

RESOLUTION NO. 077-16

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, GRANTING FINAL PLAT APPROVAL FOR A 28 LOT PLAT KNOWN AS HORSTMAN HEIGHTS PHASE 2

WHEREAS, on September 25, 2006, the City of Port Orchard City Council approved the preliminary plat for a subdivision known as Horstman Heights; and

WHEREAS, on July 2, 2014, the City of Port Orchard Community Development Director approved the amended preliminary plat of Horstman Heights at the request of the property owner; and

WHEREAS, on May 25, 2016 a final plat submittal was received for Horstman Heights Phase 2 for the subdivision of 28 lots, two tracts and public right-of-way; and

WHEREAS, the Director of Public Works has determined that the proposed means of sewage disposal and water supply are adequate and recommends approval of the final plat; and

WHEREAS, the City Engineer recommends approval of the final plat; and

WHEREAS, the City Community Development Director recommends approval of the final plat; and

WHEREAS, the City Council finds that Horstman Heights Phase 2 conforms to all terms and conditions of the preliminary plat approval and that said subdivision meets the requirements of Chapter 58.17 RCW and other applicable state laws and local ordinances; and

WHEREAS, the City Council finds that Horstman Heights Phase 2 conforms to the applicable zoning requirements and Port Orchard's Comprehensive Plan; now, therefore;

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: The Port Orchard City Council approves the final plat for Horstman Heights Phase 2, as illustrated and as legally described in Exhibit A, attached hereto; and

FURTHER THAT: The Horstman Heights Phase 2 subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances, and regulations in effect at the time of approval for a period of five years after final plat approval unless the City Council finds that a change in conditions has created a serious threat to the public health or safety in the subdivision.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the Clerk in authentication of such passage this 22nd day of November, 2016.



Robert Putaansuu, Mayor

ATTEST:



Brandy Rinearson, CMC, City Clerk



HORSTMAN HEIGHTS PLAT PHASE 2

A PORTION OF THE NE 1/4 AND THE NW 1/4 OF THE SW 1/4,
OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 2 EAST, W.M.,
CITY OF PORT ORCHARD, KITSAP COUNTY, WASHINGTON

SHEET INDEX:

SHEET 1 DEDICATION AND APPROVALS
SHEET 2 BOUNDARY AND SECTION CONTROL
SHEET 3 LOT LAYOUT
SHEET 4 PLAT NOTES

DEDICATION:

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED PROPERTY, DEDICATE THESE LOTS TO THE PURCHASER THEREOF. ALL ROADS ARE PUBLIC AND ARE DEDICATED TO THE PUBLIC. EACH LOT OWNER SHALL HAVE AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES, AND ANY OTHER PURPOSES NOT INCONSISTENT WITH ITS USE AS A ROADWAY, OVER AND ACROSS ALL THE PUBLIC ROADS SHOWN ON THE PLAT. THE OWNERS RESERVE THE RIGHT TO MAKE ANY NECESSARY CUTS AND FILLS UPON THESE LOTS IN THE ORIGINAL REASONABLE GRADING OF THESE ROADS.

THIS SUBDIVISION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNER OR OWNERS.

THE UNDERSIGNED OWNERS WAIVE ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF PORT ORCHARD, ITS OFFICERS, EMPLOYEES, AGENTS, SUCCESSORS, ASSIGNS, AND CONTRACTORS ARISING FROM OR OCCASIONED TO THE ADJACENT LAND BY THE ESTABLISHED CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SAID ROADS, AS WELL AS THE SEWER PIPELINES, MANHOLES, AND OTHER APPURTENANT SEWER STRUCTURES, DRYWELLS, WATER SYSTEM, DRY UTILITY SYSTEM, OR UNDERGROUND DRAINAGE FACILITIES OVER, UNDER, AND ACROSS THE AFOREMENTIONED ROADS.

S AND G DEVELOPING, LLC, A WASHINGTON LIMITED LIABILITY COMPANY

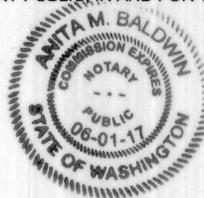
BY Stephen A. Skibbs
STEPHEN A. SKIBBS (MANAGER)

ACKNOWLEDGMENTS:

STATE OF WASHINGTON)
COUNTY OF KITSAP) ss

ON THIS DAY PERSONALLY APPEARED BEFORE ME STEPHEN A. SKIBBS, TO ME KNOWN TO BE THE MANAGER, OF THE CORPORATION THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED 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 WAS/WERE AUTHORIZED TO EXECUTE SAID INSTRUMENT. IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 7th DAY OF November, 20 16.

