

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 AN INCLUDING THE YEAR OF 1995.

I, Indiana Marist, TREASURER OF SKAGIT COUNTY, WASHINGTON, HEREBY CERTIFY THAT A DEPOSIT HAS BEEN PAID TO COVER ANTICIPATED TAXES UP TO AN INCLUDING THE YEAR 1996.

THIS 18 DAY OF January, 1996.

Skagit County Treasurer
SKAGIT COUNTY TREASURER
Deputy Katha Jungquist
DEPUTY

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AND ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS, OR OF OTHER PUBLIC USE, ARE PAID IN FULL. THIS 22nd DAY OF December, 1995.

Rick Patrick City Administrator for Rick Patrick
CITY TREASURER

APPROVALS

EXAMINED AND APPROVED THIS 22 DAY OF DEC., 1995.

Rod A. Barnett
CITY ENGINEER

APPROVED BY THE COUNCIL OF THE CITY OF BURLINGTON, WASHINGTON, THIS 26th DAY OF October, 1995.

ATTEST: CITY COMPTROLLER Ed Voss

ATTEST: PLANNING DIRECTOR Margaret J. Glue

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 18 DAY OF January, 1996, AT 12:27 PM, IN VOLUME 12 OF PLATS ON PAGES 1a-1b AT THE REQUEST OF LEONARD, BOUDINOT & SKODJE.
AUDITOR'S FILE NO. 9601180033

Kathy Hill SKAGIT COUNTY AUDITOR
Cheryl Jungquist DEPUTY

EASEMENTS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF BURLINGTON, PUBLIC UTILITY DISTRICT No. 1, PUGET SOUND POWER AND LIGHT, G.T.E., CASCADE NATURAL GAS CORP., AND TCI CABLEVISION OF WASHINGTON INC. AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE EXTERIOR TEN (10) FEET OF FRONT BOUNDARY LINES OF ALL LOTS AND TRACTS AND OTHER UTILITY EASEMENTS SHOWN ON THE FACE OF THE BINDING SITE PLAN, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE, MAINTAIN, AND REMOVE UTILITY SYSTEMS, LINE, FIXTURES, AND APPURTENANCES ATTACHED THERETO, FOR THE PURPOSE OF PROVIDING UTILITY SERVICES TO THE SUBDIVISION AND OTHER PROPERTY, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AND TRACTS AT ALL TIMES FOR THE PURPOSES STATED, WITH THE UNDERSTANDING THAT ANY GRANTEE SHALL BE RESPONSIBLE FOR ALL UNNECESSARY DAMAGE IT CAUSES TO ANY REAL PROPERTY OWNER IN THE SUBDIVISION BY THE EXERCISE OF RIGHTS AND PRIVILEGES HEREIN GRANTED.

SANITARY SEWER EASEMENT TO THE CITY OF BURLINGTON

A 20' SEWER EASEMENT TO THE CITY OF BURLINGTON AS SHOWN ON SHEETS 2 AND 3 FOR INGRESS, EGRESS, INSTALLATION, AND MAINTENANCE.

LEGAL DESCRIPTION

PARCEL A

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., LYING WEST OF THE FORMER NORTH COAST TRANSPORTATION COMPANY RIGHT-OF-WAY, EXCEPT ROAD RIGHT-OF-WAY; EXCEPT THE SOUTH 12 ACRES THEREOF; EXCEPT THE NORTH 300 FEET THEREOF; EXCEPT THAT PORTION, IF ANY, LYING EAST OF THE WEST LINE OF THOSE PREMISES CONTRACTED TO BE CONVEYED TO CURTIS CRUMRINE, ET UX, BY INSTRUMENT DATED APRIL 3, 1954, FILED APRIL 11, 1955, AS FILE NO. 516105, AND RECORDED IN VOLUME 269 OF DEEDS AT PAGE 642.

ALSO EXCEPT THE WEST 300 FEET OF THE SOUTH 188.94 FEET OF THE BALANCE OF SAID PREMISES AFTER TAKING OUT THE ABOVE EXCEPTIONS; AND ALSO EXCEPT FROM THE REMAINDER THE WEST 20 FEET THEREOF CONVEYED TO THE COUNTY OF SKAGIT FOR ROAD PURPOSES BY DEED RECORDED OCTOBER 24, 1973, UNDER AUDITOR'S FILE NO. 792458, RECORDS OF SKAGIT COUNTY, WASHINGTON.

