

# "OPAL COMMONS"

A PRIVATE SUBDIVISION:  
on Orcas Island, San Juan County, Washington.

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE LANDS HEREIN PLATTED OF OUR OWN FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRE DO HEREBY DECLARE THIS TO BE THE SUBDIVISION AND PLAT OF "OPAL COMMONS" AND GRANT TO THE LOT LEASEHOLDERS, EMERGENCY SERVICES, AND UTILITY COMPANIES A NON-EXCLUSIVE EASEMENT OVER AND ACROSS THE COMMON AREA DESIGNATED AND SHOWN HEREON AS A MEANS OF INGRESS AND EGRESS AND FOR THE LOCATION, INSTALLATION AND MAINTENANCE OF ROADWAYS, DRIVEWAYS, PARKING AREAS, PEDESTRIAN TRAILS, COMMON BUILDINGS, DRAINAGE SHALES, DETENTION BASINS, VEGETATIVE BUFFERS, AND UTILITIES; WITH THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN ON THE PLAT, IN THE REASONABLE GRADING OF ALL ROADS AND WAYS; ALSO THE RIGHT TO DRAIN ALL ROADS AND WAYS OVER AND ACROSS ANY LOT WHERE THE WATER MIGHT TAKE A NATURAL COURSE AFTER THE ROADS AND WAYS ARE GRADED.

ALSO WE DEDICATE TO THE LOT LEASEHOLDERS, FOR THE COMMON USE BY THE LOT LEASEHOLDERS, THE COMMON AREA SHOWN HEREON.

AND WE DEDICATE TO SAN JUAN COUNTY THAT CERTAIN 20-FOOT WIDE RIGHT-OF-WAY FOR BLANCHARD ROAD AS SHOWN HEREON TOGETHER WITH THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE COMMON AREA SHOWN ADJACENT TO THE COUNTY ROADS IN THE REASONABLE CONSTRUCTION AND MAINTENANCE OF SAID COUNTY ROADS AND THE RIGHT TO DRAIN SAID COUNTY ROADS OVER AND ACROSS THE COMMON AREA AND ANY LOT WHERE THE WATER MIGHT TAKE A NATURAL COURSE AFTER SAID ROADS ARE GRADED.

ALSO THE EASEMENTS HEREBY CREATED AND PROVIDED FOR ARE PRIVATELY OWNED AND THE COUNTY OF SAN JUAN IS NOT RESPONSIBLE FOR THE CONSTRUCTION OR MAINTENANCE OF ANY FACILITIES LOCATED THEREON; AND THAT ALL PERSONS ACQUIRING LEASEHOLDS WITHIN THE SUBDIVISION AGREE TO HOLD SAID COUNTY HARMLESS FROM ALL COSTS FOR CONSTRUCTION AND/OR MAINTENANCE THEREOF.

IN WITNESS WHEREOF, WE HAVE SET OUR HANDS THIS 15 DAY OF JUNE, 1993

OPAL COMMUNITY LAND TRUST

PRESIDENT

SECRETARY

TREASURER

IN WITNESS WHEREOF, WE HAVE SET OUR HANDS THIS 14 DAY OF JUNE, 1993

WASHINGTON STATE DEPARTMENT OF COMMUNITY DEVELOPMENT (HOUSING DIVISION)

*William R. Pugh*  
OFFICER

*Kate Heimbeck*, Asst. Director  
OFFICER

## ACKNOWLEDGEMENTS

STATE OF San Juan } :ss  
COUNTY OF San Juan

THIS IS TO CERTIFY THAT ON THIS 15th DAY OF JUNE, 1993, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SHOWN PERSONALLY APPEARED C. Samuel Haines, Michael Sky AND John Givens RESPECTIVELY, OF OPAL COMMUNITY LAND TRUST, A WASHINGTON CORPORATION, THE CORPORATION THAT EXECUTED THE FOREGOING DEDICATION AS ITS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED. WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST WRITTEN ABOVE.

