

Ordinance No. 122624

Council Bill No. 116128

AN ORDINANCE approving and confirming the plat of "Wyn Gale's 3rd Addition to the City of Seattle" in a portion of Section 4, Township 24 North, Range 4 East, W.M., in King County, Washington.

CF No. _____

| | | |
|------------------------------|----------------------|---|
| Date Introduced: | <u>1-28-08</u> | |
| Date 1st Referred: | To: (committee) | |
| <u>1-28-08</u> | <u>Full Council</u> | |
| Date Re - Referred: | To: (committee) | |
| Date Re - Referred: | To: (committee) | |
| Date of Final Passage: | Full Council Vote: | |
| <u>2-4-08</u> | <u>9-0</u> | |
| Date Presented to Mayor: | Date Approved: | |
| <u>2-5-08</u> | <u>2-7-08</u> | |
| Date Returned to City Clerk: | Date Published: | T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/> |
| <u>2-8-08</u> | <u>4</u> | |
| Date Vetoed by Mayor: | Date Veto Published: | |
| Date Passed Over Veto: | Veto Sustained: | |

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: *Samy S. Cram*
Councilmember

Committee Action:

This file is complete and ready for presentation to Full Council. Committee: _____
(initial/date)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

January 8, 2008

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that approves a unit lot subdivision. The subdivision divides six existing parcels into 17-unit lots at 1647 S Lane Street. The subdivision, which is in the Jackson Park neighborhood between S Lane Street and S Dearborn Street, includes four single-family residences, five two-unit townhouses, and one three-unit townhouse.

Development of the site was approved under Master Use Permit (MUP) 2500947, which was issued on November 14, 2007. After a public hearing on June 7, 2006, the Hearing Examiner issued an approval of the preliminary unit lot subdivision subject to certain conditions that have now been met. The Directors of the Seattle Department of Transportation and the Department of Planning and Development have approved the final drawing of the subdivision and reported it meets all the requirements of the state platting law and the Seattle Municipal Code, except for the execution of the required certifications by the King County Assessor and the King County Comptroller.

Thank you for your consideration of this legislation. Should you have questions, please contact Joe Bell at 684-5572.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a printed name and title.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



ORDINANCE 122624

1
2 AN ORDINANCE approving and confirming the plat of "Wyngale's 3rd Addition to the City of
3 Seattle" in a portion of Section 4, Township 24 North, Range 4 East, W.M., in King
4 County, Washington.

5 WHEREAS, a proposed plat of "Wyngale's 3rd Addition to the City of Seattle" has been
6 submitted for approval (Subdivision Application No. 2500947); and

7 WHEREAS, following the review thereof by the various City departments having jurisdiction in
8 the matter and by the Hearing Examiner of the City of Seattle, the Hearing Examiner
9 recommended approval subject to certain conditions on June 19, 2006; and

10 WHEREAS, the Director of Transportation and the Director of the Department of Planning and
11 Development have approved the final drawing of the unit lot subdivision and have
12 reported that the final drawing meets all of the requirements of the State platting law
13 (RCW Ch. 58.17) and of the Seattle Municipal Code (SMC Ch. 23.22), except for the
14 execution of the required certifications by the King County Assessor and the King County
15 Comptroller; and

16 WHEREAS, the Director of Transportation and the Director of the Department of Planning and
17 Development have approved the final plat with the attachments in C.F. No. 307278, and
18 report that the plat of "Wyngale's 3rd Addition to the City of Seattle" is now complete and
19 ready for City Council approval; NOW, THEREFORE,

20 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

21 Section 1. With respect to the plat of "Wyngale's 3rd Addition to the City of Seattle", a
22 platting of a portion of the Southeast Quarter of the Northwest and Southwest Quarters of
23 Section 4, Township 24 North, Range 4 East, W.M., King County, Washington, described as
24 follows:

25 **Parcel 1: TAX ID #332000-0815**

26 LOTS 5 AND 6, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE
27 SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51,
28 RECORDS OF KING COUNTY, WASHINGTON.



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Parcel 2: TAX ID #332000-0825

LOT 7, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE
SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51,
RECORDS OF KING COUNTY, WASHINGTON.

Parcel 3: TAX ID #332000-0830

LOT 8, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE
SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51,
RECORDS OF KING COUNTY, WASHINGTON.

Parcel 4: TAX ID #332000-0835

LOT 9, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE
SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51,
RECORDS OF KING COUNTY, WASHINGTON.

Parcel 5: TAX ID #332000-0840

LOTS 10 AND 11, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF
SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS,
PAGE 51, RECORDS OF KING COUNTY, WASHINGTON.

Parcel 6: TAX ID #332000-0850

LOT 12, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE
SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51,
RECORDS OF KING COUNTY, WASHINGTON.

also together with any interest in abutting streets, as executed by Wyngale Homes, Inc., a
Washington State Corporation, and approved by the Director of Transportation and the Director
of the Department of Planning and Development, the following findings are hereby made:

(a) The unit lot subdivision is in substantial conformance with the approved preliminary
unit lot subdivision;

(b) When both the King County Assessor and King County Comptroller have affixed
their certifications as required by RCW 58.17.160(4), the requirements of State law and City



1 ordinances which were in effect at the time of preliminary plat approval will also have been
2 satisfied by the subdivider; and

3 (c) The public use and interest will be served by the establishment of the unit lot
4 subdivision, and the plat makes appropriate provision for the public health, safety and general
5 welfare.

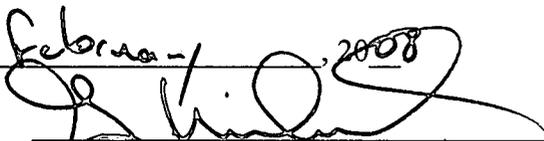
6
7 Section 2. The plat of "Wyngale's 3rd Addition to the City of Seattle", a subdivision of a
8 portion of the Southeast Quarter of the Northwest and Southwest Quarters of Section 4,
9 Township 24 North, Range 4 East, W.M., King County, Washington, is in all respects approved
10 and the plat confirmed and accepted, subject to certification by the King County Assessor and
11 King County Comptroller, and the City Clerk is hereby authorized and directed to execute a
12 certificate upon the face of such plat attesting to the approval thereof as evidenced by enactment
13 of this ordinance.
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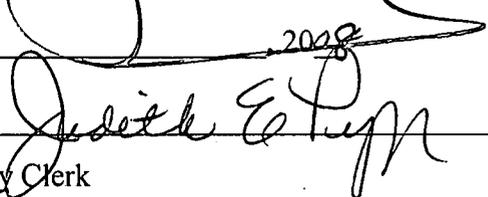


1 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 4th day of February, 20 08, and
5 signed by me in open session in authentication of its passage this
6
7 4th day of February, 20 08.

