

CITY OF ARLINGTON
WISEMARK COMMONS BINDING SITE PLAN
 A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14,
 TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON.
 CITY FILE NUMBER: PLN #1139

COVENANTS, CONDITIONS AND RESTRICTIONS

THIS BINDING SITE PLAN AND ANY DEDICATIONS THERETO IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE SAID OWNERS, SUBJECT TO THE FOLLOWING CONDITIONS, COVENANTS, RESTRICTIONS AND EASEMENTS AND REQUIREMENTS.

1. **SITE DEVELOPMENT:** ALL DEVELOPMENT AND USE OF THE LAND DESCRIBED HEREIN SHALL BE IN ACCORDANCE WITH THIS BINDING SITE PLAN, AS IT MAY LAWFULLY BE AMENDED WITH THE APPROVAL OF THE CITY OF ARLINGTON, AND IN ACCORDANCE WITH SUCH OTHER GOVERNMENTAL PERMITS, APPROVALS, REGULATIONS, REQUIREMENTS, AND RESTRICTIONS THAT MAY BE IMPOSED UPON THE LAND AND THE DEVELOPMENT AND THE USE THEREOF. ALL DEVELOPMENT THAT OCCURS RELATED TO THIS BINDING SITE PLAN SHALL SHARE COMMON ARCHITECTURAL DESIGN ELEMENTS ENSURING THAT THERE IS COMMONALITY BETWEEN ALL BUILDINGS, REGARDLESS OF THE TIME SPAN FOR COMPLETE BUILDOUT OF THE PROJECT TO OCCUR.
2. **MIXED USE OVERLAY:** THIS BINDING SITE PLAN MUST INCORPORATE COMMERCIAL/RETAIL/PROFESSIONAL AND CERTAIN MANUFACTURING USES ON THE LOTS/PARCELS WHICH FRONT ROADWAYS, AND PROVIDE FOR RESIDENTIAL DEVELOPMENT AT A DENSITY OF, 15 DU AC. MINIMUM, UPON THE INTERIOR LOTS/PARCELS OF THE PROPERTY AS DESCRIBED HEREIN. ALL DEVELOPMENT SHALL CONFORM TO THE CITY OF ARLINGTON MIXED USE DEVELOPMENT REGULATIONS.
3. **COMMON ACCESS AND PARKING AREA:** DECLARANT, ITS SUCCESSORS, ASSIGNS, BUSINESS INVITEES, LICENSEES, TENANTS, AND THEIR GUESTS SHALL HAVE COMMON ACCESS AND USE FOR INGRESS AND EGRESS PURPOSES OVER AND ACROSS ALL ROADWAYS, PARKING AREAS, AND WALKWAYS, BOTH AS SHOWN ON THIS SITE PLAN AND AS CONSTRUCTED ON THE LAND. THE OWNERS OF THE LAND SHALL MAINTAIN AND KEEP IN GOOD REPAIR THE ROADWAYS, FIRE LANES, PARKING AREAS AND WALKWAYS SITUATED ON SAID LAND AND SHALL KEEP SUCH ROADWAYS, FIRE LANES, PARKING AREAS AND WALKWAYS FREE OF SNOW, ICE, RUBBISH AND OBSTRUCTIONS OF EVERY NATURE AND SHALL PROVIDE AND MAINTAIN, AS REQUIRED BY THE CITY OF ARLINGTON, ANY DRAINAGE FACILITIES LOCATED ON THE SUBJECT PROPERTY.
4. **GOVERNMENT EASEMENT:** ANY GOVERNMENTAL ENTITY HAVING JURISDICTION OF THE LAND AND THE IMPROVEMENTS THERETO, AND ANY PUBLIC OR PRIVATE ENTITY PROVIDING UTILITY SERVICE THERETO, SHALL HAVE A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS SAID LAND FOR THE PURPOSES OF INSPECTION, MAINTENANCE, AND REPAIR OF SUCH UTILITY SERVICES.
5. **MULTI-PURPOSE MAINTENANCE:** EXCEPT AS OTHERWISE PROVIDED BY LAW, AND EXCEPT TO THE EXTENT MAINTENANCE IS PERFORMED BY A PUBLIC OR PRIVATE ENTITY PROVIDING UTILITY SERVICE, ALL PRESENT AND FUTURE OWNERS OF THE LAND SHALL MAINTAIN AND REPAIR ALL ROADWAYS, PARKING AREAS, UTILITIES AND DRAINAGE FACILITIES AND OTHER COMMON SITE FEATURES AND AREAS.
6. **BINDING EFFECT:** THIS BINDING SITE PLAN (AND THE FOREGOING COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS) SHALL CONSTITUTE COVENANTS THAT RUN WITH THE LAND AS PROVIDED BY LAW AND SHALL BE BINDING UPON ALL PARTIES AND ALL PERSONS WHO ARE OR SHALL BECOME THE OWNER OF, OR OTHERWISE HAVE AN INTEREST IN THE LAND DESCRIBED HEREIN. THE PERSONAL OBLIGATIONS OF DECLARANT HEREUNDER SHALL TERMINATE AT SUCH TIME AS DECLARANT TRANSFERS ITS INTEREST IN THE LAND, PROVIDED THAT THE THEN OWNERS OF THE LAND SHALL CONTINUE TO BE OBLIGATED HEREUNDER AS APPLICABLE.
7. ALL UNDEVELOPED LOTS, PARCELS AND TRACTS SHALL BE GRADED, SEEDED AND LAWNS ESTABLISHED ALONG WITH THE INSTALLATION OF ALL, REQUIRED, PERIMETER LANDSCAPING WITHIN TWELVE (12) MONTHS OF ANY DEVELOPMENT ACTIVITY BEING FINALIZED, UNLESS AN ACTIVE PERMIT WITH THE CITY OF ARLINGTON EXISTS FOR SUCH LOT(S). ALL LAWN AND LANDSCAPING SHALL BE MAINTAINED ON A WEEKLY BASIS AND A MAINTENANCE BOND OR OTHER ACCEPTABLE SECURITY IS IN PLACE TO ENSURE THAT ONGOING MAINTENANCE IS PROVIDED.
8. THE OWNER RELEASES, INDEMNIFIES AND HOLDS THE CITY OF ARLINGTON HARMLESS FROM ANY AND ALL CLAIMS FOR DAMAGES, LIABILITIES OR INJUNCTIVE RELIEF OF WHATEVER NATURE ARISING FROM THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE AND DOWNSTREAM IMPACTS CAUSED BY OR ATTRIBUTABLE TO THE STORM WATER SYSTEM ONSITE.

