

# AMENDMENT TO LOT 1 EAGLE 2 SHORT PLAT

1629252

Portion of the E 1/2 SE 1/4 of Section 13, Township 37 North, Range 2E. W.M.

Whatcom County, Washington

### LEGAL DESCRIPTION

Lot 1 of the EAGLE 2 SHORT PLAT, as filed in Volume 14 of Short Plats at pages 76 and 77, Records of the Auditor of Whatcom County, Washington.

EXCEPT that portion thereof granted to an adjacent landowner by A.F. No. 1629249

TOGETHER WITH that portion of Lot 1 of the SELANDER SHORT PLAT, as filed in Volume 14 of Short Plats at pages 33 and 34, Records of the Auditor of said County and State, described under A.F. No. 1629250.

TOGETHER WITH AND SUBJECT TO easements of record. ALSO TOGETHER WITH AND SUBJECT TO those easements, reservations and covenants for water systems as filed under Whatcom County Auditor File Numbers 1555106, 1555107, 1555108 and 1555109.

ALSO TOGETHER WITH AND SUBJECT TO that easement-reservation Agreement for sanitary sewer distribution line and common drainfield as filed under Whatcom County Auditor File No. 1563491, and the declaration of covenants, conditions, and restrictions of this Short Plat as filed under A.F. No. 1563490.

NOTE: The purpose of this amendment is to adjust the southern boundary line of Lot 1 to coincide with the contours of the land, the alignment of adjoining lots, and to match the amendment to Lot 1 of the Selander Short Plat.

NOTE: The amended Lot 1 of this Short Plat remains governed by all of the covenants, easements, notes and agreements as shown upon the EAGLE 2 SHORT PLAT and set forth on this Lot Line Adjustment Short Plat, in common with Lots 2, 3 and 4 of said EAGLE 2 SHORT PLAT.

### 60 FOOT PRIVATE ROAD EASEMENT

Said easement was originally described under Whatcom County Auditor's File No. 1098688. Portions of said easement have been surveyed pursuant to the terms of Auditor File No. 1098688 and are described under Auditor File Nos. 1434936, 1434938, 1465251 and 1500955. Said easement is perpetuated together with other easements under that certain agreement titled CHUCKANUT CREST ASSOCIATION EASEMENTS, COVENANTS AND RESTRICTIONS and recorded under Auditors File No. 1503245.

### ROAD MAINTENANCE AGREEMENT

Lot owners shown hereon shall share in the costs of maintaining, repairing, improving or otherwise connected with private road easement shown according to the provisions of that certain document entitled CHUCKANUT CREST ASSOCIATION EASEMENTS, COVENANTS AND RESTRICTIONS and recorded under Whatcom County Auditors File No. 1503245.

### DECLARATION

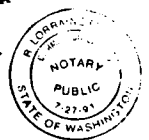
Know by all these men present that we the undersigned owners hereby declare this Short Plat made with our free consent and in accordance with our wishes.

*Basil Pullar*      *Kathryn B. Pullar*  
Basil Pullar      Kathryn B. Pullar

ACKNOWLEDGEMENT  
State of Washington )  
County of Bellingham ) as

On this day personally appeared before me Basil Pullar and Kathryn B. Pullar to me known to be the individuals described in and who executed the within and foregoing declaration and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal this 13 day of December, 1988.

*B. L. Lerman*  
Notary Public in and for the State of Washington residing at Bellingham.



### BUILDING PERMIT NOTE

No building permits shall be issued on any lot until physically served by approved domestic water.

### FOUNDATION PLAN NOTE

Engineered foundation plans may be required with building plans on all lots.

### EASEMENT FOR UTILITIES

Declarant hereby reserves an easement upon each lot, on, over and underneath a strip of land ten (10) feet in width, lying adjacent and parallel to each lot line (i.e. front, rear and side), for the installation, construction, maintenance and repair of water, electricity or other utility lines and accompanying apparatuses or devices which may be reasonably necessary to provide such services for any lot in the subdivision.

### FUTURE SUBDIVISION COVENANTS

1. That all unsold lots in this Short Subdivision shall be a part of any future subdivision of this property.
2. That all contiguous unsold lots shall be counted in determining whether or not a future division constitutes a subdivision.
3. That all road improvements, utilities and services brought into this property resulting from improvement requirements of any future subdivision or short subdivision, shall be brought to the property line of all unserviced lots.
4. That at the time of sale, all lot buyers shall be made aware of any plans to redivide this property, and shall sign a waiver not to protest the lots' inclusion in covenants, maintenance agreements, dedications, U.L.I.D.'s, or other obligations necessitated by future subdivision of this property, from which they benefit.

THESE COVENANTS shall be binding upon me (us), and upon all property owners acquiring property from me (us). This shall constitute an agreement between Whatcom County and the owner(s) of record. Said covenants may be amended by mutual agreement between said parties after review for consistency and compliance with the official county subdivision ordinance, or other pertinent county regulations approved hereafter.

