

1 March 9, 1977

Introduced by: Bernice Stern

2 76-974

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7 **3113**

ORDINANCE NO.

8 An Ordinance relating to the short subdivision of land; estab-  
9 lishing standards, fees and procedures for short plat administration;  
10 repealing KCC Sections 19.26.010 through 19.26.050, Ordinance  
11 1380 Sections 4 (1) through 4 (4), Resolution 11048, Section IV.A  
(part) and Ordinance 2042, Sections 1 through 5; adding new Sections  
in lieu thereof; amending KCC 19.04 and Ordinance 1380, Section 2.

12 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

13 SECTION 1. KCC Sections 19.26.010 through 19.26.040 Ordinance 1380,  
14 Sections 4 (1) through 4 (4); and Resolution 11048, Section IV. A. (part); are  
15 each repealed.

16 SECTION 2. Definitions. KCC 19.04.205; Ordinance 1380, Section 2; and  
17 Resolution 11048, Section I (part); are hereby amended to read as follows:

18 (1) Short Subdivision is the division of land into four or less lots,  
19 tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer, exclud-  
20 ing those undivided joint-ownership tracts created for ingress, egress, utility  
21 access, open space preservation, or other approved public purpose, and excluding  
22 "revisions" as defined herein.

23 (2) The following definitions are added to KCC 19.04:

24 (a) Manager: "Manager" means the Manager of the Division of Building  
25 and Land Development or his designee.

26 (b) Revision: "Revision" means the modification of a previously app-  
27 roved and recorded short plat which results in the alteration of interior lot lines, or  
28 the addition of new lots, or the removal of a non-building plat or lot covenant, but  
29 which does not result in the creation of more than four legal building lots within  
30 the boundaries of the originally approved and recorded short plat.

31 (c) Non-building short plat: "Non-building short plat" means a

1 short plat or lot(s) within a short plat for which a declaration of covenant prohibits  
2 improvements upon the land for the purpose of human habitation.

3 (d) Access panhandle: "Access panhandle" is a strip of land having  
4 a width narrower than that of the lot, tract, or parcel to be served thereby and  
5 designed for the purpose of providing access to a lot, tract, or parcel.

6 (e) Access tract: "Access tract" is a piece of real property with  
7 dimensions less than the minimum zone requirement, jointly owned by the fee owners  
8 of more than one lot which abuts the tract and which is intended to provide  
9 ingress, egress or utility access.

10 (f) Ownership interest: "Ownership interest" means having prop-  
11 erty rights as a fee owner, contract purchaser, mortgagee, or deed of trust  
12 beneficiary or grantor.

13 (g) Private road: A "private road" is a private vehicular access  
14 provided for by an access tract, easement or other legal means, which serves  
15 two or more lots.

16 (h) Five acres: "Five acres" means five acres or one one-hundred-  
17 twenty-eighth of the section in which the property is located, including in addi-  
18 tion up to thirty feet, but no more than one-half, of the right-of-way of any  
19 perimeter public street.

20 (i) Twenty acres: "Twenty acres" means twenty acres or one one-  
21 thirty-second of the section in which the property is located, including in addi-  
22 tion up to thirty feet, but not more than one-half of any perimeter public street.

23 NEW SECTION. SECTION 3. Purpose. (1) The purpose of this chapter  
24 is to implement the policy of the prescribed state law referring to the platting  
25 and dedication of lands, including, but not limited to Title 58 RCW, and Chapter  
26 35.70 RCW, and shall not preclude full compliance thereto.

27 (2) The regulations contained herein are designed to provide a relatively  
28 expeditious, simple and inexpensive procedure for the short subdivision of land  
29 which imposes different requirements than a regular subdivision; to encourage the  
30 most appropriate development of land throughout the county; to minimize traffic  
31 hazards and accidents; to secure safety from fire; to provide adequate light and air;

1 to prevent overcrowding of land and undue concentration of population; to promote  
2 the coordinated development of vacant areas; to secure an appropriate allotment of  
3 land in new developments for requirements of community life; to conserve and restore  
4 natural beauty and other natural resources; and other public uses and requirements;  
5 and to enable conveyancing land by accurate legal description which may be  
6 simplified by reference to an approved short plat. It is intended further that this  
7 ordinance will minimize administrative discretion in the processing of short sub-  
8 division applications.

9 NEW SECTION. SECTION 4. Scope. (1) Any lot created by sale, lease,  
10 transfer or other conveyance before June 1, 1974, or any otherwise legal building  
11 lot, may be short subdivided; PROVIDED that:

12 (a) If only one such lot is owned, the short subdivision shall include  
13 the entire lot.

14 (b) If more than one such lot is held in a contiguous ownership, and  
15 if any lot to be created is smaller than five acres, any number of short sub-  
16 divisions may be permitted provided that no more than eight lots are created  
17 within the contiguous ownership.

18 (c) When all lots to be created are five acres or larger, any number of  
19 short subdivisions may be permitted within a contiguous ownership.

20 (d) The lot to be short subdivided must have existed five years from  
21 the date said lot was recorded as a separate lot, unless the lot was created pur-  
22 suant to one of the exemptions set forth in paragraph(2) of this section.

23 (e) Any twenty acre or larger lot may be resubdivided at any time,  
24 unless otherwise prohibited by this section.