8
9
10 
President _____ of the City Council

11 Approved by me this 7th day of February, 2008
12
13 
14 Gregory J. Nickels, Mayor

15 Filed by me this 8th day of February, 2008
16
17 
18 City Clerk

19 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

| Department: | Contact Person/Phone: | DOF Analyst/Phone: |
|--------------------------------------|------------------------------|---------------------------|
| Seattle Department of Transportation | Tammy Frederick 615-0927 | Stephen Barham 733-9084 |

Legislation Title:

AN ORDINANCE approving and confirming the plat of "Wyngale's 3rd Addition to the City of Seattle" in a portion of Section 4, Township 24 North, Range 4 East, W.M., in King County, Washington.

• **Summary of the Legislation:**

This legislation approves a 17-unit lot subdivision of property located at 1647 S Lane Street in the Jackson Place neighborhood. The Department of Planning and Development has recommended approval, and the Hearing Examiner held a public hearing on June 7, 2006, and approved the preliminary unit lot subdivision on June 19, 2006, subject to certain conditions which have now been met.

• **Background:**

The unit lot subdivision relates to subdividing six existing parcels into 17-unit lots which will consist of four single-family residences with attached garages, five two-unit townhouses, and one three-unit townhouse. The subdivision is consistent with zoning in the area and will promote home ownership and tenancy stability within the neighborhood. The parcels are a platted lot that was previously approved under Master Use Permit (MUP) 2500947 issued on November 14, 2007.

X This legislation does not have any financial implications.



STATE OF WASHINGTON - KING COUNTY

--SS.

220383
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

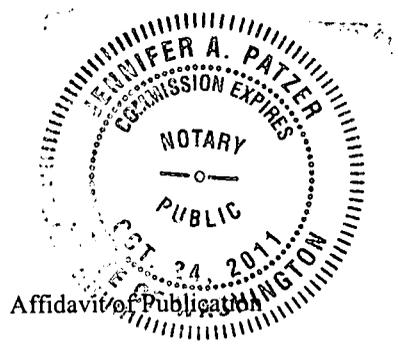
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122624 & 122625

was published on

02/11/08

The amount of the fee charged for the foregoing publication is the sum of \$ 35.13, which amount has been paid in full.



[Signature]
Subscribed and sworn to before me on
02/11/08
[Signature]
Notary Public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on February 4, 2008, and published here by title only, will be mailed upon request, or can be accessed electronically at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 122625

AN ORDINANCE Appropriating money to pay certain audited claims and ordering the payment thereof.

ORDINANCE NO. 122624

AN ORDINANCE approving and confirming the plat of "Wynale's 3rd Addition to the City of Seattle" in a portion of Section 4, Township 24 North, Range 4 East, W.M., in King County, Washington.

Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily
Journal of Commerce, February 11, 2008.
2/11(220388)

UNIT SUBDIVISION NO. 2500947

**WYNGALE'S 3rd
ADDITION TO THE CITY OF SEATTLE**

GRANTOR (Owners): WYNGALE HOMES, INC. CONTACT PERSON: RICHARD SELLERS
4102 LINDEN AVE. N. #302
GRANTEE: CITY OF SEATTLE SEATTLE, WA 98103
KING COUNTY, WASHINGTON PH. 206-547-4232

APPROVALS

CITY OF SEATTLE, SEATTLE DEPARTMENT OF TRANSPORTATION

EXAMINED AND APPROVED BY ME THIS _____ DAY OF _____ 2007.

DIRECTOR OF SEATTLE DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF PLANNING AND DEVELOPMENT

EXAMINED AND APPROVED BY ME THIS _____ DAY OF _____ 2007.

DIANE SUGIMURA,
DIRECTOR OF PLANNING AND DEVELOPMENT

CITY OF SEATTLE, CITY CLERK

I HEREBY CERTIFY THAT WITHIN THE PLAT OF WYNGALE'S 3RD ADDITION TO THE CITY OF SEATTLE WAS DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEATTLE BY ORDINANCE NO. APPROVED THE _____ DAY OF _____, 2007.

CITY CLERK

CITY OF SEATTLE, DEPARTMENT OF EXECUTIVE ADMINISTRATION

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT ASSESSMENTS, AND ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS, OR OTHER PUBLIC USE, ARE PAID IN FULL. THIS _____ DAY OF _____, 2007.

DIRECTOR, DEPARTMENT OF EXECUTIVE ADMINISTRATION

DEPARTMENT OF RECORDS AND ELECTIONS

FILED FOR RECORD AT THE REQUEST OF THE DIRECTOR OF SEATTLE TRANSPORTATION THIS _____ DAY OF _____, 2007, AT _____ MINUTES PAST _____ M, AND RECORDED IN VOLUME _____ OF PLATS, PAGE _____, RECORDS OF KING COUNTY, WASHINGTON.

MANAGER

SUPERINTENDENT OF RECORDS

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF WYNGALE'S 3RD ADDITION TO THE CITY OF SEATTLE IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON; THAT THE BEARINGS AND DISTANCES ARE CORRECTLY SHOWN; THAT THE MONUMENTS WILL BE SET AND THE LOT AND BLOCK CORNERS WILL BE STAKED CORRECTLY UPON THE GROUND AT THE COMPLETION OF THE PROJECT, AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE STATUTES AND PLATTING REGULATIONS.



BLE
BRENT L. EBLE
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 30581

DEDICATION

WE THE UNDERSIGNED OWNER OR OWNERS OF THE INTEREST IN THE REAL PROPERTY DESCRIBED HEREIN, HEREBY DECLARE THIS PLAT AND DO NOT DEDICATE TO THE USE OF THE PUBLIC ANY STREETS, AVENUES, ALLEYS, PARKS OR PLAYGROUNDS.

IN WITNESS WHEREOF, Developer has hereunto set its hand and seal the day and year first above written.

DEVELOPER:
WYNGALE HOMES, INC.
a Washington Corporation

By: Richard Sellers
Richard Sellers, President

ACKNOWLEDGEMENT

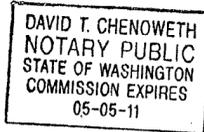
STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

THIS IS TO CERTIFY that on this 12th day of November, 2005, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, came Richard Sellers, personally known or having presented satisfactory evidence to be the President of Wyngale Homes, Inc. a Washington Corporation, that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument on behalf of said corporation.

WITNESS MY HAND and official seal the day and year in this certificate first above written.

Print Name: David T. Chenoweth
Notary Public in and for the
State of Washington, residing at Seattle

Expiration Date: 05-05-2011



CONDITIONS - UNIT SUBDIVISION

EACH UNIT LOT IS NOT A SEPARATE BUILDABLE LOT, AND ADDITIONAL DEVELOPMENT OF THE INDIVIDUAL UNIT LOTS MAY BE LIMITED AS A RESULT OF THE APPLICATION OF DEVELOPMENT STANDARDS TO THE PARENT LOT.

