

2110103905

# GENERAL AND SPECIFIC BINDING SITE PLAN

## LOTS 1 AND 2 OF SILVER CREEK LLA

A PORTION OF THE SE 1/4 OF THE SE 1/4, OF S. 33, T. 39 N., R. 2 E. AND  
A PORTION OF THE NE 1/4 OF THE NE 1/4 OF S. 4, T. 38 N., R. 2 E. OF W.M.,  
CITY OF FERNDAL, WASHINGTON

### LEGAL DESCRIPTION

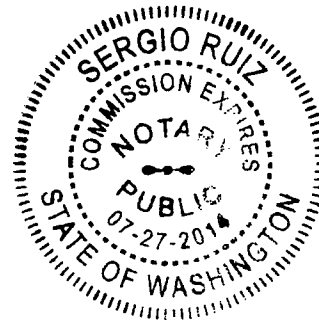
LOT 1 AND 2, AS DELINEATED ON SILVER CREEK LOT LINE ADJUSTMENT, ACCORDING TO THE MAP THEREOF, RECORDED UNDER AUDITOR'S FILE NO. 2061203390.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

### DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT CLEO CALLEN IS THE FEE SIMPLE OWNER OF THE LAND PLATTED HEREON DESCRIBED; AND AUTHORIZED BY ALL PARTIES HAVING ANY INTEREST IN THE LAND HEREON DESCRIBED TO OBTAIN THIS GENERAL AND SPECIFIC BINDING SITE PLAN; HAVE WITH HIS FREE CONSENT AND IN ACCORDANCE WITH HIS DESIRES CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON; AND DO HEREBY GRANT AND RESERVE ANY EASEMENTS SHOWN HEREON FOR THE USES INDICATED HEREON.

*Cleo Callen*  
SILVER CREEK GROUP, L.L.C.



### ACKNOWLEDGMENT

STATE OF WASHINGTON )  
COUNTY OF WASHINGTON ) SS

ON THIS 28 DAY OF December, 2010, BEFORE ME PERSONALLY APPEARED CLEO CALLEN TO BE AN AUTHORIZED REPRESENTATIVE OF THE SILVER CREEK GROUP L.L.C., AND PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE AUTHORIZED AGENT OF THE LIMITED LIABILITY COMPANY THAT EXECUTED THE HEREON DOCUMENT TO BE THE FREE AND VOLUNTARY ACT OF THE LIMITED LIABILITY COMPANY, BY AUTHORITY OF STATUTE, ITS ARTICLES OR ORGANIZATION OR ITS OPERATING AGREEMENT, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE IS AUTHORIZED TO EXECUTE THE FOREGOING DOCUMENT ON BEHALF OF THE LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST MENTIONED.

*Sergio Ruiz*  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING IN: Lincoln  
MY COMMISSION EXPIRES: July 27, 2014

### WATERLINE IMPROVEMENTS

PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE CONSTRUCTION OF ANY STRUCTURES ON LOT 1, THE OWNER OF LOT 1 SHALL ENTER INTO A DEVELOPER AGREEMENT WITH THE CITY OF FERNDAL TO COMPLETE A 12" WATER MAIN ALONG THE SOUTH PROPERTY LINE CONNECTING SLATER ROAD WATERLINE WITH THE WATERLINE LOCATED IN RURAL AVENUE. THE OWNER OF LOT 1 SHALL SECURE PERFORMANCE OF THE WORK BY POSTING A BOND, OR CASH IN LIEU OF BOND, IN THE AMOUNT OF 125% OF THE ENGINEER'S ESTIMATED COST OF CONSTRUCTION OF THE WATERLINE IMPROVEMENTS. THE CITY OF FERNDAL SHALL NOT ISSUE AN OCCUPANCY PERMIT FOR ANY STRUCTURE LOCATED ON LOT 1 UNTIL THE WORK DESCRIBED IN THE DEVELOPER AGREEMENT HAS BEEN COMPLETED AND ACCEPTED BY THE CITY OF FERNDAL.

### SANITARY SEWER AND STORMWATER IMPROVEMENTS

PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR ANY STRUCTURES LOCATED ON LOTS 3 OR 4, APPROPRIATE PRIVATE AND PUBLIC SANITARY SEWER EASEMENTS AND STORMWATER SYSTEM EASEMENTS APPROVED BY THE CITY OF FERNDAL SHALL BE RECORDED AND EACH STRUCTURE SHALL BE CONNECTED TO CITY OF FERNDAL SANITARY SEWER AND AN APPROVED STORMWATER SYSTEM.

