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

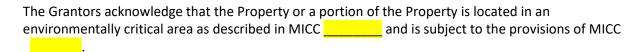
Full Legal Description on EXHIBIT A on page 4.

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**



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 pursual	nt to MICC		, development is limited	
to the portions of the Property that are outside of the Envi	ironmentally (	Critical <i>i</i>	Area identified on the	
ittached Exhibit B and required pursuant to MICC Exhibit B shows the Environmentally				
Critical Area and the location of any existing improvement	S.			
Grantors understand and acknowledge that land disturbing	•		•	
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 actopping, are not permitted in the Notice Area except in acc				

#### **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	)	
County of King	)SS )	
persons who appeared	d before me, and that sa	nce that John Monahan and Carla Monahan are the aid persons acknowledged that they signed this instrument ntary act for the uses and purposes mentioned in the
Dated:		NOTARY PUBLIC in and for the State Residing at
		My commission expires

#### **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