SUBSEQUENT PLATTING ACTIONS, ADDITIONS OR MODIFICATIONS TO THE STRUCTURE(S) MAY NOT CREAT OR INCREASE ANY NON-CONFORMITY OF THE PARENT PLAT.

APPROVALS

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED BY ME THIS _____ DAY OF _____ 2007.

KING COUNTY ASSESSOR

DEPUTY KING COUNTY ASSESSOR

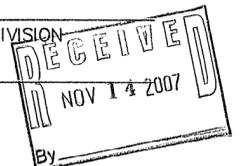
KING COUNTY COMPTROLLER

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION, AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS, OR OTHER PUBLIC USE, ARE PAID IN FULL. THIS _____ DAY OF _____, 2007.

OFFICE OF THE COMPTROLLER
TREASURY DIVISION

MANAGER, FINANCE DIVISION

DEPUTY

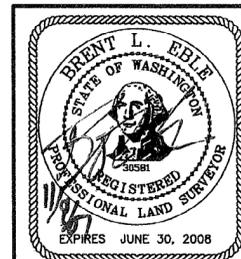


EMERALD LAND SURVEYING, INC.

PO BOX 13694 MILL CREEK, WA. 98082
PH. (425) 359-7198
Email: emeraldpls@aol.com

SURVEY IN N.W. 1/4, S.W. 1/4,
SEC. 4, T. 24N., R. 4E.

| | | |
|------------------|--------------------|------------------|
| DWN. BY: HMM | DATE: 11/1/07 | JOB NO. 04001 |
| CHK. BY: EBLE | SCALE: 1" = 20' | SHEET 1 OF 7 |



RECORD OF SURVEY

Wyngale Homes, Inc.
1639-1647 S. Lane Street
Seattle, WA

LEGAL DESCRIPTION

PARCEL #332000-0815

LOTS 5 AND 6, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL #332000-0825

LOT 7, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL #332000-0830

LOT 8, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL #332000-0835

LOTS 9, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL #332000-0840

LOTS 10 AND 11, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL #332000-0850

LOT 12, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON.

JOINT USE/MAINTENANCE AGREEMENT

WITNESSETH: THAT FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN EXPRESSED, IT IS HEREBY AGREED BETWEEN ALL PARTIES HAVING OWNERSHIP INCLUSIVE TO THIS CITY OF SEATTLE UNIT SUBDIVISION THAT:

1) EACH OWNER IS RESPONSIBLE FOR THE MAINTINANCE REPAIR AND WELL KEEPING OF THEIR INDIVIDUAL TOWNHOME. EACH OWNER SHALL KEEP THEIR TOWNHOME AND PROPERTY IN GOOD STATE OF REPAIR, AND WILL KEEP THE DRIVEWAY (PERMANENT EASEMENT FOR INGRESS, EGRESS AND UTILITIES) CLEAR AT ALL TIMES. EASEMENTS HAVE BEEN GRANTED AND ARE PART OF THIS UNIT SUBDIVISION FOR WALKING ACCESS, STREET ENTRY AND PARKING IN DESIGNATED AREAS. ALL OWNERS HAVING LEGAL ACCESS FROM SAID EASEMENTS ARE TO SHARE EQUALLY IN THE MAINTENANCE AND REPAIR OF THE EASEMENT AREAS. LANDSCAPE MAINTENANCE IS THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNER(S), BUT IT IS EXPECTED THAT ALL USERS OF THE ACCESS EASEMENTS WILL DO SO WITH CARE AND RESPECT FOR THE APPEARANCES OF THE WALKWAYS AND DRIVEWAYS.

2) EACH ROOF SHALL BE CARED FOR AND MAINTAINED BY THE OWNER(S) OF THE PROPERTY UPON WHICH THE ROOF IS LOCATED. IN THE EVENT THAT PROPERTY OWNER(S) INTEND TO REPAIR OR REPLACE THEIR ROOF, IT IS HEREBY AGREED THAT THE MATERIALS WILL BE SIMILAR IN TYPE, QUALITY AND COLOR OF THE ORIGINAL ROOF, UNLESS MUTUALLY AGREED UPON. THE COST OF SUCH REPAIR IS THE SOLE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER(S) MAKING THE ROOF REPAIR OR REPLACEMENT. HOWEVER, IN THE EVENT OF A TOTAL ROOF REPLACEMENT FOR A BUILDING WITHIN THIS UNIT SUBDIVISION, THE COSTS WILL BE SHARED EQUITABLY IN BETWEEN THE PROPERTY OWNER(S) IN PROPORTION WITH EACH OWNER(S) AREA OF ROOF ON THAT BUILDING. SUCH A ROOF REPLACEMENT WILL BE REQUIRED EVERY 25 YEARS (OR AS WARRANTED BY THE ROOFING MATERIAL MANUFACTURER) UNLESS DELAYED BY MUTUAL AGREEMENT OF THE OWNER(S) OF THAT BUILDING.

3) SHARED WALL, SIDING AND EXTERIOR TRIM SHALL BE CARED FOR AND MAINTAINED BY THE OWNER(S) OF THE PROPERTY UPON WHICH THE SHARED WALLS, SIDING AND EXTERIOR TRIM IS LOCATED. IN THE EVENT A PROPERTY OWNER INTENDS TO REPAIR OR REPLACE THEIR SHARED WALLS, SIDING AND EXTERIOR TRIM, IT IS HEREBY AGREED THAT THE MATERIALS WILL BE SIMILAR IN TYPE, QUALITY AND COLOR OF THE ORIGINAL WALLS, SIDING AND EXTERIOR TRIM, UNLESS MUTUALLY AGREED UPON. THE COST OF SUCH REPAIR OR REPLACEMENT IS THE SOLE RESPONSIBILITY OF THE OWNER(S) MAKING THE WALLS, SIDING AND EXTERIOR TRIM REPAIR OR REPLACEMENT. HOWEVER, IN THE EVENT OF A TOTAL WALL, SIDING AND/OR EXTERIOR TRIM REPLACEMENT FOR A BUILDING WITHIN THIS SHORT SUBDIVISION, COSTS WILL BE SHARED EQUITABLY BETWEEN THE PROPERTY OWNER(S) IN PROPORTION WITH EACH OWNERS AREA OF WALLS, SIDING AND EXTERIOR TRIM ON THAT BUILDING.

4) THIS AGREEMENT SHALL BE A COVENANT RUNNING WITH THE LAND, AND SHALL BE BINDING UPON ALL AFORMENTIONED PARTY(S) AND THEIR HEIRS, ASSIGNS AND SUCCESSORS FOREVER.