PARCEL B

THE WEST 300 FEET OF THE SOUTH 188.94 FEET OF THE FOLLOWING DESCRIBED TRACT:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 34 NORTH RANGE 4 E, W.M., LYING WEST OF THE FORMER NORTH COAST TRANSPORTATION COMPANY RIGHT-OF-WAY; EXCEPT ROAD RIGHT-OF-WAY; AND EXCEPT THE SOUTH 12 ACRES THEREOF; ALSO EXCEPT THE NORTH 300 FEET THEREOF; ALSO EXCEPT THAT PORTION, IF ANY, LYING EAST OF THE WEST LINE OF THOSE PREMISES CONTRACTED TO BE CONVEYED TO CURTIS CRUMRINE, ET UX, BY INSTRUMENT DATED APRIL 3, 1954, FILED APRIL 11, 1955, AS FILE NO. 516105, AND RECORDED IN VOLUME 269 OF DEEDS AT PAGE 642.

EXCEPT FROM SAID WEST 300 FEET OF THE SOUTH 188.94 FEET THE WEST 20 FEET THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED OCTOBER 24, 1973, UNDER AUDITOR'S FILE NO. 792458, RECORDS OF SKAGIT COUNTY, WASHINGTON.

PARCEL C

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE SOUTH 482 1/2 FEET; THENCE WEST 532 1/2 FEET TO THE WEST LINE OF THE FORMER RIGHT-OF-WAY CONVEYED TO THE BELLINGHAM AND SKAGIT RAILWAY COMPANY BY DEED RECORDED IN VOLUME 87 OF DEEDS, PAGE 533, UNDER AUDITOR'S FILE NO. 82245, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE ALONG SAID WEST LINE OF THE FORMER RIGHT-OF-WAY NORTH 482 1/2 FEET; THENCE EAST 532 1/2 FEET TO THE POINT OF BEGINNING; EXCEPT ROADS; AND ALSO EXCEPT THAT PORTION THEREOF, IF ANY, LYING WITHIN THE BOUNDARIES OF THE FOLLOWING DESCRIBED TRACTS:

1. THE NORTH 300 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, EXCEPT THE RIGHT-OF-WAY CONVEYED TO THE BELLINGHAM AND SKAGIT RAILWAY COMPANY BY DEED RECORDED IN VOLUME 87 OF DEEDS, PAGE 533, UNDER AUDITOR'S FILE NO. 82245, RECORDS OF SAID COUNTY; ALSO EXCEPT THAT PORTION THEREOF LYING WITHIN THE BOUNDARIES OF COUNTY ROAD AND STATE HIGHWAY RIGHTS-OF-WAY; ALSO EXCEPT ANY PORTION THEREOF LYING EAST OF THE WEST LINE OF THE ABOVE DESCRIBED BELLINGHAM AND SKAGIT RAILWAY COMPANY RIGHT-OF-WAY.
2. THE EAST 264 FEET OF THE SOUTH 825 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5.
3. THE SOUTH 830 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5; EXCEPT THE EAST 264 FEET THEREOF; ALSO EXCEPT THAT PORTION THEREOF LYING WEST OF THE WEST LINE OF THAT CERTAIN 100 FOOT STRIP OF LAND CONVEYED TO BELLINGHAM AND SKAGIT RAILWAY COMPANY FOR RAILROAD PURPOSES BY DEED RECORDED IN VOLUME 87 OF DEEDS, PAGE 533, UNDER AUDITOR'S FILE NO. 82245.

(LEGAL PROVIDED BY FIRST AMERICAN TITLE UNDER POLICY #42088)

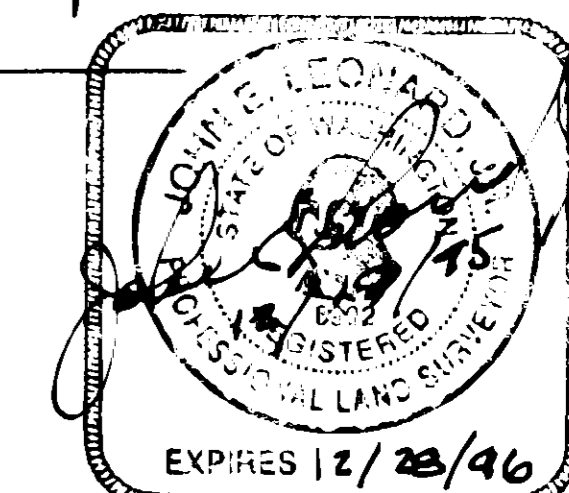
STORM WATER EASEMENT TO THE CITY OF BURLINGTON

STORM WATER EASEMENT OR EASEMENTS WILL BE PROVIDED TO THE CITY BURLINGTON ACROSS PARCELS 3 AND 4 COVERING THE INSTALLATION AND MAINTENANCE OF PIPES OR CHANNELS INSTALLED TO CONVEY STORMWATER FROM THE STREET CONSTRUCTED ON PARCEL 9.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE CASCADE PLACE / CASCADE MEADOWS BINDING SITE PLAN IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.; THAT THE COURSES AND DISTANCES ARE SHOWN CORRECTLY; AND THAT I HAVE COMPLIED WITH THE PROVISIONS OF THE BURLINGTON BINDING SITE PLAN ORDINANCE.

