching surfaces shall be a minimum of 5 feet wide and a maximum of 5 feet tall: per the GeoEngineers Geotechnical Report dated September 23, 2005.
  14. The design and construction of all infrastructure must comply with the current version of the Public Works Engineering Standards.
  15. The development is required to construct sidewalk, curb and gutter on one side, and associated street and storm drainage improvements, including asphalt overlay on 17th Street from the plat boundary to "D" Avenue.
  16. The proposed fill slopes on public right-of-way shall not exceed a 3:1 ratio unless otherwise approved by the Public Works Director.
  17. All recommendations stated in the Geotechnical Report dated September 23, 2005 prepared by GeoEngineers shall be strictly adhered to.
  18. The proposed Phase 2 cul-de-sac must have the standard right-of-way width granted prior to plat approval or be realigned to be entirely on applicant's property.
  19. The water system must be designed and constructed as a looped system.

THE HIGHLANDS ON FIDALGO ISLAND  
IN THE N.E. 1/4, SEC. 23, TWP 35 N., RNG 1 E., W.M.  
CITY OF ANACORTES, WASHINGTON  
FEBRUARY 2008

20. The development is required to provide storm water quality facilities to treat the stormwater runoff of the development.

21. The proposed down stream Dakota Avenue storm drainage improvements will require easements and or property acquisition from downstream benefited property owners; the applicable permissions must be granted prior to construction plan approval.

22. Any deviations from the conceptual stormwater design shall come back to the City Council for approval.

23. City of Anacortes drainage code requires the installation of perimeter drains along the exterior of the plat to control storm run-off from the site.

24. In the event the sanitary flow from the development is discharged into the 17th Street system the existing pipe system must conform to Public Works Engineering Standards for maintenance and capacity.

25. In the event sanitary flow from the development is discharged northerly the final design must address steep grade design elements on applicable pipe sections.

26. Prior to final improvements to 17th Street, sanitary sewer stubs shall be extended beyond the improvements to accommodate parcels without sewer service. The developer is encouraged to seek latecomer reimbursement for this construction.

27. The proposed 30-foot Native Growth Protection Easement (NGPE) along the forest lands shall remain untouched with the following exceptions:

a. Orange construction fencing shall be installed along the NGPE boundary prior to construction and removed upon completion of construction.

b. Hand removal of non-native or adventitious plants as approved by the Parks Department.

c. Hazard trees will be identified with the concurrence of the Parks Department. Hazard trees removed or blown down shall be replanted by the landowner subject to approval of the Parks Department, with 3-foot minimum appropriate native stock which shall be maintained by the property owners until able to survive without care.

d. Fallen trees in the NGPE shall only be removed from the site with the approval of the Parks Department.

e. If the NGPE is disturbed, a replanting plan using appropriate native stock shall be submitted to the Forest Advisory Board for approval and once approved, shall be implemented by the landowner.

f. Trails through the NGPE shall not be permitted without the approval of the Parks Department.

g. The Director of Parks and Recreation shall approve fencing plans along the NGPE.

28. If any damage occurs to Georgia Place during plat construction this will be repaired prior to Final Plat approval, and a maintenance bond posted for three years after Final Plat approval.

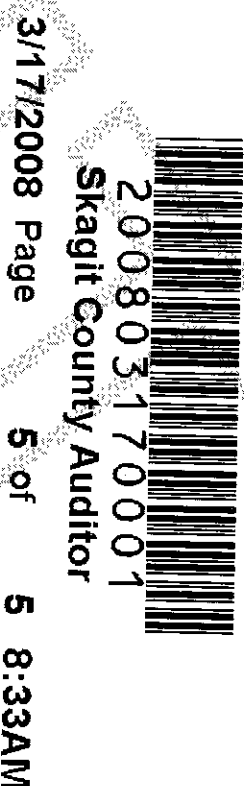
29. Traffic calming and safety measures shall be installed on 17th Street and Georgia Place as approved by the City Public Works Director. Consideration shall be given both to permanent measures and to temporary measures to improve safety during site development.

30. Due to existing narrow streets with no sidewalks, steep grades, and sharp curves, Georgia Place shall not be used for construction traffic during site development, except for the minimum time required when temporarily necessitated by project circumstances. During home construction, all construction traffic shall be directed to use 17th Street for project access. Applicant shall notify all project contractors and subcontractors of this requirement prior to their work beginning.

