

AMENDED WILD ROSE MEADOW LONG PLAT SUBDIVISION A GENERAL AND SPECIFIC BINDING SITE PLAN

ORCAS ISLAND, SAN JUAN COUNTY, WASHINGTON

PURPOSE

The purpose of this amendment to the Wild Rose Meadow Long Plat Subdivision, A General And Specific Binding Site Plan, recorded under San Juan County Auditor's File Number 2081120002 is to further subdivide Lot 27 into 6 lots.

LEGAL DESCRIPTION

THE SOUTH 165.00 FEET OF THE WEST 330.00 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN.
TOGETHER WITH THE WEST ONE-HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 11.
TOGETHER WITH THE SOUTH 165.00 FEET OF THE EAST 330.00 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 2 WEST, WILLAMETTE MERIDIAN.
EXCEPTING THEREFROM THAT PORTION LYING OR SITUATE WITHIN COUNTY ROAD NO. 58 (ALSO KNOWN AS MT. BAKER HIGHWAY)
SITUATE IN SAN JUAN COUNTY, WASHINGTON.

DEVELOPMENT PROVISIONS AND RESTRICTIONS

- 1) PARCELS ARE SUBJECT TO THE STORMWATER SITE PLAN AND CONSTRUCTION STORMWATER POLLUTION PREVENTION PLAN THAT WAS FILED WITH AND APPROVED BY SAN JUAN COUNTY PUBLIC WORKS.
- 2) BEST MANAGEMENT PRACTICES FOR CONTROLLING EROSION AND SEDIMENTATION SHALL BE USED DURING CONSTRUCTION OF ALL ROADS AND STRUCTURES.
- 3) ALL UTILITIES SHALL BE PLACED UNDERGROUND.
- 4) ALL DISTURBED AREAS SHALL BE RESTORED TO PRE-PROJECT CONDITIONS OR BE REPLANTED WITH LOCAL VEGETATION WHICH WILL BE MAINTAINED UNTIL IT IS FIRMLY ESTABLISHED.
- 5) THIS SUBDIVISION HAS BEEN APPROVED BY THE RESPONSIBLE COUNTY OFFICIALS ON THE PREMISE THAT EACH LOT WILL BE OCCUPIED BY NO MORE THAN ONE SINGLE-FAMILY DWELLING AND LAWFULLY RELATED OUT BUILDINGS. NO LOT SHALL BE OTHERWISE OCCUPIED UNLESS THE OWNER CAN FIRST DEMONSTRATE TO THE COUNTY'S SATISFACTION THAT THE PROVISIONS FOR WATER SUPPLY, SEWAGE DISPOSAL, CIRCULATION, LOT SIZE AND RELATED PLANNING CONSIDERATIONS ARE ADEQUATE TO SERVE THE PROPOSED USE. COMPLIANCE WITH THIS PROVISION SHALL BE AFFECTED BY WRITTEN APPLICATION TO THE SUBDIVISION ADMINISTRATOR WHO SHALL BE RESPONSIBLE FOR COORDINATING THE REVIEW OF SUCH REQUEST AND FOR MAKING THE REQUIRED DETERMINATION.
- 6) THERE ARE ADDITIONAL PRIVATE DECLARATIONS, COVENANTS OR RESTRICTIONS IN ADDITION TO THOSE SHOWN ON THE FACE OF THIS PLAT. IF ANY PRIVATE DECLARATIONS, CONDITIONS, COVENANTS AND/OR RESTRICTIONS APPEAR ON THE FACE OF THIS PLAT, THE MORE RESTRICTIVE PROVISIONS SHALL GOVERN. ANY PRIVATE DEED RESTRICTIONS ARE SUPPLEMENTAL TO THE REQUIREMENTS OF THIS CODE. THE COUNTY SHALL NOT BE PARTY TO ANY PRIVATE RESTRICTIONS.
