

When Recorded, Return to:

John and Carla Monahan
2424 67th Avenue SE
Mercer Island, WA 98040

**ENVIRONMENTALLY CRITICAL AREA
RUNNING WITH THE LAND, ACKNOWLEDGEMENT OF RISK, DUTY TO INFORM, AND NOTICE**

GRANTORS: John and Carla Monahan

GRANTEE: City of Mercer Island

ABBREVIATED LEGAL DESCRIPTION:

Lots 7 through 9, Block 9, Lake View East Seattle, Vol. 8, Pg. 49

Full Legal Description on EXHIBIT A on page 4.

ADDRESSES: 2424 67th Avenue SE, Mercer Island, WA 98040

ASSESSOR'S TAX PARCEL ID NO(S): 409950-1180

This environmentally critical area notice is executed in favor of the City of Mercer Island ("Grantee") by the undersigned Owner(s) ("Grantor") of the real property subject to the requirements of Mercer Island Municipal Code (MICC) 19.07070 and described on Exhibit A (the "Property"). The undersigned warrants that all owners of the Property have executed this document.

ACKNOWLEDGEMENT OF RISK

The Grantors acknowledge that the Property or a portion of the Property is located in an environmentally critical area as described in MICC [REDACTED] and is subject to the provisions of MICC [REDACTED].

Grantors understand and acknowledge that there are risks of loss and/or injury associated with development in environmentally critical areas. Risks include potential property damage and/or injury and potential personal injuries. Grantors agree to accept any and all risks of loss and/or injury associated with risks posed by proposed development in an environmentally critical area.

DUTY TO INFORM

Grantors and all heirs, successors and assigns agree to inform all subsequent heirs, successors and assigns of the Property that the Property is in an environmentally critical area and that there are risks associated with the Property and development thereon.

LIMITATION OF DEVELOPMENT AND LAND-DISTURBING ACTIVITIES

Grantors understand, acknowledge and agree that pursuant to MICC _____, development is limited to the portions of the Property that are outside of the Environmentally Critical Area identified on the attached Exhibit B and required pursuant to MICC _____. Exhibit B shows the Environmentally Critical Area and the location of any existing improvements.

Grantors understand and acknowledge that land disturbing activities such as construction, excavation or grading may not occur in the environmentally critical area unless in accordance with the regulations contained in MICC _____ and/or may require city permits.

Removal and clearing of trees and other vegetation and actions detrimental to trees, such as tree-topping, are not permitted in the Notice Area except in accordance with MICC _____.

RIGHT TO ENTER

This Notice shall not be interpreted to prohibit entry to or normal use and maintenance of the Notice Area.

VIOLATIONS

If the City determines that a violation of this Notice is occurring, has occurred, or is threatened, the City may demand corrective action sufficient to cure the violation, including without limitation, restoration and remediation of the Critical Area and removal of any improvements not permitted by the City.

RECORDING

This Notice shall be recorded in the real estate records of the Office of Records and Elections of King County.

RUNNING NOTICE

The parties intend that this Notice shall run with the land and be binding on the Grantor and on the Grantor's heirs, successors and assigns.

SIGNATURES, ACKNOWLEDGEMENTS AND NOTARY

Dated: _____

John Monahan

Carla Monahan

State of Washington)
)SS
County of King)

I certify that I know or have satisfactory evidence that John Monahan and Carla Monahan are the persons who appeared before me, and that said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: _____

NOTARY PUBLIC in and for the State
Residing at _____
My commission expires _____
Print name: _____

EXHIBIT A

ENVIRONMENTALLY CRITICAL AREA

COMPLETE LEGAL DESCRIPTION OF PROPERTY SUBJECT TO NOTICE

LOTS 7 AND 8 AND THE NORTH 28.75 FEET OF LOT 9, BLOCK 9, LAKE VIEW EAST SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8 OF PLATS, PAGE 49, RECORDS OF KING COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

**EXHIBIT B
ENVIRONMENTALLY CRITICAL AREA**