31. In order to maximize the opportunity to retain significant trees, as well as preserving the ability of the existing vegetation and topsoil to absorb and control surface water runoff, initial clearing and grading shall be limited to that reasonably necessary to construct the project roads and utilities. Vegetation removal and grading on individual lots shall not be done until close to the time that the foundations and footing drains will be installed, to minimize the potential for runoff from bare lots to cause problems downslope.

AUDITOR

DEPUTY AUDITOR



AUDITORS CERTIFICATE

P.W. PROJECT # 05-001-DEV

SHEET 5 OF 5

PLAT

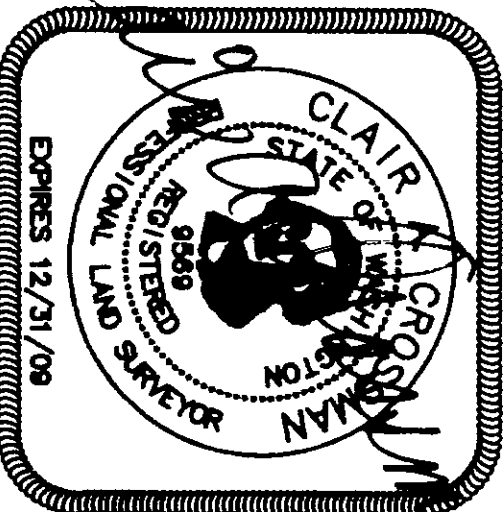
FOR: BW & NS Investments, LLC  
PO Box 319  
Anacortes, WA 98221  
(360) 293-7431

A PORTION OF THE SE 1/4 OF THE NE 1/4 OF  
SECTION 23, TOWNSHIP 35, RNG. 1 EAST, W.M.  
CITY OF ANACORTES, WASHINGTON

HERRIGSTAD ENGINEERING

4320 Whistle Lake Road, Anacortes, WA 98221 (360) 299-8804

SCALE: 1"=60'  
JOB NO.: 383



3-03-08



THE HIGHLANDS ON FIDALGO ISLAND  
IN THE N.E. 1/4, SEC. 23, TWP 35 N., RNG 1 E., W.M.  
CITY OF ANACORTES, WASHINGTON  
FEBRUARY 2008

AUDITORS CERTIFICATE

200803170001  
Skagit County Auditor  
3/17/2008 Page 3 of 5 8:33AM

LEGAL DESCRIPTION

PARCEL A: **AND PARCEL E:**

That portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, described as follows:

Beginning at the Northwest corner of Block 6, G. Kellogg's Addition to the City of Anacortes, according to the plat thereof recorded in Volume 1 of Plats, page 39, records of Skagit County; thence South 89°51' West a distance of 200 feet along the Westerly projection of the South boundary line of 17th Street as shown on said plat; Thence South parallel with the West line of said G. Kellogg's Addition to the City of Anacortes, 175 feet, more or less, to the North line of that tract conveyed to Harold Clure by instrument dated April 26, 1966, and recorded under Auditor's File No. 682491, records of Skagit County, Washington;  
Thence following the North line of said Clure tract, South 89°51' West a distance of 47 feet, more or less, to a point where the Clure tract runs North 31 feet;  
Thence North 31 feet;  
Thence South 89°51' West a distance of 128 feet;  
Thence South along the West line of said Clure tract 100 feet, more or less, to the North line of that portion of the South Half of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, conveyed to Harold Clure by instrument dated October 4, 1977, and recorded under Auditor's file No. 866225, records of Skagit County, Washington;  
Thence Westerly along said North line to the Northwest corner of said tract;  
Thence North along the West line of the Southeast Quarter of the Northeast Quarter of said Section 23, a distance of 274 feet, more or less, to the Westerly production of the center line of 17th Street as shown on the aforementioned plat;  
Thence Easterly along said line to the West line of said G. Kellogg's Addition to the City of Anacortes;  
Thence South 30 feet to the point of beginning.

EXCEPT the East 120 feet of the North 30 feet thereof.

Situated in Skagit County, Washington.