- 7) ANY EXCAVATION OR CONSTRUCTION ACTIVITY WILL CEASE IMMEDIATELY IF ANY MATERIAL OF ARCHAEOLOGICAL SIGNIFICANCE IS DISCOVERED DURING SUCH EXCAVATION OR CONSTRUCTION UNTIL THE ADMINISTRATOR IS NOTIFIED AND INSPECTIONS AND DISPOSITION OF THE ARCHAEOLOGICAL MATERIAL IS PROVIDED FOR.
- 8) ALL DEVELOPMENT AND USE OF THE LANDS DESCRIBED HEREIN SHALL BE IN ACCORDANCE WITH THE BINDING SITE PLAN, AS IT MAY BE AMENDED WITH THE APPROVAL OF THE CITY, TOWN, OR COUNTY HAVING JURISDICTION OF THE DEVELOPMENT OF SUCH LAND, AND IN ACCORDANCE WITH SUCH OTHER GOVERNMENTAL PERMITS, APPROVALS, REGULATIONS, REQUIREMENTS, AND RESTRICTIONS THAT MAY BE IMPOSED UPON SUCH LAND AND THE DEVELOPMENT AND USE THEREOF. THIS BINDING SITE PLAN SHALL BE BINDING UPON ALL THOSE NOW OR HEREAFTER HAVING ANY INTEREST IN THE LAND DESCRIBED HEREIN.
- 9) MAINTENANCE OF ROSEHIP ROAD, PARKING AREAS, PATHWAYS, UTILITIES, STORM DRAINAGE, WETLANDS, WETLAND BUFFERS AND ALL ELEMENTS OF THE COMMON AREAS IN THIS SUBDIVISION SHALL BE SHARED EQUALLY BY ALL LOT OWNERS. ROSEHIP ROAD SHALL BE CONSIDERED A NONEXCLUSIVE EASEMENT FOR INGRESS, EGRESS, AND UTILITIES OVER AND ACROSS THE AREAS DESIGNATED ON THE PLAT AS PRIVATE ROAD RIGHTS-OF-WAY. IT SHALL PROVIDE FOR THE RIGHT OF ENTRY FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES WITHIN THE EASEMENT AND THE RIGHT TO CUT AND FILL ON AND DRAIN SURFACE RUNOFF OVER THE LOTS WITHIN THIS SUBDIVISION.
- 10) THE APPROVED WATER SOURCE FOR THE LOTS SHALL BE THE EASTSOUND WATER USERS ASSOCIATION AND THE APPROVED SEWAGE DISPOSAL SYSTEM SHALL BE THE EASTSOUND SEWER AND WATER DISTRICT.
- 11) THIS SUBDIVISION HAS BEEN APPROVED SUBJECT TO A WETLANDS MITIGATION PLAN AUTHORIZED BY THE WASHINGTON STATE DEPARTMENT OF ECOLOGY THAT INCLUDES OBLIGATIONS FOR ONGOING MONITORING AND MAINTENANCE.
- 12) THE COMMON AREAS SHOWN HEREON ARE HEREBY DEDICATED TO ALL OWNERS OF LOTS WITHIN THIS SUBDIVISION. THE COMMON AREAS ARE NOT RESIDENTIAL LOTS. OTHER THAN DRIVEWAYS, PATHS, UTILITIES, AND UTILITY STRUCTURES, NO CONSTRUCTION SHALL OCCUR WITHIN THE COMMON AREAS.
- 13) FOR BUILDING CODE PURPOSES, THE MINIMUM SEPARATION DISTANCE BETWEEN BUILDINGS WITHIN THE COMMON AREAS AND BUILDINGS ON ADJACENT INTERIOR LOTS SHALL BE DETERMINED BY MEASURING THE MINIMUM REQUIRED FIRE SEPARATION DISTANCE FOR THE COMMON AREA BUILDINGS FROM 1) THE INTERIOR LOT LINE, OR 2) TO AN IMAGINARY LINE LOCATED AT LEAST 3 FEET FROM THE FURTHEST PROJECTION OF BUILDINGS ON THE INTERIOR LOTS, WHICHEVER YIELDS THE GREATEST SEPARATION DISTANCE.
- 14) THIS SUBDIVISION PROVIDES FOR AFFORDABLE HOUSING IN ACCORDANCE WITH SJCC 16.55.205.C.

