Skip Moore, Auditor, Chelan County, WA. AFN # 2561652 Recorded 02/02/2022 at 02:28 PM, COVEN Page: 1 of 17, , CHELAN COUNTY PUBLIC WORKS



Return document to: Surface and Stormwater Management Utility C/O Chelan County Public Works 316 Washington Street, Suite 402 Wenatchee, WA 98801

Document Title:

Declaration of Storm Water System Maintenance Covenants

Related Documents:

Storm Drainage Report Dated December 16th, 2020

Grantor:

Maritia Properties LLC

Grantee:

Chelan County through its Public Works Department

Legal Description:

See Exhibit C for Legal Discription

Parcel Numbers(s): 272217110800, 272217110810, 272217110820

DECLARATION OF STORM WATER SYSTEM MAINTENANCE COVENANTS FOR P-2020-002

[Plat Name]

The Grantors, Owners and Developers of Marita's Vineyard Estates hereby declare and agree as follows:

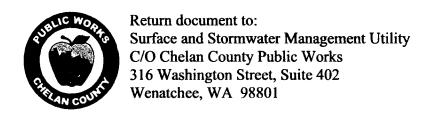
1. The Grantors are the Owners and Developers of the following described real property located at Chelan County, Washington: [Enter or attach]

See Exhibit C for Legal Discription

The Grantors intend to sell the lots created by approval of P-2020-002

(Plat Name)

- The Grantors have designed and constructed a private storm water drainage system to serve the above real property in accordance with the plans Grantors have filed with Chelan County. The approved plans are attached hereto as **Exhibit A**.
- 3. The Grantors agree to maintain the storm water drainage system as originally designed, and in accordance with the Chelan County Code and the specifications attached hereto as **Exhibit B.** The Grantors shall not reduce, expand or otherwise modify the design or



operation of the storm water drainage system without first obtaining review by and written approval of Chelan County.

- 4. The Grantors agree to implement a long-term funding mechanism to support operation, maintenance, repairs and improvements required for proper functioning of the private storm water drainage system. Such funding mechanism shall be implemented by creation of an Owner's Association by further declarations and covenants binding upon the real property described above, all lots within the above development and Grantors' purchasers, successors and assigns.
- 5. The Grantors agree to maintain logs of inspection and maintenance activities for the storm water drainage system and to submit copies of the logs to Chelan County not less than once each calendar year.
- 6. All inspection and maintenance logs, and other documents and records pertaining to the storm water drainage system shall, upon request, be made available to Chelan County and any other agencies having jurisdiction for inspection and copying.
- 7. Chelan County shall have the right to enter the above-described real property for the purpose of inspecting the condition and/or maintenance of the storm water drainage system and/or to determine the Grantors' compliance with these Covenants. The Grantors agree to fully comply with all written notices of corrective action issued by Chelan County and other agencies having jurisdiction. If the Grantors fail to fully and timely comply as required by a written notice of corrective action, then Chelan County may enter the above-described property to perform all work necessary to fully complete repairs and maintenance to the storm water drainage system or otherwise bring the system into compliance with these Covenants. The Grantors agree to pay all costs and expenses incurred by Chelan County for such repairs and maintenance, including the cost of personnel, equipment and materials and Chelan County's contractors.
- 8. The Grantors hereby waive any and all claims for damages against Chelan County arising from the design, construction, inspection, repair and/or maintenance of the storm water drainage system. The Grantors agree to indemnify, defend and hold Chelan County harmless from any and all claims arising from the design, construction, inspection, repair and/or maintenance of the storm water drainage system.
- 9. These Covenants shall continue in perpetuity.
- 10. The covenants shall run with the land described above and shall be binding on all Grantors' purchasers, successors and assigns.