Anita M. Baldwin, NOTARY PUBLIC, IN AND FOR THE STATE OF WASHINGTON,
RESIDING AT Gig Harbor, WA 98335
Anita M. Baldwin
PRINT NAME
MY COMMISSION EXPIRES 6/1/2017



EASEMENT PROVISIONS:

- AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ANY POWER COMPANY, ANY WATER COMPANY, ANY TELEPHONE COMPANY, ANY GAS COMPANY, ANY CABLE TELEVISION COMPANY, CITY OF PORT ORCHARD, KITSAP COUNTY, WEST SOUND UTILITY DISTRICT, ANY OTHER PUBLIC OR PRIVATE UNDERGROUND UTILITY SERVICE (INCLUDING, BUT NOT LIMITED TO, PRIVATE ROOF DRAIN CONNECTIONS), AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE UTILITY EASEMENTS SHOWN ON THE FACE OF THIS PLAT AND THE FRONT 10 FEET PARALLEL WITH AND ADJOINING THE PUBLIC ROAD FRONTAGE OF ALL LOTS AND TRACT E IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND PIPE, STORM DRAIN LINES, CONDUIT, CABLES AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, STORMWATER AND OTHER UTILITY SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED. A PERPETUAL EASEMENT IS RESERVED FOR AND GRANTED TO WEST SOUND UTILITY DISTRICT WITH A RIGHT OF ENTRY AND CONTINUED ACCESS FOR THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE AND REPAIR OF WATER MAINS, SEWAGE LINES AND OTHER APPURTENANCES OVER, UNDER AND ACROSS THE PUBLIC ROADS AND UTILITY EASEMENTS SHOWN ON THE FACE OF THIS PLAT. ALL PERMANENT UTILITY SERVICES SHALL BE PROVIDED BY UNDERGROUND SERVICE EXCLUSIVELY. THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION.
- IN THE EVENT THE ASSOCIATION FAILS TO MAINTAIN THE COMMON AREAS, INCLUDING BUT NOT LIMITED TO THE STORM DRAIN FACILITY, IN ACCORDANCE WITH THE STANDARDS SET FORTH ON THE FACE OF THE FINAL PLAT FOR HORSTMAN HEIGHTS PHASE 2, AND THE PORT ORCHARD MUNICIPAL CODE, THEN THE CITY OF PORT ORCHARD, AFTER PROVIDING THE ASSOCIATION WITH WRITTEN NOTICE AND THIRTY (30) DAYS TO CURE THE CONDITION, MAY ENTER THE COMMON AREAS FOR THE PURPOSE OF PERFORMING THE REQUIRED MAINTENANCE, AND THE ASSOCIATION HEREBY GRANTS THE CITY OF PORT ORCHARD AN EASEMENT AND RIGHT OF ACCESS FOR THIS LIMITED PURPOSE. THE CITY OF PORT ORCHARD SHALL BE ENTITLED TO REIMBURSEMENT FROM THE ASSOCIATION AND THE LOT OWNERS FOR ALL COSTS AND EXPENSES ASSOCIATED WITH SAID MAINTENANCE.

ASSESSOR/TREASURER:

I HEREBY CERTIFY THAT, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, ALL TAXES AND DELINQUENT ASSESSMENTS FOR WHICH THE PROPERTY MAY BE LIABLE AS OF THE DATE OF THIS CERTIFICATION HAVE BEEN DULY PAID, SATISFIED OR DISCHARGED.

ASSESSOR-TREASURER KITSAP COUNTY, WASHINGTON DATE

CITY TREASURER:

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THE CITY OF PORT ORCHARD THERE ARE NO DELINQUENT ASSESSMENTS OR LIENS OUTSTANDING AGAINST THE SUBJECT PROPERTY AS OF THE DATE OF THIS CERTIFICATION.

[Signature] 11/17/2016
CITY TREASURER DATE

CITY MAYOR:

I HEREBY CERTIFY THAT ON _____, 2016 THE PORT ORCHARD CITY COUNCIL FOUND THAT THE FINAL PLAT FOR HORSTMAN HEIGHTS, PHASE 2 CONFORMS TO ALL TERMS OF THE PRELIMINARY PLAT APPROVAL, MEETS THE REQUIREMENTS OF STATE AND LOCAL LAW, AND THEREFORE APPROVED SAID FINAL PLAT.