STATE OF WASHINGTON } :ss  
COUNTY OF San Juan

THIS IS TO CERTIFY THAT ON THIS 14th DAY OF JUNE, 1993, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SHOWN PERSONALLY APPEARED William R. Pugh AND Kate Heimbeck RESPECTIVELY, OF WASHINGTON STATE DEPARTMENT OF COMMUNITY DEVELOPMENT, A STATE AGENCY, THE STATE AGENCY THAT EXECUTED THE FOREGOING DEDICATION AS ITS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED. WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST WRITTEN ABOVE.

*William R. Pugh*  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT Bellevue

## LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 31 NORTH, RANGE 2 WEST, 4TH, LYING WESTERLY OF COUNTY ROAD NO. 222 (SEAVIEW STREET) AS SHOWN ON THE PLAT OF GRANTSLANDIA, RECORDED IN VOLUME 4 OF PLATS AT PAGE 13, IN THE OFFICE OF THE AUDITOR OF SAN JUAN COUNTY, WASHINGTON AND NORTHERLY OF THE NORTH BOUNDARY OF THE PLAT OF BUENA VISTA HEIGHTS, RECORDED IN VOLUME 1 OF PLATS AT PAGE 66 AND AS MODIFIED BY BOUNDARY LINE AGREEMENT, RECORDED APRIL 15, 1980 IN VOLUME 65 OF OFFICIAL RECORDS AT PAGE 344, UNDER AUDITOR'S FILE NO. 111010, RECORDS OF SAN JUAN COUNTY, WASHINGTON.

EXCEPT COUNTY ROAD NO. 89 (BLANCHARD ROAD) THEREFROM.

SITUATE IN SAN JUAN COUNTY, WASHINGTON.

## RESTRICTIONS AND COVENANTS

1. 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 OUTBUILDINGS. NO LOT SHALL BE OTHERWISE OCCUPIED UNLESS THE LEASEHOLDER THEREOF 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 EFFECTED BY WRITTEN APPLICATION TO THE PLAT ADMINISTRATOR WHO SHALL BE RESPONSIBLE FOR COORDINATING THE REVIEW OF SUCH REQUESTS AND FOR MAKING THE REQUIRED DETERMINATION.
2. ALL BUILDINGS SHALL BE SET BACK A MINIMUM OF 40 FEET FROM THE CENTERLINE OF ANY PUBLIC ROAD RIGHT-OF-WAY AND AS REQUIRED BY THE UNIFORM BUILDING CODE.
3. IN CASES WHERE PRIVATE DEED RESTRICTIONS ARE IN CONFLICT WITH THE RESTRICTIONS WHICH APPEAR ON THE FACE OF THIS PLAT, THE MORE RESTRICTIVE PROVISIONS SHALL GOVERN. HOWEVER, THE COUNTY SHALL NOT BE A PARTY TO ANY PRIVATE RESTRICTIONS.
4. MAINTENANCE OF THE COMMON AREA SHOWN HEREON, TOGETHER WITH MAINTENANCE OF ALL IMPROVEMENTS THEREON, INCLUDING: COMMONLY OWNED FACILITIES, COMMON DRIVEWAYS, COMMON PARKING AREAS, PEDESTRIAN TRAILS, BUILDINGS LOCATED ON THE COMMON AREA, DRAINAGE SHALES, DETENTION BASINS AND VEGETATIVE BUFFERS SHALL BE THE RESPONSIBILITY OF THE OPAL COMMUNITY LAND TRUST IN ACCORDANCE WITH THE BYLAWS THEREOF.
5. NO TREES SHALL BE REMOVED FROM THE VEGETATIVE BUFFERS SHOWN HEREON UNLESS SAID TREES ARE THREE INCHES OR LESS IN DIAMETER (AT FOUR FEET ABOVE GRADE) OR ARE DETERMINED TO BE DISEASED OR HAZARDOUS.
6. BUILDINGS WITHIN THIS SUBDIVISION SHALL BE LIMITED TO TWO STORIES IN HEIGHT.
7. WATER SERVICE FOR THIS SUBDIVISION IS PROVIDED BY A DISTRIBUTION SYSTEM MAINTAINED BY THE EASTSOUND WATER USERS ASSOCIATION IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ASSOCIATION'S CURRENT BYLAWS.
8. ALL UTILITIES SHALL BE PLACED UNDERGROUND.