### SURVEYOR'S CERTIFICATE

I, Dale D. Underhill, do hereby certify that this Short Plat was prepared by me or under my direction and is based upon an actual survey made in compliance with state laws.

*Dale D. Underhill*  
Dale D. Underhill, PLS  
License No. 18927

### TECHNICAL COMMITTEE APPROVAL

Examined and approved by the Technical Committee in accordance with the Whatcom County Subdivision Regulations this 7th day of FEBRUARY, 1989.

*John R. Tyle*  
Chairman, Technical Committee

### AUDITOR'S CERTIFICATE

Filed for record this 2 day of March, 1989, at 9:11 A.M. in Book 11 of Short Plats at page 21.

*Shirley Foster*  
Whatcom County Auditor

SHEET 1 of 2

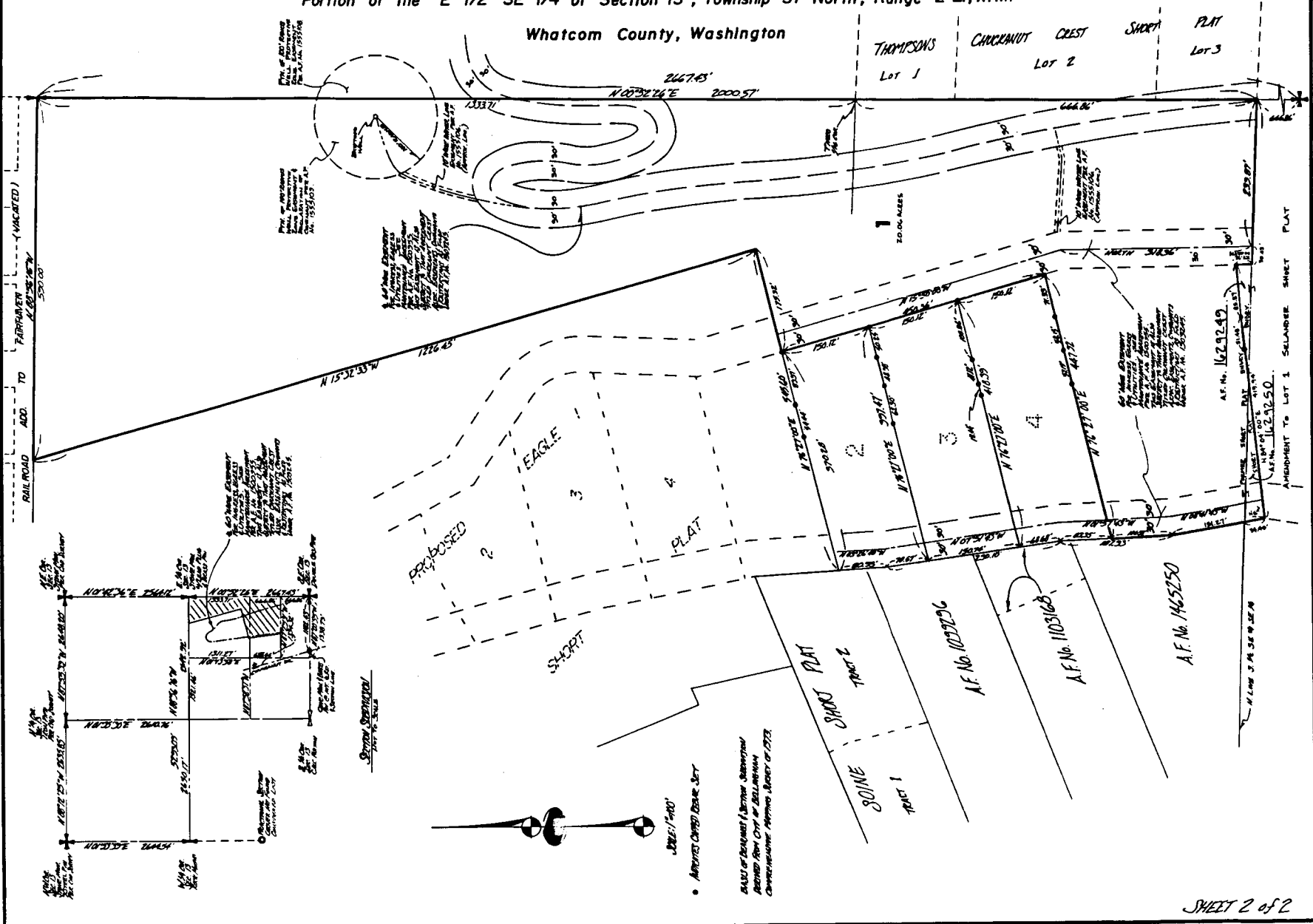
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Whatcom County, Washington

THOMPSONS Lot 1	CHUCKANUT CREST Lot 2	EAGLE 2 SHORT PLAT Lot 3
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SHEET 2 of 2