JOHN E. LEONARD, P.L.S. John E. Leonard
CERTIFICATE NO. 8992
DATE 12/19/95



DEDICATION AND CONSENT

"KNOW ALL MEN BY THESE PRESENTS THAT MARVIN R. AND LARONA D. HAMILTON HUSBAND AND WIFE OWNERS OF THE LAND HEREBY PLATTED, DECLARE THIS BINDING SITE PLAN AND DEDICATE A 20' SEWER EASEMENT TO THE CITY OF BURLINGTON AS SHOWN ON SHEET 2 AND 3 OF 3, A 10 FOOT UTILITY EASEMENT AS SHOWN ON SHEET 2 OF 3 AND DESCRIBED UNDER "EASEMENTS" AND A FUTURE STORM WATER EASEMENT AS DESCRIBED UNDER "STORM WATER EASEMENT TO THE CITY OF BURLINGTON".

IN WITNESS WHEREOF, THIS 11 DAY OF January, 1996.

Marvin R. Hamilton Larona D. Hamilton
MARVIN R. HAMILTON LARONA D. HAMILTON

ACKNOWLEDGMENTS

STATE OF ARIZONA)
COUNTY OF Mohave) SS.

ON THIS 11 DAY OF January, 1996, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED MARVIN R. AND LARONA D. HAMILTON HUSBAND AND WIFE TO ME KNOWN TO BE THE INDIVIDUALS DESCRIBED IN AND WHO EXECUTED THE WITHIN INSTRUMENT, AND ACKNOWLEDGED THAT THEY SIGNED AND SEALED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR ABOVE WRITTEN.

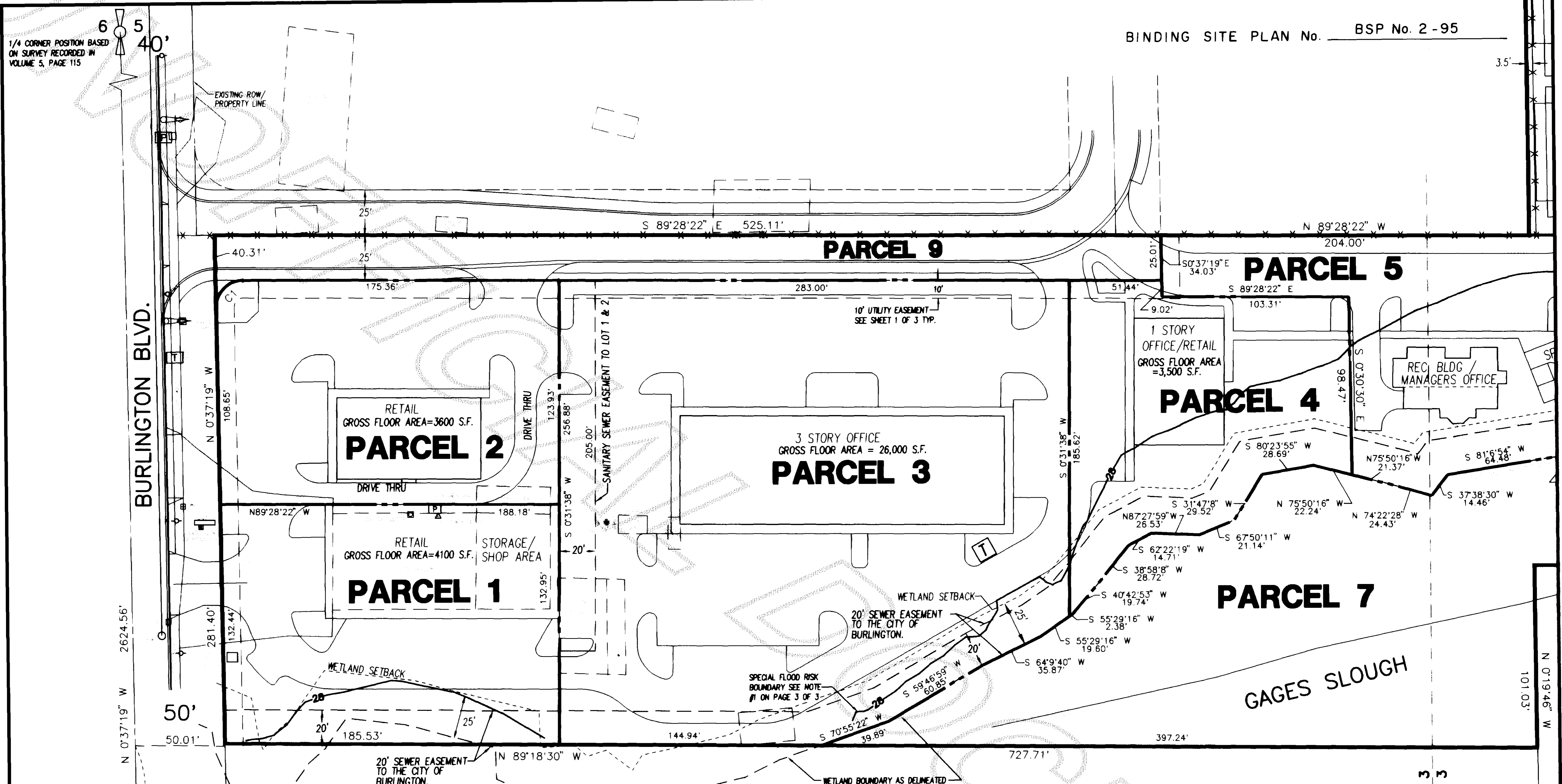
K.R. Brookshier
NOTARY PUBLIC
RESIDING AT: Mohave State Bank

