

PLAT OF ROCK RIDGE SOUTH, PHASE 3
NW1/4, SEC. 26, TWP. 35N, RNG. 1E, W.M.

AUDITOR'S CERTIFICATE
FILED FOR RECORD AT THE REQUEST OF S

200806300185
Skagit County Auditor
6/30/2008 Page 1 of 5 2:01PM

DECLARATION/DEDICATIONS.

THE UNDERSIGNED OWNERS IN FEE SIMPLE AND MORTGAGE HOLDERS OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT AND DEDICATION TO THE USE OF THE PUBLIC FOREVER ALL STREETS, AVENUES, EASEMENTS AND PUBLIC PLACES FOR ANY AND ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES. ALSO, ALL CLAIMS FOR DAMAGES BY THE OWNERS AND THEIR SUCCESSORS AND ASSIGNS AGAINST ANY GOVERNMENTAL AUTHORITY ARE WAIVED WHICH MAY BE OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHMENT, CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SAID ROADS. THE UNDERSIGNED OWNERS IN FEE SIMPLE AND MORTGAGE HOLDER ALSO DEDICATE TRACT "4" TO THE CITY OF ANACORTES FOR THE PURPOSES STATED HEREIN.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS 4TH DAY OF JUNE, 2008.

ROCK RIDGE L.L.C., A WASHINGTON LIMITED LIABILITY COMPANY:

MANAGING MEMBER

ROCK RIDGE SOUTH L.L.C., A WASHINGTON LIMITED LIABILITY COMPANY:

MANAGING MEMBER

ANTHONY L. MALO, JR. AND CHRISTIANE MALO, HUSBAND AND WIFE:

ANTHONY L. MALO, JR., AS POWER OF ATTORNEY FOR CHRISTIANE MALO

THOMAS A. GIACALONE AND LAURA ANN GIACALONE, HUSBAND AND WIFE:

THOMAS A. GIACALONE

WHIDBEY ISLAND BANK:

OFFICER: SUSAN MEDALLA

EXCEPTIONS AND RESTRICTIONS:

SUBDIVISION GUARANTEE, CHICAGO TITLE, ORDER NO.: IC045685, DATED MAY 2, 2008.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

2. Unperfected mining claims, reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.

3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, easements, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

4. Easement provisions contained on the face of said plat, as follows:

An easement is hereby reserved for and granted to the City of Anacortes, Puget Sound Energy, Verizon, Cascade Natural Gas Corp., AT&T Broadband, other public and franchise utilities and their respective successors and assigns under and upon the exterior ten (10) feet fronting all interior street rights-of-way, herein dedicated to the public, of all lots and tracts as shown on the face of this plat 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 restoring the property to conditions found prior to work within the easement.

5. All down spout drainage systems and any side yard and rear yard drainage easements will remain private with all operations and maintenance being the responsibility of the homeowners or others. Down spouts shall be connected to the storm sewer, except for Phase 1, Lots 9-13, inclusive, and Phase 2, Lots 1-8, inclusive. Solid excepted lots shall outlet roof and footing drains at an appropriate location along the developed side of the Native Growth Protection Easement Boundary, for the purpose of hydration of the adjacent wetland area. All other drainage from said excepted lots shall flow on the surface of the developed/undrained yard toward said native growth protection easement boundary. Concentrated surface discharge should be avoided.

6. All drainage and utility easements identified as public hereon are hereby granted and conveyed to the City of Anacortes the city shall have the right without prior institution of any suit or proceeding at law, at times as may be necessary, to enter upon said easements for the purposes of operating, constructing, repairing, altering, or reconstructing drainage or sanitary sewer facilities or other utility facilities and appurtenances or making any connections therewith, without incurring any legal obligation or liability therefore. Provided that if the area within the easement is disturbed by such operating, constructing, repairing, altering or reconstructing of said facilities and appurtenances, the city shall restore the surface of the easement as nearly as practicable to the original grades which existed prior to the cities entry upon the easement. Such restoration to be to rough grade only, not replacement in kind. The lot owners shall retain the right to use the surface of said easements, so long as such use does not interfere with the installation, operation and maintenance of the drainage and sanitary sewer facilities or other utility facilities and appurtenances and so long as no obstructions or structures such as buildings, rockeries, retaining walls or similar obstructions are erected within the easements.

OWNER'S ACKNOWLEDGMENTS (CONTINUED):

STATE OF WASHINGTON
COUNTY OF Skagit } SS.

DATED: June 4, 2008

NOTARY PUBLIC FOR THE STATE OF WASHINGTON
MY COMMISSION EXPIRES: 10-28-2011
RESIDING AT: 10-28-2011

STATE OF WASHINGTON
COUNTY OF Skagit } SS.

DATED: June 4, 2008

NOTARY PUBLIC FOR THE STATE OF WASHINGTON
MY COMMISSION EXPIRES: 10-28-2011
RESIDING AT: 10-28-2011

STATE OF WASHINGTON
COUNTY OF Skagit } SS.

DATED: June 4, 2008

NOTARY PUBLIC FOR THE STATE OF WASHINGTON
MY COMMISSION EXPIRES: 10-28-2011
RESIDING AT: 10-28-2011

STATE OF WASHINGTON
COUNTY OF Skagit } SS.

I HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT THOMAS A. GIACALONE AND LAURA ANN GIACALONE, HUSBAND AND WIFE, ARE THE PERSONS WHO APPEARED BEFORE ME, AND SAID PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT AS THEIR FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

NOTARY PUBLIC FOR THE STATE OF WASHINGTON
MY COMMISSION EXPIRES: 10-28-2011
RESIDING AT: 10-28-2011

MORTGAGEE ACKNOWLEDGMENT:
STATE OF WASHINGTON
COUNTY OF Skagit } SS.

I HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT SUSAN MEDALLA IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE/SHE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE/SHE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS VICE PRESIDENT, OF WHIDBEY ISLAND BANK, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: June 5, 2008

NOTARY PUBLIC FOR THE STATE OF WASHINGTON
MY COMMISSION EXPIRES: 10-12-2011
RESIDING AT: 10-12-2011

SURVEYOR'S CERTIFICATE:

I, YOUNG-SOO KIM, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF WASHINGTON HEREBY CERTIFY THAT THE PLAT OF ROCK RIDGE SOUTH PHASE 3, IS PREPARED BY ME AND IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 26, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M. THAT THE COURSES AND DISTANCES ARE SHOWN CORRECTLY THEREON, THAT THE MONUMENTS HAVE BEEN SET AND THE ALL LOT AND TRACT CORNERS ARE SET CORRECTLY ON THE GROUND AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE CITY OF ANACORTES AND STATE OF WASHINGTON STATUTES AND PLATTING REGULATIONS.