25 (f) All lots created by short subdivision shall comply with the  
26 zoning, health, drainage, access and procedural requirements established  
27 by this ordinance.

28 (2) No land in King County shall be divided into four or fewer lots by  
29 or because of sale, lease, transfer or other conveyance without compliance  
30 with this ordinance, except that divisions of land shall be exempt from the pro-  
31 cedures set forth in this ordinance when the following circumstances apply:

1 (a) Cemeteries and other burial plots while used for that purpose.

2 (b) Any division of land made by testamentary provisions or the laws  
3 of descent.

4 (c) Any division of land within which the smallest parcel is 20 acres  
5 or larger.

6 (d) Any deeding of land to a public body; PROVIDED, however,  
7 that any remaining lot or lots which are not consistent with King County zoning,  
8 or access, or health requirements, shall not be considered as building sites by  
9 the County.

10 (e) Any division of land accomplished to implement a current use  
11 taxation agreement with the County, pursuant to RCW 84.34; PROVIDED, that  
12 abrogation of such agreement may be grounds for requiring subdivision or  
13 short plat of that land.

14 (f) Any division of land for the purpose of minor adjustment of a  
15 boundary line to accommodate the transfer of land between (2) adjacent property  
16 owners which does not result in the creation of any new building site, sub-  
17 standard lot, or substandard yard or setback requirement.

18 (g) Any division of land for use solely for the installation of elec-  
19 tric power, telephone, water supply, sewer service or other utility facilities  
20 of a similar or related nature; PROVIDED, however, that any remaining lot or  
21 lots which are not consistent with King County zoning, access, or health require-  
22 ments, shall not be considered as building sites by King County.

23 (h) Any conveyance of land by a partial fulfillment deed pursuant to  
24 a real estate contract; PROVIDED, however, that the conveyed lot and any remain-  
25 ing lot or lots which are not consistent with King County zoning, access, or  
26 health requirements shall not be considered as building sites by King County,  
27 that only one lot within the original real estate contract shall be recognized as  
28 a legal building site until the property is subdivided in compliance with this  
29 title and that there shall be no reconveyance of any lot created by partial ful-  
30 fillment deed without compliance with this title.

31 (i) Any division of land by formal subdivision and plat as otherwise

1 provided in this title.

2 NEW SECTION. SECTION 5. Application fees and expenses.

3 (1) Application fee. Applications for subdivisions pursuant to this  
4 chapter shall be accompanied by fee payments to King County in the following  
5 amounts:

6 (a) Short subdivision, as provided in New Sections 6. and 7. of this  
7 ordinance, thirty dollars for the first two lots, plus ten dollars for each additional  
8 lot.

9 (b) Abbreviated short subdivision as set forth in New Section 8., of this  
10 ordinance, twenty-five dollars.

11 (c) Revisions, as set forth in New Section 9. of this ordinance,  
12 twenty-five dollars.

13 (d) Non-building short subdivision, as set forth in New Section 10. of  
14 this ordinance, twenty-five dollars.

15 (e) Short plats referred to the Department of Public Works will be  
16 subject to the checking and inspection fees required by that department.

17 (2) Additional costs. All additional costs necessary for compliance with this  
18 ordinance shall be borne by the applicant.

19 (3) Fees for signs on private roads. Reasonable fees may be charged by  
20 the Department of Public Works for required signs. Such signs may include  
21 but not be limited to, "Fire Lane", "Private road", "No Parking", and "Stop".

22 (4) Return of fees. No fee, or part of same, required by this ordinance  
23 shall be refundable for any reason.

24 NEW SECTION. SECTION 6. Procedures. (1) Pre-application review.

25 Any person seeking approval of a short plat shall be encouraged to  
26 request a pre-application review session. The purpose of such a session  
27 shall be to permit the potential applicant to receive unofficial review of his  
28 general subdivision proposal before the applicant has made any substantial  
29 financial commitments. Such pre-application review shall not be construed to  
30 bind either the subdivider or the County in any respect.

31 (2) Application content. Applications shall be on forms prescribed by the

1 Division of Building and Land Development. Information required shall include  
2 the following:

3 (a) Declaration of covenant in lieu of soils test for sewage disposal  
4 suitability, when required by New Section 15. of this ordinance.

5 (b) Short subdivision map, including legal description, boundary  
6 lines, easements and rights-of-way (existing and proposed), significant natural  
7 features, and vicinity sketch.

8 (c) Documentation of the establishment of the boundaries of the  
9 property to be short platted.

10 (d) For private road rights-of-way serving lots 35,000 square feet  
11 or larger, a statement of intent to improve to County short plat private road  
12 standards, or the completed declaration of covenant set forth in Appendix B-1  
13 of this ordinance.

14 (e) Such other information as may be necessary to expeditiously  
15 implement the requirements of this ordinance.

16 (f) Signature(s) of the owner(s) of the property to be short subdivided.  
17 The purchaser of any lot which was created in violation of RCW 58.17 since June 1,  
18 1974, may file application without the signature or approval of the other owner(s)  
19 of any other lots within the property to be short platted, consistent with the re-  
20 quirements set forth in New Section 7. of this ordinance.

21 (3) Department of Public Works and Transportation review. Upon receipt of  
22 an application for short plat approval, the Building and Land Development Division  
23 shall refer copies of the application to the Department of Public Works and Trans-  
24 portation, under the following circumstances:

25 (a) If any improvement to public rights-of-way may be required,  
26 consistent with the criteria set forth in New Section 13, paragraph (3), of this  
27 ordinance.

