

PLAT OF BRIGHTON CREST

PTN. OF THE E 1/2 OF THE NE 1/4 OF SEC. 24, TWP. 37 N., RGE. 2 E. OF W.M.
WHATCOM COUNTY, WASHINGTON

LEGAL DESCRIPTION
LOT 1 OF THE BUGDA SHORT PLAT AS FILED JULY 25, 1990, IN VOL. 21 OF SHORT PLATS, PAGE 87, RECORDS OF THE AUDITOR, WHATCOM COUNTY, WA, TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, CONDITIONS, RESTRICTIONS, AND AGREEMENT OF RECORD.

EASEMENT PROVISIONS
A NON-EXCLUSIVE UTILITY EASEMENT IS RESERVED UNDER AND UPON THE PRIVATE ROADS LOCATED IN THIS PLAT AND THE EXTERIOR SEVEN (7) FEET PARALLEL AND ADJACENT TO THE STREET FRONTAGE OF ALL LOTS IN WHICH TO INSTALL, LAY, CUT, CONSTRUCT, RENEW, OPERATE, AND MAINTAIN UNDERGROUND CONDUITS, CABLE, AND WIRES WITH NECESSARY UNDERGROUND AND/OR GROUND-MOUNTED FACILITIES FOR THE PURPOSE OF SERVING THE SUBDIVISION AND OTHER PROPERTY.

DECLARATION
KNOW BY ALL THESE MEN PRESENT THAT WE THE UNDERSIGNED OWNERS HEREBY DECLARE THIS PLAT MADE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR WISHES.

JOINT ROAD MAINTENANCE AGREEMENT
ALL COSTS OF MAINTAINING, REPAIRING, IMPROVING OR OTHERWISE CONNECTED WITH SAID EASEMENT SHALL BE BORNE EQUALLY BY THE LOT OWNERS, IF THEY ARE USERS THEREOF. SAID COSTS SHALL THEREFORE BECOME AN ENFORCEABLE LIEN AGAINST ANY LOT WHOSE OWNERS REFUSE OR FAIL TO PARTICIPATE IN THE MAINTENANCE, REPAIRS OR IMPROVEMENTS MADE BY AGREEMENT OF THE OTHER OWNERS. THIS PROVISION SHALL BE CONSTRUED AS A COVENANT RUNNING WITH THE LAND.

COVENANTS
SEE PLAT COVENANTS FILED FOR RECORD WITH THE WHATCOM COUNTY AUDITOR'S OFFICE, UNDER A.F. NO. 940916118

DRAINAGE EASEMENT AGREEMENT
WHATCOM COUNTY SHALL HAVE NO OBLIGATION TO ASSUME ANY RESPONSIBILITY OR COST FOR THE MAINTENANCE OR IMPROVEMENT OF SAID DRAINAGE COURSE WITHIN SAID DRAINAGE EASEMENT.

MAINTENANCE OF DETENTION/RETENTION FACILITIES
THE PROPERTY OWNER(S) OR COMMUNITY ASSOCIATION HAS THE RESPONSIBILITY TO PROPERLY MAINTAIN THE DETENTION/RETENTION FACILITIES. HOWEVER, WHATCOM COUNTY MAY INSPECT THESE PRIVATELY MAINTAINED DETENTION/RETENTION FACILITIES FOR PROPER FUNCTIONING AND MAINTENANCE WHERE THE PUBLIC INTEREST MAY BE IMPACTED. IF THE PROPERTY OWNER(S) OR COMMUNITY ASSOCIATION FAIL TO MAINTAIN THEIR FACILITIES, WHATCOM COUNTY MAY ISSUE A WRITTEN NOTICE SPECIFYING THE REQUIRED ACTIONS. IF THESE ACTIONS ARE NOT PERFORMED IN A TIMELY MANNER, WHATCOM COUNTY MAY ENTER THE PROPERTY TO PERFORM THE ACTIONS NEEDED AND BILL THE PROPERTY OWNER(S) OR COMMUNITY ASSOCIATION. OVERDUE PAYMENTS WILL REQUIRE PAYMENT OF INTEREST AT THE CURRENT LEGAL RATE AS LIQUIDATED DAMAGES. IF LEGAL ACTION ENURES, THE PREVAILING PARTY IS ENTITLED TO COSTS OR FEES. IN THE EVENT A HAZARD TO PUBLIC SAFETY EXISTS, WRITTEN NOTICE MAY BE REQUIRED IN AN EMERGENCY SITUATION. ANY ACTIONS TAKEN BY WHATCOM COUNTY SHALL NOT RELIEVE THE PROPERTY OWNER(S) OR COMMUNITY ASSOCIATION FROM ITS PRIMARY RESPONSIBILITY TO MAINTAIN THE FACILITIES.