**BINDING SITE PLAN
OF
CASCADE PLACE / CASCADE MEADOWS**

SW 1/4, SW 1/4 SECTION 5, TWP. 34 N., RGE 4 E., W.M.		CITY OF BURLINGTON, SKAGIT COUNTY	
DRAWN BY: PLS	DATE: NOV. 13, 95	LEONARD, BOUDINOT and SKODJE, INC. CIVIL ENGINEERS AND LAND SURVEYORS	SCALE: N/A
FIELD BOOK: F.B. 517		603 SOUTH FIRST ST., MOUNT VERNON, WA 98273 (360)336-5751	JOB NO: 94249

9601.80033

BINDING SITE PLAN No. BSP No. 2-95



1/4 CORNER POSITION BASED ON SURVEY RECORDED IN VOLUME 3, PAGE 115

BURLINGTON BLVD.

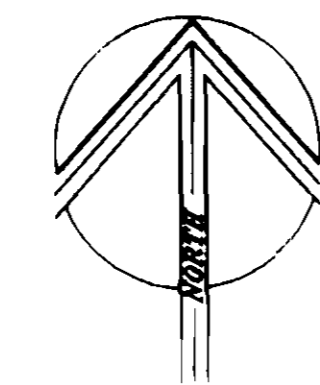
N 0°37'19" W 2624.56'

N 0°37'19" W 730.96'

FOUND 3" BRASS DISK IN CASE 7-9-93, F.B. 442, PG. 70.