MAYOR, CITY OF PORT ORCHARD DATE

CITY ENGINEER:

I HEREBY CERTIFY THAT THE LAYOUT OF STREETS AND OTHER RIGHT OF WAY, DESIGN OF STORM DRAINAGE AND OTHER STRUCTURES IN THIS PLAT HAVE BEEN CONSTRUCTED TO THE CITY OF PORT ORCHARD STANDARDS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PORT ORCHARD PUBLIC WORKS DEPARTMENT OR THAT A FINANCIAL GUARANTEE IN AN AMOUNT SUFFICIENT TO COMPLETE THE WORK IS DEPOSITED WITH THE CITY OF PORT ORCHARD.

I FURTHER CERTIFY THAT THIS PLAT IS HEREBY ACCEPTED AND APPROVED. I FURTHER CERTIFY THAT THE CITY OF PORT ORCHARD, VIA WEST SOUND UTILITY DISTRICT, HAS SUFFICIENT SEWAGE DISPOSAL AND WATER SUPPLY CAPACITY TO SERVE THE SUBDIVISION AND THAT HORSTMAN HEIGHTS PHASE 2 PLAT HAS BEEN CHECKED AND THAT ALL WORKING DRAWINGS AND SPECIFICATIONS FOR IMPROVEMENTS HAVE BEEN PREPARED TO CONFORM WITH THE CITY OF PORT ORCHARD STANDARDS AND REQUIREMENTS AND I THEREFORE RECOMMEND APPROVAL OF THE FINAL PLAT.

[Signature] 11/17/2016
CITY ENGINEER DATE

AUDITOR RECORDING CERTIFICATE:

AUDITOR FILED FOR RECORD THIS _____ DAY OF _____, 20____, AT _____ MINUTES PAST _____ M., RECORDS OF THE KITSAP COUNTY AUDITOR, RECORDED UNDER AUDITOR'S FILE NUMBER _____.

KITSAP COUNTY AUDITOR

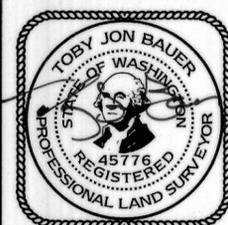
KITSAP COUNTY AUDITOR FEE: _____ BY: _____

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT IS BASED UPON AN ACTUAL SURVEY DONE BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE BEARINGS AND DISTANCES ARE SHOWN CORRECTLY; THAT THE PERIMETER MONUMENTS HAVE BEEN SET AND THAT ALL OTHER MONUMENTS AND CORNERS HAVE BEEN SET OR BONDED WITH THE COUNTY AND WILL BE SET PRIOR TO THE RELEASE OF THE BOND; THAT I COMPLIED WITH ALL STATE AND COUNTY REGULATIONS GOVERNING PLATTING AND THAT IT CONFORMS TO THE APPROVED PRELIMINARY PLAT AND THE CONDITIONS OF APPROVAL THEREOF.

[Signature] 11-7-2016
TOBY JON BAUER DATE
PLS NO. 45776

SHEET 1 OF 4



11-7-2016

WSE WestSound Engineering, Inc

217 S.W. Wilkins Drive Port Orchard, Wa. 98366
Phone (360) 876-3770 Fax (360) 876-0439
E-mail: wse@wsengineering.com http://www.wsengineering.com

HORSTMAN HEIGHTS PLAT PHASE 2

DATE: Nov. 7, 2016	FIELD BOOK: 24-2E #2	DRAWN: TJB
JOB NO: 2232	SCALE: N/A	CHECKED: TJB
INDEX: NE&NW1/4, SW1/4, SEC. 30, T 24N, R 2E, W.M.		