PARCEL B:

That portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, described as follows:

Beginning on the center line of 17th Street, as shown upon the map of G. Kellogg's Addition to the City of Anacortes, according to the plat thereof recorded in Volume 1 of Plats, page 39, records of Skagit County, where said center line intersects the West line of said G. Kellogg's Addition;  
Thence North along the West line of said addition to the Southwest corner of Block 3 of said addition; Thence South 89°51' West 120 feet along the North line of 17th Street projected West from said addition; Thence due North 216 feet, more or less, to the South line of 16th Street projected West from said addition; Thence West along the West projection of the South line of said 16th Street to the West line of the Southeast Quarter of the Northeast Quarter of said Section 23;  
Thence South along said West line to the projection West of the center line of 17th Street;  
Thence North 89°51' East along said center line to the point of beginning;  
EXCEPT the East 120 feet of the South 30 feet thereof.

Situated in Skagit County, Washington.

PARCEL C:

That portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, described as follows:  
Beginning 200 feet West of the Northwest corner of Block 6, G. Kellogg's Addition to the City of Anacortes; Thence South 175 feet, more or less, to the North line of the tract conveyed to Harold H. Clure, et ux, as represented in Auditor's File No. 682491, records of Skagit County, Washington;  
Thence East along the North line of said Clure tract 150 feet, more or less, to the West line of tract conveyed to R. Threet et ux, under Auditor's File No. 822882, records of Skagit County, Washington;  
Thence North along the West line of the Threet tract to the South line of 17th Street extended West;  
Thence West along said line of 17th Street to the point of beginning;

EXCEPT the North 100 feet of the East 80 feet of the above description.

Situated in Skagit County, Washington.

PARCEL D: Lots 8 through 10, Block 407, and Lot 10, Block 408, NORTHERN PACIFIC ADDITION TO ANACORTES, according to the plat thereof recorded in Volume 2 of Plats, pages 9 through 11, records of Skagit County, Washington. Situated in Skagit County, Washington.

PARCEL F:

A portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, beginning at the Northwest corner of Block 6, G. KELLOGG'S ADDITION TO THE CITY OF ANACORTES, WASHINGTON, according to the plat thereof recorded in Volume 1 of Plats, page 39, records of Skagit County, Washington;

Thence South 89°51' West, a distance of 207.00 feet;  
Thence North a distance of 31.00 feet;  
Thence North 89°51' West a distance of 128.00 feet;  
Thence South 89°51' West a distance of 731.00 feet, more or less, to the South boundary of said Southeast Quarter of the Northeast Quarter;  
Thence East 335.00 feet along said South boundary of the Southeast Quarter of the Northeast Quarter;  
Thence North, a distance of 700.00 feet, more or less, to the true point of beginning; TOGETHER WITH the South Half of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian.

EXCEPT that portion thereof lying Easterly of the Westerly line of that certain tract as conveyed to Harold R. Clure, et ux, by deed dated April 26, 1966, and recorded May 6, 1966, under Auditor's File No. 682491, records of Skagit County, Washington, said line being approximately 1,024.5 feet West of the East line of said Section;

AND EXCEPT that portion of said Southeast Quarter of the Northeast Quarter of said Section described as follows:

A portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian;

Beginning at the Northwest corner of Block 6, G. Kellogg's Addition to the City of Anacortes, Washington, according to the plat thereof recorded in Volume 1 of Plats, page 39, records of Skagit County, Washington; also shown on record of Survey recorded under Auditor's File No. 893759, records of Skagit County, Washington;  
Thence 89°39'39" West, a distance of 40.0 feet along the South boundary of 17th Street extended Westerly from said addition and South 0°11'30" East, a distance of 175.00 feet to the true point of beginning of this description;  
Thence South 89°39'30" West, a distance of 207.00 feet;  
Thence North 0°11'30" West, a distance of 31.00 feet;  
Thence South 89°39'30" West, a distance of 128.00 feet;  
Thence South 0°11'30" West, a distance of 80.52 feet;  
Thence South 89°39'30" West, a distance of 274.58 feet;  
Thence South 25°21'22" East, a distance of 24.80 feet;  
Thence on arc to the left with a radius of 30.00 feet and length of 23.68 feet;  
Thence South 70°35'24" East, a distance of 44.92 feet;  
Thence on arc to the left with a radius of 75.00 feet and a length of 11.18 feet;  
Thence South 79°07'40" East, a distance of 52.32 feet;  
Thence on arc to the right with a radius of 125.00 feet and a length of 60.88 feet;  
Thence South 51°13'19" East, a distance of 84.22 feet;  
Thence on arc to the left with a radius of 75.00 feet and a length of 51.22 feet;  
Thence North 89°39'02" East, a distance of 43.67 feet;  
Thence on arc to the right with a radius of 125.00 feet and a length of 99.44 feet;  
Thence North 39°11'17" East, a distance of 97.92 feet;  
Thence North 89°39'30" East, a distance of 114.85 feet;  
Thence North 0°11'30" West, a distance of 173.43 feet, to the true point of beginning.