ARLINGTON MUNICIPAL AIRPORT AVIATION EASEMENT

WHEREAS, GOUTAM JAIN, HEREINAFTER CALLED "GRANTOR", IS THE OWNER OF THAT CERTAIN PARCEL OF LAND SITUATED IN THE CITY OF ARLINGTON, COUNTY OF SNOHOMISH, STATE OF WASHINGTON, TO WIT: SNOHOMISH COUNTY TAX PARCEL NO. 31051400200600, A TRUE LEGAL DESCRIPTION FOR THE PROPERTY IS ATTACHED AS EXHIBIT "A"; HEREINAFTER CALLED "GRANTOR'S PROPERTY".

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION TO THE GRANTOR, THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY SPECIFICALLY ACKNOWLEDGED, THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, SUBJECT TO THE PROVISIONS HEREIN CONTAINED, HEREBY GRANTS, BARGAINS, SELLS AND CONVEYS UNTO THE CITY OF ARLINGTON, STATE OF WASHINGTON, ITS SUCCESSORS AND ASSIGNS ("GRANTEE"), FOR USE AND BENEFIT OF THE PUBLIC, A PERPETUAL EASEMENT AND RIGHT-OF-WAY, IN THE AIRSPACE ABOVE GRANTOR'S PROPERTY ABOVE THREE IMAGINARY PLANES OVER GRANTOR'S PROPERTY. SAID IMAGINARY PLANES ARE HEREINAFTER KNOWN AS THE APPROACH SURFACE, TRANSITIONAL SURFACE AND HORIZONTAL SURFACE AND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY PROLONGATION OF THE CENTERLINE OF NORTHERLY/SOUTHERLY RUNWAY NO. 16-34 A DISTANCE OF 200 FEET SOUTHERLY OF THE SOUTHERLY TERMINUS OF SAID RUNWAY, SAID POINT BEING AT AN ELEVATION OF 125.6 FEET ABOVE MEAN SEA LEVEL; THENCE EXTENDING SOUTHERLY ON SAID CENTERLINE OUTWARD AND UPWARD (AT A SLOPE OF 50 FEET HORIZONTAL DISTANCE TO 1 FOOT IN ELEVATION) A DISTANCE OF 10,000 FEET AND THEN OUTWARD AND UPWARD (AT A SLOPE OF 40 FEET HORIZONTAL DISTANCE TO 1 FOOT IN ELEVATION) AN ADDITIONAL DISTANCE OF 40,000 FEET TO ELEVATION 1,335.8 FEET ABOVE MEAN SEA LEVEL AND THE TERMINUS OF SAID APPROACH SURFACE. SAID APPROACH SURFACE BEING 1,000 FEET WIDE, 500 FEET ON EACH SIDE OF SAID RUNWAY CENTERLINE PROLONGATED WHEN MEASURED AT THE BEGINNING POINT AND EXTENDING TO A WIDTH OF 16,000 FEET, 8000 FEET ON EACH SIDE OF SAID PROLONGATED CENTERLINE, AT THE TERMINUS OF SAID APPROACH SURFACE.