HORSTMAN HEIGHTS PLAT PHASE 2

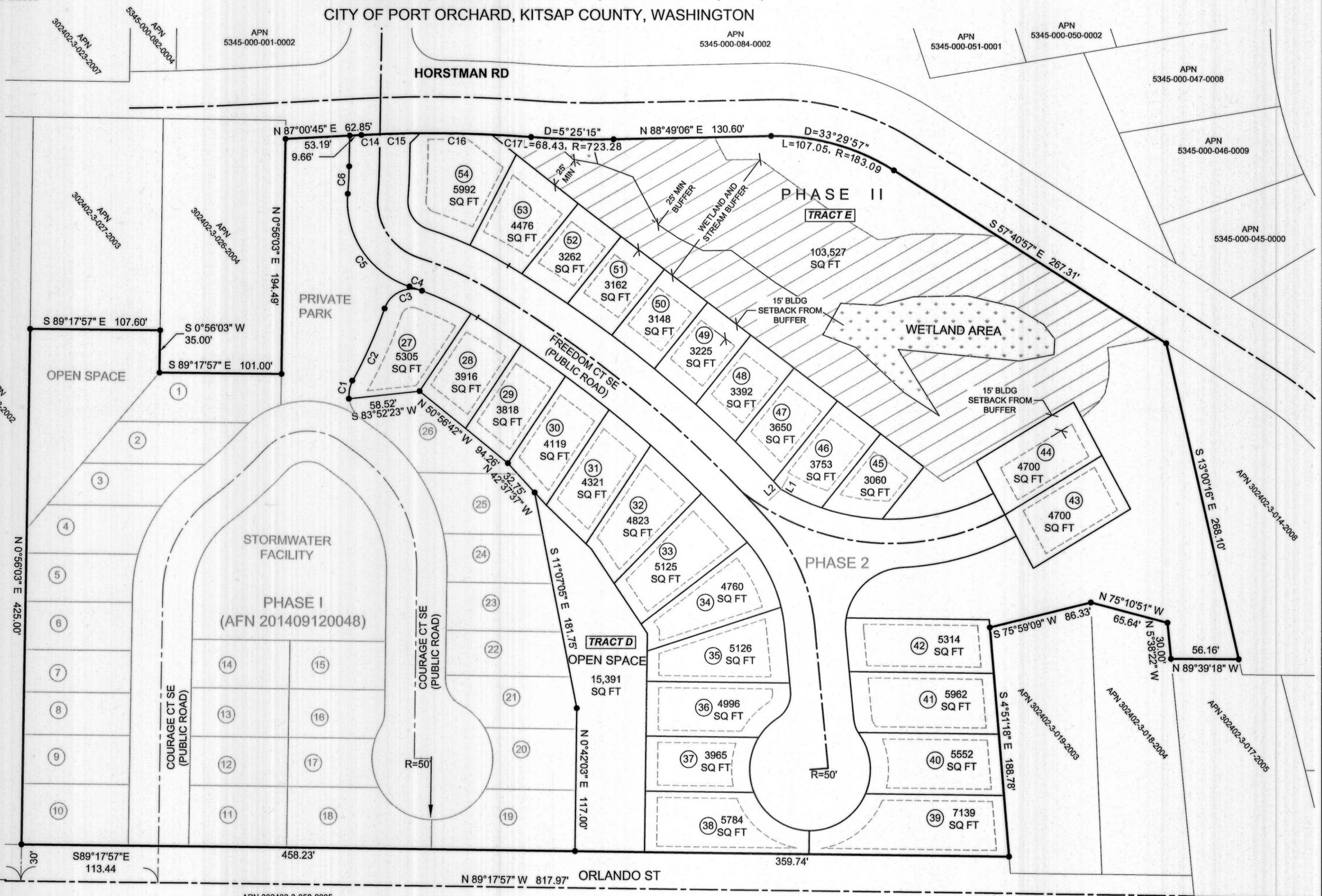
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CITY OF PORT ORCHARD, KITSAP COUNTY, WASHINGTON

WEST 1/4 CORNER
SEC. 30-24-2E
FD BULLET CASING
IN CONCRETE
VISITED 8/2005

N00°53'45"E - 2650.48' (BASIS OF BEARINGS)

N00°53'45"E

SOUTHWEST CORNER
SEC. 30-24-2E
FND MON IN CASE
VISITED 2/2014



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CALCD PER PLAT
AFN 9602120063

S89°22'16"E - 2635.23'

CALCD PER PLAT
AFN 9602120063

SHEET 2 OF 4

LEGEND

- SET LOT CORNER PER NOTE ON SHEET 3 OF 4.
- ## LOT NUMBER



WSE WestSound Engineering, Inc

217 S.W. Wilkins Drive Port Orchard, Wa. 98366
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HORSTMAN HEIGHTS PLAT PHASE 2

DATE: Nov. 9, 2016	FIELD BOOK: 24-2E #2	DRAWN: TJB
JOB NO: 2232	SCALE: 1" = 60'	CHECKED: TJB
INDEX: NE&NW1/4, SW1/4, SEC. 30, T 24N, R 2E, W.M.		