28 (b) If any lot to be created is subject to hydraulics review, consistent  
29 with K.C.C. 20.50.

30 (c) If privately owned right-of-way is to provide access to lots  
31 35,000 square feet or smaller, or if the applicant otherwise intends to construct

1 private roads at the time of short subdivision.

2 (d) If new public street alignment is required.

3 (e) If any portion of the property to be short subdivided is subject to  
4 State Flood Control Zone or County Flood Hazard Overzone review, or otherwise  
5 contains swamps, marshes, bogs, drainage courses, streams, lakes, ponds, or  
6 similar natural features which would affect the development potential of the lots to  
7 be created.

8 (4) Department of Public Health review. All short subdivision applications  
9 containing lots less than five acres and which are not to be restricted by the covenants  
10 set forth in either Appendix A-1 or Appendix C-1 of this ordinance, shall be referred  
11 to the Department of Public Health for review.

12 (5) Additional agency review. The Building and Land Development  
13 Division may refer short subdivision applications to any other public agency having  
14 pertinent expertise or jurisdiction when special or unusual circumstances warrant.

15 (6) Review period. (a) Agencies receiving short subdivision application  
16 for review shall have fifteen days to respond, or the Building and Land Development  
17 Division shall conclude that the reviewing agency has no interest in the application,  
18 and may make such findings, conclusions, or requirements as it deems reasonable,  
19 consistent with the requirements of this ordinance.

20 (b) The Building and Land Development Division shall complete its  
21 review, and approve, approve with conditions, or deny the short subdivision app-  
22 lication within thirty days from the date a complete application is filed.

23 (7) Surveys, when required. Surveys shall be required in the  
24 following circumstances:

25 (a) When dedicating or deeding public street right-of-way, except  
26 for the dedication or deeding of additional right-of-way to existing right-of-way.

27 (b) When the best available description of the property does not pro-  
28 vide reasonably accurate determination of the property boundaries and when such  
29 determination is critical to administering identified specific short subdivision  
30 requirements.

31 (8) Plat certificates. Plat certificates shall be obtained and provided by

1 the owner(s) of any approved short plat before filing for record, unless required  
2 earlier.

3 (9) Authorized action. Consistent with the requirements of this ordinance,  
4 the Division of Building and Land Development may:

5 (a) Approve the short plat with or without conditions; or

6 (b) Return the short subdivision application to the applicant for correc-  
7 tion or for applicant's construction of improvements in a manner consistent with  
8 Division findings; or

9 (c) Disapprove the short plat.

10 (10) Approvals, effective duration. (a) Short plat approvals are valid  
11 for 12 months. During that period the conditions of approval, if any, must be  
12 fulfilled. Upon application within that time period and upon good cause shown,  
13 the Building and Land Development Division may grant one additional twelve  
14 month time period.

15 (b) If the conditions attached to the short subdivision approval are not  
16 fulfilled and the short plat not filed for record within the required period, approval  
17 of the short plat shall be null and void.

18 (c) Approved short plats shall become effective upon filing for  
19 record.

20 (11) Basis of action. The Division of Building and Land Development  
21 shall consider and review the following, and base its approval, denial, or  
22 approval with conditions, on the following:

23 (a) The recommendations or comments of those agencies having  
24 pertinent expertise or jurisdiction, consistent with the requirements of this  
25 ordinance.

26 (b) Conformance with other applicable ordinances, standards and  
27 specifications adopted by the State of Washington and King County.

28 (c) The requirements set forth in this ordinance.

29 (12) Appeals. (a) Pursuant to KCC 20.20.070, any decision or action  
30 of any county agency connected with the short plat application, except the  
31 Department of Public Health, may be appealed to the Zoning and Subdivision



1 Examiner. The following procedures apply:

2 (i) Notice of appeal shall be filed with the Building and Land  
3 Development Division within ten days from the date of postmark of the decision or  
4 action which aggrieves the appealing party.

5 (ii) All notices of appeal shall state with specificity and particularity  
6 the decision or action appealed and the reasons why the appealed decision or action  
7 should be reversed or modified.

8 (iii) All appeals so filed shall be heard by the Zoning and Sub-  
9 division Examiner, and a determination by the examiner made within sixty days  
10 from the date of appeal.

11 (iv) The Building and Land Development Division shall prepare  
12 a written report which clearly states the determinations of fact on which the  
13 appealed action or decision was based. At least seven days before the appeal  
14 hearing, the division will provide that report to the examiner, the applicant,  
15 the appellant, and to any other person expressing written interest in the  
16 application or appeal.

17 (b) The appeal of any decision or action of the Department of Public  
18 Health regarding requirements set forth in this ordinance shall be filed in  
19 accordance with Washington Administrative Code Chapter 248-96-160 and King  
20 County Board of Health Rules and Regulations, Section 20.

21 (13) Recording short plats. (a) Short plats shall be recorded with the  
22 King County Division of records and elections.

23 (b) A short plat may be recorded in one of two forms:

24 (i) It may be recorded as a survey is recorded, consistent with  
25 RCW 58.09, provided that it includes the approvals, acknowledgments and identi-  
26 fication as specified in subparagraphs (c), (d) and (e) of this paragraph. Only  
27 in this instance shall the recording of a short plat be construed to constitute com-  
28 pliance with the Survey Recording Act, RCW 58.09. The fee for this recording  
29 shall be in accordance with Ordinance No. 1660.