Stephen W. Brisbane
STEPHEN W. BRISBANE
Laura T. Brisbane
LAURA T. BRISBANE
Jon Kent Bergsma
JON KENT BERGSMA
Linda G. Bergsma
LINDA G. BERGSMA

ACKNOWLEDGMENT
STATE OF WASHINGTON } SS
COUNTY OF WHATCOM }
ON THIS DAY PERSONALLY APPEARED BEFORE ME *Stephen W. Brisbane* TO BE KNOWN TO BE THE INDIVIDUAL(CORPORATION DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT (HE/SHE) *She* SIGNED THE SAME AS (HE/HAS) *She*, FREE AND VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN MENTIONED.
GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 15th DAY OF September, 1994.

Shirley Engels

Shirley Engels
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT Bellevue, WA

HEARING EXAMINER
EXAMINED LAND APPROVED BY THE WHATCOM COUNTY HEARING EXAMINER THIS 15th DAY OF September 1994.
Clifford
HEARING EXAMINER

COUNTY COUNCIL APPROVAL
APPROVED BY ORDER OF THE COUNTY OF WHATCOM COUNTY, WASHINGTON, THIS 15th DAY OF Sept 1994.
Robert J. Felt
COUNTY CLERK OF THE COUNTY ATTEST: *Clayton* REC. CLERK

ENGINEER'S APPROVAL
EXAMINED AND APPROVED BY WHATCOM COUNTY TRANSPORTATION SERVICES DEPARTMENT THIS 14th DAY OF Sept, 1994.
Edward P. Stender
ENGINEER, WHATCOM COUNTY, WASHINGTON

HEALTH DEPARTMENT CERTIFICATE
EXAMINED AND APPROVED BY WHATCOM COUNTY DEPARTMENT OF HEALTH THIS 14 DAY OF September 1994.
Bob Allen
DIRECTOR, ENVIRONMENTAL HEALTH

COUNTY TREASURER'S CERTIFICATE
I, BARBARA J. CORY, TREASURER OF WHATCOM COUNTY, WA, DO HEREBY CERTIFY THAT ALL TAXES REQUIRED BY LAW TO BE PAID UPON THAT PORTION OF REAL ESTATE EMBRACED WITHIN THIS PLAT AND ALL DEPARTMENT ASSESSMENTS HAVE BEEN FULLY PAID AS SHOWN IN THE RECORD OF MY OFFICE THIS 15 DAY OF Sept, 1994.
Barbara J. Cory
TREASURER, WHATCOM COUNTY, WA

COUNTY AUDITOR'S OFFICE
I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE AUDITOR OF WHATCOM COUNTY, WA, AT THE REQUEST OF *Stephen W. Brisbane* ON THIS 15 DAY OF September, 1994, AT 1:58 P.M. AND THAT IT IS RECORDED IN BOOK 28 OF PLATS, PAGE(S) 88-89 RECORDS OF THE AUDITOR, WHATCOM COUNTY, WA.

ACKNOWLEDGMENT
STATE OF WASHINGTON } SS
COUNTY OF WHATCOM }
ON THIS DAY PERSONALLY APPEARED BEFORE ME *Linda G. Bergsma* TO BE KNOWN TO BE THE INDIVIDUAL(CORPORATION DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT (HE/SHE) *She* SIGNED THE SAME AS (HE/HAS) *She*, FREE AND VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN MENTIONED.
GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 14th DAY OF September, 1994.

Shirley Engels

Shirley Engels
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT Bellevue, WA

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAT IS BASED UPON AN ACTUAL SURVEY MADE IN ACCORDANCE WITH THE REQUIREMENTS OF STATE LAW, THAT ALL DISTANCES, COURSES AND ANGLES ARE CORRECTLY SHOWN HEREON, AND THAT ALL MONUMENTS AND LOT CORNERS WILL BE SET AS INDICATED ON THE DRAWING.

