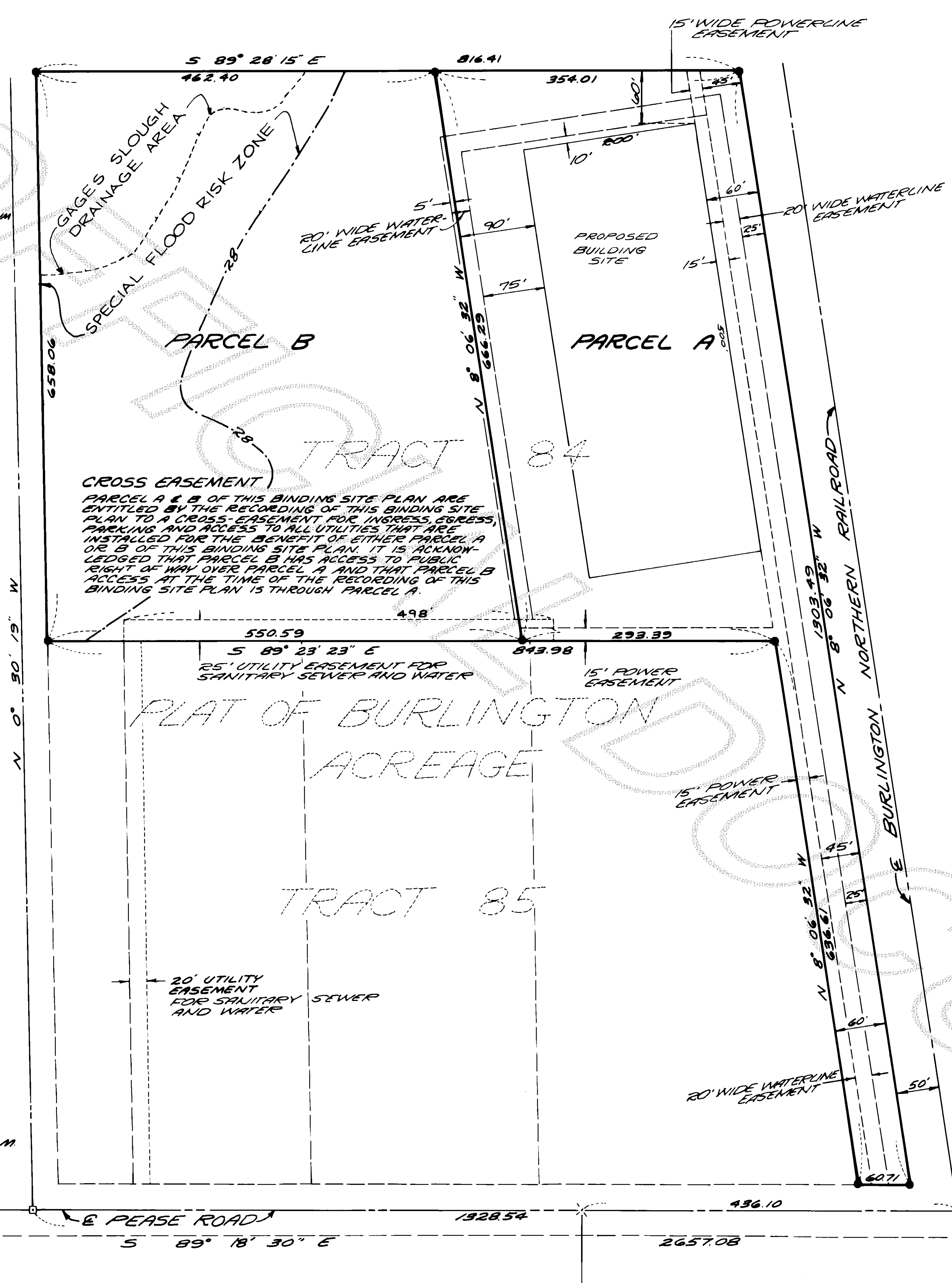


133433

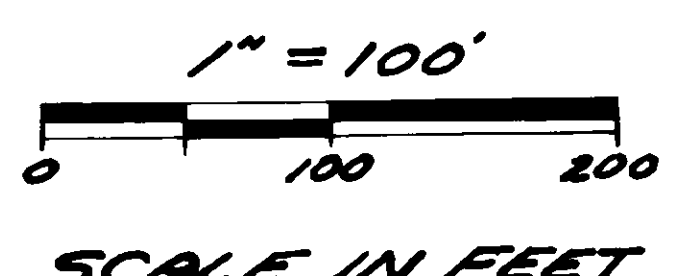
OWNER/DEVELOPER
ALLEGRE/MITZEL
PARTNERSHIP
P.O. BOX 5308
EVERETT, WA 98206
PHONE (206) 334-5018

PROPERTY ZONING... M-1
SURROUNDING ZONING... M-1
BUILDING SETBACKS... 60' MINIMUM
TO ALL PROPERTY LINES



22'-
26'-
70'-49'-00"
15'