30 (ii) It may be recorded as a deed is recorded. The fee shall be  
31 the same as the fee for deed recording. The map, whether a portion of a single

1 page document or additional page(s) of the document , shall be marked "Map  
2 on File in Vault" and shall be retained as a permanent vault file by King County  
3 division of records and elections.

4 (c) Lots shall be designated by number on the map within the area  
5 of the lot. Tracts shall be similarly designated by letter.

6 (d) The recorded short plat shall contain the following signatures  
7 and approvals:

8 (i) Signatures(s) of parties having ownership interest in the land  
9 being subdivided. The owners' signatures shall be acknowledged by a notary  
10 public or one authorized to take acknowledgments;

11 (ii) Approval of the appropriate administrator.

12 (iii) Approval of the King County assessor.

13 (e) The recorded short plat shall contain all agreements or covenants  
14 required as a condition to approval.

15 (f) The requirement of RCW 58.08.040, deposit to cover anticipated  
16 taxes, is waived for the filing of short plats.

17 NEW SECTION. SECTION 7. Short subdivision of lots created in violation  
18 of this title.

19 (1) An innocent purchaser of a lot created in violation of County subdivision  
20 requirements, who files with the Building and Land Development Division a  
21 notarized affidavit of innocent purchase satisfactory to Building and Land  
22 Development, shall not be denied statutory innocent purchaser's rights, in  
23 the absence of independent evidence known to the County which demonstrates  
24 otherwise.

25 (2) Except as provided in paragraph (1) of this section, any division of  
26 four or fewer lots in violation of County subdivision requirements since June 1,  
27 1974, shall be short subdivided before being recognized as legal building sites  
28 by King County. The following requirements shall apply:

29 (a) Should any ownership interest in any lot to be short platted  
30 pursuant to this section refuse to be a party to the application, the property  
31 may nonetheless be short platted; PROVIDED, however, that any owner who

1 refuses to join in the application shall be served notice of the proposed short  
2 plat which discloses that deeding, dedication, or improvement may be required  
3 of his property. All ownership interests within the boundaries of the short plat  
4 shall be provided fifteen calendar days to respond. Such notice shall warn  
5 that any owner who does not appeal the short plat decision is bound to the terms  
6 and conditions of the approval and is deemed to have waived any objections of  
7 such approval.

8 (b) All lots within the short plat shall comply with the zoning, access,  
9 drainage and health requirements of this ordinance. Conditions consistent with  
10 the requirements of this ordinance may be placed on the lots of owners within  
11 the short plat who fail to respond or to become a party to the application. Com-  
12 pliance with such conditions shall be required for approval of any building  
13 permits or further subdivision of those lots.

14 (c) Any lot owned by any ownership interest refusing to comply with  
15 requirements for short plat approval shall not be recognized as a legal building  
16 site by King County, and shall not be sold, leased, or otherwise transferred  
17 or conveyed until such time as the approval conditions are fulfilled.

18 (d) The number of lots created pursuant to this section shall be limited  
19 to the number of lots originally created by sale, transfer, lease, or other con-  
20 veyance in violation of this title.

21 (3) Short plats administered pursuant to this section shall be denied, ap-  
22 proved, or conditionally approved within sixty days from the date of application.

23 (4) Nothing in this section shall be construed to exempt any party from the  
24 civil, criminal, or other legal remedies, penalties or sanctions provided in this  
25 title.

26 NEW SECTION. SECTION 8. Abbreviated short subdivision procedures.

27 (1) Abbreviated short subdivision procedures shall apply only when:

28 (a) Each created lot abuts either a maintained county street or an im-  
29 proved private road approved by the Department of Public Works prior to application.

30 (b) The short subdivision contains no more than one panhandle lot or  
31 access tract.

1 (2) The Division of Building and Land Development shall approve a  
2 short subdivision when an application therefore is submitted upon a form provided  
3 by the Division, and the Division has determined that the application is consistent  
4 with the King County Zoning Code, that the legal description is capable of being  
5 surveyed, and that the application satisfies the following requirements:

6 (a) If any lot to be served by access tract or panhandle is five acres  
7 or larger, such access tract or panhandle shall be at least sixty feet wide.

8 (b) If the smallest lot is less than five acres, the application shall  
9 be accompanied by Department of Public Health approval consistent with Section  
10 15. of this chapter.

11 (c) If the abutting road is private, the application shall be accom-  
12 panied by evidence of Department of Public Works and Transportation approval  
13 of such road.

14 NEW SECTION. SECTION 9. Short plat revision. (a) Requirements. Any  
15 short plat may be revised at any time, PROVIDED, that no more than four lots  
16 are created within the boundary lines of the original short plat within five years  
17 of the recording of the original short plat. The following requirements apply:

18 (a) All affected ownership interests within the originally recorded  
19 short plat must be a party to the revision application, or must express written  
20 agreement to the proposed short plat revision, including written agreement to  
21 accept ownership of any property, or to transfer or convey ownership of any  
22 property, which may be necessary as a result of short plat revision.

23 (b) Any features contained in the original short plat which have  
24 been relied upon in subsequent land development or County planning decisions  
25 shall be incorporated in the short plat revision, unless such features are pro-  
26 vided by other legal means at the time of short plat revision.