DATED this 29	day of December $,20^{21}$.
Date: 12/29/2021	Marita Properties, LLC Mark D. Babasek Managing Member [Name/Title] [Name/Title]
Date:	[Name/Title]
Date: 12 (29/2021	DEVELOPER Marita Properties, LLC Mark D. Babcack, Managing Member [Name/Title] [Name/Title]
Date:	[Name/Title]
STATE OF WASHINGTON County of	KATE I REDELL Notary Public State of Washington License Number 21004586 My Commission Expires January 15, 2025
I certify that I know or have satisf signed this instrument and acknown and purposes mentioned in this in	factory evidence that MARY D. Babcock whedged it to be their/his/her free and voluntary act for the uses strument.
DATED this <u>29</u>	day of <u>December</u> , 20 <u>A</u> .
	By: Kato of Recht



EXHIBIT A

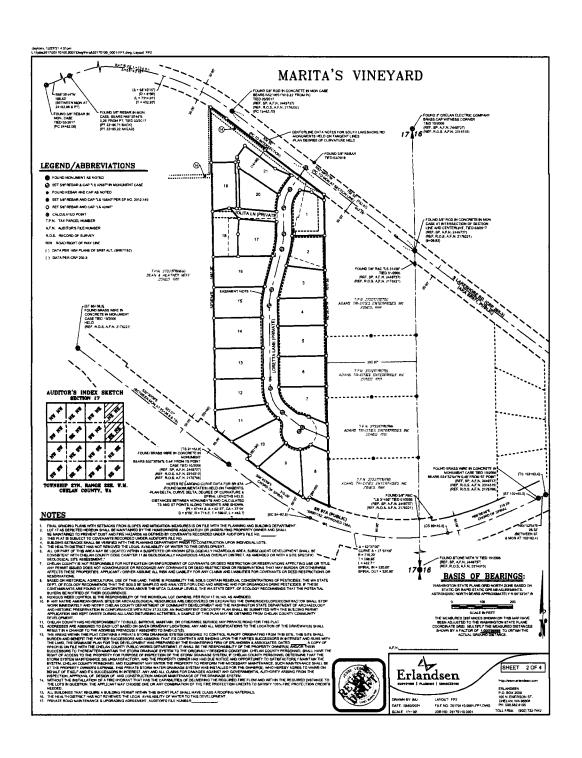
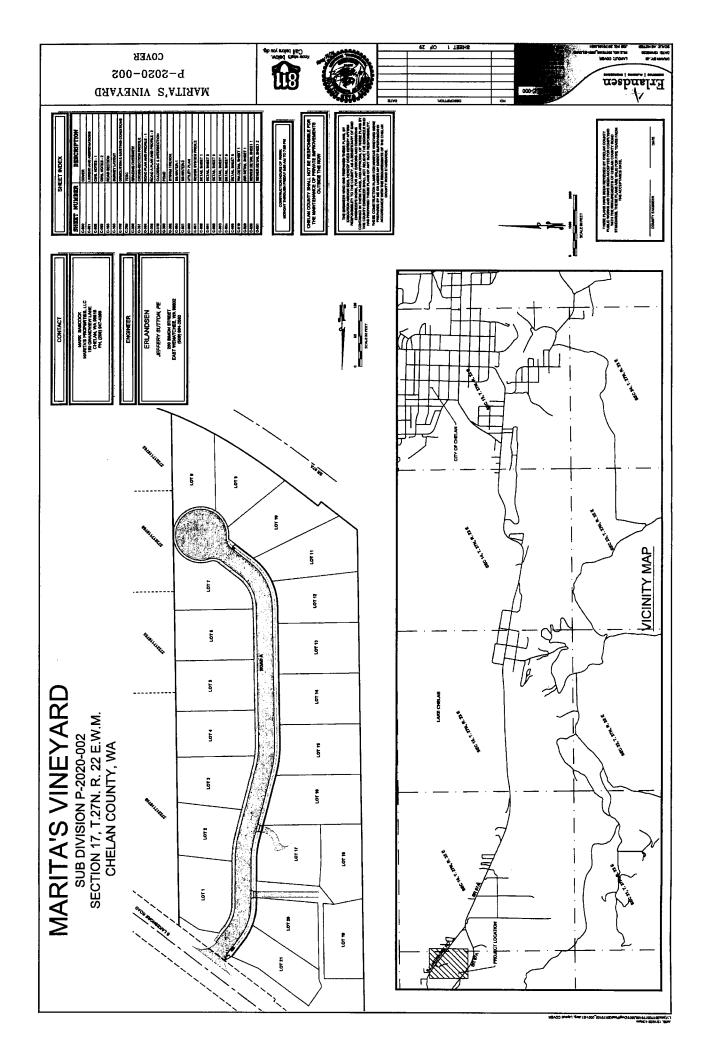
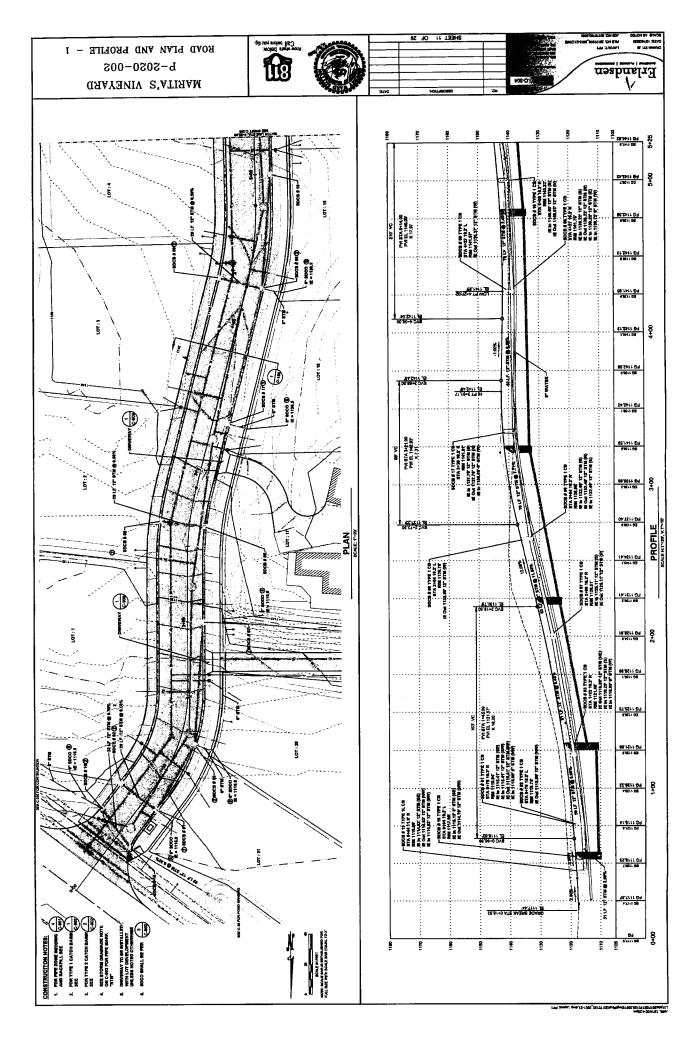
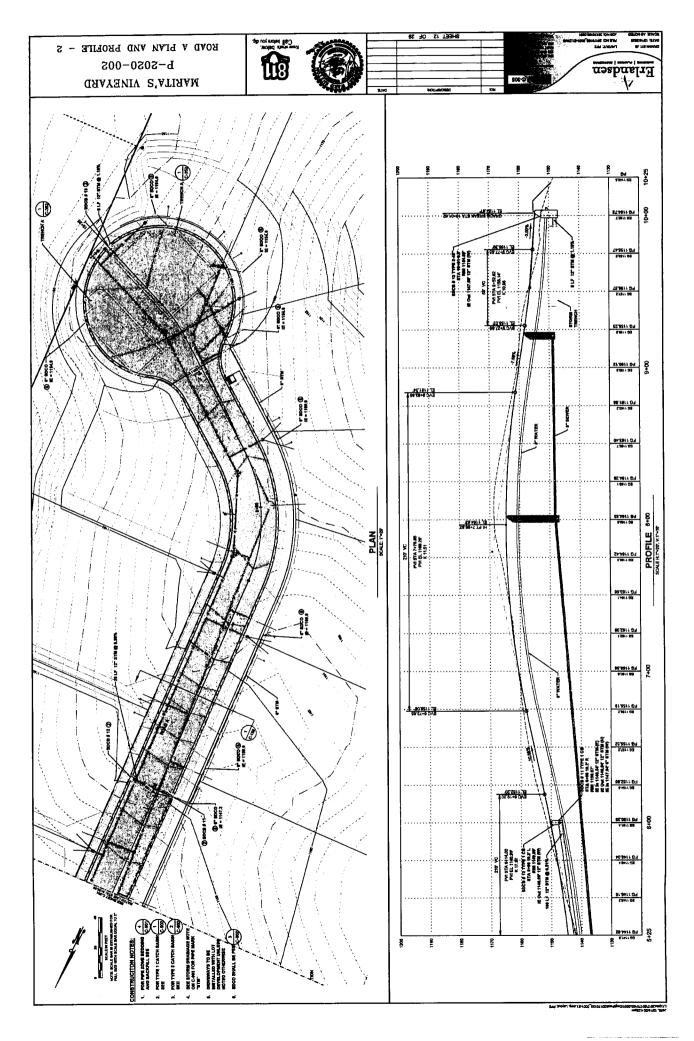