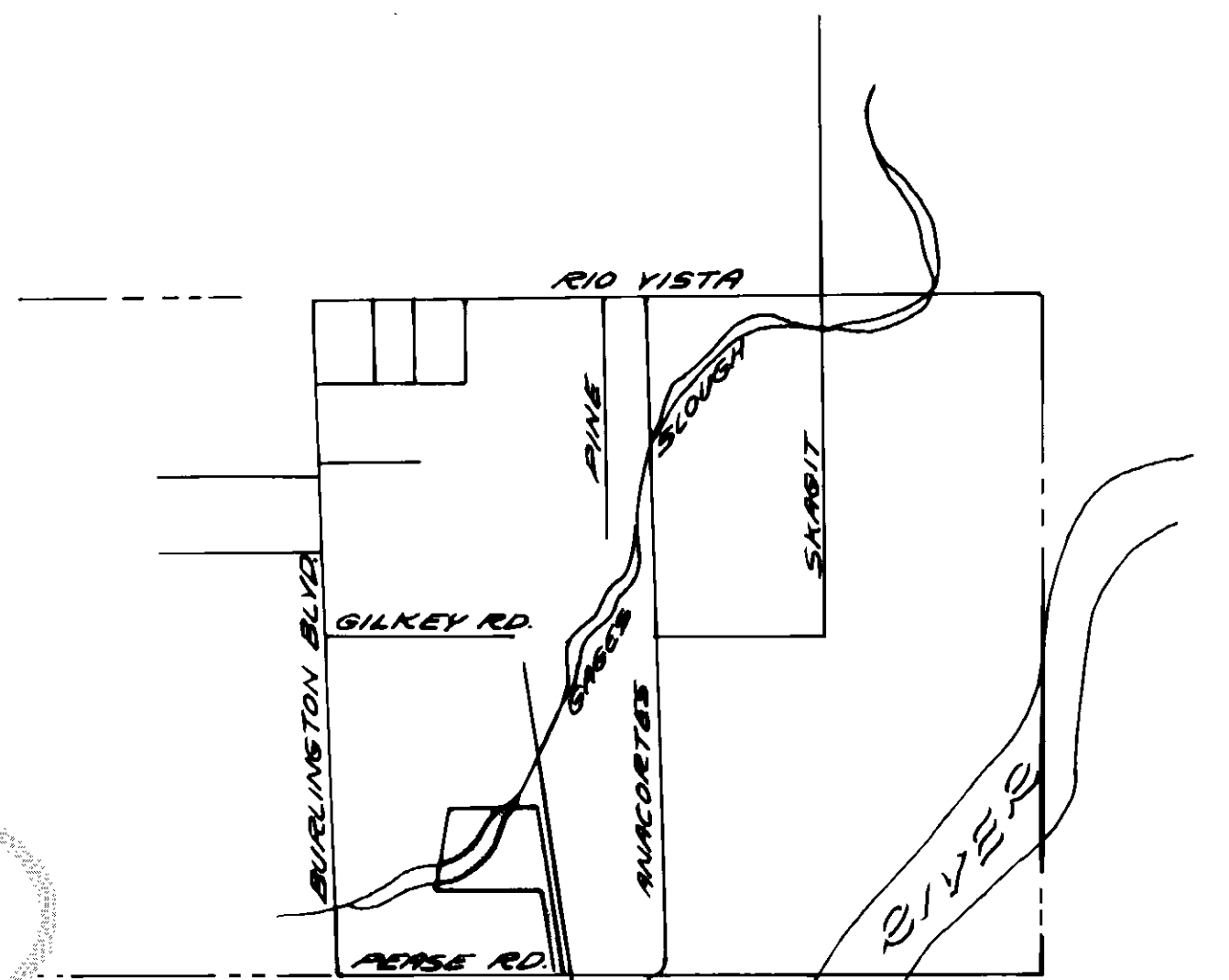
RECORDED
'91 JAN 11 P133
REGISTERED



LEGEND

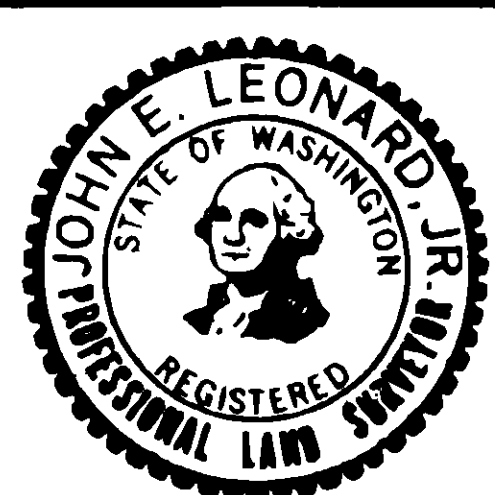
- ... DENOTES REBAR WITH YELLOW CAP MARKED "LEONARD 8992" SET THIS SURVEY.
- ... DENOTES MONUMENT IN CASE.

CROSS EASEMENT
PARCEL A & B OF THIS BINDING SITE PLAN ARE ENTITLED BY THE RECORDING OF THIS BINDING SITE PLAN TO A CROSS-EASEMENT FOR INGRESS, EGRESS, PARKING AND ACCESS TO ALL UTILITIES THAT ARE INSTALLED FOR THE BENEFIT OF EITHER PARCEL A OR B OF THIS BINDING SITE PLAN. IT IS ACKNOWLEDGED THAT PARCEL B HAS ACCESS TO PUBLIC RIGHT OF WAY OVER PARCEL A AND THAT PARCEL B ACCESS AT THE TIME OF THE RECORDING OF THIS BINDING SITE PLAN IS THROUGH PARCEL A.



VICINITY MAP
SCALE: 1" = 2000'

SURVEYOR'S CERTIFICATE
This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act, at the request of ALLEGRE/MITZEL PARTNERSHIP
John E. Leonard, Jr., P.E., P.L.S.
Certificate No. 8992 Date 12/4/90



AUDITOR'S CERTIFICATE
Filed for record this 11 day of January 1991, at 1:33 P.M. in Book 18 of Surveys at Page 181-183 at the request of Leonard and Boudinot, Inc. under Auditor's File Number 9101110040
Jerry McInerney, County Auditor, SKAGIT COUNTY, WA. By Deputy

BINDING SITE PLAN
FOR: ALLEGRE/MITZEL PARTNERSHIP
SOUTHWEST 1/4, SECTION 5, T.34 N., R. 4 E., W.M.
DWN BY: MARY C. DATE: OCT. '90
FIELD BOOK:
LEONARD AND BOUDINOT, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
603 S. 1st Street, Mount Vernon, Washington 336-5751
SCALE: 1" = 100'
JOB NO.: 90154

APPROVALS

Examined and approved this 11 day of Jan., 1991

Rob D. Bennett
City Engineer

Approved by the Planning Director of the City of Burlington, Washington, this 10th day of January, 1991.