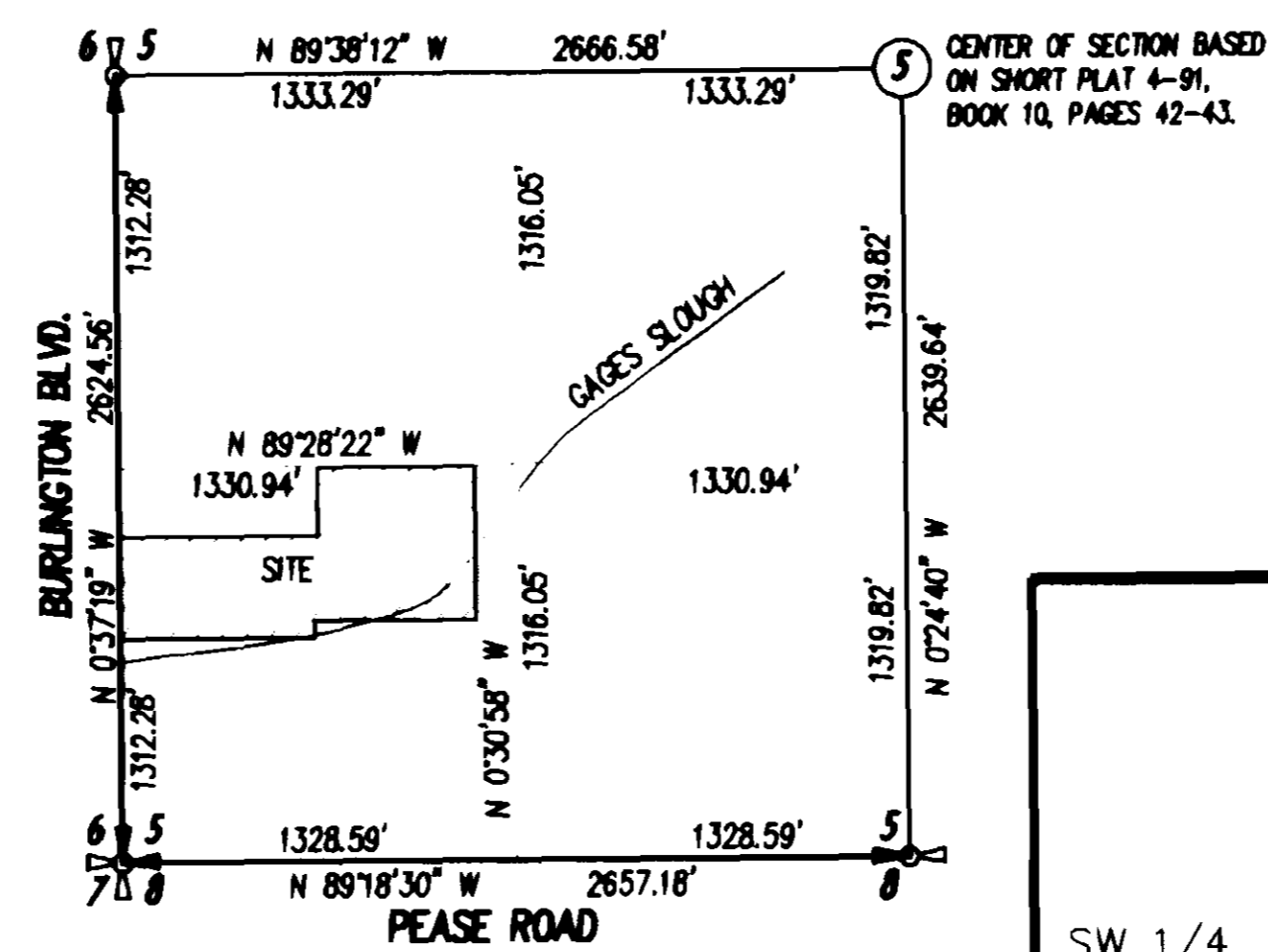
N 89°18'30" W 1328.59'

SCALE 1" = 40'



FOUND MONUMENT IN CASE 3" BRASS DISK 9-22-94, F.B. 517, PG. 1

VICINITY MAP/SECTION SUBDIVISION
SURVEY IN SECTION 5, T. 34 N., R. 4 E., W.M.



CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	LENGTH
C1	91°8'57"	15.00'	15.30'	23.86'

OCCUPATIONAL INDICATORS & EXISTING FENCELINE NOTE

THIS SURVEY HAS DEPICTED EXISTING FENCE LINES IN ACCORDANCE WITH W.A.C. CH. 332.130. THESE OCCUPATIONAL INDICATORS MAY INDICATE A POTENTIAL FOR CLAIMS OF UNWRITTEN TITLE OWNERSHIP. THE LEGAL RESOLUTION OF OWNERSHIP BASED UPON UNWRITTEN TITLE CLAIMS HAS NOT BEEN RESOLVED BY THIS BOUNDARY SURVEY.

BASIS OF BEARING

S 89°18'30" E BETWEEN THE SOUTHWEST CORNER OF SECTION 5 AND THE FOUND 1/16 TH. CORNER ON THE SOUTH SECTION LINE PER SHORT PLAT 4-91 RECORDED IN BOOK 10 OF SHORT PLATS, PAGES 42-43.