27 (c) Revisions shall be approved by the Manager when he finds  
28 compliance with the applicable short plat requirements set forth in this  
29 ordinance.

30 (d) Approval of any revision shall be filed and recorded as a  
31 supplemental declaration of short plat which shall contain the adjusted legal

1 description and shall be effective upon being filed for record.

2 (e) For purposes of determining compliance with Section 4., para-  
3 graph (c), of this ordinance, the date of the original short plat recording  
4 shall be used.

5 (2) Vacations. Any short plat revision which alters or deletes interior  
6 boundaries or rights-of-way shall constitute a vacation of the original short  
7 plat, effective at the time the short plat revision is filed for record.

8 NEW SECTION. SECTION 10. Non-building short subdivision or lot.

9 (1) All short subdivision approval requirements and conditions, except for  
10 guarantee of legal access, number of lots, and the area requirement of the zone,  
11 shall be waived for any lot created for sale, or for lease for agricultural, open  
12 space, or forestry purposes for which the applicant records the declaration of  
13 covenant set forth in Appendix A-1 of this ordinance.

14 (2) The County can enforce the restrictions set forth in Appendix  
15 A-1 of this ordinance, and said restrictions shall be included in the instruments  
16 of conveyance or lease and shall be recorded with the Division of Records and  
17 with the Division of Building and Land Development.

18 (3) The seller of any property encumbered by the non-building restriction  
19 shall be required to obtain and record with the King County Division of Build-  
20 ing and Land Development, the notarized purchaser's acknowledgment set forth  
21 in Appendix A-2 of this ordinance.

22 (4) An owner of a non-building short platted lot may seek to have that lot  
23 recognized by the County as a legal building site by any one of the following  
24 procedures which may be applicable:

25 (a) Short subdivision, as provided in New Section 6. of this ordinance;  
26 or,

27 (b) Abbreviated short subdivision, as provided in New Section 7.  
28 of this ordinance; or,

29 (c) Short Plat revision, as provided in New Section 8. of this  
30 ordinance; or,

31 (d) Subdivision, as provided in K.C.C. 19.36.

1        NEW SECTION. SECTION 11. General design standards.

2        (1) Design. The design of short plats and short subdivision plans shall  
3 conform with the requirements of any official control relating to land use which  
4 may be adopted to implement the King County Comprehensive Plan or any ele-  
5 ment thereof, or any other official plan; PROVIDED, that in the event of a dis-  
6 crepancy among standards and requirements, the responsible department may  
7 exercise professional judgment to determine which standard or requirement  
8 shall control.

9        The design, shape, size and orientation of the short subdivision shall be  
10 appropriate to the use for which the divisions of land are intended and to  
11 the character of the area in which they are located. Tracts may be required  
12 to be segregated or plat restrictions required to be included in the short  
13 plat, for sanitation, utilities, steep slopes, access, slide hazards, water  
14 supply, poor drainage, or flood hazard reasons or for other unique conditions  
15 or features which may warrant protection of the public interest.

16        (2) Easements. Easements shall be provided where necessary for road  
17 utility installation and maintenance, public access, drainage, and buffer strip  
18 or protective easements.

19        (3) Overall plan. (a) When only a portion of land having the same owner-  
20 ship interest is permitted to be short subdivided, a generalized plan for the  
21 entire ownership shall be required to indicate that the road pattern and general  
22 arrangement of the short subdivision can be coordinated with the entire tract  
23 when fully developed. Available topographic information may be required. A  
24 new topographic survey shall not be required.

25        (b) Where property is short subdivided into divisions, lots or tracts  
26 of one acre or more, the Division of Building and Land Development may require  
27 an arrangement of divisions, lots or tracts and roads such as to permit a later  
28 re-subdivision in conformity with zoning, access, division, lot or tract standards  
29 or requirements or plans adopted by King County.

30        NEW SECTION. SECTION 12. Private roads in short plats.

31        (1) When permitted. Privately owned and maintained road rights-of-way

1 serving lots within a short plat shall be approved when it is determined that:

- 2 (a) There will be no resulting public safety hazard; and,
- 3 (b) The right-of-way is not required to be public, pursuant to

4 New Section 13. of this ordinance.

5 (2) Rural short plat private road approval standards.

6 (a) Rural right-of-way width.

7 (i) Any private road serving any lot five acres or larger shall  
 8 have a right-of-way of sixty feet; PROVIDED, however, that a right-of-way of  
 9 thirty feet on a property boundary may be accepted when such alignment is  
 10 consistent with, or will establish, a reasonable neighborhood circulation pattern  
 11 and when there is reasonable assurance of obtaining an additional thirty feet of  
 12 right-of-way from the adjoining property.