Nancy Woe
Planning Director NANCY WOE

Approved by the Mayor of the City of Burlington, Washington, this 10 day of Jan., 1991.

David M. Porock
Mayor

Approved by the Building Official of the City of Burlington, Washington, this 11 day of January, 1991.

James A. Shewood
City Building Official

Oliver J. Whitfield

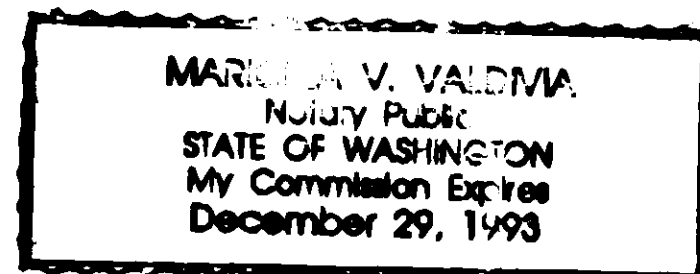
Carol A. Whitfield

ACKNOWLEDGMENT

State of Washington)
County of) SS

On this 27th day of November, 1990 personally appeared before me, Oliver Jerry Whitfield and Carol Whitfield, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Marlene V. Valdova
Notary Public in and for the State of Washington
residing at Burlington



LEGAL DESCRIPTION

PARCEL "A":

That portion of Tract 84, "PLAT OF THE BURLINGTON ACREAGE PROPERTY", as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington, lying Westerly of the right of way of Great Northern Railroad.

PARCEL "B":

The East 60 feet as measured at right angles to the East line of the following described tract:

That portion of Tract 85, "PLAT OF BURLINGTON ACREAGE PROPERTY", according to the plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington, described as follows:

Beginning at a point on the South line of said Tract 85, that is North 88° 55' West 741.4 feet and 30 feet North of the South quarter corner of Section 5, Township 34 North, Range 4 East, W.M.; thence North 629.3 feet, more or less, to the North line of said Tract 85; thence South 88° 45' East along the North line of said Tract 85, a distance of 345.7 feet, more or less, to the West line of the Great Northern Railway right of way; thence South 7° 43' East along the West line of said railway right of way, a distance of 639.1 feet, more or less, to the South line of said Tract 85; thence North 88° 55' West along the South line of said Tract 85, a distance of 433.3 feet, more or less, to the point of beginning.

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.

DATED this 11 day of Jan., 1991

Richard A. Patrick
Treasurer, City of Burlington

I hereby 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 1990.

Richard M. Mearns 1/11/91
Treasurer, Skagit County

BINDING SITE PLAN
FOR: **ALLEGRE/MITZEL PARTNERSHIP**
SOUTHWEST 1/4, SECTION 5, T. 34 N., R. 4 E., W.M.

OWN BY: PLS	DATE: NOVEMBER 2, 1990	LEONARD AND BOUDINOT, INC. CIVIL ENGINEERS AND LAND SURVEYORS 803 SOUTH FIRST ST., MOUNT VERNON, WA 98273	SCALE: N/A
FIELD BOOK:	N/A		JOB NO.: 90154

BINDING SITE PLAN - EASEMENTS, COVENANTS AND RESTRICTIONS.

Oliver J. Whitfield and Carol A. Whitfield herein referred to as Declarants herein place upon the property described as Exhibit A to this Declaration the following Easements, Covenants and restrictions:

1. Parcel A & B of this Binding Site Plan are entitled by the recording of this Binding Site Plan to a reciprocal easement for ingress, egress, parking and access to all utilities and common areas that are installed for the benefit of both Parcel A or B of this Binding Site Plan. Parcel B herein has access over and across Parcel A, and Parcel B's only access at the time of the recording of this Binding Site Plan is through Parcel A.