SEE SHEET 2 OF 3
SEE SHEET 3 OF 3
MATCH LINE

SHEET 2 OF 3

**BINDING SITE PLAN
OF
CASCADE PLACE / CASCADE MEADOWS**

SW 1/4, SW 1/4 SECTION 5, TWP. 34 N., RGE 4 E., W.M. CITY OF BURLINGTON, SKAGIT COUNTY

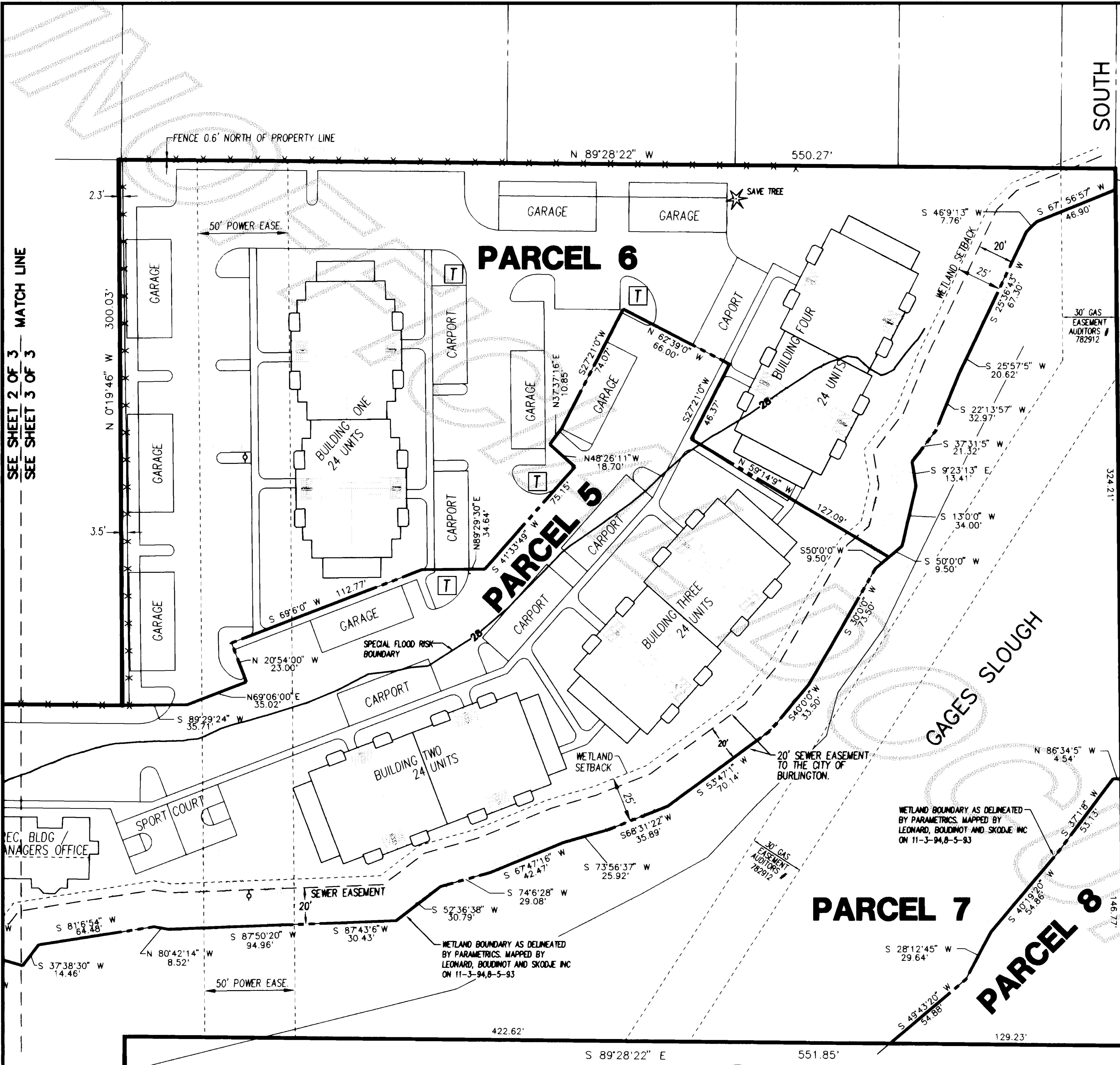
DWN BY: PLS DATE: NOV. 13, 95
FIELD BOOK: F.B. 517

LEONARD, BOUDINOT and SKODJE, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
603 SOUTH FIRST ST., MOUNT VERNON, WA 98273 (360)336-5751