TOGETHER WITH AN EASEMENT AND RIGHT-OF-WAY IN THE AIRSPACE ABOVE THE GRANTOR'S PROPERTY FOR UNOBSTRUCTED PASSAGE OF ALL AIRCRAFT OVER TRANSITIONAL SURFACES TO THE APPROACH ZONE. SAID TRANSITIONAL SURFACES EXTEND OUTWARD AND UPWARD AT OBTUSE ANGLES TO EACH LONGITUDINAL EDGE OF THE APPROACH SURFACE ON A SLOPE OF 7 FEET HORIZONTALLY FOR EVERY 1 FOOT VERTICAL ELEVATION TO A HEIGHT OF 150 FEET ABOVE THE GROUND SURFACE.

TOGETHER WITH AN EASEMENT AND RIGHT-OF-WAY IN THE AIRSPACE ABOVE THE GRANTOR'S PROPERTY FOR UNOBSTRUCTED PASSAGE OF ALL AIRCRAFT OVER HORIZONTAL SURFACES ABOVE A HORIZONTAL PLANE AT 287 FEET ABOVE MEAN SEA LEVEL (MSL).

THE APPROACH SURFACE, TRANSITIONAL SURFACE, AND HORIZONTAL SURFACES ARE FURTHER SHOWN ON THE HEIGHT HAZARD ZONING MAP LABELED AS FIGURE 1 OF APPENDIX TWO OF THE ARLINGTON MUNICIPAL AIRPORT AIRPORT LAYOUT PLAN UPDATE DATED JUNE 2002 AND IS INCORPORATED BY REFERENCE AND MADE A PART HEREOF.

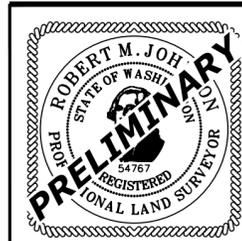
THE GRANTOR AGREES THAT THE EASEMENT AND RIGHTS HEREBY GRANTED TO THE GRANTEE IN AND OVER SAID PARCEL ARE FOR THE PURPOSE OF ENSURING THAT THE APPROACH AND TRANSITION AREAS SHALL REMAIN FREE AND CLEAR OF ANY STRUCTURE, TREE, OR OTHER OBJECT WHICH IS OR WOULD CONSTITUTE AN OBSTRUCTION OR HAZARD TO THE FLIGHT OF AIRCRAFT IN LANDING AND TAKING OFF AT THE ARLINGTON AIRPORT; THAT THESE RIGHTS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO TAKE ANY ACTION NECESSARY TO PREVENT THE ERECTION OR GROWTH OF ANY STRUCTURE, TREE, OR OTHER OBJECT INTO THE AIRSPACE ABOVE THAT PART OF SAID AREA WHICH IS DIRECTLY OVER SAID PARCEL; AND TO REMOVE FROM SUCH AIRSPACE, OR MARK AND LIGHT AS OBSTRUCTIONS TO AIR NAVIGATION, ANY AND ALL STRUCTURES, TREES, OR OTHER OBJECT THAT MAY AT ANY TIME PROJECT OR EXTEND ABOVE THE SAID AREA, TOGETHER WITH THE RIGHT OF INGRESS TO, EGRESS FROM, AND PASSAGE OVER THE LAND OF THE GRANTOR WITHIN THE SAID AREA FOR SUCH PURPOSES.