YOUNG-SOO KIM, P.L.S. #32769

DATE: 6/2/08

J. Youngquist
COUNTY AUDITOR
SKAGIT COUNTY, WASHINGTON

APPROVALS:

THE PLANNING COMMISSION OF THE CITY OF ANACORTES, MEETING IN REGULAR SESSION ON 5-23-08, DID FIND THAT THE PLAT OF ROCK RIDGE SOUTH, PHASE 3, SERVES THE PUBLIC USE, AND INTEREST AND HAS AUTHORIZED ITS SUBDIVISION ADMINISTRATOR TO EXECUTE ITS WRITTEN APPROVAL HEREON.

PLANNING DIRECTOR

APPROVED BY THE COUNCIL OF THE CITY OF ANACORTES, WASHINGTON THIS 2ND DAY OF JUNE, 2008.

ATTEST: CITY CLERK

EXAMINED AND APPROVED THIS 10 DAY OF JUNE, 2008.

CITY ENGINEER

COUNTY 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 2007.

THIS 3RD DAY OF June, 2008.

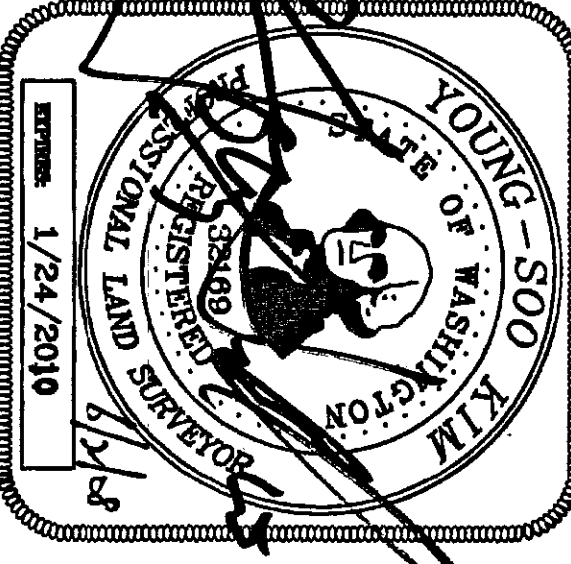
Skagit County Treasurer

CITY'S TREASURER'S CERTIFICATE:

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

THIS 11 DAY OF JUNE, 2008

CITY OF ANACORTES TREASURER



DEVELOPER/OWNER:
ANTHONY MALO, JR.
MANAGING MEMBER
ROCK RIDGE L.L.C. &
ROCK RIDGE SOUTH L.L.C.
P.O. BOX 1366
ANACORTES, WA 98221



PLAT OF ROCK RIDGE SOUTH, PHASE 3
NW1/4, SEC. 26, TWP. 35N, RNG. 1E, W.M.

LEGAL DESCRIPTION (PHASE 3):

THAT PORTION OF BLOCKS 11, 17, 18, 19, 38, 39, 40, 45, AND 46 IN THE PLAT OF "TUTTLE AND BUCKLEY'S PLAT OF ANACORTES", ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 2 OF PLATS, PAGE 23, RECORDS OF SKAGIT COUNTY, WASHINGTON, AND THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 35 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 35 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN;
THENCE SOUTH 89°56'12" EAST ALONG THE NORTH LINE OF SAID SUBDIVISION 1,904.37 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER;
THENCE NORTH 89°56'12" WEST ALONG THE SAID SUBDIVISION 108.31';

THENCE SOUTH 69°41'51" WEST ALONG THE SOUTHEASTERLY LINE OF ROCK RIDGE SHORT PLAT NO. 98-004, 390.61 FEET TO AN ANGLE POINT IN SAID SHORT PLAT SOUTH LINE;
THENCE ALONG THE SOUTH LINE OF SAID SHORT PLAT, NORTH 88°42'48" WEST 87.23 FEET TO THE SOUTHWEST CORNER OF SAID SHORT PLAT LOT 2;

THENCE CONTINUING NORTH 88°42'48" WEST 135 FEET TO THE SOUTHWEST CORNER OF SAID SHORT PLAT LOT 1;
THENCE SOUTH 01°17'12" WEST 16 FEET TO THE NORTHWEST CORNER OF SAID LOT 12, BLOCK 11 IN THE PLAT OF "TUTTLE AND BUCKLEY'S PLAT OF ANACORTES";
THENCE SOUTH 01°17'12" WEST, ALONG WEST LINE OF SAID LOT 12 TO THE SOUTHWEST CORNER OF SAID LOT 12, BLOCK 11;

THENCE CONTINUING SOUTH 01°17'12" WEST 40 FEET TO THE CENTERLINE OF 30TH STREET OF SAID PLAT OF "TUTTLE AND BUCKLEY'S PLAT OF ANACORTES", AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 01°17'12" WEST 23.54 FEET;

THENCE SOUTH 57°50'37" EAST 105.71 FEET;

THENCE SOUTH 46°16'59" EAST 50.05 FEET;

THENCE SOUTH 46°35'21" EAST 120.24 FEET;

THENCE SOUTH 43°26'45" WEST 587.95 FEET;

THENCE NORTH 48°23'33" WEST 98.51 FEET;

THENCE NORTH 02°07'40" WEST 70.82 FEET;

THENCE NORTH 43°30'11" WEST 180.05 FEET;

THENCE NORTH 18°28'38" EAST 114.85 FEET;

THENCE NORTH 01°17'12" EAST 126.13 FEET;

THENCE NORTH 81°43'09" WEST 5.84 FEET, TO AN ANGLE POINT IN THE SOUTHEAST LINE OF LOT 7, OF THE "PLAT OF ROCK RIDGE WEST" RECORDED UNDER AUDITOR'S FILE NO. 200203250231, RECORDS OF SKAGIT COUNTY, WASHINGTON;

THENCE NORTH 35°40'45" EAST 239.89 FEET TO AN ANGLE POINT IN THE SOUTHEAST LINE OF LOT 3, OF SAID "PLAT OF ROCK RIDGE WEST";

THENCE NORTH 45°54'57" EAST 100.05 FEET TO AN ANGLE POINT IN THE SOUTH LINE OF LOT 1 OF SAID PLAT OF ROCK RIDGE WEST, AND THE NORTHWEST CORNER OF LOT 17, SAID BLOCK 11;

THENCE SOUTH 88°42'48" EAST 60.00 FEET TO THE NORTHEAST CORNER OF LOT 16, SAID BLOCK 11;

THENCE SOUTH 01°17'12" WEST, ALONG THE EAST LINE OF SAID LOT 16, BLOCK 11 AND THE SOUTHERLY PROLONGATION THEREOF, 140.00 FEET TO THE CENTERLINE OF 30TH STREET OF SAID PLAT OF "TUTTLE AND BUCKLEY'S PLAT OF ANACORTES";

THENCE SOUTH 88°42'48" EAST, ALONG SAID CENTERLINE, 90.00 FEET TO THE TRUE POINT OF BEGINNING;
AND BEING A PORTION OF TRACT G, PLAT OF ROCK RIDGE SOUTH, PHASE 1 AND 2, ACCORDING TO THE DULY RECORDED PLAT THEREOF, RECORDED ON JANUARY 24, 2007, UNDER AUDITOR'S FILE NO. 200701240094, RECORDS OF SKAGIT COUNTY, WASHINGTON; AND AMENDED BY AUDITOR'S FILE NO. 200701250153, RECORDS OF SKAGIT COUNTY, WASHINGTON;

SITUATED IN SKAGIT COUNTY, WASHINGTON.