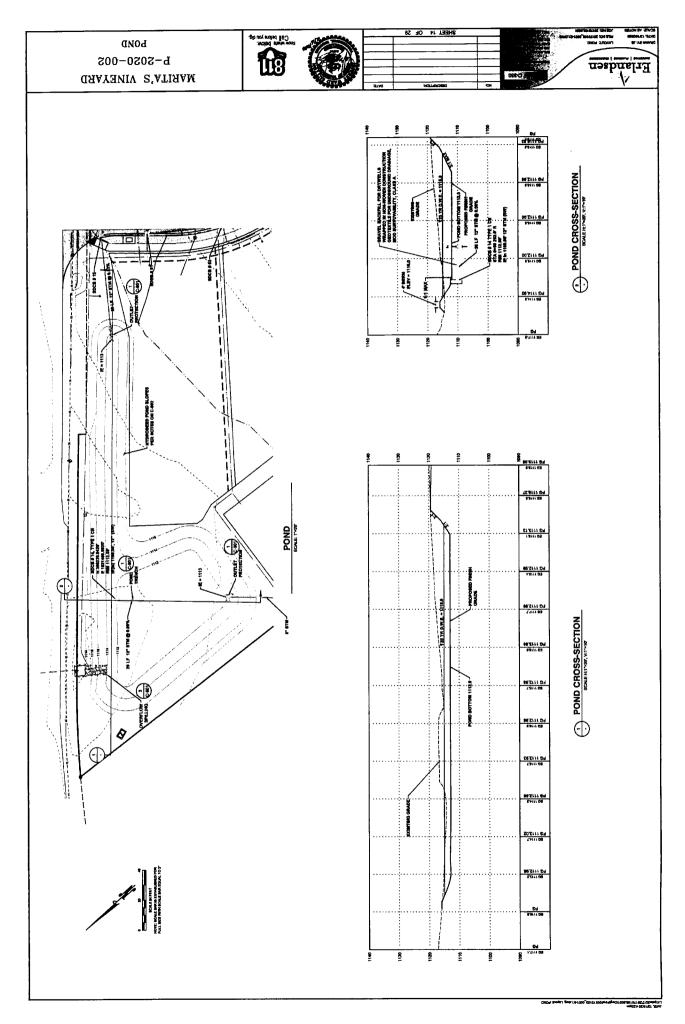


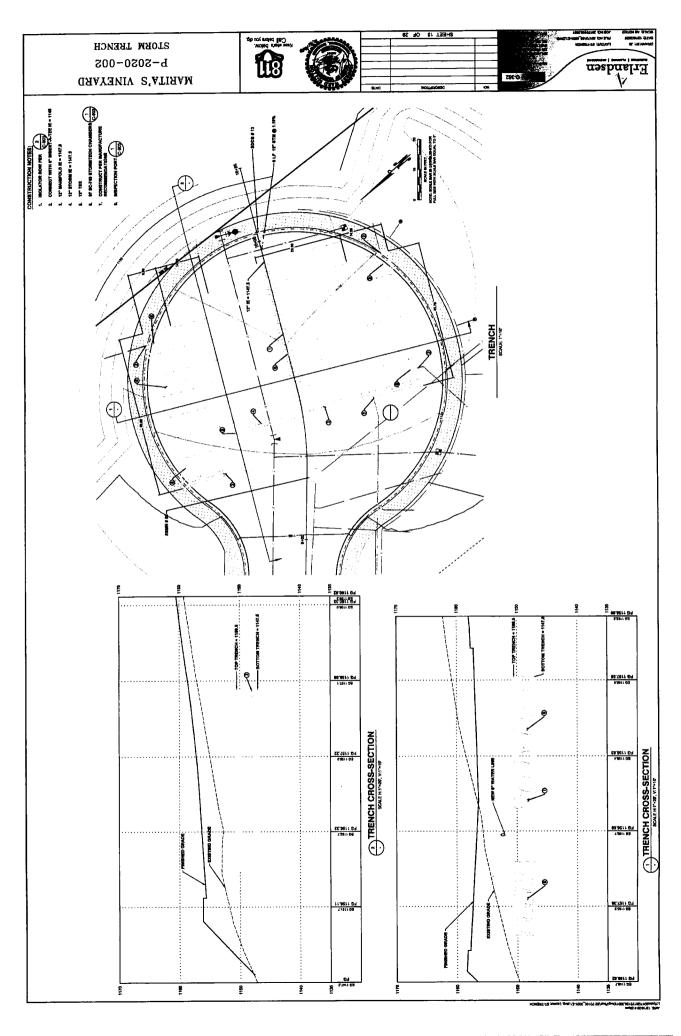
EXHIBIT B

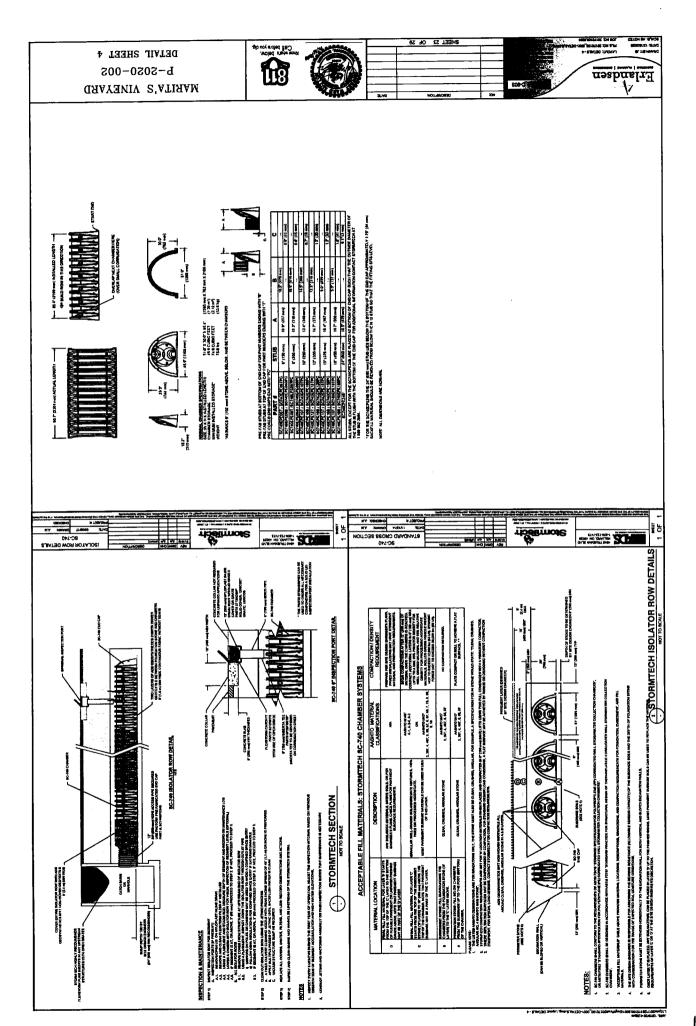












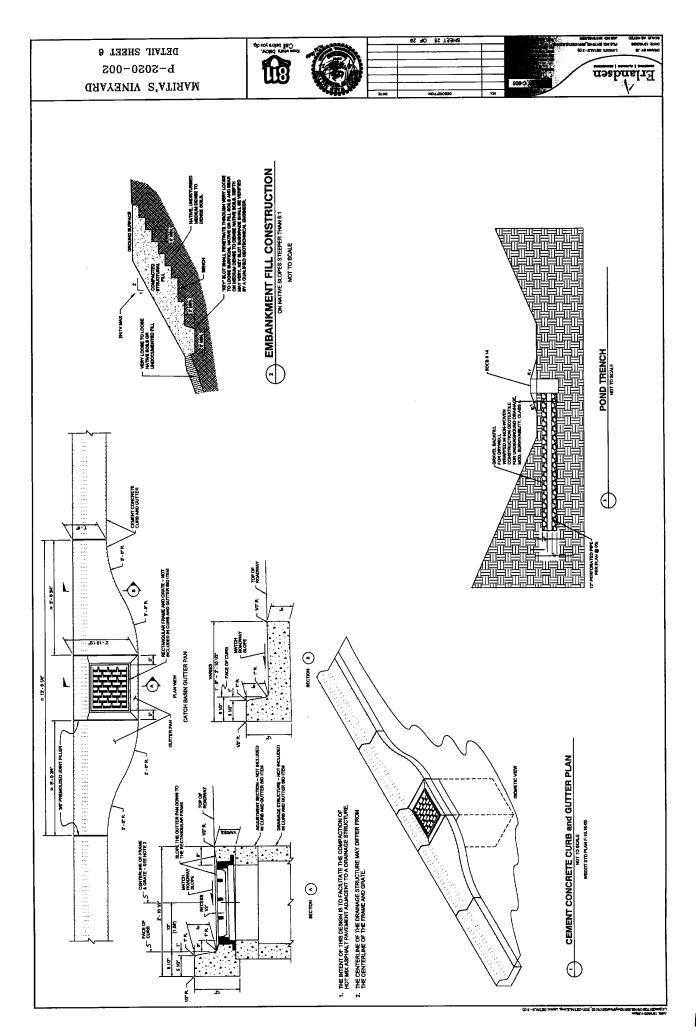




EXHIBIT C

AFN # 2561652 Page: 15 of 17

DESCRIPTION PER GUARANTEE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY.

GUARANTEE NO.: 3762921

NAME OF ASSURED: MARITA PROPERTIES LLC DATE OF GUARANTEE: MAY 18, 2021