IN ADDITION, THERE IS HEREBY GRANTED FOR USE AND BENEFIT OF THE PUBLIC, THE RIGHT OF FLIGHT FOR THE UNOBSTRUCTED PASSAGE OF ALL AIRCRAFT IN THE AIRSPACE ABOVE GRANTOR'S PROPERTY, TOGETHER WITH THE RIGHT TO CAUSE IN ALL AIRSPACE ABOVE THE SURFACE OF GRANTOR'S PROPERTY SUCH NOISE, VIBRATIONS, FUMES, DUST, FUEL PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON SAID ARLINGTON AIRPORT AND GRANTOR DOES HEREBY FULLY WAIVE, REMISE, AND RELEASE ANY RIGHT OR CAUSE OF ACTION WHICH THEY MAY NOW HAVE OR WHICH THEY MAY HAVE IN THE FUTURE AGAINST GRANTEE, ITS SUCCESSORS AND ASSIGNS, DUE TO SUCH NOISE, VIBRATIONS, FUMES, DUST, FUEL PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED OR MAY HAVE BEEN CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON SAID ARLINGTON AIRPORT.

THE GRANTOR SHALL NOT HEREAFTER USE OR PERMIT OR SUFFER THE USE OF GRANTOR'S PROPERTY IN SUCH MANNER AS TO CREATE ELECTRICAL INTERFERENCE WITH RADIO COMMUNICATION BETWEEN ANY INSTALLATION UPON SAID AIRPORT AND AIRCRAFT, OR AS TO MAKE IT DIFFICULT FOR FLYERS TO DISTINGUISH BETWEEN AIRPORT LIGHTS AND OTHERS, OR AS TO IMPAIR VISIBILITY IN THE VICINITY OF THE AIRPORT OR AS OTHERWISE TO ENDANGER THE LANDING, TAKING OFF OR MANEUVERING OF AIRCRAFT. THIS EASEMENT SHALL BE EFFECTIVE AND SHALL INURE TO THE BENEFIT OF THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, UNTIL THE ARLINGTON MUNICIPAL AIRPORT SHALL BE ABANDONED AND SHALL CEASE TO BE USED FOR AIRPORT PURPOSES. IF IS SPECIFICALLY UNDERSTOOD AND AGREED THAT THIS EASEMENT, ITS COVENANTS AND AGREEMENTS SHALL RUN WITH THE LAND, WHICH IS DESCRIBED HEREIN. THE GRANTOR, ON BEHALF OF ITSELF, ITS SUCCESSORS AND ASSIGNS, FURTHER ACKNOWLEDGES THAT THE EASEMENTS HEREIN GRANTED CONTEMPLATE AND INCLUDE ALL EXISTING AND FUTURE OPERATIONS AT ARLINGTON MUNICIPAL AIRPORT, ACKNOWLEDGING THAT FUTURE AIRCRAFT NUMBERS AND TYPES WILL MOST LIKELY INCREASE AND NOISE PATTERNS MAY ALSO INCREASE, AND THAT THE RIGHTS, OBLIGATIONS AND COVENANTS HEREIN SET FORTH SHALL NOT TERMINATE OR VARY IN THE EVENT OF CHANGES IN THE FLIGHT VOLUME OR NOISE, TRAFFIC PATTERNS, RUNWAY LENGTHS OR LOCATIONS OR CHARACTERISTICS OR TYPE OR CATEGORY OF AIRCRAFT USING THE ARLINGTON MUNICIPAL AIRPORT, CITY OF ARLINGTON, STATE OF WASHINGTON.

LEGAL INFORMATION SHEET

AUDITOR'S FILE NO.:



CONTACT
 phone: 253-984-2900 5920 100th Street SW, #25
 beylerconsulting.com Lakewood, WA 98499