EASEMENT PROVISIONS

1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF ANACORTES, PUEBT SOUND ENERGY, VERIZON, CASCADE NATURAL GAS CORP., AT&T BROADBAND, OTHER PUBLIC AND FRANCHISE UTILITIES AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE EXTERIOR TEN (10) FEET FRONTING ALL INTERIOR STREET RIGHTS-OF-WAY, HEREIN DEDICATED TO THE PUBLIC, OF ALL LOTS AND TRACTS AS SHOWN ON THE FACE OF THIS PLAT 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 RESTORING THE PROPERTY TO CONDITIONS FOUND PRIOR TO WORK WITHIN THE EASEMENT.

2. ALL DOWN SPOUT DRAINAGE SYSTEMS AND ANY SIDE YARD AND REAR YARD DRAINAGE EASEMENTS WILL REMAIN PRIVATE WITH ALL OPERATIONS AND MAINTENANCE BEING THE RESPONSIBILITY OF THE HOMEOWNERS OR OTHERS. DOWN SPOUTS SHALL BE CONNECTED TO THE STORM SEWER, EXCEPT FOR PHASE 1, LOTS 9-13, INCLUSIVE, AND PHASE 2, LOTS 1-8, INCLUSIVE. SAID EXCEPTED LOTS SHALL OUTLET ROOF AND FOOTING DRAINS AT AN APPROPRIATE LOCATION, ALONG THE DEVELOPED SIDE OF THE NATIVE GROWTH PROTECTION EASEMENT BOUNDARY, FOR THE PURPOSE OF HYDRATION OF THE ADJACENT WETLAND AREA. ALL OTHER DRAINAGE FROM SAID EXCEPTED LOTS SHALL SHEET FLOW ON THE SURFACE OF THE DEVELOPED/LANDSCAPED YARD TOWARD SAID NATIVE GROWTH PROTECTION EASEMENT BOUNDARY. CONCENTRATED SURFACE DISCHARGE SHOULD BE AVOIDED.

3. ALL DRAINAGE AND UTILITY EASEMENTS LOCATED ALONG LOT 15 AND 16, IDENTIFIED AS PUBLIC HEREON ARE HEREBY GRANTED AND CONVEYED TO THE CITY OF ANACORTES. THE CITY SHALL HAVE THE RIGHT WITHOUT PRIOR INSTITUTION OF ANY SUIT OR PROCEEDING AT LAW, AT TIMES AS MAY BE NECESSARY, TO ENTER UPON SAID EASEMENTS FOR THE PURPOSES OF OPERATING, CONSTRUCTING, REPAIRING, ALTERING, OR RECONSTRUCTING DRAINAGE OR SANITARY SEWER FACILITIES OR OTHER UTILITY FACILITIES AND APURTENANCES OR MAKING ANY CONNECTIONS THEREWITH, WITHOUT INCURRING ANY LEGAL OBLIGATION OR LIABILITY THEREFOR, PROVIDED THAT IF THE AREA WITHIN THE EASEMENT IS DISTURBED BY SUCH OPERATING, CONSTRUCTING, REPAIRING, ALTERING, OR RECONSTRUCTING OF SAID FACILITIES AND APURTENANCES, THE CITY SHALL RESTORE THE SURFACE OF THE EASEMENT AS NEARLY AS PRACTICAL TO THE ORIGINAL GRADES WHICH EXISTED PRIOR TO THE CITY'S ENTRY UPON THE EASEMENT, SUCH RESTORATION TO BE TO ROUGH GRADE ONLY, NOT REPLACEMENT IN KIND. THE LOT OWNERS SHALL RETAIN THE RIGHT TO USE THE SURFACE OF SAID EASEMENTS, SO LONG AS SUCH USE DOES NOT INTERFERE WITH THE INSTALLATION, OPERATION AND MAINTENANCE OF THE DRAINAGE AND SANITARY SEWER FACILITIES OR OTHER UTILITY FACILITIES AND APURTENANCES AND SO LONG AS NO OBSTRUCTIONS OR STRUCTURES SUCH AS BUILDINGS, ROCKERIES, RETAINING WALLS, OR SIMILAR OBSTRUCTIONS ARE ERECTED WITHIN THE EASEMENTS.

4. A 30-FOOT NATIVE GROWTH PROTECTION EASEMENT AS SHOWN ON THE PREVIOUS RECORDED PLAT (PHASE 1 & 2) HEREIN, IS HEREBY ESTABLISHED AS CONDITION, AS STIPULATED UNDER CONDITION NO. 11, FINDINGS OF FACT, ABOVE.

5. A 15-FOOT WALL EASEMENTS IDENTIFIED ALONG LOT 13, 14 AND 15 AS PUBLIC HEREON ARE HEREBY GRANTED AND CONVEYED TO THE CITY OF ANACORTES. THE CITY SHALL HAVE THE RIGHT WITHOUT PRIOR INSTITUTION OF ANY SUIT OR PROCEEDING AT LAW, AT TIMES AS MAY BE NECESSARY, TO ENTER UPON SAID EASEMENTS FOR THE PURPOSES OF OPERATING, CONSTRUCTING, REPAIRING, ALTERING, OR RECONSTRUCTING WALL WITHOUT INCURRING ANY LEGAL OBLIGATION OR LIABILITY THEREFOR, PROVIDED THAT IF THE AREA WITHIN THE EASEMENT IS DISTURBED BY SUCH OPERATING, CONSTRUCTING, REPAIRING, ALTERING, OR RECONSTRUCTING OF SAID WALL, THE CITY SHALL RESTORE THE WALL WITHIN THE EASEMENT AS NEARLY AS PRACTICAL, TO THE ORIGINAL CONDITION WHICH EXISTED PRIOR TO THE CITY'S ENTRY UPON THE EASEMENTS. THE LOT OWNERS SHALL RETAIN THE RIGHT TO USE THE LAND WITHIN SAID EASEMENTS, SO LONG AS SUCH USE DOES NOT INTERFERE WITH THE INSTALLATION, OPERATION AND MAINTENANCE OF THE WALL.