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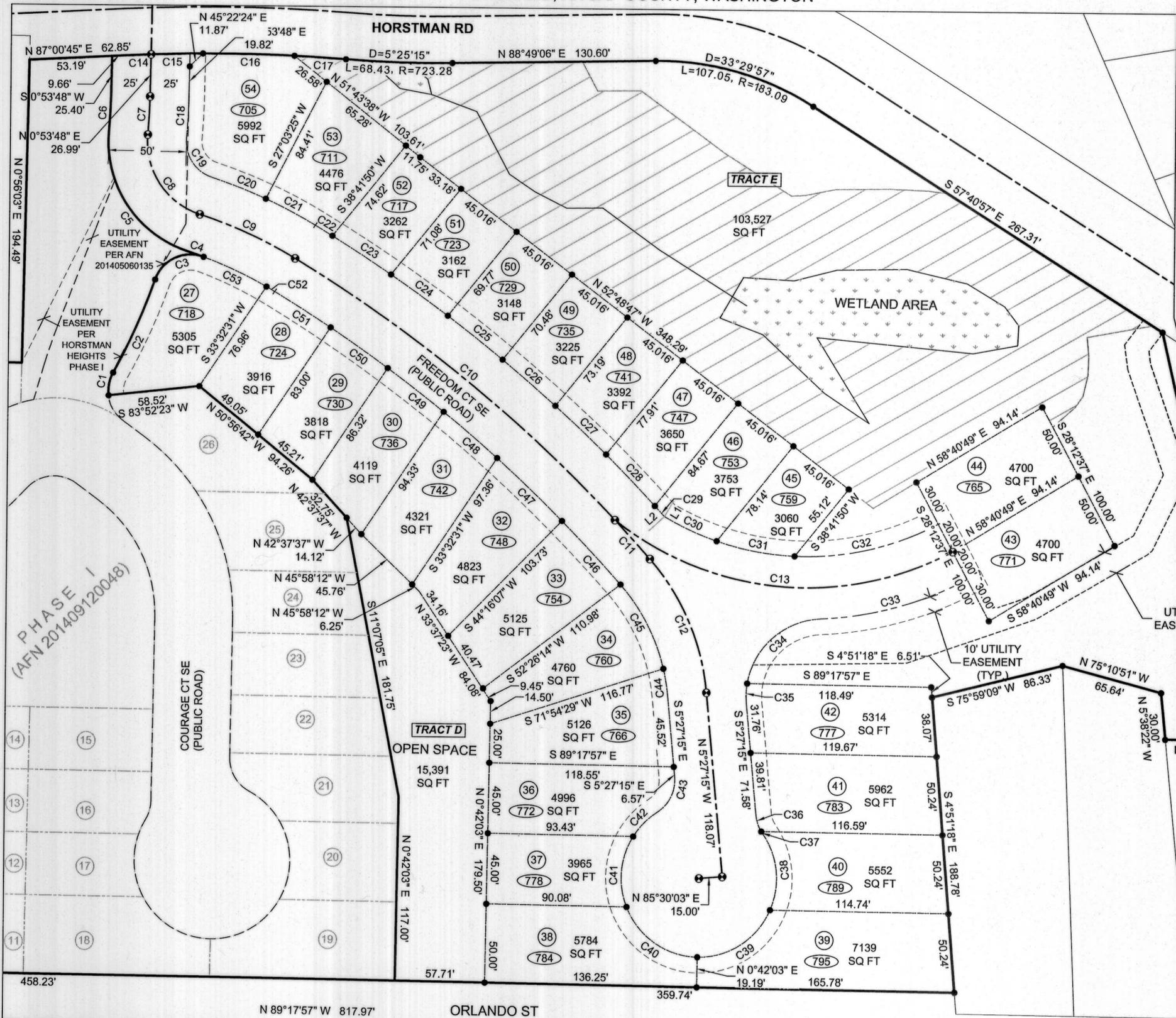
HORSTMAN HEIGHTS PLAT PHASE 2

A PORTION OF THE NE 1/4 AND THE NW 1/4 OF THE SW 1/4,
OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 2 EAST, W.M.,
CITY OF PORT ORCHARD, KITSAP COUNTY, WASHINGTON