WISEMARK COMMONS
 TPN 31051400200600
 6804 204TH STREET NE
 ARLINGTON, WA 98223

DRWN. BY: RMJ	DATE: 1/23/2024	JOB #: 23.00095
CHKD. BY: TS	SCALE: N/A	SHEET: 2 OF 6

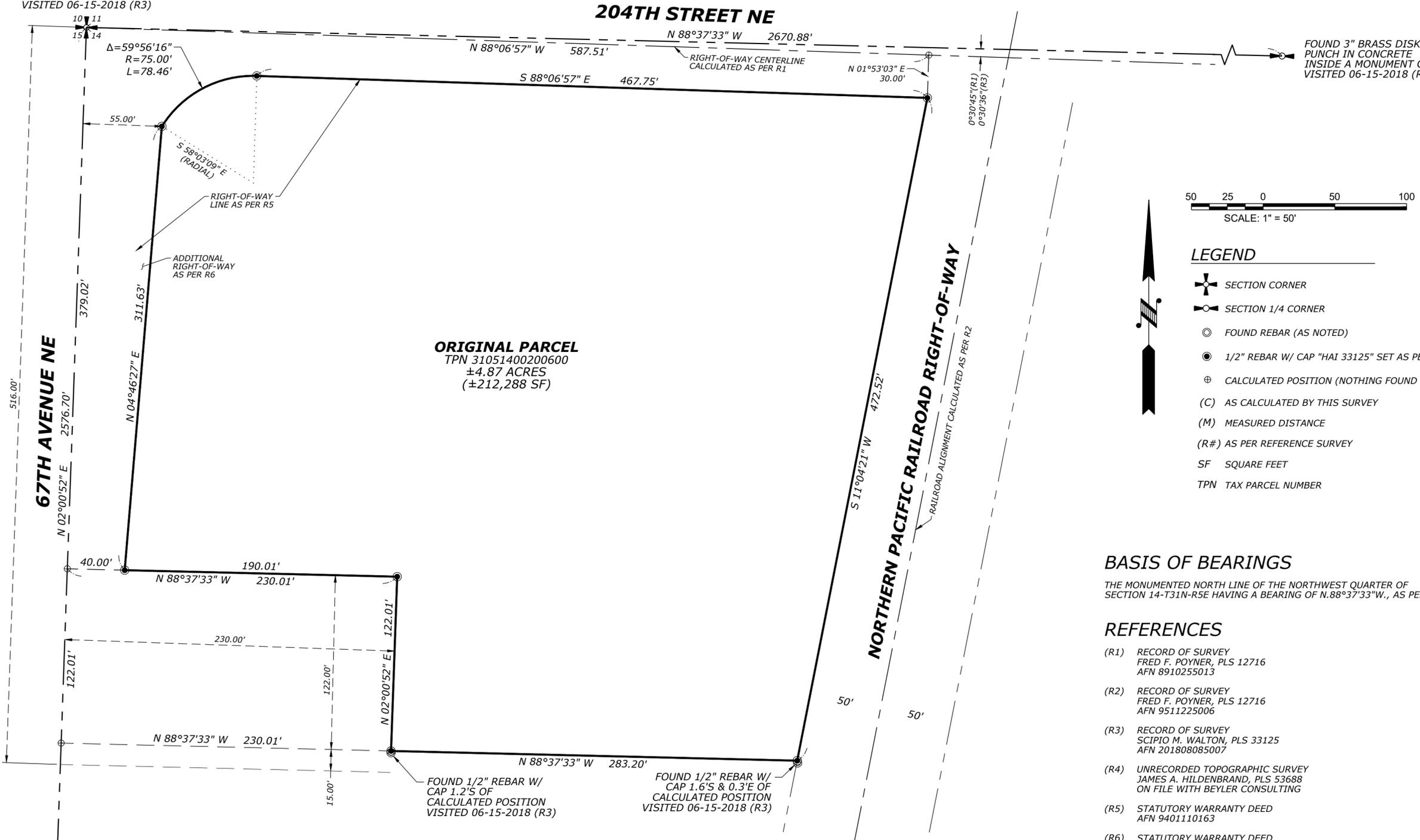
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CITY OF ARLINGTON WISEMARK COMMONS BINDING SITE PLAN

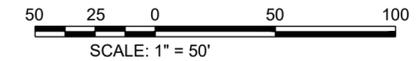
A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14,
TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON.
CITY FILE NUMBER: PLN #1139

FOUND 2-1/2" BRASS DISK
(DEFACED) IN CONCRETE
INSIDE A MONUMENT CASE.
HELD CENTER OF DISK.
VISITED 06-15-2018 (R3)

FOUND 3" BRASS DISK W/
PUNCH IN CONCRETE
INSIDE A MONUMENT CASE
VISITED 06-15-2018 (R3)



ORIGINAL PARCEL
TPN 31051400200600
±4.87 ACRES
(±212,288 SF)



LEGEND

- SECTION CORNER
- SECTION 1/4 CORNER
- FOUND REBAR (AS NOTED)
- 1/2" REBAR W/ CAP "HAI 33125" SET AS PER R3
- CALCULATED POSITION (NOTHING FOUND OR SET)
- (C) AS CALCULATED BY THIS SURVEY
- (M) MEASURED DISTANCE
- (R#) AS PER REFERENCE SURVEY
- SF SQUARE FEET
- TPN TAX PARCEL NUMBER

BASIS OF BEARINGS

THE MONUMENTED NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 14-T31N-R5E HAVING A BEARING OF N.88°37'33"W., AS PER R3.