13 (ii) Other right-of-way widths shall depend on the potential number  
 14 of lots that may be served, in accordance with the following schedule:

15 Potential number of lots to be 16 served	Required right-of-way for	
	lots 35,000 sq. feet or larger	lots 15,000 sq. feet or larger
17 1	30 feet	20 feet
18 2-4	30 feet	30 feet
19 5-8	30 feet	36 feet
20 9 or more	60 feet	60 feet

21  
 22 (b) Rural roadway section. Roadway sections for rural short plat  
 23 private roads shall depend on actual number of lots served and on the size of  
 24 those lots, in accordance with the following schedules:

25 (i) For lots five acres or larger:

26 Actual number of 27 lots served	Travelled 28 surface width.	Width required for each shoulder	Depth Required for each open ditch
1	Not required	Not required	Not required
2-8	12 feet	Not required	Not required
9 or more	22 feet	4 feet	1-1/2 feet

(ii) For lots 15,000 square feet or larger, but less than five acres:

Actual number of lots served	Travelled surface width	Width required for each shoulder	Depth required for each open ditch
1	Not required	Not required	Not required
2	16 feet	2 feet	1-1/2 feet
3-8	20 feet	4 feet	1-1/2 feet

(c) Rural surfacing standard.

(i) Short plat private roads serving eight or fewer lots which are each five acres or larger, shall not be required to be surfaced or subsurfaced.

(ii) All short plat private roads serving lots 35,000 square feet or larger or serving nine or more lots five acres or larger, shall require gravel surfacing, consistent with county standards and specifications.

(iii) Short plat private roads serving lots 15,000 square feet or larger, but smaller than 35,000 square feet, shall be paved.

(iv) For gravelled private roads, or for private roads for which are not required to be surfaced or subsurfaced, the maximum permitted grade shall be twelve percent. Steeper grades shall be asphalt concrete paved.

(d) Rural drainage. Rural short plat private roads serving eight or fewer lots five acres or larger shall not be required to provide roadway drainage facilities. All other rural short plat private roads shall provide open ditch drainage.

(e) Improvement, when required.

(i) Any rural short plat private road serving any lot smaller than 35,000 square feet, or serving nine or more lots, shall be required to be constructed consistent with the standards set forth in this section, as a condition to short plat approval. In lieu of construction, the subdivided may provide performance security as provided in New Section 14. of this ordinance.

(ii) For any rural short plat private road serving no more than eight lots, all of which are 35,000 square feet or larger, the subdivider may improve the road consistent with the standards set forth in this section, or may



1 provide performance security as provided in New Section 14. of this ordinance,  
 2 or may file for record the declaration of covenants set forth in Appendix B-1 of  
 3 this ordinance, which shall run with the land.

4 (iii) Private road rights-of-way subject to the covenant set forth  
 5 in Appendix B-1 of this ordinance shall not be subject to any County street or  
 6 road improvement standards or specifications, except for access permit require-  
 7 ments.

8 (iv) The seller of any property encumbered by the covenant set  
 9 forth in Appendix B-1 of this ordinance shall obtain from the purchaser, and  
 10 record with the County Division of Records and Elections, and with the County  
 11 Division of Building and Land Development, the "Purchaser's acknowledgement  
 12 of private road construction and maintenance responsibility," as set forth in  
 13 Appendix B-2 of this ordinance.

14 (f) General rural short plat private road requirements. The following  
 15 general requirements apply to rural short plat private roads:

16 (i) Any approach to an abutting County street shall be improved  
 17 to the same standard as that street.

18 (ii) For streets sixteen feet wide or narrower, turnout aprons shall  
 19 be provided at the entrance and at visible intervals or every 300 feet, whichever  
 20 is less.

21 (3) Urban short plat private road approval standards. (a) Right-of-way  
 22 width. Short plat private road right-of-way widths serving lots smaller than  
 23 15,000 square feet shall depend on the potential number of lots that may be served,  
 24 in accordance with the following schedule:

Potential number of lots to be served	Required right-of-way
--	-----------------------

1-2	20 feet
-----	---------

3-4	22 feet
-----	---------

5-8	24 or 30 feet, as required
-----	----------------------------

9 or more	50 feet
-----------	---------

(b) Roadway section. Short plat private roadway sections serving lots smaller than 15,000 square feet shall depend on the actual number of lots to be served, in accordance with the following schedule:

Actual # of lots to be served	Minimum width required for each travelled surface lane	Minimum width required for each curb
1		
2	9 feet	18 inches
3-4	10 feet	18 inches
5-8	11 feet with restriction set forth in subparagraph (c) below; or 14 feet	18 inches

(c) Parking requirements. Three or more lots smaller than 15,000 square feet which are served by a private road with travelled surface lanes eleven feet wide or narrower, shall be required by short plat restriction to provide four off-street parking spaces per lot.

(d) Drainage. Any private short plat road serving any lot less than 15,000 square feet shall be curbed, with controlled drainage.

(e) Improvement, when required. Any short plat private road serving any lot less than 15,000 square feet shall be improved consistent with the standards set forth in this section. In lieu of construction, the subdivider may provide performance security as provided in New Section 13. of this ordinance.

(f) Urban surfacing standard. Any short plat private road serving a lot smaller than 15,000 square feet shall be asphalt concrete paved, consistent with County standards and specifications. The maximum permitted grade for such roads shall be twenty percent.

(4) General requirements, applicable to all short plat private roads.

(a) Any right-of-way of less than County standard for public roads shall be retained permanently as privately owned and maintained except when the street is developed to adopted County standards and specifications. The County shall not maintain roads or signs within such rights-of-way.

(b) The face of any short plat containing a private road shall bear the following language: "WARNING: King County has no responsibility to

1 build, improve, maintain, or otherwise service the private roads contained  
2 within or providing service to the property described in this short plat."

3 (c) Privately owned roads shall be open for necessary public use.