Curve Table			
Curve #	Length	Radius	Delta
C1	15.05	24.00	35°55'09"
C2	65.50	375.00	10°00'30"
C3	38.28	24.00	91°23'06"
C4	10.96	270.00	2°19'33"
C5	99.56	74.00	77°05'23"
C6	22.74	325.00	4°00'30"
C7	24.48	350.00	4°00'30"
C8	65.93	49.00	77°05'23"
C9	67.65	295.00	13°08'23"
C10	265.98	984.93	15°28'21"
C11	33.45	984.93	1°56'46"
C12	94.70	150.00	36°10'22"
C13	230.82	200.00	66°07'33"
C14	15.39	1114.98	0°47'27"
C15	33.34	1114.98	1°42'48"
C16	58.76	1114.98	3°01'11"
C17	33.14	1114.98	1°42'11"
C18	26.23	375.00	4°00'30"
C19	32.29	24.00	77°05'23"
C20	37.26	320.00	6°40'14"
C21	36.13	320.00	6°28'09"
C22	12.91	1009.93	0°43'56"
C23	45.15	1009.93	2°33'42"
C24	45.07	1009.93	2°33'26"
C25	45.01	1009.93	2°33'12"
C26	45.03	1009.93	2°33'17"
C27	45.14	1009.93	2°33'40"
C28	45.35	1009.93	2°34'22"
C29	9.18	1009.93	0°31'16"
C30	37.12	180.00	11°48'56"
C31	51.27	180.00	16°19'14"
C32	95.72	180.00	30°28'02"
C33	98.16	220.00	25°33'51"
C34	68.16	50.00	78°06'08"
C35	12.83	50.00	14°42'21"
C36	11.15	24.00	26°36'40"
C37	1.48	24.00	3°31'30"
C38	51.36	50.00	58°51'34"
C39	58.84	50.00	67°25'53"
C40	58.84	50.00	67°25'53"

Curve Table			
Curve #	Length	Radius	Delta
C41	46.82	50.00	53°38'44"
C42	22.18	50.00	25°24'46"
C43	26.24	24.00	62°38'45"
C44	17.65	125.00	8°05'31"
C45	61.26	125.00	28°04'51"
C46	55.39	959.93	3°18'22"
C47	57.79	959.93	3°26'59"
C48	45.32	959.93	2°42'17"
C49	45.63	959.93	2°43'24"
C50	45.02	959.93	2°41'13"
C51	42.69	959.93	2°32'52"
C52	6.16	270.00	1°18'24"
C53	44.80	270.00	9°30'25"

Line Table		
Line #	Radial Direction	Radius
L1	N 30°23'35" E	180.00
L2	S 47°34'07" W	1009.93



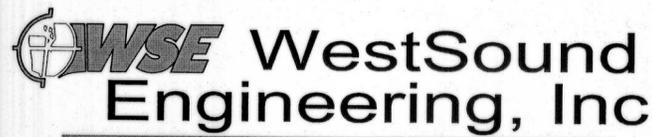
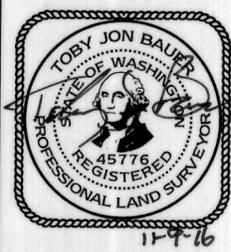
SHEET 3 OF 4

SURVEYOR'S NOTE

SET 5/8" REBAR WITH YELLOW CAP STAMPED "WESTSOUND ENGINEERING BAUER LS45776" AT ALL LOT CORNERS AND ANGLE POINTS. THERE MAY BE INSTANCES WHERE A CONCRETE NAIL AND WASHER STAMPED "WESTSOUND ENGINEERING BAUER LS45776" ARE SET AT REAR CORNERS OR ANGLE POINTS WHEN AN OBSTACLE PREVENTS THE SETTING OF REBAR AND CAP.

LEGEND

- SET LOT CORNER PER NOTE ON SHEET 3 OF 4.
- ⊙ SET 2" BRASS DISC PER CITY OF PORT ORCHARD "MONUMENTATION A" DETAIL
- ## LOT NUMBER
- ### STREET ADDRESS



217 S.W. Wilkins Drive
Phone (360) 876-3770
E-mail: wse@wsengineering.com

Port Orchard, Wa. 98366
Fax (360) 876-0439
http://www.wsengineering.com

HORSTMAN HEIGHTS PLAT PHASE 2

DATE: Nov. 9, 2016	FIELD BOOK: 24-2E #2	DRAWN: TJB
JOB NO: 2232	SCALE: 1" = 50'	CHECKED: TJB
INDEX: NE&NW1/4, SW1/4, SEC. 30, T 24N, R 2E, W.M.		

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HORSTMAN HEIGHTS PLAT PHASE 2

A PORTION OF THE NE 1/4 AND THE NW 1/4 OF THE SW 1/4,
OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 2 EAST, W.M.,
CITY OF PORT ORCHARD, KITSAP COUNTY, WASHINGTON

LEGAL DESCRIPTION

TRACT D, HORSTMAN HEIGHTS PHASE 1, ACCORDING TO PLAT RECORDED IN VOLUME 33 OF PLATS, PAGES 222 THROUGH 225, INCLUSIVE, IN KITSAP COUNTY, WASHINGTON.