REFERENCES

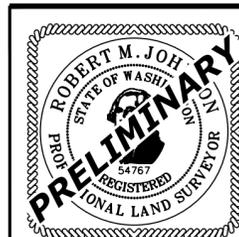
- (R1) RECORD OF SURVEY
FRED F. POYNER, PLS 12716
AFN 8910255013
- (R2) RECORD OF SURVEY
FRED F. POYNER, PLS 12716
AFN 9511225006
- (R3) RECORD OF SURVEY
SCIPIO M. WALTON, PLS 33125
AFN 201808085007
- (R4) UNRECORDED TOPOGRAPHIC SURVEY
JAMES A. HILDENBRAND, PLS 53688
ON FILE WITH BEYLER CONSULTING
- (R5) STATUTORY WARRANTY DEED
AFN 9401110163
- (R6) STATUTORY WARRANTY DEED
AFN 200112010111
- (R7) STATUTORY WARRANTY DEED
AFN 202304260070

EXISTING CONDITIONS SHEET

NOTE:

NO FIELD SURVEY WAS PERFORMED BY BEYLER CONSULTING TO DETERMINE OR VERIFY THE BOUNDARY OF THE SUBJECT PARCEL. DATA SHOWN HEREON IS TAKEN OR RECREATED FROM RECORD OF SURVEY BY HARMSEN & ASSOCIATES RECORDED UNDER AUDITOR'S FILE NUMBER 201808085007 (R3) AND ALL "FOUND" MONUMENTS ARE AS LOCATED/ESTABLISHED BY THAT SAID SURVEY. EVERY EFFORT WAS MADE TO COMPUTE THE BOUNDARY AS IT WAS PUBLISHED. HOWEVER, AFTER CALCULATING THE SURVEY GEOMETRY, AND COMPARING ADJACENT DEEDS, ET CETERA, SOME MINOR ADJUSTMENTS HAVE BEEN MADE TO A EXTERIOR DIMENSIONS TO MATHEMATICALLY CLOSE THE BOUNDARY IN THE BEST OPINION OF THIS SURVEYOR.

AUDITOR'S FILE NO.:



CONTACT
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OFFICE
5920 100th Street SW, #25
Lakewood, WA 98499

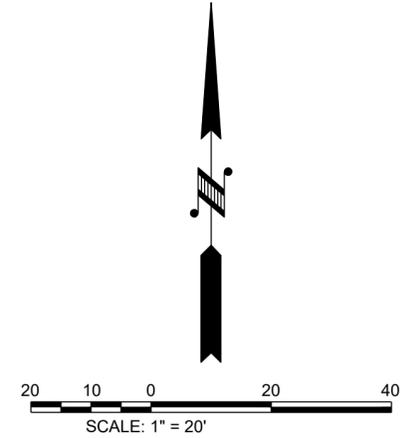
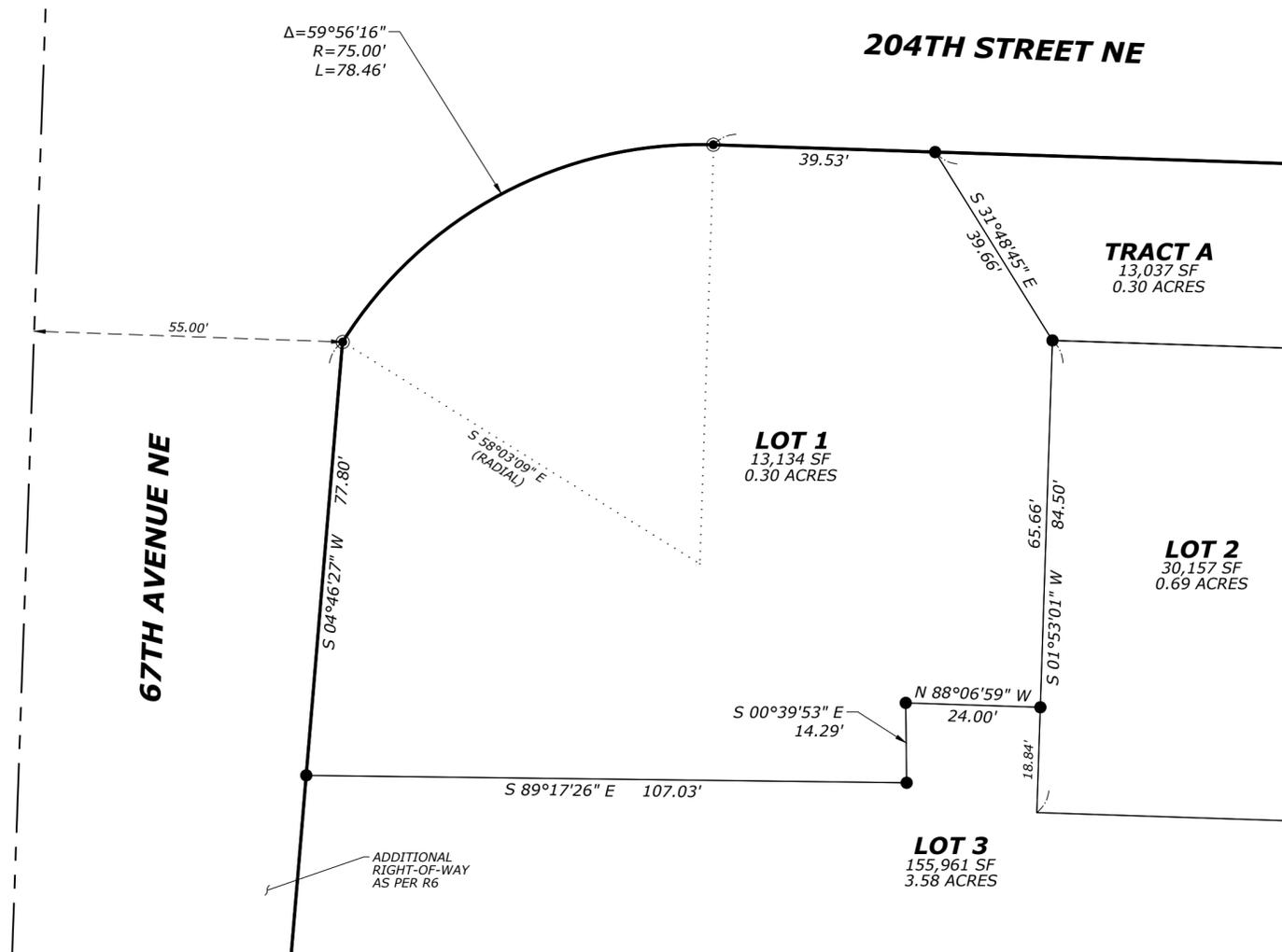
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ARLINGTON, WA 98223