Wyngale's 3rd Addition to the City of Seattle

UTILITY EASEMENT PROVISIONS

THIS EASEMENT GRANTS to the City of Seattle, Seattle City Light (hereafter referred to as Grantee), its successors and assigns, the right, privilege and authority to install, construct, erect, alter, improve, repair, energize, operate and maintain electric overhead and underground distribution facilities at depths not exceeding 15 feet, which consist of poles with braces, guys and anchors, crossarms, transformers, ducts, vaults, manholes, cabinets, containers, conduits, wires and other necessary or convenient appurtenances to make said underground and overhead installations an integrated electric system. All such electrical distribution facilities including the 26 KV padmount switch gear, padmount transformers, and all distribution facilities from the street to the electrical meters to be located across, over, upon and under all Unit Lots within the Wyngale's 3rd Addition to the City of Seattle, situated in the County of King, State of Washington. Together with the right at all times to the Grantee, its successors and assigns, of ingress to and egress from said lands within said plat. The City of Seattle is to be responsible, as provided by law, for any damage through its negligence in the construction, maintenance and operation of said electric system across, over, upon and under said easement area. The rights, title, privileges and authority hereby granted shall continue and be in force until such time as the Grantee, its successors, assigns shall permanently remove said poles, wires and appurtenances from said lands or shall otherwise permanently abandon said electric system, at which time all such rights, title, privileges and authority hereby granted shall terminate.

EMERALD LAND SURVEYING, INC.

PO BOX 13694 MILL CREEK, WA. 98082
PH. (425) 359-7198
Email: emeraldpls@aol.com

SURVEY IN N.W. 1/4, S.W. 1/4,
SEC. 4, T. 24N., R. 4E.

| | | |
|------------------|--------------------|------------------|
| DWN. BY: HMM | DATE: 11/1/07 | JOB NO. 04001 |
| CHK. BY: EBLE | SCALE: 1" = 20' | SHEET 2 OF 7 |

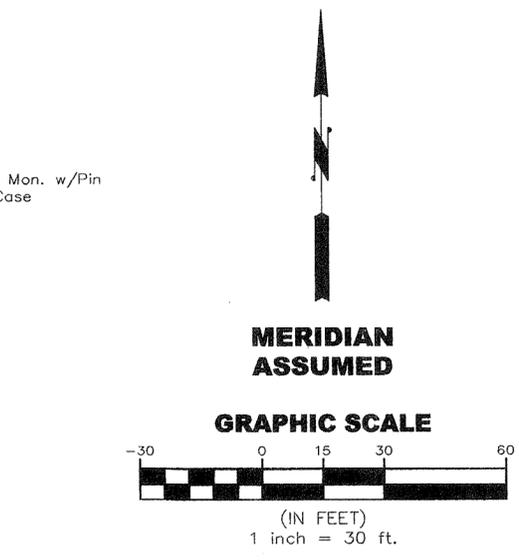
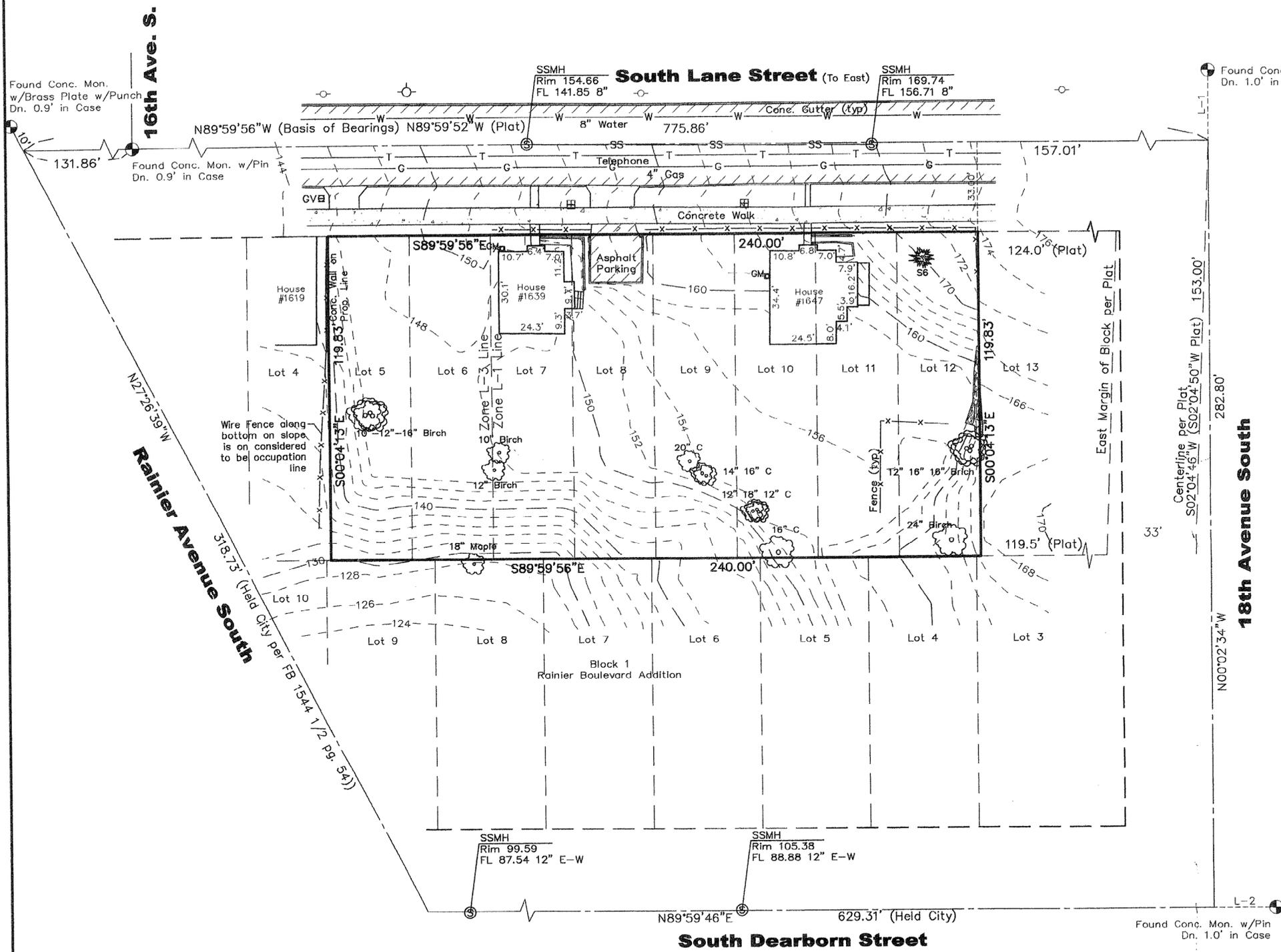


RECORD OF SURVEY

Wyngale Homes, Inc.
1639-1647 S. Lane Street
Seattle, WA

UNIT SUBDIVISION NO. 2500947

**WYNGALE'S 3rd
ADDITION TO THE CITY OF SEATTLE**



TREE DESCRIPTIONS

- S Spruce (Picea)
- C Black Cottonwood (populus trichocarpa)

LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L-1 | N 00°02'34" W | 26.00' |
| L-2 | N 89°58'47" W | 23.00' |

SURVEY NOTES

INSTRUMENT USED: SOKKIA SET 5 EDM
 METHOD USED: FIELD TRAVERSE

APPROXIMATE POINT ACCURACY: ±0.05'

SURVEY MEETS OR EXCEEDS STATE STANDARDS PER WAC 332-130-090.