### MITIGATION FEES

TRAFFIC MITIGATION AND WATER AND SEWER CONNECTION FEES, ALONG WITH MAINTENANCE BOND FOR LANDSCAPING SHALL BE PAID AT THE TIME OF DEVELOPMENT OF LOTS WITHIN THIS BINDING SITE PLAN, IN ACCORDANCE WITH CITY REQUIREMENTS IN EFFECT AT THE TIME OF DEVELOPMENT.

### STORM SEWER FEES

STORM SEWER FEES SHALL BE REQUIRED TO BE PAID UPON THE DEVELOPMENT OF INDIVIDUAL PARCELS WITHIN THE BINDING SITE PLAN, IN ACCORDANCE WITH THE FERNDAL MUNICIPAL CODE AND UNIFIED FEE SCHEDULE IN EFFECT AT THE TIME OF PAYMENT.

### STORMWATER VESTING NOTE

THE EXISTING STORMWATER DETENTION/RETENTION AS DEPICTED HEREON TRACT B IS VESTED FOR STORMWATER DETENTION AND WATER QUALITY FOR A PERIOD OF 5 YEARS FROM THE RECORDING OF THE BINDING SITE PLAN. AFTER 5 YEARS, ANY STORMWATER NOT CONVEYED/DIRECTED TO THE EXISTING STORMWATER DETENTION/RETENTION WILL BE SUBJECT TO THE CURRENT ADOPTED CITY OF FERNDAL STORMWATER REGULATIONS AND REQUIREMENTS.

### LAND SURVEYOR CERTIFICATION

I HEREBY CERTIFY THAT THIS BINDING SITE PLAN WAS PREPARED UNDER MY DIRECTION, AND IS BASED ON AN ACTUAL FIELD SURVEY AT THE REQUEST OF CLEO CALLEN ON MAY 29, 2008; THAT THE TECHNICAL DATA IS CORRECTLY SHOWN THEREON, AND THAT ALL REQUIRED MONUMENTS AND/OR PARCEL MARKERS WILL BE SET AT THE DESIGNATED POINTS SHOWN ON THE PLAN PRIOR TO ISSUANCE OF ANY AND ALL BUILDING PERMITS.

*Kyle T. Haggitt* 12/29/10  
KYLE T. HAGGITT, P.L.S. #24218

### PUBLIC WORKS DIRECTOR

I HEREBY CERTIFY THAT THIS BINDING SITE PLAN HAS BEEN EXAMINED AND THAT ALL THE REQUIREMENTS OF THE CITY OF FERNDAL HAVE BEEN PROVIDED FOR AND IS HEREBY APPROVED BY THE DEPARTMENT OF PUBLIC WORKS THIS 18<sup>th</sup> DAY OF January, 2011.

*J. M. ... P.E.*  
PUBLIC WORKS DIRECTOR

### SUBDIVISION ADMINISTRATOR

I HEREBY CERTIFY THAT THIS BINDING SITE PLAN HAS BEEN EXAMINED FOR CONFORMANCE WITH APPLICABLE STATE STATUTES AND CITY ORDINANCES, TOGETHER WITH A REVIEW OF THE TECHNICAL INFORMATION SHOWN THEREON AND IS HEREBY APPROVED BY THE SUBDIVISION ADMINISTRATOR THIS 18<sup>th</sup> DAY OF JANUARY, 2011.

*[Signature]*  
SUBDIVISION ADMINISTRATOR

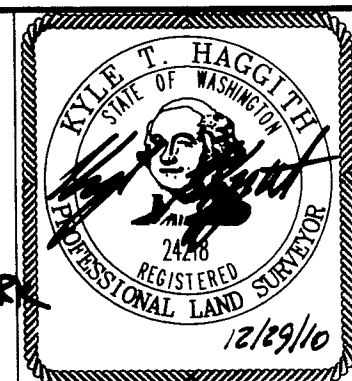
### C.C. & R's

DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS & RESTRICTIONS OF SILVER CREEK BUSINESS PARK (THIRD AMENDED) AS PER THE DOCUMENT THEREON RECORDED UNDER AUDITOR'S FILE NUMBER 2110103905, RECORDS OF WHATCOM COUNTY, WASHINGTON.