DRWN. BY: RMJ	DATE: 1/23/2024	JOB #: 23.00095
CHKD. BY: TS	SCALE: 1" = 50'	SHEET: 3 OF 6

CAD FILE: X:\Projects\2023 Projects\23.00095 Singh 204th St. NE, Arlington\3Survey\Drawings\23.00095 BSP SV-01.dwg PLOT DATE/TIME: 1/24/2024 11:24am

CITY OF ARLINGTON
WISEMARK COMMONS BINDING SITE PLAN

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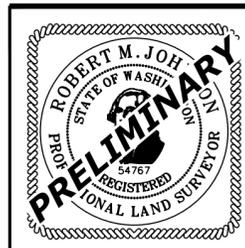
LEGEND

- ⊙ FOUND REBAR (AS NOTED)
- 1/2" REBAR W/ CAP "HAI 33125" SET AS PER R3
- SET 1/2" REBAR W/ CAP "LS 54767"
- ⊕ CALCULATED POSITION (NOTHING FOUND OR SET)
- (C) AS CALCULATED BY THIS SURVEY
- (M) MEASURED DISTANCE
- (R#) AS PER REFERENCE SURVEY
- SF SQUARE FEET

CAD FILE: X:\Projects\2023 Projects\23.00095 Singh 204th St NE, Arlington\3Survey\Drawings\23.00095 BSP SV-01.dwg PLOT DATE/TIME: 1/24/2024 - 11:25am