JULY 19, 2004, DECISION TO ISSUE A PRELIMINARY PLAT PERMIT FOR
Rock Ridge South

Findings of Fact and Conclusions of Law, the Anacortes Planning Director is hereby authorized to Issue a Preliminary Plat approval for Rock Ridge South subject to the following conditions (Findings of Fact and Conclusions of Law numbers 11 through 42, inclusive, are the only finding listed as per Findings of Fact and Conclusions of Law number 43):

- (11) Fencing as required by the Parks Director, shall be constructed on the perimeter of Tract B adjacent to Phase V, Lots 8-15 and the cul-de-sac. This fence shall continue north along the western and northern edge of the 30' NGE wetland buffer located in Lots 10-12 of Phase IV. Fencing shall be non-sight obscuring. The intent of the fencing is to minimize disturbances to the wetlands and adjacent buffer. This access corridor between lots 10 and 11 of Phase IV shall be eliminated and added to the adjacent lot(s). Prior to any adjacent site disturbance, the permanent fence line as described, together with the 30' NGE buffer shall be left untouched with the following exceptions:
 - a. Hand removal of non-native or adventitious plants as approved by the Parks Department.
 - b. Hazard trees will be identified by the Homeowners Association, subject to approval of the Parks Department, with a 3-foot minimum appropriate native stock which shall be maintained by the Homeowners Association until able to survive without care.
 - c. Feller trees in the NGE shall only be removed from the site with the approval of the Parks Department.
 - d. If the buffer is disturbed, a landscaping plan using appropriate native stock shall be submitted to the Forest Advisory Board for approval and once approved shall be implemented by the Homeowners Association.
 - e. Firms through the NGE shall not be permitted without the approval of the Parks Department.
- (12) In keeping with the City's street grid street name system, the Building Department shall approve street names.
- (13) The City of Anacortes Public Works Department and the Postmaster shall approve mailbox locations.
- (14) Street lighting shall be energy efficient and provided as required by the City Engineer.
- (15) A detailed, final landscaping plan shall be approved by the Planning Commission prior to construction beginning on each and every phase, together with an overall conceptual Landscaping Plan submitted with the first phase. Lot 7 of Phase V shall have a separate detailed and approved Landscaping Plan that minimizes impacts to the hillside.
- (16) The developer shall purchase and install all street signs.
- (17) The project shall comply with the City of Anacortes design construction standards as required by the Director of Public Works for water sewer, street access, and storm drainage.
- (18) A minimum of two off-street parking spaces shall be provided for each dwelling unit as required by City Ordinances. Relocated off-street parking locations shall not interrupt or block in any way the required cul-de-sac diameter or sidewalks.
- (19) The Developer will construct the downstream sewer capacity as required by the City Public Works Director.
- (20) A potable water system with necessary pump station(s), pressure reducing stations, and storage will be designed to meet City of Anacortes, DOH, AWWA, NEC, and other applicable requirements to provide a minimum of 40 psi to each home building pad and necessary fireflows.
- (21) All infrastructure improvements for each phase shall be constructed and approved prior to the issuance of building permits for that phase.
- (22) A pedestrian pathway shall be established generally as shown on the revised site plan dated May 12, 2004.

EXCEPTIONS AND RESTRICTIONS:

7. A 30 foot native growth protection easement as shown on the plat therein, is hereby established as condition, as stipulated under Condition No. 11, Findings of Fact, above.

8. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

9. Unpermitted mining claims; Reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

10. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, canals, fences, lines, ways or waterways on which such real property abuts, or the right to maintain, alter, modify, tunnels, ramps or any other structure or improvement; or any rights of easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

11. An easement on the Plat of Rock Ridge West is hereby reserved for and granted to the City of Anacortes, Puget Sound Energy, Verizon, Cascade Natural Gas Corp., AT&T Broadband, other public and franchise utilities and their respective successors and assigns under and upon the exterior ten (10) feet of the front boundary lines of all lots and tracts as shown on the face of the plat, 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 restoring the property to conditions found prior to work within the easement.
Affects: Portion Tract C, Rock Ridge West

12. Note on the face of Plat of Rock Ridge West, as follows:
Down spout drainage systems and side yard and rear yard drainage easements will remain private with all operations and maintenance being the responsibility of the homeowners or others. Down spouts shall be connected to the storm sewer.

13. Maintenance obligations as set forth on the Plat of Rock Ridge West, as follows:
The 5 foot private drainage easements shown hereon are hereby granted and conveyed to the owners of the abutting lots and tracts. Lot and tract owners abutting one another shall share equally the responsibility for maintaining the easements, except that no lot or tract owner shall be responsible for maintenance of that portion of any private drainage easement upstream from their lot or tracts.
Affects: Portion of Tract C, Rock Ridge West

14. Note on the face of Plat of Rock Ridge West, as follows:
All drainage and utility easements identified as public hereon are hereby granted and conveyed to the City of Anacortes. The City shall have the right without prior institution of any suit or proceeding at law, at times as may be necessary, to enter upon said easements for the purposes of operating, constructing, repairing, altering or reconstructing drainage or sanitary sewer facilities or other utility facilities and apertures or making any connections therewith, without incurring any legal obligation or liability therefor. Provided that if the area within the easement is disturbed by such operating, constructing, repairing, altering or reconstructing of said facilities and apertures, the city shall restore the surface of the easement as nearly as practicable to the original grades with existing prior to the city's entry upon the easement. Such restoration to be to rough grade only, not replacement in kind. The lot owners shall retain the right to use the surface of said easements, so long as such use does not interfere with the installation, operation and maintenance of the drainage and sanitary sewer facilities or other utility facilities and apertures and so long as no obstructions or structures such as buildings, rockeries, retaining walls or similar obstructions are erected within the easements.

15. Covenants, conditions and restrictions contained in Declaration of Restriction, but omitting any covenant, condition or restrictions based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (c) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons.
Recorded: March 14, 2002
Auditor's File No.: 200203140025, records of Skagit County, Washington
Executed By: Rock Ridge West, L.L.C., a Washington limited liability company; David Ostergaard and Christine A. Ostergaard, husband and wife and Kent Robinson and Judy Ann Robinson, husband and wife
Affects: Portion of Tract C, Rock Ridge West

FINDINGS OF FACT (CONTINUED):