## ADMINISTRATOR'S CERTIFICATE

EXAMINED AND APPROVED THIS 15th DAY OF JUNE, 1993

*John Givens*  
SAN JUAN COUNTY PLANNING DIRECTOR

## BOARD OF COUNTY COMMISSIONER'S CERTIFICATE

EXAMINED AND APPROVED THIS 16th DAY OF JUNE, 1993

*Thomas R. Lewis*  
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST: *James J. Macoslen*  
CLERK OF THE BOARD

## HEALTH DEPARTMENT'S CERTIFICATE

EXAMINED AND APPROVED THIS 15th DAY OF JUNE, 1993

*Karen B. Bump*  
SAN JUAN COUNTY SANITARIAN

## COUNTY ENGINEER'S CERTIFICATE

EXAMINED AND APPROVED THIS 16th DAY OF JUNE, 1993

*Ronald B. Lewis*  
SAN JUAN COUNTY ENGINEER

## TREASURER'S CERTIFICATE

ALL TAXES LEVIED FOR THE CURRENT YEAR, 1993, AND ANY DELINQUENT TAXES WHICH HAVE BECOME A LIEN UPON THE LANDS DESCRIBED HEREIN HAVE BEEN FULLY PAID AND DISCHARGED ACCORDING TO THE RECORDS OF MY OFFICE. IF ANY PENALTY FEES ARE DUE UNDER THE PROVISIONS OF THE OPEN SPACE LAW (CHAPTER 84.34 RCW), THIS DOES NOT GUARANTEE THAT THEY HAVE BEEN PAID.

6/15/93  
DATE

*Katherine M. Surabes, Dep.*  
SAN JUAN COUNTY TREASURER

## SURVEYOR'S CERTIFICATE

THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY SUPERVISION IN CONFORMANCE WITH THE REQUIREMENTS OF SAN JUAN COUNTY RESOLUTION NO. 274-1980, AS AMENDED, AND THE WASHINGTON STATE SURVEY RECORDING ACT IN MAY 1993 USING A ONE SECOND TOPCON GTS-3B TOTAL STATION WITH ELECTRONIC DISTANCE METER SPECIFICATIONS OF (BMM +/- 3PPM) TO PERFORM ALL FIELD MEASUREMENTS WITH SUBSEQUENT ADJUSTMENTS BY WEIGHTED LEAST SQUARES METHOD.

*Curtis A. Johnson*

JUNE 10, 1993

CURTIS A. JOHNSON, PLS  
CERTIFICATE NO. 24222  
EASTSOUND, WASHINGTON

DATE

## AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 16th DAY OF JUNE, 1993 AT 9:50 A.M. IN VOLUME 5 OF PLATS AT PAGES 60 + 62A, AT THE REQUEST OF OPAL COMMUNITY LAND TRUST.

A.F.N. 93187716

*Merck P. Pugh*  
SAN JUAN COUNTY AUDITOR

NOTE: THE ORIGINAL STATEMENT OF DISCLOSURE FOR THIS SUBDIVISION HAS BEEN FILED IN THE COUNTY AUDITOR'S OFFICE UNDER FILE NO. 93187716 AND MAY BE EXAMINED UPON REQUEST. THIS DISCLOSURE STATEMENT CONTAINS ADDITIONAL INFORMATION REGARDING WATER AVAILABILITY AND SEWAGE DISPOSAL, AS WELL AS OTHER ITEMS OF IMPORTANCE REGARDING THIS PROPERTY.