SCALE: 1" = 40'
JOB NO: 94249

V.12 S Plat pg 67

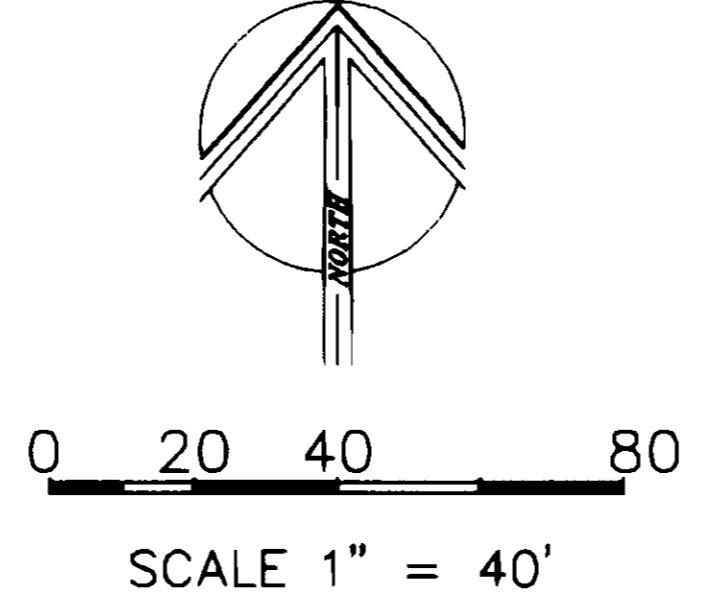
- NOTES:**
- NOTE 1
SPECIAL FLOOD RISK BOUNDARY ELEVATION WAS PROVIDED BY THE CITY OF BURLINGTON
- BUYERS SHOULD BE AWARE THAT THIS BINDING SITE PLAN IS LOCATED IN THE FLOODPLAIN OF THE SKAGIT RIVER AND SIGNIFICANT ELEVATION MAY BE REQUIRED FOR THE FIRST FLOOR OF CONSTRUCTION. CONTACT THE CITY OF BURLINGTON FOR FURTHER INFORMATION.
- NOTE 2
FOR ADDITIONAL SUPPORTING SURVEY INFORMATION SEE S/P 4-91, BK 10, PAGES 42-43 AND SURVEY RECORDED IN BOOK 5 PAGE 115.
- NOTE 3
VERTICAL DATUM IS USCGS BENCHMARK "E-13" AT THE INTERSECTION OF FAIRHAVEN AND PINE AT THE OLD BANK BUILDING BURLINGTON, WASHINGTON ELEV.=33.72. PAGE/FIELD BOOK - 1/348, 76/517
- NOTE 4
TO BE INCLUDED IN CONVEYANCES OF THE RESPECTIVE PARCELS.
- THERE IS RESERVED AND CONVEYED FOR THE BENEFIT OF THE RESPECTIVE PARCELS A RIGHT, AS DELINEATED ON THE FACE OF THE BINDING SITE PLAN REFERRED TO IN THE LEGAL DESCRIPTION OF THE MAIN PARCEL(S) DESCRIBED ABOVE, FOR INGRESS AND EGRESS OVER PRESENT OR FUTURE DEVELOPED PARKING LOTS. THESE RECIPROCAL RIGHTS SHALL RUN WITH THE LAND FOR THE FUTURE BENEFIT OF THE OWNERS OF THE RESPECTIVE PARCELS, THEIR HEIRS AND ASSIGNS. NO RIGHT SHALL EXIST THAT WOULD FORCE THE IMMEDIATE DEVELOPMENT OF ANY PROPOSED OR SHOWN PARKING LOTS ON SAID BINDING SITE PLAN.
- PARCEL 9 IS SUBJECT TO AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER UNDER AND ACROSS, BENEFITTING LOTS 1 THROUGH 6, THE MAINTENANCE AND CONSTRUCTION OF WHICH SHALL BE SHARED BY LOTS 2 THROUGH 6. IF AT A FUTURE DATE PARCEL 9 BECOMES PUBLIC RIGHT OF WAY THIS EASEMENT BECOMES NULL AND VOID.
- THE MAIN ROUTE FOR INGRESS AND EGRESS TO THE PARCELS INCLUDED IN THIS BINDING SITE PLAN LIES PARTIALLY ON THE SUBJECT PROPERTY, PARCEL 9, AND PARTIALLY ON PROPERTY TO THE NORTH. IN THE EVENT THE OWNER IS UNABLE TO OBTAIN OWNERSHIP OR EASEMENTS OVER THE PROPERTY TO THE NORTH SUCH THAT THE ROAD FOR INGRESS AND EGRESS CANNOT BE CONSTRUCTED AS DEPICTED, THE LOCATION OF SAID ROAD SHALL BE MOVED SOUTH SUCH THAT IT IS CONSTRUCTED ENTIRELY ON OWNER'S PROPERTY THEREBY ENLARGING PARCEL 9 PROVIDED, HOWEVER, THAT ANY ENLARGEMENT OF PARCEL 9 IN EXCESS OF 10 FEET SOUTH INTO PARCELS 2, 3, AND 4 SHALL REQUIRE WRITTEN APPROVAL FROM UNDERLYING LEASEHOLDERS, IF ANY, PRIOR TO THE CONSTRUCTING OF A ROADWAY, WHETHER PRIVATE OR PUBLIC, FOR VEHICULAR INGRESS AND EGRESS TO THE SUBJECT PARCELS.
- NOTE 5
THERE SHALL EXIST FOR THE BENEFIT OF THE RESPECTIVE PARCELS, THEIR OWNERS, SUCCESSORS IN INTEREST AND ASSIGNEES SHOWN HEREON THE RIGHT OF INGRESS AND EGRESS OVER FUTURE PARKING LOTS TO BE DEVELOPED AND/OR PLACED ON PARCELS 2, 3, AND 4. THE FUTURE DEVELOPMENT OF THE RESPECTIVE PARCELS SHALL BE SUCH THAT THERE SHALL BE NO PREVENTION OF REASONABLE ACCESS TO THE DEDICATED ROAD RIGHT-OF-WAY ALONG THE NORTHERLY LINE OF THE BINDING SITE PLAN. THOUGH NOT REQUIRED TO BE EXACT, THE TRAFFIC FLOWS AND RESPECTIVE PARKING LOCATIONS SHALL ADHERE REASONABLY TO THE GENERAL REPRESENTATION SHOWN HEREON. NOTHING HEREIN SHALL IMPLY THAT THESE RIGHTS SET FORTH SHALL BE FOR THE BENEFIT OF SAID PARCELS 2, 3, AND 4 OVER PARCEL 1.
- NOTE 6
THIS SURVEY WAS PERFORMED IN THE FIELD USING A LIETZ SET 4-A ELECTRONIC TOTAL STATION.
- NOTE 7
THE APPROVAL OF THIS BINDING SITE PLAN IS PART OF A SETTLEMENT AGREEMENT REGARDING SKAGIT COUNTY SUPERIOR COURT CAUSE #05-2-00808-1 ENTERED INTO BETWEEN DAN R. MITZEL AS PETITIONER/PLAINTIFF, THE CITY OF BURLINGTON AS RESPONDENT/DEFENDANT, AND LAMAR WIXSON AND THE GILKEY ADDITION NEIGHBORHOOD ORGANIZATION AS INTERVENORS.
- AFTER THE CONVEYANCE OF PARCELS 2, 3, 4, 5, 6, 7, 8, AND 9 TO DAN R. MITZEL AND PATRICIA R. BURKLAND FROM MARVIN AND LARONA HAMILTON, THERE SHALL BE NO SALE OF PARCELS OF LAND OTHER THAN CONVEYANCE TO AFFILIATED ENTITIES OF WHICH MITZEL/BURKLAND ARE NO LESS THAN 50% OWNERS OF THAT ENTITY WHICH TITLE IS BEING CONVEYED TO UNTIL PUBLIC IMPROVEMENTS ARE CONSTRUCTED AND/OR BONDED IN COMPLIANCE WITH CITY STANDARDS.