- (23) The existing detention pond, when converted to a wetland facility.
- (24) A secondary access (through driveway easements as needed) shall provide a vehicle outlet to W. 121 St.
- (25) Each phase, as constructed and recorded, shall have all necessary improvements (roads, utilities, fire protection, etc.) in place and accepted prior to that phase recording.
- (26) A heavy maintenance truck access road (15-foot width) shall be provided to all utility structures not located in the right-of-way.
- (27) Pedestrian access tracts shall be public, surfaced, and fenced (per Parks Director approved design) prior to that phase recording.
- (28) Tract A shall be privately maintained by a Homeowners Association.
- (29) The 4 acres of wetland habitat adjacent to the AQL (Tract B) shall be subject to a conservation easement administered by an established locally based land trust.
- (30) Tracts A and C shall be dedicated as open space and managed by the Homeowners Association.
- (31) The City right-of-way east of Lot 8, Phase III, shall be retained by the City.
- (32) Maximum slope in any direction, in cul-de-sacs shall be 6%.
- (33) Legal and practical access by public road shall be provided to the Killemy property.
- (34) Condition No.2 of the Declaration of Access Easement from the applicant to the Bowmans under Auditor's File # 200203220149 shall be deleted in its entirety; the legal access to the Bowman property, from Arnone Way extends to ingress, egress, and utilities but may not actually provide any practical use (depending on final engineering grades).
- (35) The expansion of the West 8th detention pond shall be done in such a way that: the ponded area remain a "wet pond" (with the capability of periodic maintenance/drainage); 8 inches of topsoil be placed on the newly disturbed soil and around the entire pond; and, submit a wetland landscaping plan for approval by the Planning Director.
- (36) Grading can only occur: weekdays between 8:00 a.m. to 6:00 p.m.
- (37) Geo-technical engineering reports shall be provided for all lots where any structure may be located on or within 15' of a slope of 40% or steeper.
- (38) An arroyo assessment in a form acceptable to the Planning Director shall be placed on each phase prior to its recording.
- (39) No clearing shall occur on the site prior to a detailed, phased clearing plan being approved by the Planning Commission.
- (40) No construction shall begin without a 10-year water quality management plan and implementation program being approved by the City Council. This plan and program shall be undertaken by an independent consultant retained by the City and paid by the applicant. It shall detail the current water quality in the Cherry Lake Watershed and then describe a process for periodic monitoring and review by the City Council and specific remedial actions that will be taken if any significant water quality degradation is documented to have occurred as a result of the Rock Ridge South plat; public comment will be solicited on all phases of the water quality program.
- (41) Only organic, as opposed to chemical agents, may be used to combat weeds, underbrush, and the like.
- (42) A five-year maintenance bond shall be established after completion of the final phase of the project; this maintenance bond is to assure that any remedial water quality actions that need to be taken are taken.

16. Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument:
Recorded: April 26, 2002
Auditor's File No.: 200204260193, records of Skagit County, Washington

Imposed By: Rock Ridge West, L.L.C.
Affects: Portion of Tract C
Said instrument is a re-recording of instrument (5):
Recorded: March 14, 2002
Auditor's File No(s): 200203140025, records of Skagit County, Washington

17. Covenants, conditions and restrictions contained in Declaration(s) of restrictions but omitting any covenant or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by law.
Recorded: April 26, 2002
Auditor's File No.: 200204260193, records of Skagit County, Washington
Executed By: Rock Ridge West, L.L.C.
Affects: Portion of Tract C
Said instrument is a re-recording of instrument (5):
Recorded: March 14, 2002
Auditor's File No(s): 200203140025, records of Skagit County, Washington

18. Easement contained in Declaration of said Plat of Rock Ridge West:
For All necessary slopes for cuts and fills and continued drainage of roads
Affects: Any portions of said premises which abut upon streets, avenues, alleys, and roads and where water might take a natural course
Affects: Portion of Tract C, Rock Ridge West

19. Public and private easements, if any, over vacated portions of said premises.

20. Terms, conditions and obligations, of the Declaration of Access Easement:
Recorded: February 28, 2002
Auditor's File No.: 200202280226, records of Skagit County, Washington
Affects: Tracts B and C, Rock Ridge West

21. Terms, conditions and obligations of the Declaration of access easement:
Recorded: March 22, 2002
Auditor's File No.: 200203220149, records of Skagit County, Washington
Affects: Portion of Tract C, Rock Ridge West

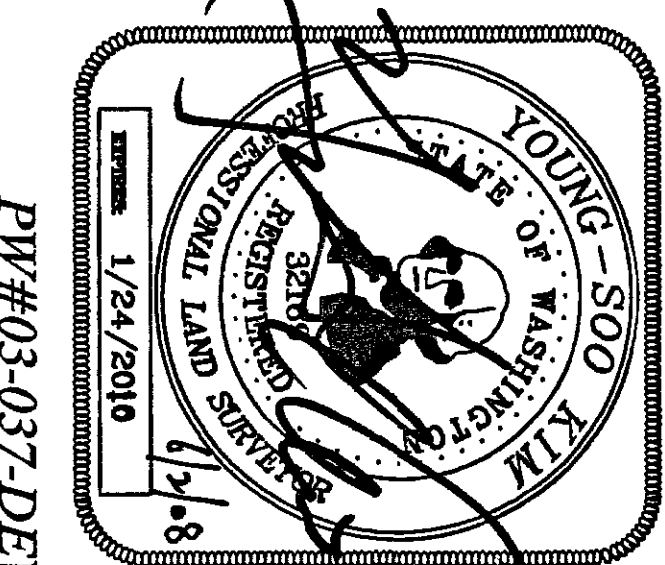
22. Easement, including the terms and conditions thereof, granted by instrument(s):
Recorded: July 11, 2006
Auditor's No(s): 200607110101, records of Skagit County, Washington
In favor of: Puget Sound Energy, Inc.
For Electric Transmission and/or distribution line, together with necessary appurtenances
Affects: Portion of Tract C, Rock Ridge West
CONTINUES ON SHEET 3 OF 5.....

DECLARATION REFERENCE

THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS PREPARED FOR THIS SUBDIVISION - PHASE 3 AND TO WHICH THIS PLAT REFERS IS RECORDED WITH THE AUDITOR OF SKAGIT COUNTY, WASHINGTON ON
PLAT NO. 2002 UNDER AUDITOR'S FILE NO.

200801300184
RECORDS OF SKAGIT COUNTY, WASHINGTON.

SUMMIT ENGINEERS & SURVEYORS, INC.
2218 OLD HIGHWAY 99 SOUTH ROAD, MOUNT VERNON, WA, 98273
PHONE: (360) 416-4999 FAX: (360) 416-4949
E-MAIL: YSK@SUMMITES.COM



EXCEPTIONS AND RESTRICTIONS:

