

RETURN ADDRESS:

City of Edmonds, City Clerk
121 5th Avenue North
Edmonds, WA 98020

**COVENANT OF NOTIFICATION
AND INDEMNIFICATION/HOLD HARMLESS**

Reference #: Bldg PERMIT No. 2023-1134

Grantor(s): (1) Snohomish County (2) _____ Additional on pg. _____

Grantee(s): City of Edmonds

Legal Description (abbreviated): Sec 5 Twn 27 Rng 4 Qtr SW

OR Lot _____ Block _____ Plat _____

Assessor's Tax Parcel ID#(s): (1) 00500900000500 (2) 27040500200100
(3) 27040500200200 _____ Assessor's Tax Parcel ID# not yet assigned

**CITY OF EDMONDS
APPROVED FOR RECORDING**

BY: _____ DATE: _____ PAGE ___ OF ___

Under the review procedures established pursuant to the State Building Code, incorporating amendments promulgated by the City of Edmonds, and as a prerequisite to the issuance of a building permit for the construction of a residential structure and attendant facilities, the undersigned OWNERS of property do hereby covenant, stipulate and promise as follows:

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1. Description of Subject Property. This covenant of notification and indemnification/hold harmless relates to a tract of land at the street address of _____
15433-76TH PL. W., EDMONDS, WA 98026 (insert street address), Edmonds Snohomish County, Washington and legally described as: _____

SEE ATTACHED EXHIBIT "A"

2. Notification and Covenant of Notification. The above referenced site (hereinafter "subject site") lies within an area which has been identified by the City of Edmonds as having a potential for earth subsidence or landslide hazard. The risks associated with development of the site have been evaluated by technical consultants and engineers engaged by the applicant as a part of the process to obtain a building permit for the subject site. The results of the consultant's reports and evaluations of the risks associated with development are contained in building permit file number BLDG 2013-1134 (insert number) on file with the City of Edmonds Building Department. Conditions, limitations, or prohibitions on development may have been imposed in accordance with the recommendations of

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the consultants in the course of permit issuance. The conditions, limitations, or prohibitions may require ongoing maintenance on the part of any owner or lessee or may require modifications to the structures and earth stabilization matters in order to address future or anticipated changes in soil or other site conditions. The statements and conditions proposed by the OWNERS' geotechnical engineer, geologist, architect and/or structural engineer are hereby incorporated by reference from the contents of the file as fully as if herein set forth. Any future purchaser, lessee, lender or any other person acquiring or seeking to acquire an interest in the property is put on notice of the existence of the content of the file and the City urges review of its contents. The file may be reviewed during normal business hours or copies obtained at the Building Department, City of Edmonds, 121 5th Avenue North, Edmonds, Washington 98020.

3. Indemnification and Hold Harmless. The undersigned OWNERS hereby waive any and all liability associated with development, stating that they have fully informed themselves of all risks associated with development of the property and do therefore waive and relinquish any and all causes of action against the City of Edmonds, its officers, agents and employees arising from and out of such development. In addition, the OWNERS on behalf of themselves, their successors in interest, heirs and assignees, do hereby promise to indemnify and hold harmless the City of Edmonds, its officers, agents and employees from any loss, claim, liability or damage of any kind or nature to persons or property either on or off the site resulting from or out of earth subsidence or landslide hazard, arising from or out of the issuance of any permit(s) authorizing development of the site, or occurring or

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arising out of any false, misleading, or inaccurate information provided by the OWNERS, their employees, or professional consultants in the course of issuance of the building permit.

4. Insurance Requirement. In addition to any bonding which may be required during the course of development, the Community Services Director has/has not (strike one) specifically required the maintenance of an insurance policy for public liability coverage in the amount and for the time set forth below in order to provide for the financial responsibilities established through the indemnification and hold harmless agreement above:

5. Covenant to Touch and Concern the Land. This covenant of notification and indemnification/hold harmless touches and concerns the subject tract and shall run with the land, binding, obligating and/or inuring to the benefit of future owners, heirs, successors and interests or any other person or entity acquiring an interest in property, as their interest may appear. This provision shall not be interpreted to require a mortgagor or lender to indemnify the City except to the extent of their loss nor to obligate such persons to maintain the insurance above required.

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DONE this 13TH day of SEPTEMBER, 2023.

OWNER(S)

By: _____

By: _____

By: _____

STATE OF WASHINGTON)
) ss:
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____
_____ signed this instrument and
acknowledged it to be (his/her) free and voluntary act for the purposes mentioned in
this instrument.

DATED this _____ day of _____, 199__.

NOTARY PUBLIC
My commission expires: _____

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STATE OF WASHINGTON)
) ss:
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____
_____ signed this instrument and
acknowledged it to be (his/her) free and voluntary act for the purposes mentioned in
this instrument.