### AUDITOR'S CERTIFICATE

Filed for record this 31<sup>st</sup> day of JAN, 2011 at 10:41 Am  
in official records under Auditor's File Number  
2110103905

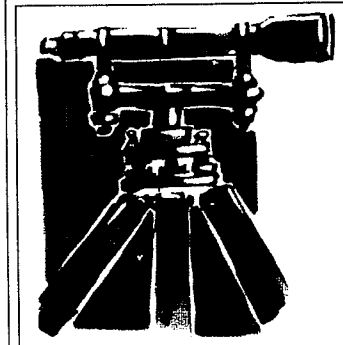
at the request of SILVER CREEK BUSINESS PARK  
*Shirley Gonzalez by Patti McClure*  
County Auditor



### SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of Cleo Callen in 2009

*Kyle T. Haggitt*  
Certificate No. 24218



### LAND DEVELOPMENT ENGINEERING & SURVEYING INC.

5160 INDUSTRIAL PL., #108  
FERNDAL, WA 98248  
Ph (360) 383-0620

### GSB SITE PLAN

CLEO CALLEN  
A PORTION OF THE SE 1/4 OF THE SE 1/4, OF S. 33, T. 39 N., R. 2 E. AND  
A PORTION OF THE NE 1/4 OF THE NE 1/4 OF S. 4, T. 38 N., R. 2 E. OF W.M.,

DRAWN BY: SR	DATE: 12/28/10	JOB#: 8015
CHECKED BY: KTH	SCALE: AS SHOWN	SHEET: 1 OF 2

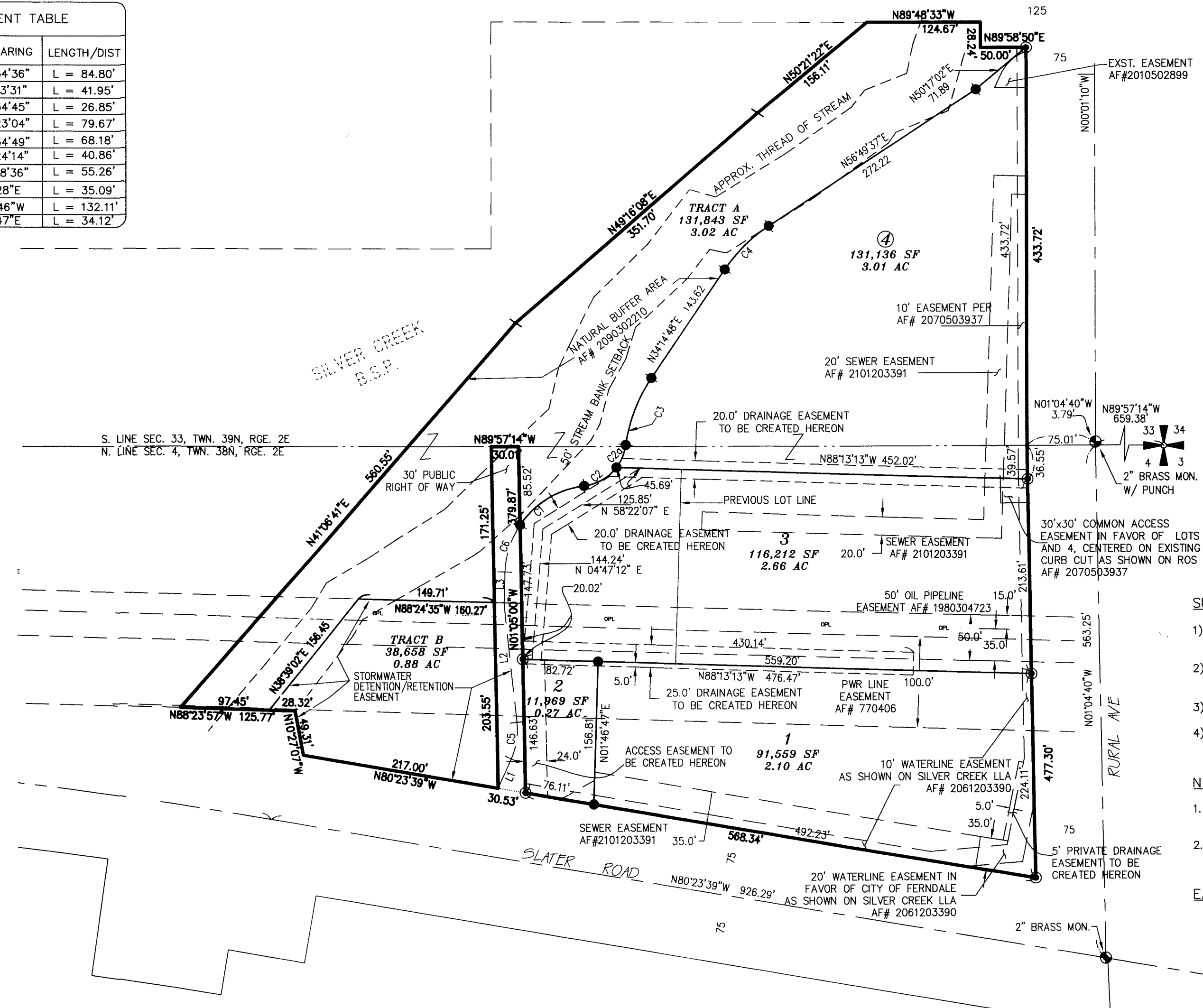
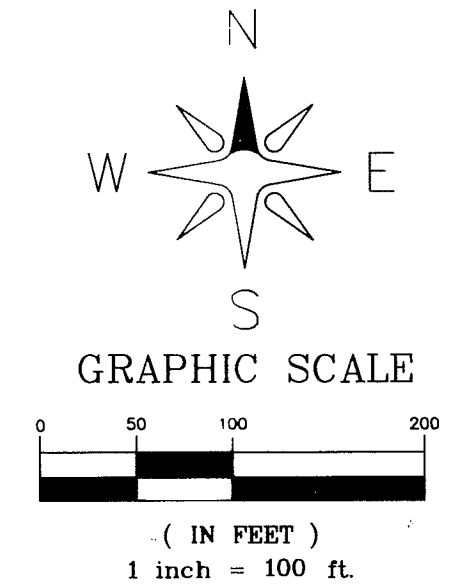
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# GENERAL AND SPECIFIC BINDING SITE PLAN