MONUMENTS SHOWN HEREON WERE VISITED ON JUNE 26, 2006.

THE INFORMATION SHOWN ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE INDICATED DATE AND CAN ONLY BE CONSIDERED AS THE GENERAL EXISTING CONDITION AT THAT TIME.

NO EASEMENTS, RESTRICTIONS OR RESERVATION OF RECORD WHICH WOULD BE DISCLOSED BY A TITLE REPORT ARE SHOWN.

DATUM - NAVD 1988
 CONTOUR INTERVAL - 2 FOOT

CITY BENCH MARK: Found Brass Cap stamped "SNV-2506" 20' south and 0.5' west of intersection back of walk at the southeast corner of South Charles Street and Rainier Avenue South. Elev: 94.83

SITE BM A: Top of Existing Offset Lead & Tack at the NW Corner of the Site. Elev: 145.48

SITE BM B: Top of Existing Offset Lead & Tack at the NE Corner of the Site. Elev: 174.22

ORIGINAL SURVEY PERFORMED BY C&C SURVEYING IN MARCH 1997. THIS SURVEY IS UNRECORDED.

Note:
 Existing structures are to be legally removed prior to sale and/or transfer of ownership.

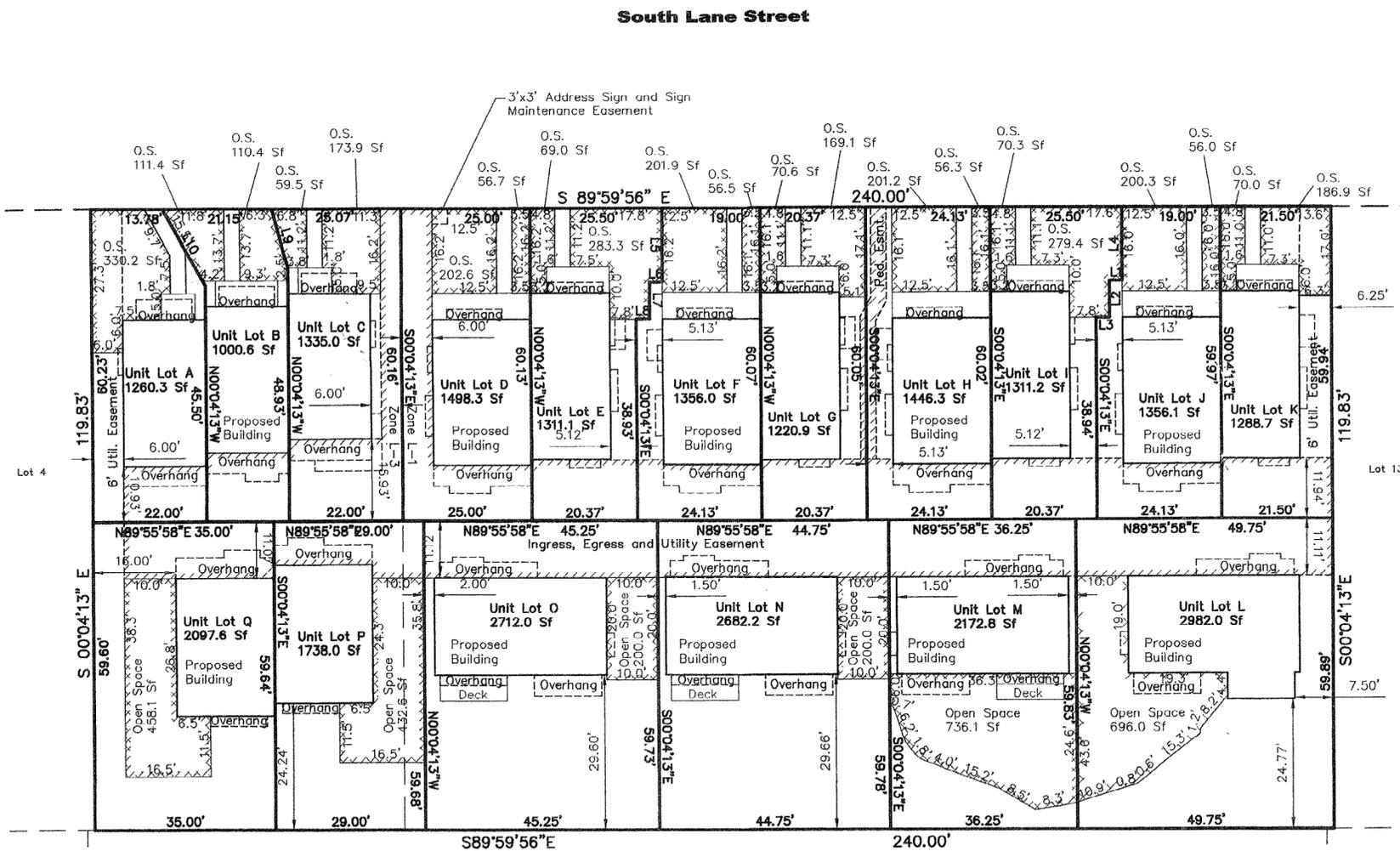
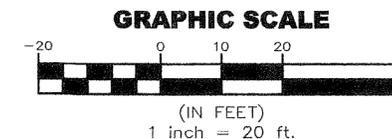
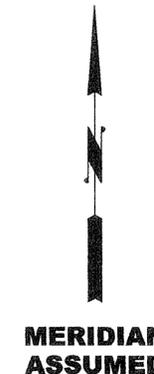
EMERALD LAND SURVEYING, INC.
 PO BOX 13694 MILL CREEK, WA. 98082
 PH. (425) 359-7198
 Email: emeraldpls@aol.com



RECORD OF SURVEY
 Wyngale Homes, Inc.
 1639-1647 S. Lane Street
 Seattle, WA

| | | |
|---|--------------------|------------------|
| SURVEY IN N.W. 1/4, S.W. 1/4, SEC. 4, T. 24N., R. 4E. | | |
| DWN. BY: HMM | DATE: 11/1/07 | JOB NO. 04001 |
| CHK. BY: EBLE | SCALE: 1" = 30' | SHEET 3 OF 7 |

WYNGALE'S 3rd
ADDITION TO THE CITY OF SEATTLE



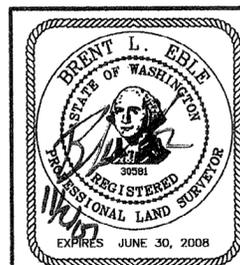
| LINE TABLE | | |
|------------|--------|-------------|
| LINE | LENGTH | BEARING |
| L1 | 2.50 | S89°59'56"E |
| L2 | 7.06 | S00°00'04"W |
| L3 | 2.60 | N89°59'56"W |
| L4 | 14.00 | S00°00'04"W |
| L5 | 14.16 | S00°04'13"E |
| L6 | 2.50 | N89°55'47"E |
| L7 | 7.00 | S00°04'13"E |
| L8 | 2.63 | S89°55'47"W |
| L9 | 11.67 | N15°19'31"W |
| L10 | 16.85 | N29°16'04"W |

Note:
Parking for each Unit Lot is provided
within the proposed buildings.