DECLARATION

WE, OPAL COMMUNITY LAND TRUST AND PETER C. FISHER, BEING THE OWNERS OF RECORD OF THE LAND HEREIN DESCRIBED, HEREBY DECLARE THIS BINDING SITE PLAN AND DEDICATE THOSE EASEMENTS HEREIN IN FAVOR OF THE INDICATED PARCELS/LOTS/AND OR PARTIES. THIS INCLUDES THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS AND TRACTS AND IN ANY REASONABLE GRADING OR ROADS, RIGHT-OF-WAY AND EASEMENTS AND HEREBY WAIVES ALL CLAIMS FOR DAMAGES AGAINST ANY GOVERNMENTAL AUTHORITY WHICH MAY BE OCCASIONED TO ADJACENT LAND BY ESTABLISHED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF SUCH RIGHTS-OF-WAY AND EASEMENTS.

ELISABETH C. BYERS, EXECUTIVE DIRECTOR
OPAL COMMUNITY LAND TRUST

PETER C. FISHER

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF SAN JUAN)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT ELISABETH C. BYERS, EXECUTIVE DIRECTOR OF OPAL COMMUNITY LAND TRUST, SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HER FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

SIGNATURE OF NOTARY PUBLIC _____ DATE _____

MY APPOINTMENT EXPIRES _____

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF SAN JUAN)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT PETER C. FISHER SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

SIGNATURE OF NOTARY PUBLIC _____ DATE _____

MY APPOINTMENT EXPIRES _____

COUNTY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS "WILD ROSE MEADOW GENERAL AND SPECIFIC BINDING SITE PLAN" HAS BEEN EXAMINED AND THAT ALL OF THE REQUIREMENTS AND OF THE TECHNICAL REVIEW COMMITTEE HAVE BEEN PROVIDED FOR AND IS HEREBY APPROVED BY THE DEPARTMENT OF PUBLIC WORKS THIS _____ DAY OF _____, 2008.

ENGINEER, SAN JUAN COUNTY, WASHINGTON

HEARING EXAMINER CERTIFICATE

THE PRELIMINARY PLAT AND BINDING SITE PLAN ARE APPROVED SUBJECT TO THE CONDITIONS SET FORTH IN THE FINDINGS, CONCLUSIONS AND DECISION FORM HEARING EXAMINER FILE NUMBER HE09-08 (07LP003 07BSP001)

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2008.

HEARING EXAMINER, SAN JUAN COUNTY WASHINGTON

COUNTY AUDITOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS "WILD ROSE MEADOW GENERAL AND SPECIFIC BINDING SITE PLAN" WAS FILED FOR RECORD IN THE OFFICE OF THE AUDITOR OF SAN JUAN COUNTY, WASHINGTON, AT THE REQUEST OF LARRY STEELE AND ASSOCIATES ON THIS _____ DAY OF _____, 2008.

UNDER AUDITOR'S FILE NUMBER _____.

AUDITOR, SAN JUAN COUNTY, WASHINGTON

COUNTY TREASURER'S CERTIFICATE

I, _____, TREASURER OF SAN JUAN COUNTY, WA, DO HEREBY CERTIFY THAT ALL TAXES REQUIRED BY LAW TO BE PAID UPON THAT PORTION OR REAL ESTATE EMBRACED WITHIN THIS "WILD ROSE MEADOW GENERAL AND SPECIFIC BINDING SITE PLAN", AND ALL DELINQUENT ASSESSMENTS HAVE BEEN FULLY PAID AS SHOWN IN THE RECORDS OF MY OFFICE THIS _____ DAY OF _____, 2008.

TREASURER, SAN JUAN COUNTY, WASHINGTON

ADMINISTRATOR'S CERTIFICATE

THIS BINDING SITE PLAN CONFORMS TO THE REQUIREMENTS ESTABLISHED BY THE SAN JUAN COUNTY UNIFIED DEVELOPMENT CODE.

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2008.

ADMINISTRATOR OF PLATS / DIRECTOR
OF COMMUNITY DEVELOPMENT AND PLANNING DEPARTMENT
SAN JUAN COUNTY, WASHINGTON

HEALTH DEPARTMENT CERTIFICATE

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2008.

SANITARIAN, SAN JUAN COUNTY, WASHINGTON

LAND SURVEYOR CERTIFICATION

I HEREBY CERTIFY THAT THIS "WILD ROSE MEADOW GENERAL AND SPECIFIC BINDING SITE PLAN" WAS PREPARED UNDER MY DIRECTION, AND IS BASED UPON AN ACTUAL FIELD SURVEY AT THE REQUEST OF OPAL COMMUNITY LAND TRUST IN APRIL 2008; THAT THE TECHNICAL DATA IS CORRECTLY SHOWN THEREON; AND THAT ALL REQUIRED MONUMENTS AND/OR PARCEL CORNER MARKERS WILL BE SET AT THE DESIGNATED POINTS SHOWN ON THE PLAN PRIOR TO ISSUANCE OF ANY AND ALL FINAL BUILDING OCCUPANCY PERMITS.

LAWRENCE W. STEELE, P.L.S. CERTIFICATE NO. 13138



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| AMENDED | | | |
| WILD ROSE MEADOW LONG PLAT SUBDIVISION | | | |
| A GENERAL AND SPECIFIC BINDING SITE PLAN | | | |
| SCALE: 1" = 40' | APPROVED BY: | DRAWN BY: EAK | |
| DATE: 12/22/2008 | LUB | EK 64/1-14 | REVISED: 5/18/2008 |
| PTN. OF SE 1/4 OF THE SE 1/4 SEC. 11, TWP. 37 N., RGE. 2 W., WM. 1, SAN JUAN COUNTY, WASHINGTON | | | JOB NUMBER: 10106 SHEET 1 OF 2 |