NOTES:

1. TRACT "D" IS HEREBY CONVEYED TO THE HORSTMAN HEIGHTS HOMEOWNERS ASSOCIATION AS OPEN SPACE. THE HORSTMAN HEIGHTS HOMEOWNERS ASSOCIATION IS RESPONSIBLE FOR THE MAINTENANCE OF TRACT "D".
2. TRACT "E" IS HEREBY CONVEYED TO THE HORSTMAN HEIGHTS HOMEOWNERS ASSOCIATION AS OPEN SPACE. THE HORSTMAN HEIGHTS HOMEOWNERS ASSOCIATION IS RESPONSIBLE FOR THE MAINTENANCE OF TRACT "E".
3. ALL LOT OWNERS WITHIN THE PLAT OF HORSTMAN HEIGHTS PHASE 1 AND HORSTMAN HEIGHTS PHASE 2 ARE HEREBY GRANTED AN UNDIVIDED INTEREST IN TRACTS "D" AND "E".
4. SETBACKS ON THE FACE OF THE PLAT DEPICT THE MINIMUM SETBACK REQUIRED. ADDITIONAL SETBACKS MAY BE REQUIRED FROM ANY CRITICAL AREAS ON THE SITE INCLUDING WETLANDS AND/OR STEEP SLOPES.
5. ROOF DRAINAGE FROM EACH LOT SHALL BE RETAINED ON SITE. THE DRAINAGE PLAN MUST BE SUBMITTED TO AND ACCEPTED BY THE CITY OF PORT ORCHARD BUILDING DEPARTMENT AT THE TIME OF BUILDING PERMIT APPLICATION. MAINTENANCE OF ROOF DRAINS AND APPURTENANCES SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL HOMEOWNERS.
6. NO OWNER OR OCCUPANT MAY OBSTRUCT OR RECHANNEL THE DRAINAGE FLOWS AFTER LOCATION AND INSTALLATION OF DRAINAGE SWALES, STORM SEWERS OR STORM DRAINS. ANY ALTERATION OF THE WATER FLOW SHALL BE COMPLETED ONLY AFTER APPROVAL BY THE CITY OF PORT ORCHARD PUBLIC WORKS.
7. THE INDIVIDUAL LOT ROOF AND DRAINAGE SYSTEMS AND ASSOCIATED COLLECTION SYSTEMS ARE PRIVATE AND SHALL BE MAINTAINED BY THE INDIVIDUAL PROPERTY OWNERS OR THE HOMEOWNERS ASSOCIATION.
8. THE SURVEYOR HAS SET ALL CORNER PINS ON EACH BUILDABLE LOT PRIOR TO RECORDING THE FINAL PLAT FOR HORSTMAN HEIGHTS PHASE 2. ANY DISTURBANCE TO SUCH PINS BEFORE FINAL INSPECTION SHALL BE CAUSE FOR WITHHOLDING INSPECTION APPROVAL.
10. THERE SHALL BE NO VEHICULAR ACCESS TO OR FROM ORLANDO STREET FROM THOSE LOTS WHICH ABUT IT (LOTS 38 AND 39).
11. THE ASSOCIATION SHALL PREPARE A MAINTENANCE AND OPERATIONS MANUAL FOR THE STORM DRAIN FACILITIES LOCATED ON THE PROPERTY AND THE MANUAL SHALL BE ON FILE WITH THE CITY OF PORT ORCHARD.
12. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR KEEPING ON FILE WITH THE CITY OF PORT ORCHARD AN UP TO DATE AND COMPREHENSIVE MAINTENANCE AND OPERATIONS MANUAL COVERING ALL STORM DRAIN FACILITIES LOCATED ON THE PROPERTY.
13. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE CONSTRUCTION, MAINTENANCE AND REPAIR OF ALL STORM DRAIN FACILITIES LOCATED ON TRACT B AS LOCATED IN HORSTMAN HEIGHTS PHASE I AS RECORDED UNDER AFN 201409120048. ALL STORM DRAIN FACILITIES SHALL BE CONSTRUCTED, MAINTAINED AND REPAIRED CONSISTENT WITH AND SUBJECT TO THE PORT ORCHARD MUNICIPAL CODE, INCLUDING BUT NOT LIMITED TO CHAPTER 15.32 (STORMWATER MANAGEMENT), AS NOW STATED OR HEREAFTER AMENDED AS WELL AS THE PROJECT'S MAINTENANCE AND OPERATIONS MANUAL, WHICHEVER IS MORE STRINGENT.
14. ARTICLE 10.6 (CREATION OF LIEN IN FAVOR OF CITY OF PORT ORCHARD FOR REIMBURSEMENT OF MAINTENANCE EXPENSE) AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND RESERVATIONS OF HORSTMAN HEIGHTS PHASE 2, SHALL NOT BE REVISED OR AMENDED WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE CITY OF PORT ORCHARD.