PARCEL A:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 22, E.W.M., CHELAN COUNTY, WASHINGTON, WITHIN THAT PORTION OF THE FORMER RIGHT OF WAY OF STATE HIGHWAY ROUTE 97, AS SAID RIGHT OF WAY EXISTED PRIOR TO FEBRUARY 2, 1954, LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED RIGHT OF WAY LINE:

BEGINNING AT A POINT OPPOSITE HIGHWAY ENGINEER'S STATION (HEREINAFTER REFERRED TO AS H.E.S.) 87+00 ON THE CENTERLINE SURVEY OF SAID HIGHWAY AND 50 FEET NORTHEASTERLY THEREFROM;

THENCE SOUTHEASTERLY PARALLEL WITH SAID CENTERLINE SURVEY TO A POINT OPPOSITE H.E.S. 90+00:

THENCE NORTHEASTERLY TO A POINT OPPOSITE SAID H.E.S. 90+00 AND 65 FEET NORTHEASTERLY THEREFROM;

THENCE SOUTHEASTERLY PARALLEL WITH SAID CENTERLINE SURVEY TO A POINT OPPOSITE H.E.S. 92+00:

THENCE SOUTHWESTERLY TO A POINT OPPOSITE H.E.S. 92+00 AND 50 FEET NORTHEASTERLY THEREFROM:

THENCE SOUTHEASTERLY PARALLEL WITH SAID CENTERLINE SURVEY TO A POINT OPPOSITE H.E.S. 94+50 AND THE END OF THE RIGHT OF WAY LINE DESCRIBED.