23. Easements on the face of plat as follows:
 - A. Zoning – R2 – Residential Low Density.
 - B. Sewage Disposal – City of Anacortes.
 - C. Water – City of Anacortes.
 - D. Storm Drainage Pipes in right of way 8 inches in diameter or smaller are for the benefit of the lot owners. All maintenance and operation shall be the responsibility of the lot owners.
 - E. As per condition No. 3, under Findings of Fact, above, Tract C shall be open space dedicated to the home owners association with this plat, for the benefit of the Rock Ridge South Homeowners. Maintenance, and costs thereof, of said Tract C, shall be the responsibility of the Homeowners Association. Tract A is to be open space for the benefit of the homeowners, and shall be dedicated to the homeowners association at such time as an adjacent future plat phase of the Rock Ridge South Development is recorded.
 - F. Tract B is a wetland habitat preserve to be dedicated to the City of Anacortes herewith.
 - G. Tracts D and E are pedestrian access tracts to be dedicated to the City of Anacortes herewith.
 - H. Tract F is an ingress, egress and utility easement in favor of Lots 7, 8, 9, 10 and 11 of Phase 2, as shown herein, owners of said Lots 7 through 11, shall have for the maintenance and associated costs, thereof.
 - I. Tract G is hereby reserved for future development in accordance with the approved preliminary plat of Rock Ridge South, and in, accordance with the conditions of said approval, as shown hereon, under Findings of Fact.
 - J. Conditions, covenants, and restrictions, designed to establish rules and guidelines for the home owners, land owners and the homeowner's association, with regarding to the use of the land and the existing and proposed structures thereon, shall be recorded with this plat and included by reference in the title of all real properties resulting from this plat.
 - K. Geo-Technical engineering reports shall be provided for all lots where any structure may be located on or within 15 feet of a slope of 40% grade or steeper.
24. Setback lines as shown on plat:
7.5 feet on sides
20 feet front and rear
25. Covenants, conditions, restrictions, and easements contained in declaration(s) of restriction, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law:
Recorded: January 25, 2007
Auditor's No(s): 200701250001, records of Skagit County, Washington
26. Deed of Trust, including the terms and conditions thereof, securing an indebtedness of \$4,700,000.00;
Dated: March 10, 2008
Recorded: March 17, 2008
Auditor's No.: 200803170120, records of Skagit County, Washington
Grantor: Rock Ridge South, LLC, a Washington Limited Liability Company, as to Parcel AA and NN; and Rock Ridge LLC, a Washington Limited Liability Company, as to the remainder
Trustee: Chicago Title Company
Beneficiary: Whidbey Island Bank
Affects: Said premises and other property
27. Terms and conditions of the Limited Liability Company under which title is vested.
28. Dues, charges and assessments, if any, levied by Rock Ridge Community Association.
29. Liability to future assessments, if any, levied by the City of Anacortes.
30. Real estate excise tax (at the current rate of 1.78%) upon any sale of said premises, if unpaid.
NOTE: When presenting excise tax for payment, The Skagit County Treasurer REQUIRES the use of a 4-port carbon Real Estate Excise Tax Affidavit, and WILL NOT accept any facsimiles thereof.
NOTE: Beginning July 1, 2005, an additional \$5.00 Real Estate Excise Tax Electronic Technology Fee must be included in all excise tax payments.
31. General taxes for the second half of 2008, which become delinquent November 1st, if unpaid.
Amount Due: \$602,97
Total Amount: \$1,205.95, billed for 2008
Account No.: 4918-002-999-0600
Property No.: P125867
Located in: the City of Anacortes
32. If an abbreviated legal description is required, it can read as follows:
Ptn. Tract G, ROCK RIDGE SOUTH PHASES 1 and 2; ptn. Tract C, ROCK RIDGE WEST
33. The legal description in this commitment is based on information provided with the application and the public records as defined in the policy to issue. The parties to the forthcoming transaction must notify the title insurance company prior to closing if the description does not conform to their expectations.
34. Due to the homestead law, any contract, conveyance or encumbrance must be executed by Vestee and spouse, if married, if the premises is/or will be their residence. (RCW 6.13.060)

DEVELOPER/OWNER:

ANTHONY MAJO, JR.
MANAGING MEMBER
ROCK RIDGE LLC &
ROCK RIDGE SOUTH LLC
P.O. BOX 1356
ANACORTES, WA 98221



SUMMIT ENGINEERS & SURVEYORS, INC.
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PHONE: (360) 416-4999 FAX: (360) 416-4949
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03203



FOUND 6" DIAMETER CONCRETE MONUMENT WITH BRASS PEG, IN CASE, (06/30/97) ACCEPTED AS THE NORTHWEST CORNER OF SECTION 26, T 35N, R 1E, W.M., PER R.O.S. FOR ROCK RIDGE L.L.C., A/F#200203070086

NORTH LINE OF SECTION 26, T 35N, R 1E, W.M., ESTABLISHED BETWEEN FOUND MONUMENTS

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Sagit County Auditor
6/30/2008 Page 4 of 5 2:01PM

PLAT OF ROCK RIDGE SOUTH, PHASE 3
NW1/4, SEC. 26, TWP. 35N, RNG. 1E, W.M.

27
26

FOUND 1" PLUGGED IRON PIPE NORTH OF LAKE TRAIL (07/01/97) NORTH 1/4 CORNER, SECTION 26, T 35N, R 1E, W.M.

SET REBAR AND CAP, MARKED SUMMIT 32169, AS THE INTERSECTION OF THE NORTH LINE OF SECTION 26, T 35N, R 1E, W.M., AND THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SECTION 26.

NORTH/SOUTH CENTER SECTION LINE, SEC. 26, T 35N, R 1E, W.M., ESTABLISHED BY RECORD ANGLE

THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 26, T 35N, R 1E, W.M.

SURVEY REFERENCE
REFER TO RECORD OF SURVEY A.F. NO. 200203070086 FOR BOUNDARY CONTROL DETAIL

BASIS OF BEARING
THIS PLAT IS BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 35 NORTH, RANGE 1E EAST, WILMETTE MERIDIAN, COUNTY OF SAGIT, STATE OF WASHINGTON, AS SHOWN ON RECORD OF SURVEY, FILED UNDER AUDITOR'S FILE NUMBER 200203070086, MARCH 7, 2002.

LEGEND
⊕ FOUND MONUMENT AS NOTED
● SET CASSED CONCRETE MON WITH 2" BRASS DISK
⊙ 1/4 OR SECTION CORNER AS NOTED

ALL TRACT CORNERS AND PLAY BOUNDARY ESTABLISHED WITH A 1/2 INCH DIAMETER 30 INCH LONG REBAR WITH CAP MARKED SUMMIT 32169 UNLESS OTHERWISE NOTED. (SEE 5 OF 5 FOR ALL SET LOT CORNERS)
SE CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4, SECTION 26, T 35N, R 1E, W.M., DISTANCE BY RECORD DISTANCE.

DEVELOPERS/OWNERS:
ANTONY MALO, JR.
MANAGING MEMBER
ROCK RIDGE LLC &
ROCK RIDGE SOUTH LLC
P.O. BOX 1356
ANACORTES, WA 98221

NOTES

1. THE METHOD OF SURVEY WAS FIELD TRAVERSE WITH A NIKON DTM-520 TOTAL STATION.
2. THE LINEAR AND ANGULAR CLOSURE OF THIS SURVEY MEETS OR EXCEEDS THE STANDARDS SET FORTH IN W.A.C. 352-150-080.
3. SEE CURVE TABLE ON SHEET 4 OF 4 FOR CURVE DATA.