LOT 1 DETAIL SHEET

AUDITOR'S FILE NO.: _____



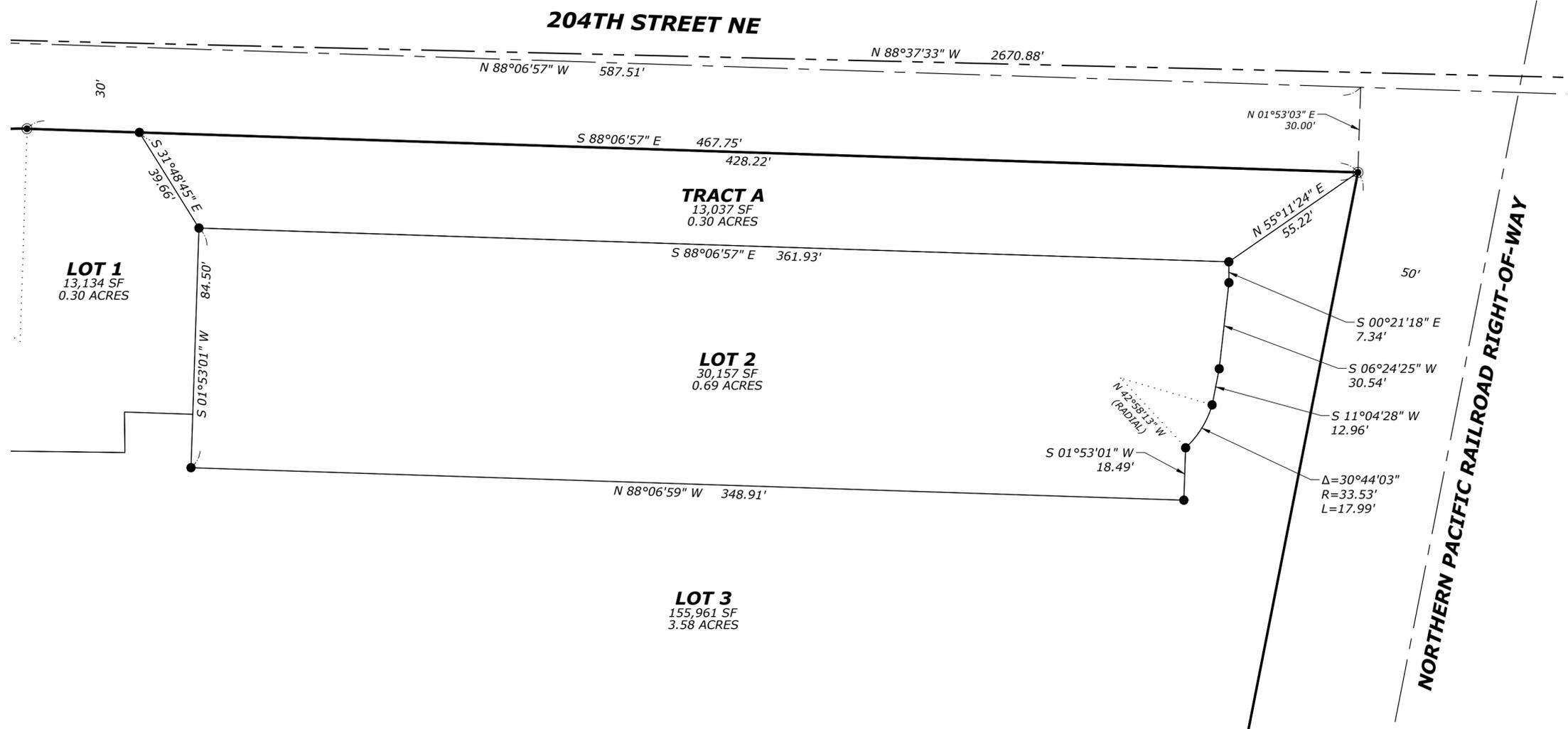
CONTACT phone: 253-984-2900 beylerconsulting.com
OFFICE 5920 100th Street SW, #25 Lakewood, WA 98499

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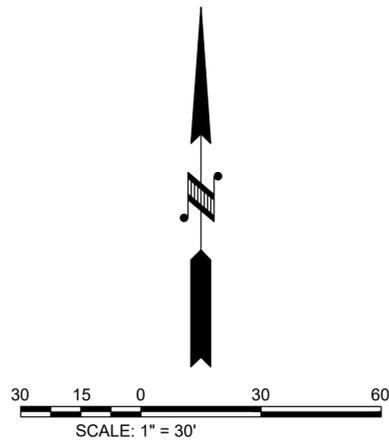
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CHKD. BY: TS	SCALE: 1" = 20'	SHEET: 4 OF 6

CITY OF ARLINGTON
WISEMARK COMMONS BINDING SITE PLAN

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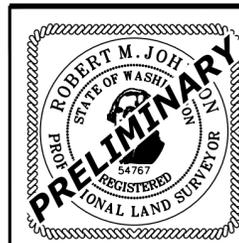


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- (C) AS CALCULATED BY THIS SURVEY
- (M) MEASURED DISTANCE
- (R#) AS PER REFERENCE SURVEY
- SF SQUARE FEET

AUDITOR'S FILE NO.: _____

LOT 2 & TRACT A DETAIL SHEET



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WISEMARK COMMONS
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DRWN. BY: RMJ	DATE: 1/23/2024	JOB #: 23.00095
CHKD. BY: TS	SCALE: 1" = 30'	SHEET: 5 OF 6