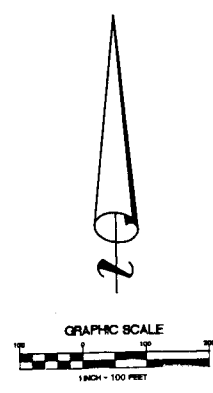
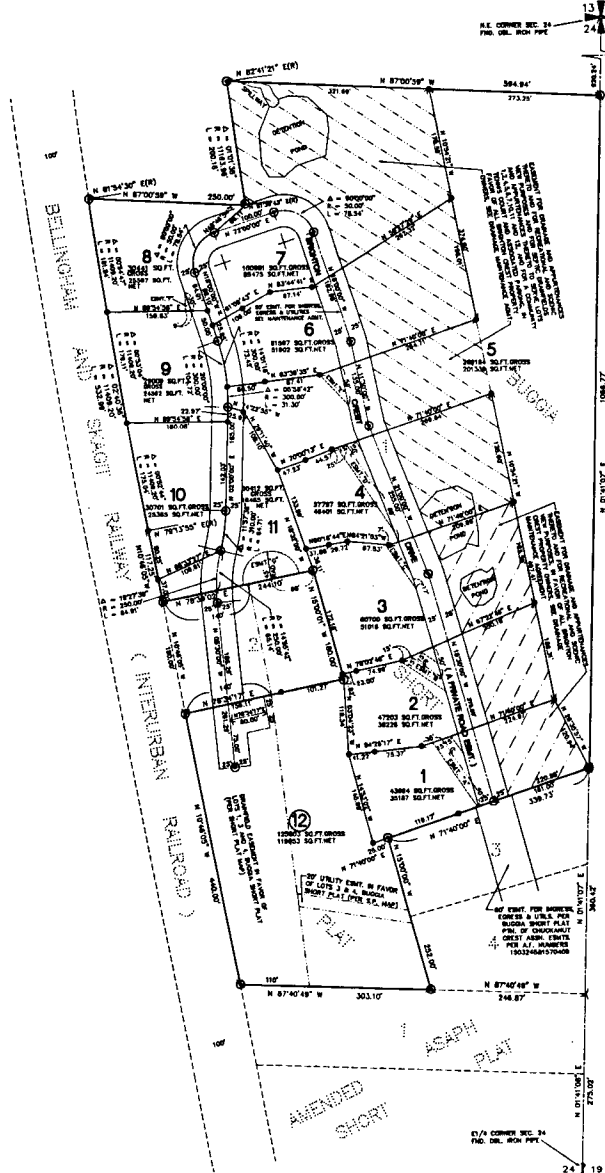
David W. White
DAVID W. WHITE
9-13-94
DATE



Shirley Engels by Dana Remont
AUDITOR, WHATCOM COUNTY, WA

PLAT OF BRIGHTON CREST

PTN. OF THE E 1/2 OF THE NE 1/4 OF SEC. 24, TWP. 37 N., RGE. 2 E. OF W.M.
WHATCOM COUNTY, WASHINGTON



BASES OF BOUNDARIES AND TRACT DIMENSIONS DERIVED FROM THE ORIGINAL SHORT PLAT AS FILED IN VOL. 21 OF SHORT PLATS AT PG. 87, RECORDS OF THE CLERK OF WHATCOM COUNTY, WASHINGTON (FIELD NO. 11017/E ON EAST LINE OF NW 1/4 SEC. 24)

SURVEY METHOD: FIELD TRAVERSE WITH LETIC SET & TOTAL STATION, ACCURACY EXCEEDS 1:10000.

⊙ INDICATES BRASS CAP MONUMENT SET UPON COMPLETION OF CONSTRUCTION, PLS 19977

● CAPPED REBAR SET ON OR BEFORE 8-13-84, PLS 19977

- NOTE: THE FOLLOWING RECORDED EASEMENTS AFFECT THIS PLAT AND NONSPECIFIC IN LOCATION
- (1) PLYMET POWER EASEMENT PER A.P. NO. 27940
 - (2) BROADWAY EASEMENT PER A.P. NO. 28753
 - (3) UNDEVELOPED PLYMET POWER EASEMENT PER A.P. NO. 28758
 - (4) PLYMET POWER EASEMENT PER A.P. NO. 33888
 - (5) RECIPROCAL EASEMENT AND WATER RIGHTS ADJUSTMENT PER A.P. NO. 142789
 - (6) PLYMET POWER EASEMENT PER A.P. NO. 193929
 - (7) PLYMET POWER EASEMENT PER A.P. NO. 191278
 - (8) CONDOMINIUM, COVENANTS, RESTRICTIONS AND EASEMENTS PER A.P. NO. 100226, 88, A.P. NO. 197948
 - (9) CONDOMINIUM, COVENANTS, RESTRICTIONS AND EASEMENTS PER A.P. NO. 1009308
 - (10) PLYMET POWER EASEMENT PER A.P. NO. 838408-10

THIS PLAT IS ALSO SUBJECT TO ALL EASEMENTS AS SET FORTH ON THE FACE OF THE ORIGINAL SHORT PLAT, AS FILED IN VOL. 21 OF SHORT PLATS AT PAGE 87

NOTE: EASEMENTS AFFECTING JOBS 6 AND 8 ARE NON-RECORDED EASEMENTS FOR BROADWAY, BROADWAY AND PLYMET & PLYMET OF THE LATE 1970'S.