4 (d) When three or more lots are served, a workable turnaround  
5 dimensions shall allow a turning radius of twenty-five feet. Rights-of-way  
6 may be required to be expended to accommodate turnaround requirements.

7 (e) Private road rights-of-way may be required to be located within  
8 "future public right-of-way tracts" as provided in New Section 13, paragraph (6),  
9 of this ordinance.

10 (f) Private roads shall serve no more than eight lots; PROVIDED,  
11 however, that private roads may serve any number of lots when either of the  
12 following circumstances apply:

13 (i) The private road is gravel surfaced; consistent with County  
14 standards and specifications, and serves no lot smaller than five acres; or

15 (ii) The private road is located within a "future public right-of-  
16 way tract", as provided in New Section 13, paragraph (6), of this ordinance and  
17 is improved to the standards set forth in this ordinance.

18 (g) A private maintenance agreement shall be required for any short  
19 plat private road serving two or more lots.

20 (5) Reduced private road requirements, when permitted.

21 (a) The right-of-way width requirements for extensions of existing  
22 private roads which were created before the effective date of this ordinance may  
23 be reduced by the Department of Public Works when that department finds that:

24 (i) No traffic hazard will result; and,

25 (ii) No additional extensions will be necessary; or permitted; and,

26 (iii) There is no public street access alternative available to serve  
27 the additional lots; and,

28 (iv) The right-of-way of the existing private road cannot be ex-  
29 panded.

30 (b) The limitation on the number of lots which may be served by a  
31 short plat private road, as set forth in subparagraph (4) (f) of this section may

1 be waived by the Department of Public Works when extending private roads  
2 created before the effective date of this ordinance, or when short subdividing  
3 property which abuts such a road, provided that the department finds:

4 (i) The road would be consistent with required findings (a) (i),  
5 (a) (ii), (a) (iii), set forth in this paragraph; and

6 (ii) The right-of-way will be improved consistent County standards  
7 and specifications for plat roads.

8 NEW SECTION. SECTION 13. Public street rights-of-way.

9 (1) When required. Dedication or deeding to the County of such right-of-  
10 way as may be consistent with adopted County standards for public streets, or  
11 a portion thereof, shall be required within or along the boundaries of the short  
12 plat or of any lot(s) within, under the following circumstances:

13 (a) Where the six-year capital improvement plan indicates the  
14 necessity of a new right-of-way or portion thereof for street purpose; or,

15 (b) Where thirty feet or less from the center line is required for a  
16 public street; or,

17 (c) Where necessary to extend or to complete the existing neighbor-  
18 hood street pattern.

19 (d) Where necessary to provide future access to more than eight lots,  
20 except when a private road is authorized pursuant to New Section 12, paragraph

21 (4) (f) of this ordinance.

22 (2) Platting, when required. All public streets required within short  
23 plats shall require formal platting, consistent with K.C.C. 19.36, except that  
24 the following dedications or deedings may be approved and accepted by short  
25 plat:

26 (a) Connections of existing streets, in order to complete the neighbor-  
27 hood street pattern.

28 (b) Extensions of existing stub streets or new street alignments,  
29 in order to extend the neighborhood street pattern. Such extension shall be  
30 limited to three-hundred-thirty feet or less when serving lots smaller than five  
31 acres.

1 (c) Additions of right-of-way to existing County right-of-way.

2 (d) Turn-arounds.

3 (e) Rights-of-way created pursuant to County road establishment  
4 procedure, consistent with Chapter 36.88 RCW.

5 (3) Improvement, when required. Public street improvements, consistent  
6 with adopted County standards and specifications for public streets, may be  
7 required under the following circumstances:

8 (a) When new public right-of-way is deeded or dedicated pursuant  
9 to paragraph (2) of this section.

10 (b) When necessary to develop an existing undeveloped or un-  
11 maintained County right-of-way to County standard for public streets, when  
12 such right-of-way abuts the land for which short plat approval is sought.

13 (4) Improvement standards. Public street improvements shall be consistent  
14 with adopted County design standards and specifications for plat roads.

15 (5) Additional building setbacks to accommodate future public right-of-  
16 way, when required. Where the Comprehensive Plan or the major streets and  
17 highways plan indicates the necessity of a portion of right-of-way for a street  
18 which is not included in the six-year capital improvement plan, the Division of  
19 Building and Land Development may require a plat restriction which imposes a  
20 sufficient building set back to guarantee that future right-of-way expansion  
21 could be accomplished without infringing on the yard requirement of the zone.  
22 Such required set back shall be based on Department of Public Works and Trans-  
23 portation estimate, consistent with adopted County standards and plans for public  
24 streets and roads.

25 (6) Future public right-of-way tract, when permitted. Only when the De-  
26 partment of Public Works determines that it is necessary to provide for future  
27 public street right-of-way and to assure orderly development of a neighborhood  
28 street pattern, the Division of Building and Land Development may require the  
29 setting aside of sufficient future right-of-way, using the "Tract X" form set forth  
30 in Appendix D of this ordinance. The dimensions of such tract, when required,

1 shall be based on Department of Public Works and Transportation estimate, con-  
2 sistent with adopted County standards for public streets and roads. Such tract  
3 may contain a private road, consistent with the standards set forth in New Section  
4 11 of this ordinance.