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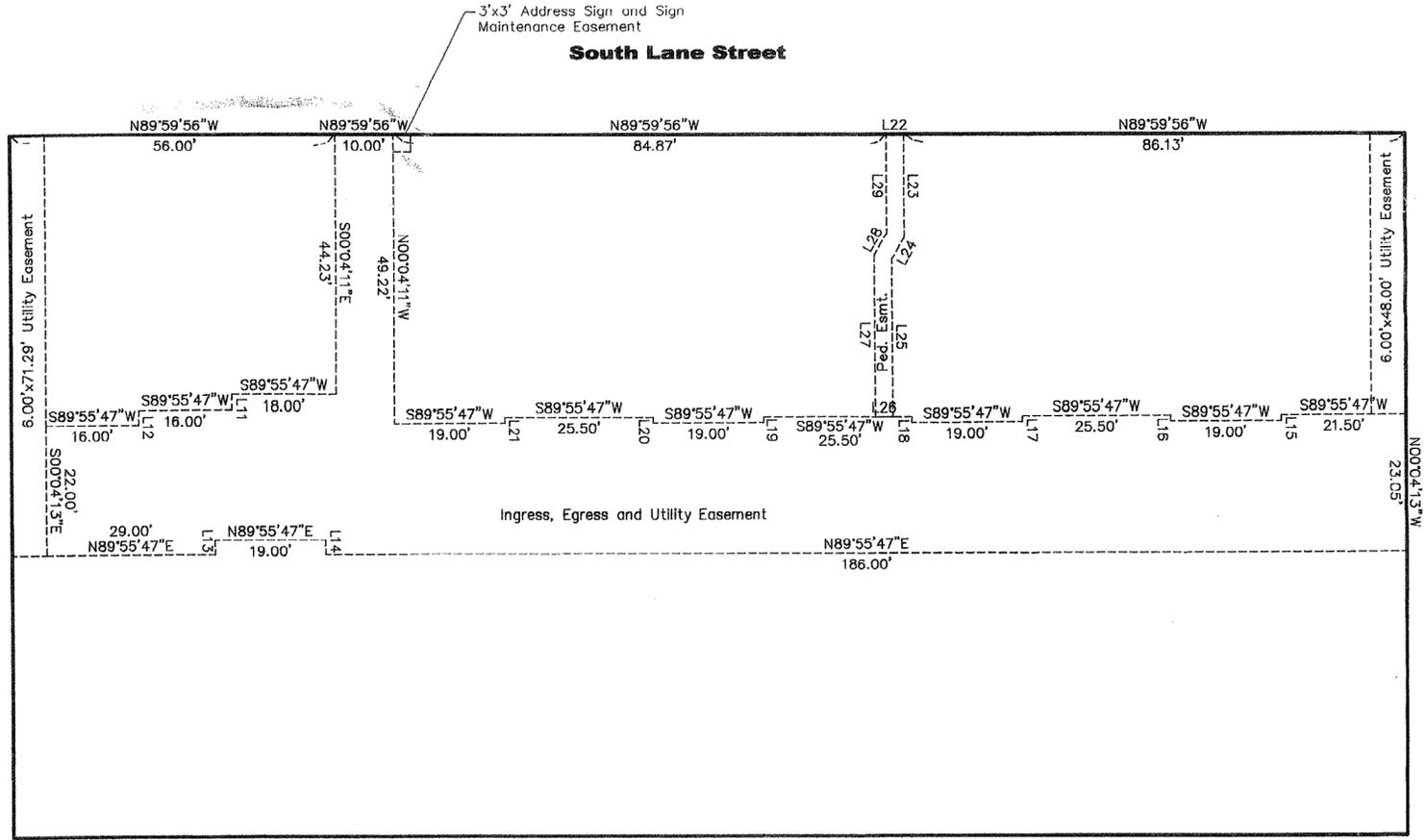
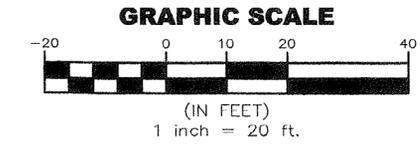
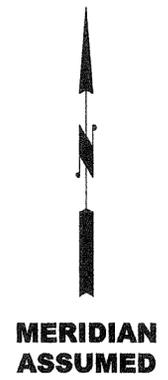
SURVEY IN N.W. 1/4, S.W. 1/4,
 SEC. 4, T. 24N., R. 4E.

| | | |
|------------------|--------------------|------------------|
| DWN. BY: HMM | DATE: 11/1/07 | JOB NO. 04001 |
| CHK. BY: EBLE | SCALE: 1" = 20' | SHEET 4 OF 7 |



RECORD OF SURVEY
 Wyngale Homes, Inc.
 1639-1647 S. Lane Street
 Seattle, WA

WYNGALE'S 3rd
ADDITION TO THE CITY OF SEATTLE



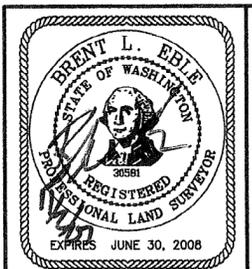
| LINE TABLE | | |
|------------|--------|-------------|
| LINE | LENGTH | BEARING |
| L11 | 2.50 | S00°04'13"E |
| L12 | 2.50 | S00°04'13"E |
| L13 | 2.50 | N00°04'13"W |
| L14 | 2.55 | S00°04'13"E |
| L15 | 1.00 | S00°04'13"E |
| L16 | 1.00 | N00°04'13"W |
| L17 | 1.00 | S00°04'13"E |
| L18 | 1.00 | N00°04'13"W |
| L19 | 1.00 | S00°04'13"E |
| L20 | 1.00 | N00°04'13"W |
| L21 | 1.00 | S00°04'13"E |
| L22 | 3.00 | N89°59'56"W |
| L23 | 17.90 | N00°04'11"W |
| L24 | 4.31 | N29°24'39"E |
| L25 | 26.46 | N00°04'13"W |
| L26 | 3.00 | N89°55'47"E |
| L27 | 27.25 | S00°04'13"E |
| L28 | 4.31 | S29°24'39"W |
| L29 | 17.11 | S00°04'11"E |