15. LOTS 44-54 BORDER A CRITICAL WETLAND BUFFER. NO BUILDING, GRADING, CLEARING, OR FILLING CAN TAKE PLACE WITHIN ANY NATURAL BUFFER AREA. BUFFERS ARE MARKED WITH A SPLIT-RAIL FENCE AND WETLAND SIGNS.
16. THE 1ST AMENDMENT TO HORSTMAN HEIGHTS DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND RESERVATIONS ARE RECORDED UNDER AUDITOR'S FILE NUMBER _____.
17. THE SUBDIVISION GUARANTEE PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, THEIR ORDER NO. 32155978, DATED MAY 18, 2016 AND ALL SUPPLEMENTS THEREOF WERE RELIED UPON FOR THE RECORD ITEMS AFFECTING THIS SUBDIVISION. ACCORDING TO THESE DOCUMENTS, THE FOLLOWING ITEMS AFFECT THIS SITE:
 - A) ALL COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS OR OTHER SERVITUDES, IF ANY, DISCLOSED BY THE RECORDED PLAT OF HORTSMAN HEIGHTS PHASE 1.
 - B) EASEMENT PROVISIONS AND NOTES CONTAINED ON THE FACE OF THE PLAT.
 - C) EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: PUGET SOUND ENERGY, INC.
PURPOSE: ONE OR MORE UTILITY SYSTEMS FOR PURPOSES OF TRANSMISSION, DISTRIBUTION AND SALE OF GAS AND ELECTRICITY
AFFECTS: REFER TO SAID INSTRUMENT FOR THE EXACT LOCATION
RECORDED: DECEMBER 19, 2013
RECORDING NO.: 201312190167
 - D) RESTRICTIONS, EASEMENTS AND LIABILITY TO ASSESSMENTS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS, EASEMENTS AND ASSESSMENTS:
RECORDED: SEPTEMBER 12, 2014
AFN: 201409120049
 - E) AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
BY AND BETWEEN: S AND G DEVELOPING, LLC AND WEST SOUND UTILITY DISTRICT
RECORDED: MAY 6, 2014
RECORDING NO.: 201405060135
REGARDING: EASEMENT AGREEMENT FOR UTILITY TRANSMISSION LINES
 - F) RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON SAID PREMISES FOR PUBLIC ROAD AS GRANTED BY DEED RECORDED UNDER RECORDING NO. 862225
 - G) WAIVER AND RELINQUISHMENT OF ALL CLAIMS OF DAMAGE CAUSED OR ARISING BY REASON OF THE LAYING OUT, ESTABLISHMENT AND MAINTENANCE OF A PUBLIC ROAD AS PROVIDED BY INSTRUMENT RECORDED UNDER RECORDING NO. 862225.
18. A NO PROTEST AGREEMENT AND COVENANT RUNNING WITH THE LAND HAS BEEN RECORDED UNDER AUDITOR'S FILE NUMBER _____ FOR FUTURE IMPROVEMENTS TO HORSTMAN ROAD.
19. A STREET VARIANCE HAS BEEN GRANTED FOR THE STEEP STREET GRADE OF FREEDOM COURT SE. FREEDOM COURT SE IS A STEEP GRADE AND MAY BE INHIBITED DURING PERIODS OF INCLEMENT WEATHER SUCH THAT THE STREET MAY BE CLOSED DUE TO WEATHER CONDITIONS. THE CITY OF PORT ORCHARD DISCLAIMS ANY LIABILITY DUE TO EXCESS GRADE.
20. NO FERTILIZERS OR PESTICIDES SHALL BE APPLIED IN OR NEAR ANY NATURAL BUFFER FOR WETLANDS OR SEASONAL STREAMS ON THE PLAT.
21. A NOTICE TO TITLE IS RECORDED UNDER AUDITOR'S FILE NUMBER _____ TO IDENTIFY CRITICAL AREAS LOCATED ON THIS PLAT. TRACT E CONTAINS WETLANDS AND ASSOCIATED BUFFER, AND STEEP SLOPES. LOTS 39 THROUGH 54 AND TRACT D CONTAIN STEEP SLOPES.

SHEET 4 OF 4



WSE WestSound Engineering, Inc

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