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FOREST LAND

FOREST LAND

FOREST LAND

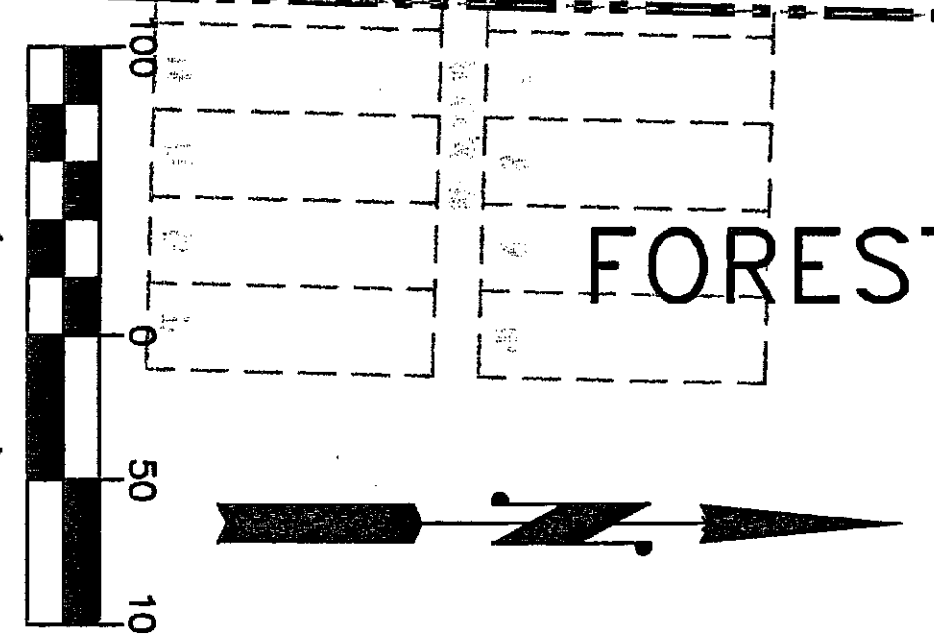
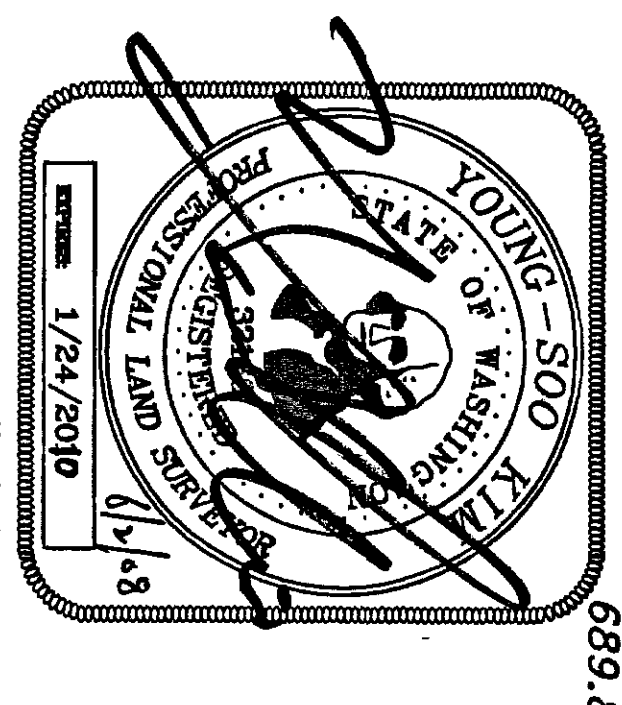
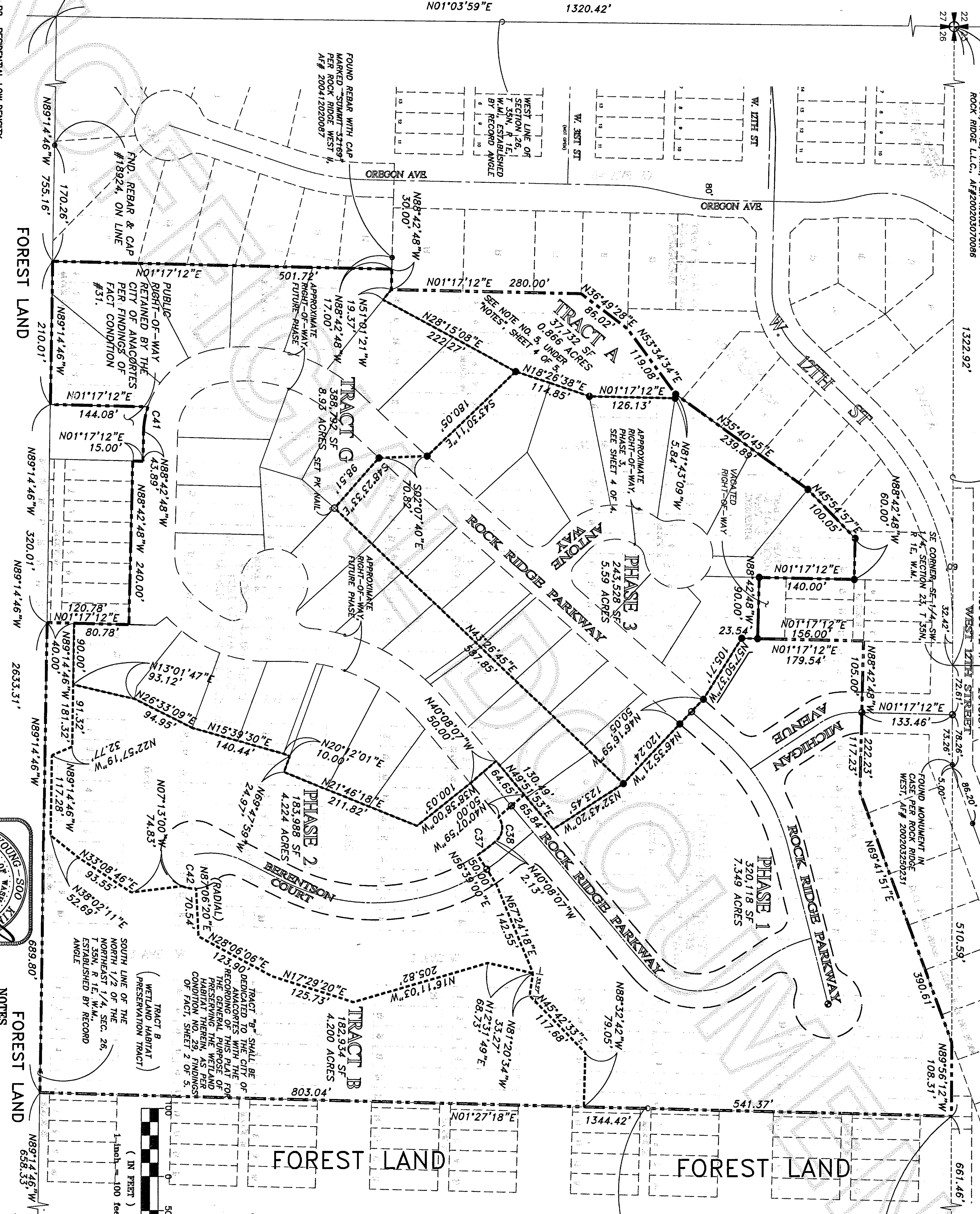
NOTES

1. ZONING: R2- RESIDENTIAL LOW DENSITY.
2. SEWAGE DISPOSAL: CITY OF ANACORTES
3. WATER: CITY OF ANACORTES
4. STORM DRAIN PIPES IN RIGHT OF WAY 8 INCHES IN DIAMETER OR SMALLER ARE FOR THE BENEFIT OF THE LOT OWNERS. ALL MAINTENANCE AND OPERATION SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS.
5. PEDESTRIAN ACCESS TRACT "H" SHALL BE PUBLIC AND DEDICATED TO THE CITY OF ANACORTES WITH THIS PLAT. FOR THE BENEFIT OF PUBLIC, MAINTENANCE, AND COSTS THEREOF OF SAID TRACT "H" SHALL BE THE RESPONSIBILITY OF THE CITY. TRACT "A" IS TO BE OPEN SPACE FOR THE BENEFIT OF THE HOMEOWNERS, AND SHALL BE DEDICATED TO THE HOMEOWNERS ASSOCIATION AT SUCH TIME AS AN ADJACENT FUTURE PLAT PHASE, OF THE ROCK RIDGE SOUTH DEVELOPMENT IS RECORDED.