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SURVEY IN N.W. 1/4, S.W. 1/4,
SEC. 4, T. 24N., R. 4E.

| | | |
|-----------------|------------------|------------------|
| DWN. BY: HMM | DATE: 11/1/07 | JOB NO. 04001 |
|-----------------|------------------|------------------|

| | | |
|------------------|--------------------|--------------|
| CHK. BY: EBLE | SCALE: 1" = 20' | SHEET 5 OF 7 |
|------------------|--------------------|--------------|



RECORD OF SURVEY
Wyngale Homes, Inc.
1639-1647 S. Lane Street
Seattle, WA

UNIT SUBDIVISION NO. 2500947

**WYNGALE'S 3rd
ADDITION TO THE CITY OF SEATTLE**

INGRESS, EGRESS AND UTILITY EASEMENT DESCRIPTION

UNIT LOTS INCLUSIVE TO CITY OF SEATTLE UNIT SUBDIVISION NUMBER 2500947 ARE SUBJECT TO AND TOGETHER WITH A INGRESS, EGRESS AND UTILITY EASEMENT FOR THE BENEFIT OF SAID UNIT LOTS OVER, UNDER AND ACROSS THAT PORTION OF LOTS 5 THROUGH 12, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5;
 THENCE S 89°59'56" E ALONG THE NORTH MARGIN OF SAID LOTS, 56.00 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE S 0°04'11" E, 44.23 FEET;
 THENCE S 89°55'47" W, 18.00 FEET;
 THENCE S 0°04'13" E, 2.50 FEET;
 THENCE S 89°55'47" W, 16.00 FEET;
 THENCE S 0°04'13" E, 2.50 FEET;
 THENCE S 89°55'47" W, 16.00 FEET;
 THENCE S 0°04'13" E, 22.00 FEET;
 THENCE N 89°55'47" E, 29.00 FEET;
 THENCE N 0°04'13" W, 2.50 FEET;
 THENCE N 89°55'47" E, 19.00 FEET;
 THENCE S 0°04'13" E, 2.55 FEET;
 THENCE N 89°55'47" E, 186.00 FEET TO THE EAST MARGIN OF SAID LOT 12;
 THENCE N 0°04'13" W ALONG SAID MARGIN, 23.05 FEET;
 THENCE S 89°55'47" W, 21.50 FEET;
 THENCE S 0°04'13" E, 1.00 FOOT;
 THENCE S 89°55'47" W, 19.00 FEET;
 THENCE N 0°04'13" W, 1.00 FOOT;
 THENCE S 89°55'47" W, 25.50 FEET;
 THENCE S 0°04'13" E, 1.00 FOOT;
 THENCE S 89°55'47" W, 19.00 FEET;
 THENCE N 0°04'13" W, 1.00 FOOT;
 THENCE S 89°55'47" W, 25.50 FEET;
 THENCE S 0°04'13" E, 1.00 FOOT;
 THENCE S 89°55'47" W, 19.00 FEET;
 THENCE N 0°04'13" W, 1.00 FOOT;
 THENCE S 89°55'47" W, 25.50 FEET;
 THENCE S 0°04'13" E, 1.00 FOOT;
 THENCE S 89°55'47" W, 19.00 FEET;
 THENCE N 0°04'11" W, 49.22 FEET TO THE NORTH MARGIN OF SAID LOTS;
 THENCE N 89°59'56" W ALONG SAID MARGIN, 10.00 FEET TO THE TRUE POINT OF BEGINNING;

SAID EASEMENT TO INCLUDE UNDERGROUND WATER SERVICE LINES.

PEDESTRIAN ACCESS EASEMENT DESCRIPTION

UNIT LOTS INCLUSIVE TO CITY OF SEATTLE UNIT SUBDIVISION NUMBER 2500947 ARE SUBJECT TO AND TOGETHER WITH A PEDESTRIAN ACCESS EASEMENT FOR THE BENEFIT OF SAID UNIT LOTS OVER, UNDER AND ACROSS THAT PORTION OF LOTS 5 THROUGH 12, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5;
 THENCE S 89°59'56" E ALONG THE NORTH MARGIN OF SAID LOTS, 150.87 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE S 0°04'11" E, 17.11 FEET;
 THENCE S 29°24'39" W, 4.31 FEET;
 THENCE S 0°04'13" E, 27.25 FEET;
 THENCE N 89°55'47" E, 3.00 FEET;
 THENCE N 0°04'13" W, 26.46 FEET;
 THENCE N 29°24'39" E, 4.31 FEET;
 THENCE N 0°04'11" W, 17.90 FEET TO THE NORTH MARGIN OF SAID LOTS;
 THENCE N 89°59'56" W ALONG SAID MARGIN, 3.00 FEET TO THE TRUE POINT OF BEGINNING.

UTILITY EASEMENT DESCRIPTIONS

UNIT LOTS INCLUSIVE TO CITY OF SEATTLE UNIT SUBDIVISION NUMBER 2500947 ARE SUBJECT TO AND TOGETHER WITH A UTILITY EASEMENTS FOR THE BENEFIT OF SAID UNIT LOTS OVER, UNDER AND ACROSS THAT PORTION OF LOTS 5 THROUGH 12, BLOCK 37, HILL TRACT ADDITION TO THE CITY OF SEATTLE SUPPLEMENTAL PLAT AS RECORDED IN VOLUME 11 OF PLATS, PAGE 51, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

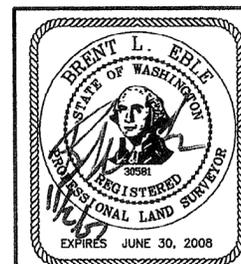
THE WEST 6.00 FEET OF THE NORTH 71.00 FEET OF SAID LOT 5;

AND THE EAST 6.00 FEET OF THE NORTH 48.00 FEET OF SAID LOT 12 THEREOF;

SAID EASEMENTS TO INCLUDE UNDERGROUND WATER SERVICE LINES.

ADDRESS SIGN EASEMENT DESCRIPTION

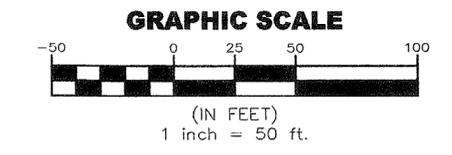
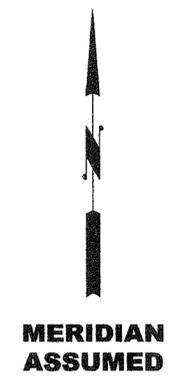
UNIT LOT D, CITY OF SEATTLE UNIT SUBDIVISION NUMBER 2500947 IS SUBJECT TO AN ADDRESS SIGN AND SIGN MAINTENANCE EASEMENT FOR THE BENEFIT OF UNIT LOTS INCLUSIVE TO SAID UNIT SUBDIVISION OVER AND ACROSS THE NORTH 3.00 FEET OF THE EAST 3.00 FEET OF THE WEST 9.00 FEET OF SAID UNIT LOT D THEREOF.