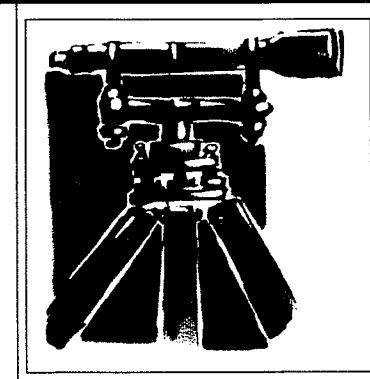
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A PORTION OF THE NE 1/4 OF THE NE 1/4 OF S. 4, T. 38 N., R. 2 E. OF W.M.,  
CITY OF FERNDALE, WASHINGTON

CURVE / LINE SEGMENT TABLE			
LABEL	RADIUS	DELTA/BEARING	LENGTH/DIST
C1	R = 98.00'	Δ = 49°34'36"	L = 84.80'
C2	R = 52.00'	Δ = 46°13'31"	L = 41.95'
C2A	R = 52.00'	Δ = 29°34'45"	L = 26.85'
C3	R = 173.00'	Δ = 26°23'04"	L = 79.67'
C4	R = 173.00'	Δ = 22°34'49"	L = 68.18'
C5	R = 77.00'	Δ = 30°24'14"	L = 40.86'
C6	R = 98.00'	Δ = 30°18'36"	L = 55.26'
L1		N24°16'28"E	L = 35.09'
L2		N06°07'46"W	L = 132.11'
L3		N01°46'47"E	L = 34.12'



- LEGEND**
- = EXISTING BOUNDARY LINE
  - = SET REBAR W/ YPC PLS# 24218 (AUG. 2009)
  - ⊕ = 2" B.C. MONUMENT
  - ⊙ = PER ROS AF #2070503937
- SURVEYORS NOTES**
- 1) DATA FOR THIS SURVEY WAS GATHERED BY FIELD TRAVERSE UTILIZING ELECTRONIC DATA COLLECTION.
  - 2) EQUIPMENT USED: LEICA TCRA1103+: 00°01.5" ± 2 PPM, ± 2MM. NIKON DTM522: 00°01.5" ± 2 PPM, ± 2 MM
  - 3) BASIS OF BEARING: PER "C.C. LOT LINE ADJUSTMENT," AF# 950210025.
  - 4) THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS SPECIFIED BY WAC 332-130-090.
- NOTES:**
1. EASEMENTS PER TITLE REPORT NOT SURVEYABLE: AF# 931210198, AF# 1023112, AF# 1011604.
  2. ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE GENERAL BINDING SITE PLAN.
- EASEMENT NOTE:**  
THE CITY OF FERNDALE RESERVES A RIGHT OF REASONABLE ACCESS TO MAINTAIN WATER AND SEWER FACILITIES WITHIN THE SITE PLAN SHOWN HEREON.



**LAND DEVELOPMENT  
ENGINEERING &  
SURVEYING INC.**  
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GSB SITE PLAN CLEO CALLEN		
SITUATE IN A PORTION OF THE SE 1/4 OF THE SE 1/4 OF S33, T39N, R2E OF THE W.M., WHATCOM COUNTY		
DRAWN BY: SR	DATE: 12/28/10	JOB#: 8015
CHECKED BY: KTH	SCALE: 1" = 100'	SHEET: 2 OF 2