TOGETHER WITH ALL THAT PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 22, E.W.M., CHELAN COUNTY, WASHINGTON BOUNDED AS FOLLOWS:

ON THE WEST BY A LINE DRAWN PARALLEL WITH AND 662.2 FEET WEST OF THE EAST LINE OF SAID SECTION:

ON THE EAST BY A LINE DRAWN PARALLEL WITH AND 296 FEET WEST OF THE SAID EAST LINE OF SAID SECTION:

ON THE NORTH BY THE RIGHT OF WAY FOR THE COUNTY ROAD KNOWN AS TWENTY-FIVE MILE CREEK ROAD RUNNING ALONG OR NEAR THE SOUTHERLY OR WESTERLY SHORE OF LAKE CHELAN, AS SAID ROAD IS LOCATED AND USED IN 1956;

AND ON THE SOUTH RIGHT OF WAY FOR STATE HIGHWAY NO. 10 (U.S. NO. 97) AS SAID HIGHWAY WAS LOCATED AND IN USE IN 1942.

EXCEPTING THAT PART THEREOF GRANTED THE STATE OF WASHINGTON FOR CHANGING ITS HIGHWAY, AS FULLY DESCRIBED IN DEED RECORDED IN BOOK 522, PAGE 303, UNDER AUDITOR'S NO. 487337, AND EXCEPT THAT PORTION THEREOF CONVEYED TO CHELAN COUNTY FOR ROAD BY DEED UNDER AUDITOR'S NO. 570546 IN BOOK 611, PAGE 346.

EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF A LINE RUNNING PARALLEL WITH AND 602.2 FEET TO THE WEST OF THE EAST LINE OF SAID SECTION AND OF THE SOUTHERLY BOUNDARY OF TWENTY-FIVE MILE CREEK ROAD AND RUNNING THENCE SOUTH FOR A DISTANCE OF 295 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION AND CONTINUING SOUTH FOR A DISTANCE OF 130 FEET;

THENCE EAST FOR A DISTANCE OF 150 FEET;

THENCE NORTH FOR A DISTANCE OF 130 FEET;

THENCE WEST FOR A DISTANCE OF 150 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

AFN # 2561652 Page: 16 of 17

AND EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF SOUTH SHORE COUNTY ROAD AS THE SAME WAS LOCATED AND USED IN 1956 AND A LINE THAT IS 296 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION;

THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SOUTH RIGHT OF WAY OF SAID ROAD A DISTANCE OF 72 FEET TO THE POINT OF BEGINNING:

THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY A DISTANCE OF 72 FEET TO A LINE THAT IS 296 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION;

THENCE SOUTH ALONG SAID LINE A DISTANCE OF 240 FEET;

THENCE IN A WESTERLY DIRECTION A DISTANCE OF 119 FEET TO A POINT THAT IS 251 FEET SOUTHERLY OF THE POINT OF BEGINNING;

AND EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 22, E.W.M., CHELAN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH RIGHT OF WAY LINE OF SOUTH SHORE COUNTY ROAD, AS THE SAME WAS LOCATED AND USED IN 1956; AND A LINE THAT IS 296 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION;

THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SOUTH RIGHT OF WAY OF SAID ROAD A DISTANCE OF 72 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A";

THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY A DISTANCE OF 72 FEET TO A LINE THAT IS 296 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION;

THENCE SOUTH ALONG SAID LINE A DISTANCE OF 240 FEET;

THENCE IN A WESTERLY DIRECTION A DISTANCE OF 119 FEET TO A POINT THAT IS 251 FEET SOUTHERLY OF POINT "A";

THENCE NORTHERLY ALONG A LINE, HEREINAFTER REFERRED TO A S LINE "A", THAT INTERSECTS SAID POINT "A", A DISTANCE OF 80 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST, AT RIGHT ANGLES, A DISTANCE OF 6 FEET;

THENCE NORTH, PARALLEL WITH LINE "A" A DISTANCE OF 50 FEET;

THENCE EAST, AT RIGHT ANGLES A DISTANCE OF 6 FEET TO A POINT ON THE

AFOREDESCRIBED LINE "A"; THENCE SOUTH TO THE POINT OF BEGINNING.