(The above described parcel is also known as Parcel A of that Boundary Survey prepared by Crossman & Associates Land Surveyors, dated March 4, 2005, Job No. 2004-34, recorded April 8, 2005, under Auditor's File No. 200504080094, records of Skagit County, Washington, and will become Lot 1, Pond Tract, Lots 1-7 and Lots 11-17 of that subdivision. Highland Acres, upon approval and recording of said subdivision).

Situated in Skagit County, Washington

AUDITOR DEPUTY AUDITOR

PARCEL G:  
The land referred to herein in the County of Skagit, State of Washington and is described as follows:  
A portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North, Range 1 East of the Willamette Meridian, beginning at the Northwest corner of G. Kellogg's Addition to the City of Anacortes, Washington, according to the plat thereof, recorded in Volume 1 of Plats, page 39, records of Skagit County, Washington, also as shown on record of survey recorded under Auditor's File No. 893759, records of Skagit County, Washington;  
Thence South 89°39'39" West, a distance of 40.0 feet along the South boundary of 17th Street extended Westerly from said addition and South 0°11'30" East, a distance of 175.00 feet to the true point of beginning of this description;  
Thence South 89°39'30" West, a distance of 207.00 feet;  
Thence North 9°11'30" West, a distance of 31.00 feet;  
Thence South 89°39'30" West, a distance of 128.00 feet;  
Thence South 0°11'30" West, a distance of 80.52 feet;  
Thence South 89°39'30" West, a distance of 274.58 feet;  
Thence South 25°21'22" East, a distance of 24.80 feet;  
Thence on arc to the left with a radius of 30.00 feet and a length of 23.68 feet;  
Thence South 70°35'24" East, a distance of 44.92 feet;  
Thence on arc to the left with a radius of 75.00 feet and a length of 11.18 feet;  
Thence South 79°07'40" East, a distance of 52.32 feet;  
Thence on arc to the right with a radius of 125.00 feet and a length of 60.38 feet;  
Thence South 51°13'19" East, a distance of 84.22 feet;  
Thence on arc to the left with a radius of 75.00 feet and a length of 51.22 feet;  
Thence North 89°39'02" East, a distance of 43.67 feet;  
Thence on arc to the right with a radius of 125.00 feet and a length of 99.44 feet;  
Thence North 39°11'17" East, a distance of 97.92 feet;  
Thence North 89°39'30" East, a distance of 114.85 feet;  
Thence North 0°11'30" West, a distance of 173.43 feet, to the true point of beginning;

(Also known as Tract B of Boundary Line Adjustment recorded April 8, 2005, under Auditor's File No. 200504080094, records of Skagit County, Washington.)

Situated in Skagit County, Washington

P.W. PROJECT # 05-001-DEV

SHEET 3 OF 5

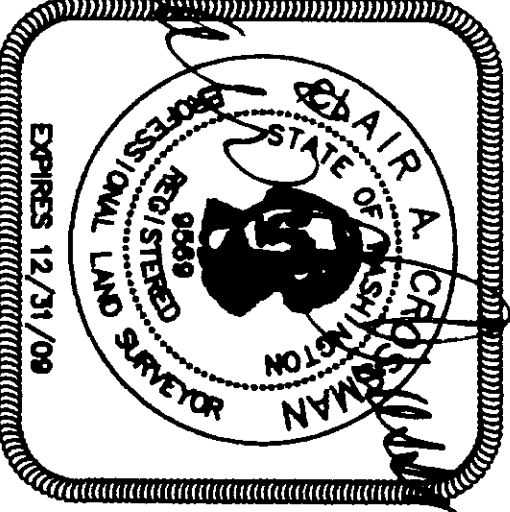
PLAT

FOR: BW & NS Investments, LLC  
PO Box 319  
Anacortes, WA 98221  
(360) 293-7431

A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 35, RNG. 1 EAST, W.M.  
CITY OF ANACORTES, WASHINGTON

HERRIGSTAD ENGINEERING

4320 Whistle Lake Road, Anacortes, WA 98221 (360) 299-8804



3-03-08

DWG.: J383

DWN BY: DKH

CHECK BY: CAC

DATE: April 2007

SCALE: 1"=60'

JOB NO.: 383