SEE SHEET 2 OF 3 MATCH LINE
SEE SHEET 3 OF 3

PARCEL AREAS:

PARCEL 1	0.57 ACRES	24,792 S.F.
PARCEL 2	0.54 ACRES	23,424 S.F.
PARCEL 3	1.57 ACRES	68,273 S.F.
PARCEL 4	0.45 ACRES	19,695 S.F.
PARCEL 5	2.00 ACRES	87,152 S.F.
PARCEL 6	2.23 ACRES	97,005 S.F.
PARCEL 7	2.96 ACRES	128,841 S.F.
PARCEL 8	0.21 ACRES	9,172 S.F.
PARCEL 9	0.30 ACRES	13,181 S.F.



WEST LINE OF THE FORMER NORTH COAST TRANSPORTATION COMPANY RIGHT OF WAY AS DESCRIBED UNDER AUDITORS FILE #234986.

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OF
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SW 1/4, SW 1/4 SECTION 5, TWP. 34 N., RGE 4 E., W.M. CITY OF BURLINGTON, SKAGIT COUNTY

DWN BY: PLS DATE: NOV. 13, 95 LEONARD, BOUDINOT and SKODJE, INC. CIVIL ENGINEERS AND LAND SURVEYORS SCALE: 1" = 40'

FIELD BOOK: F.B. 517 603 SOUTH FIRST ST., MOUNT VERNON, WA 98273 (360)336-5751 JOB NO: 94249