6. TRACT "G" IS HEREBY RESERVED FOR FUTURE DEVELOPMENT, IN ACCORDANCE WITH THE APPROVED PRELIMINARY PLAT OF ROCK RIDGE SOUTH, AND IN ACCORDANCE WITH THE CONDITIONS OF SAID APPROVAL, AS SHOWN HEREON, UNDER "FINDINGS OF FACT" TO CONDITIONS COVENANTS, AND RESTRICTIONS DESIGNED TO ESTABLISH RULES AND REGULATIONS FOR THE HOMEOWNERS AND HOMEOWNERS ASSOCIATION WITH REGARD TO THE USE, ENJOYMENT, AND MAINTENANCE OF THE TRACT, AND TO THE REAL PROPERTIES RESULTING WITH THIS PLAT AND INCLUDED BY REFERENCE IN THE TITLE OF ALL 11. GEO-TECHNICAL ENGINEERING REPORTS SHALL BE PROVIDED FOR ALL LOTS WHERE ANY STRUCTURE MAY BE LOCATED ON OR WITHIN 15' OF A SLOPE OF 40% GRADE OR STEEPER.

SW CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4, SECTION 26, T 35N, R 1E, W.M., ESTABLISHED BY RECORD DISTANCE.

FOUND REBAR WITH CAP MARKED SUMMIT 32169 PER ROCK RIDGE WEST H, A/F# 200412020087



PLAT OF ROCK RIDGE SOUTH, PHASE 3
NW 1/4, SEC. 26, TWP. 35N, RNC. 1E, W.M.

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6/30/2008 Page 5 of 5 2:01PM

LEGEND

- ⊕ FOUND CONCRETE MONUMENT ON MAY 2, 2008
- ⊙ SET CASED CONCRETE MON WITH 2" BRASS DISK
- BSBL BUILDING SETBACK LINE
- SET "PK" NAIL AND SHINER MARKED "SUMMIT 32169" IN CONCRETE CURB ON PROLONGATION OF LOT LINE. OFFSET DISTANCE AS SHOWN.
- ADDRESS: ROCK RIDGE PARKWAY
- ADDRESS: ANTONIE WAY
- ① SET REBAR AND CAP 0.5' NW FROM ACTUAL CORNER
- ② SET REBAR AND CAP 0.3' SE FROM ACTUAL CORNER
- ③ SET REBAR AND CAP 0.7' NW FROM ACTUAL CORNER
- ④ SET REBAR AND CAP 5.0' SE FROM ACTUAL CORNER

NOTES:

1. THE METHOD OF SURVEY WAS FIELD TRAVERSE WITH A NIKON DTM-520 TOTAL STATION.
2. THE LINEAR AND ANGULAR CLOSURE OF THIS SURVEY MEETS OR EXCEEDS THE STANDARDS SET FORTH IN W.A.C. 332-130-090.
3. SEE SHEET 3 OF 4 FOR SECTION TIES.
4. SEE NOTE 5, SHEET 3 OF 4, REGARDING THE DISPOSITION OF TRACT "H", SHOWN HEREON.
5. ALL LOTS & TRACT CORNERS ESTABLISHED WITH 1/2" DIAMETER BY 30" LONG REBAR WITH CAP. "SUMMIT 32169" EXCEPT AS NOTED ON THE PLAT PLAN (SYMBOL NOT SHOWN FOR CLARITY)

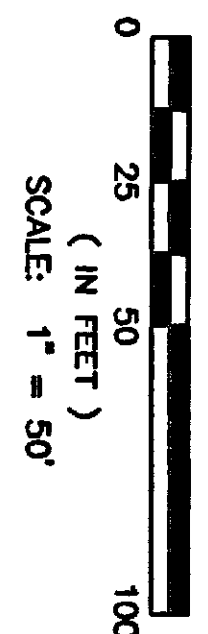
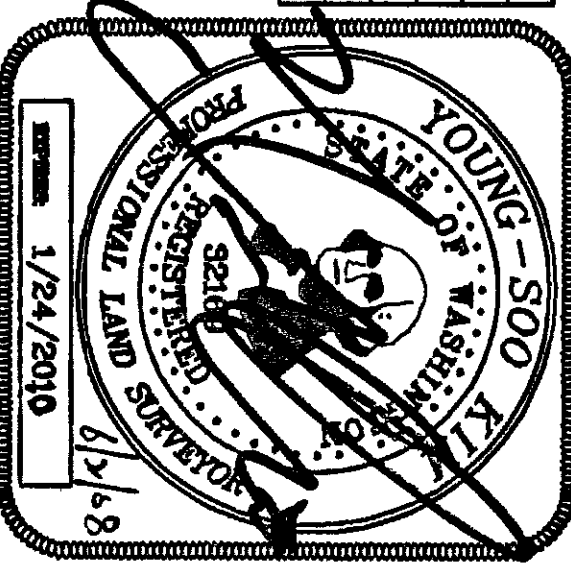
CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1	65.27	107.00	33.69	34.57067
C2	72.74	107.00	37.94	38.97099
C3	21.04	25.00	11.19	48.17249
C4	59.69	50.00	33.96	68.24017
C5	32.74	50.00	16.96	37.31177
C6	32.54	50.00	16.87	37.17287
C7	30.52	50.00	15.75	34.56437
C8	61.03	50.00	34.96	69.57277
C9	24.64	50.00	12.57	28.13497
C10	20.98	25.00	11.15	48.05287
C11	80.10	57.00	48.26	80.30437
C12	40.81	25.00	26.59	93.31207
C13	12.20	107.00	6.11	06.32007
C14	37.73	25.00	23.51	86.28407
C15	115.23	82.00	69.43	80.30437

LINE	LENGTH	BEARING
L1	3.64	S81°43'09"E
L2	23.54	N01°17'12"E
L3	10.07	S41°11'56"W
L4	10.03	N43°26'45"E

DEVELOPER/OWNER:

ANTONY MALO, JR.
MANAGING MEMBER
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