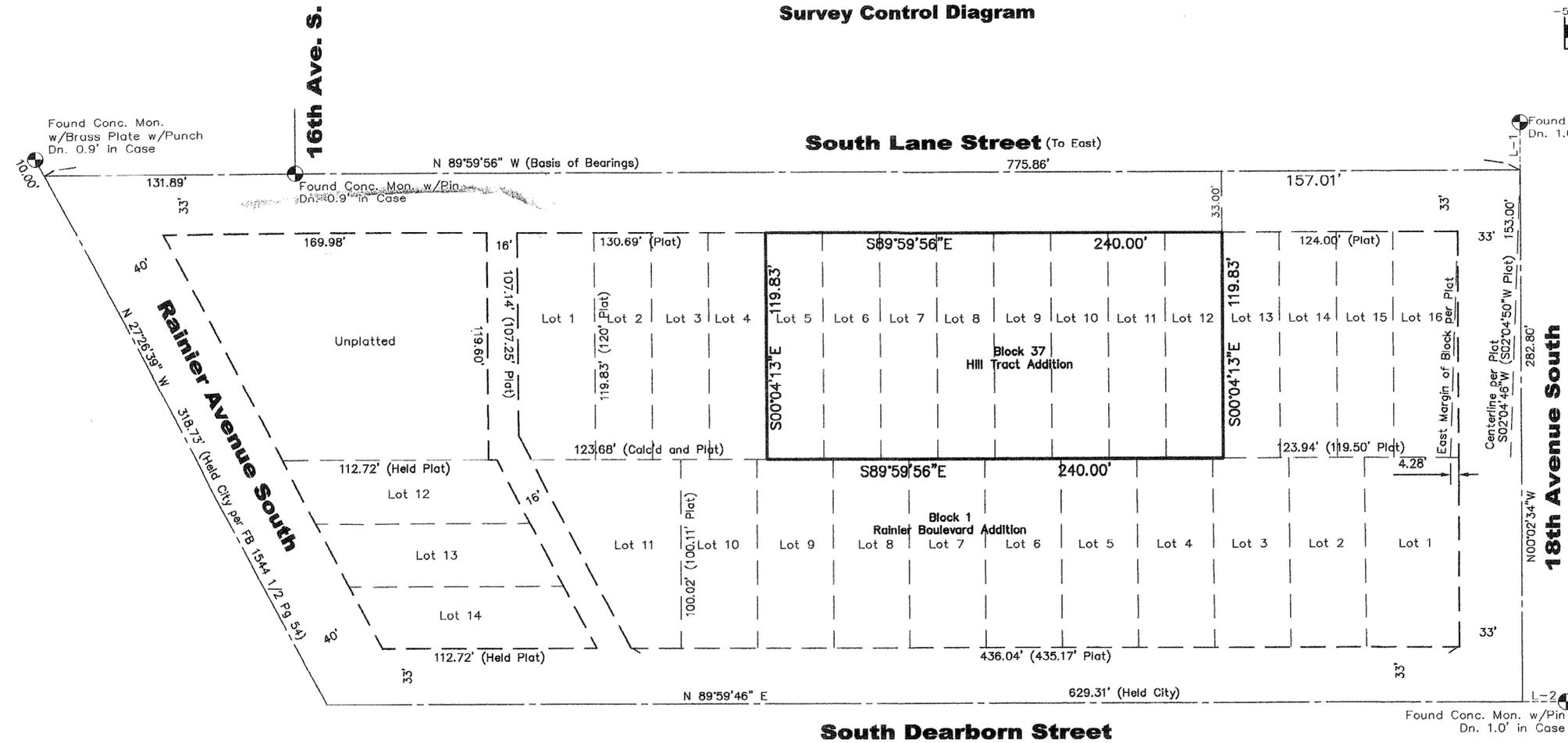
RECORD OF SURVEY
 Wyngale Homes, Inc.
 1639-1647 S. Lane Street
 Seattle, WA

| | | |
|---|-------------------|------------------|
| EMERALD LAND SURVEYING, INC. | | |
| PO BOX 13694 MILL CREEK, WA. 98082 PH. (425) 359-7198 Email: emeraldpls@aol.com | | |
| SURVEY IN N.W. 1/4, S.W. 1/4, SEC. 4, T. 24N., R. 4E. | | |
| DWN. BY: HMM | DATE: 11/1/07 | JOB NO. 04001 |
| CHK. BY: EBLE | SCALE: 1"= 20' | SHEET 6 OF 7 |

**WYNGALE'S 3rd
ADDITION TO THE CITY OF SEATTLE**



Survey Control Diagram



LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L-1 | N 00°02'34" W | 26.00' |
| L-2 | N 89°58'47" W | 23.00' |

SURVEY NARRATIVE

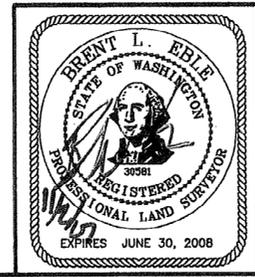
THE EAST MARGIN OF BLOCK 37, ACCORDING TO THE PLAT OF HILL TRACT ADDITION IS 2'07"28" WEST OF THE MONUMENTED 18TH AVENUE SOUTH CENTERLINE. THIS CREATES A 4.28 FOOT GAP ON THE SOUTH MARGIN OF BLOCK 37 BETWEEN THE EAST MARGIN OF LOT 16 AND THE WEST MARGIN OF THE MONUMENTED 33' RIGHT OF WAY FOR 18TH AVENUE SOUTH.

THE PLATTED LOT 16 WIDTH IS 34 FEET ON THE NORTH LINE AND 29.5 FEET ON THE SOUTH LINE. IN REVIEWING OCCUPATION LINES WITHIN THIS BLOCK, I HAVE PLACED THE ENTIRE 4.28 FEET DIFFERENCE WITHIN LOT 16.

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SURVEY IN N.W. 1/4, S.W. 1/4,
 SEC. 4, T. 24N., R. 4E.

| | | |
|------------------|--------------------|------------------|
| DWN. BY: HMM | DATE: 11/1/07 | JOB NO. 04001 |
| CHK. BY: EBLE | SCALE: 1" = 50' | SHEET 7 OF 7 |



RECORD OF SURVEY
 Wyngale Homes, Inc.
 1639-1647 S. Lane Street
 Seattle, WA