The foregoing easements, reservations and rights-of-way shall at all times be open and accessible to Public Utilities and their employees and contractors, and shall also be open and accessible to the respective owners of either Parcel A and B, all of whom shall have the right and privilege of doing whatever may be reasonably necessary to carry out any of the purposes for which such easements, reservations and rights-of-way are reserved. Any restoration or repair needed as a result of any repairs or maintenance done by any utility company either public or private, will be done by that company at its own expense.

2. Construction and Design: All buildings or improvements made on either Parcel A or Parcel B of this Binding Site Plan shall be in compliance with local, state and national building codes. No other restrictions apply.
3. The City of Burlington Engineering, Building, Planning and other pertinent departments shall review and approve development plans for either parcel of this Binding Site Plan. Use for either parcel must conform with all governmental regulations.
4. The cost of maintaining and repairing all Common Areas shall be borne by the respective owners of Parcel A and Parcel B on a pro-rata basis. The pro-rata formula will be calculated by taking the square footage of each respective parcel divided by the square footage of the entire area encompassed by the Binding Site Plan, less any area designated as Special Flood Risk Zone as delineated on the Binding Site Plan.

The Common Area is hereby defined to include all of those areas used for streets or other vehicular access to the site, sidewalks paralleling such streets, vehicular access ways, all lighting, landscaping or beautification, signage, drainage and storm water detention associated with such areas, any storm water detention system and all utilities. Every owner shall have a right and easement in and to the common area.

5. A common storm drainage system shall be constructed to benefit both parcels of this Binding Site Plan. The system shall be located on Parcel B and a cross-easement exists between Parcel A and Parcel B by the recording of this Binding Site Plan.

The Declarants herein grant to the City of Burlington access over and across Parcels A and B for the purpose of maintaining and improving an area consisting of all area described on the Binding Site Plan as the SPECIAL FLOOD RISK ZONE. Declarants herein permit the City of Burlington to make improvements, maintain or in any other way enhance the SPECIAL FLOOD RISK ZONE.

6. Declarants agree to form a Property Owners Association in the event that Parcel A or B is sold. The Property Owners Association shall be charged with the duty of administrating this document for the benefit of the respective property owners and assessing all property owners any charges for the cost of maintaining the Common Areas.
7. Delinquency. Any common area assessment shall be deemed delinquent if not paid within 30 days of receipt of written notice. Delinquent assessments will be subject to a five percent (5%) late charge. Subsequent lack of payment will bear a monthly interest carrying charge of not less than an annual rate equal to the ~~Security~~ Pacific Prime Rate plus two (2) percent.
8. Lien Rights. The Property Owners Association if formed is hereby vested with the authority to record a lien against any such property for the collection of delinquent assessments, late fees, and interest owing against such property. Such claim of lien includes not only assessments which are due and payable when the claim of lien is recorded, plus interest, costs, attorney's fees and prior encumbrances and interest thereon, but also subsequent installments and additional assessments which accrue from the date of the claim of lien.
9. Legal Proceedings. Failure to comply with any of the terms of this document, or any regulations adopted subsequent to its recording, shall be grounds for relief which may include, without limitation, an action to recover sums due for damages, injunctive relief, or any other remedies provided by law.
10. These Easements, Covenants and Restrictions shall run with the land and benefit all subsequent owners of either Parcel A or B of the Binding Site Plan.
11. These Easements, Covenants and Restrictions shall be modified only upon the approval of owners of both Parcel A and B of the Binding Site Plan.
12. This document will be recorded with the Skagit County Auditor as a part of the Binding Site Plan as described as Exhibit A.

<p>BINDING SITE PLAN FOR: ALLEGRE/MITZEL PARTNERSHIP SOUTHWEST 1/4, SECTION 5, T.34 N., R. 4E., W.M.</p>		
DWG. BY:	DATE: OCT. '90	SCALE: NONE
FIELD BOOK:	LEONARD AND BOUDNOT, INC. CIVIL ENGINEERS AND LAND SURVEYORS 603 SOUTH FIRST ST., MOUNT VERNON, WA 98273	JOB NO: 90154