ALSO KNOWN AS PARCEL A OF CHELAN COUNTY BOUNDARY LINE ADJUSTMENT NO. 2546 RECORDED APRIL 08,1992 UNDER AUDITOR'S FILE NO. 9204080033.

PARCEL B:

THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER, SECTION 17, TOWNSHIP 27 NORTH, RANGE 22, E.W.M., CHELAN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF A LINE RUNNING PARALLEL WITH AND 602.2 FEET WEST OF THE EAST LINE OF SAID SECTION AND ON THE SOUTHERLY BOUNDARY OF COUNTY ROAD, KNOWN AS TWENTY-FIVE MILE CREEK ROAD, AND RUNNING THENCE SOUTH FOR A DISTANCE OF 295 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE CONTINUING SOUTH FOR A DISTANCE OF 130 FEET;

THENCE EAST FOR A DISTANCE OF 150 FEET;

THENCE NORTH FOR A DISTANCE OF 130 FEET;

THENCE WEST FOR A DISTANCE OF 150 FEET TO THE POINT OF BEGINNING;

ALSO DESCRIBED AS A PORTION OF EASLEY SHORT PLAT NO. 265, RECORDED SEPTEMBER 9, 1977, UNDER AUDITOR'S NO. 777305.

PARCEL C:

THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 22, E.W.M., CHELAN COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

AFN # 2561652 Page: 17 of 17

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF SOUTH SHORE COUNTY ROAD, AS THE SAME WAS LOCATED AND USED IN 1956, AND A LINE THAT IS 296 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION;

THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SOUTH RIGHT OF WAY OF SAID ROAD A DISTANCE OF 72 FEET TO THE POINT OF BEGINNING:

THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY A DISTANCE OF 72 FEET TO A LINE THAT IS 296 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION;

THENCE SOUTH ALONG SAID LINE A DISTANCE OF 240 FEET;

THENCE IN A WESTERLY DIRECTION A DISTANCE OF 119 FEET TO A POINT THAT IS 251 FEET SOUTHERLY OF THE POINT OF BEGINNING;

THENCE IN A NORTHERLY DIRECTION A DISTANCE OF 251 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVEYED TO CHELAN COUNTY FOR ROAD PURPOSES BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 570546.

PARCEL D:

THAT PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 27 NORTH, RANGE 22, E.W.M., CHELAN COUNTY, WASHINGTON DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH RIGHT OF WAY LINE OF SOUTH SHORE COUNTY ROAD, AS THE SAME WAS LOCATED AND USED IN 1956; AND A LINE THAT IS 296 FEET WEST OF AND PARALLEL TO THE EAST LIEN OF SAID SECTION;

THENCE IN A NORTHWESTERLY DIRECTION ALONG THE SOUTH RIGHT OF WAY OF SAID ROAD A DISTANCE OF 72 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A";

THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY A DISTANCE OF 72 FEET TO A LINE THAT IS 296 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID SECTION;

THENCE SOUTH ALONG SAID LINE A DISTANCE OF 240 FEET;

THENCE IN A WESTERLY DIRECTION A DISTANCE OF 119 FEET TO A POINT THAT IS 251 FEET SOUTHERLY OF POINT "A";

THENC NORTHERLY ALONG A LINE, HEREINAFTER REFERRED TO A LINE "A", THAT INTERSECTS SAID POINT "A", A DISTANCE OF 80 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST, AT RIGHT ANGLES A DISTANCE OF 6 FEET;

THENCE NORTH, PARALLEL WITH LINE "A" A DISTANCE OF 50 FEET;

THENCE EAST, AT RIGHT ANGLES A DISTANCE OF 6 FEET TO A POINT ON THE AFORE DESCRIBED LINE "A":

THENCE SOUTH TO THE POINT OF BEGINNING.