DATED this _____ day of _____, 199__

NOTARY PUBLIC
My commission expires: _____

L:\TEMP\BUILDING\MEADOW\COVENANT

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 005009-000-005-00, 270405-002-001-00 and 270405-002-002-00

All that part of Government Lot 2 and the Southeast Quarter of the Northwest Quarter of Section 5, Township 27 North, Range 4 East of the Willamette Meridian, embraced within Plat of Lund's Meadowdale Tracts and marked John C. Lund's Reserve;

Together with the North half of platted vacated unnamed street as would attach by operation of law vacated pursuant to City of Edmonds Ordinance Numbers 3197 and 3198 and recorded under Auditor's File No. 9806030191 and 9806030192.

Also Tract "A", Lund's Meadowdale Tracts, according to the Plat thereof recorded in Volume 6 of Plats, page 26, records of Snohomish County, Washington;

Together with Tidelands of the second class situate in front of, adjacent to or abutting upon that portion of Government Lot 2 of said Section 5, described as follows:

Beginning at the meander corner on the North line of said Section 5;
thence South 37 ° 15' West 1.50 chains;
thence South 15 ° 30' West 6.70 chains;
thence South 23 ° 00' West 11.00 chains to the true point of beginning of this description;
thence South 23 ° 00' West 3.30 chains and
South 17 ° 00' East 7.00 chains to the terminal point of this description.

Also Tracts 15 and 17, Lund's Meadowdale Tracts, according to the Plat thereof recorded in Volume 6 of Plats, page 26, records of Snohomish County, Washington.

Also all that portion of Tracts 47, 48, 49 and 50, lying South of the South line of the North 300 feet of said tracts, Lund's Meadowdale Tracts, according to the Plat thereof recorded in Volume 6 of Plats, page 26, records of Snohomish County, Washington;

Also Tract 51, Lund's Meadowdale Tracts, according to the Plat thereof recorded in Volume 6 of Plats, page 26, records of Snohomish County, Washington.

Also all that portion of Tract 52, Lund's Meadowdale Tracts, according to the Plat thereof recorded in Volume 6 of Plats, page 26, records of Snohomish County, Washington, described as follows:

Beginning at the Southeast corner of said Tract 52;
thence North 0 ° 07'48" West along the East line of said Tract 52 for 337.42 feet;
thence West for 309.75 feet to an intersection with the West line of said Tract 52;
thence South 0 ° 07'48" East along the West line of said Tract 52 for 125.00 to the Southwest corner thereof;
thence South 54 ° 36' East along the South line of said tract for 376.00 feet to the true point of beginning;
Together with the West half of vacated 68th Avenue West as would attach by operation of law pursuant to vacated granted in Volume 35 of Commissioner's Records on page 537.

Parcel B:

Tracts 5, 8, 9, 12 and 13, Lund's Meadowdale Tracts, according to the Plat thereof recorded in Volume 6 of Plats, page 26, records of Snohomish County, Washington;

Together with that portion of platted right of way of 75th Avenue West as would attach by operation of law pursuant to City of Edmonds Ordinance No. 3203 recorded under Auditor's File No. 9806030197, and
Together with that portion of the West half of vacated 73rd Avenue West vacated pursuant to City of Edmonds Ordinance No. 3201 recorded under Auditor's File No. 9806030195; and
Together with the South half of platted Lund's Gulch Road as would attach to Tract 13 pursuant to City of Edmonds Ordinance No. 3197 recorded under Auditor's File No. 9806030191.

Tracts 11 and 14, Lund's Meadowdale Tracts, according to the Plat thereof recorded in Volume 6 of Plats, page 26, records of Snohomish County, Washington;

EXHIBIT "A"
Legal Description

Together with the East half of vacated 73rd Avenue West as would attach by operation of law vacated pursuant to City of Edmonds Ordinance No. 3201 recorded under Auditor's File No. 9806030195;
Together with the West half of vacated 72nd Avenue West as would attach by operation of law vacated pursuant to City of Edmonds Ordinance No. 3199 recorded under Auditor's File No. 9806030193; and
Together with the South half of platted right of way of Lund's Gulch Road as would attach by operation of law vacated by City of Edmonds Ordinance No. 3197 recorded under Auditor's File No. 9806030191.

Tracts 53, 54, 55 and 56, Lund's Meadowdale Tracts, according to the Plat thereof recorded in Volume 6 of Plats, page 26, records of Snohomish County, Washington;
Together with the West half of vacated 72nd Avenue West as would attach to Tract 56 by operation of law vacated pursuant to City of Edmonds Ordinance No. 3199 recorded under Auditor's File No. 9806030193;
Together with the South half of platted right of way known as Lund's Gulch Road as would attach to Tracts 56, 55 and 54 by operation of law vacated pursuant to City of Edmonds Ordinance No. 3198 recorded under Auditor's File No. 9806030192; and
Together with the North half of vacated 156th Street SW as would attach to Tracts 54 and 53, vacated pursuant to City of Edmonds Ordinance No. 3205 recorded under Auditor's File No. 9806030199.

All Situate in the County of Snohomish, State of Washington.