5 NEW SECTION. SECTION 14. Performance bonding or other County approved  
6 security for road and street improvements. When public street or private road  
7 improvement is required pursuant to New Section 12. or 13. of this ordinance, the  
8 subdivider may deposit, in lieu of construction, a performance bond or other  
9 satisfactory security with the Director of Public Works and Transportation in an  
10 amount equal to the estimated cost of said improvements and inspection, as furnished  
11 by the Department of Public Works, as a guarantee that said applicant will, within  
12 one (1) year from date of recording of said final plat, fully comply with all required  
13 private road or public street improvements, consistent with applicable adopted  
14 County grading, surfacing, drainage, and access standards and specifications.

15 NEW SECTION. SECTION 15. Public health requirements. (1) Large lot  
16 exemption. When the smallest lot created is five acres or larger, short subdivision  
17 or short plat approval by the King County Department of Public Health shall not be  
18 required. This exemption from Public Health review shall not affect the application  
19 of State or County health standards or regulations to actual development of any lot.

20 (2) Water system. For each lot created which is less than five acres, the  
21 subdivider shall provide evidence that the proposed subdivision is provided with  
22 a public domestic water supply and distribution system within or without the plat  
23 installed according to plans approved by the Seattle-King County Department  
24 of Public Health. If there is no established public water supply system to  
25 which the lots in the proposed short subdivision may be connected, the  
26 applicant must set aside a favorable park or other area of suitable size upon  
27 which can be located a community deep well or wells which shall be set  
28 aside for community use, or the subdivider must show that there is a potential  
29 water supply accessible to and provided for each lot or tract in the plat or  
30 subdivision. Such water supply and distribution system, community well or  
31 wells, or water supply system to be constructed, shall be of such depth and

1 design as to amply protect the water supply, consistent with Department of  
2 Public Health plans and standards for approval.

3 (3) Sewage Disposal. (a) For each lot created which is smaller than five  
4 acres, the lot shall be served by an established, Department of Public Health  
5 approved public sewer system, or the Department of Public Health shall have  
6 approved a soils report and percolation test which indicates suitability for onsite  
7 sewage disposal not hazardous to public health.

8 (b) The declaration of covenant set forth in Appendix C-1 of this  
9 ordinance may be used at the subdivider's option, in lieu of requirements of  
10 subparagraph (a) of this paragraph, for the following:

11 (i) Any lot which is 70,000 square feet or larger;

12 (ii) Any lot in an RS or SR zone which is 35,000 square feet or  
13 larger.

14 (c) Short subdivisions adjacent to or containing lakes, streams, or  
15 bodies of water may be required to have lots or tracts larger than minimum to allow  
16 for septic tanks, with their drainage fields to be built not closer than one hundred  
17 (100) feet to such lake, stream, or body of water unless connection can be made  
18 to an approved sewerage system or unless a different arrangement is approved  
19 by the Seattle-King County Department of Public Health.

20 (4) Potentially unsuitable drainage. The Building and Land Development  
21 Division may postpone the short subdivision of land which the Department of  
22 Public Health finds of doubtful suitability because of possible seasonal drainage  
23 problems until wet season observations have been completed to its satisfaction.  
24 This authority shall not apply to the following:

25 (a) Tracts to be reserved as permanent open space; or,

26 (b) Where there has been a Department of Public Health approved  
27 test for the same purpose within the preceding twelve months; or,

28 (c) Non-building subdivisions processed pursuant to New Section  
29 9. of this ordinance; or,

30 (d) Revisions processed pursuant to New Section 8 of this ordinance,  
31 except for revisions of non-building short plats or lots; or,

(e) Where public sewers are available.

(5) Limitation of health approval. Approval by the Department of Public Health Department shall not constitute the granting of, or guarantee the granting of, any permit or any subsequent approval required by law.

NEW SECTION. SECTION 16. Appendices. (1) Appendices A through D to this ordinance shall be considered a part of this ordinance and shall not be amended except by County ordinance.

(2) The forms set forth in these appendices may be printed or otherwise reproduced by any person; PROVIDED, however, that such forms used in any transaction contemplated by this ordinance shall be printed or otherwise reproduced in ten-point type size or larger.

NEW SECTION. SECTION 17. Effective date. This ordinance shall become effective on the ninetieth day following King County Executive approval.

NEW SECTION. SECTION 18. Codification. This ordinance shall be codified as a separate chapter in Title 19., said chapter to be entitled "Short Subdivisions". Each codified section shall be in the same order as set forth in this ordinance, except Section 2, which shall amend K.C.C. 19.04.

NEW SECTION. SECTION 19. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provision to other persons or circumstances shall not be affected.

INTRODUCED AND READ for the first time this 15<sup>th</sup> day of November, 1976.

PASSED at a regular meeting of the King County Council this 21<sup>st</sup> day of March, 1977.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

*Mike Lowry*  
Chairman

ATTEST:

*[Signature]*  
Clerk of the Council

APPROVED this 24<sup>th</sup> day of March 1977.

*[Signature]*  
King County Executive



APPENDIX A-1

DECLARATION OF COVENANT REQUIRED FOR NON-BUILDING SHORT PLAT APPROVAL, AS PROVIDED BY NEW SECTION 10. OF THIS ORDINANCE.

"Declaration of Covenant

"1. In consideration of the approval by King County of short Plat # \_\_\_\_\_, which said plat creates (a lot) (lots) described as follows:

(Insert legal description)

the undersigned covenants and agrees that no improvements are to be made or placed upon the land for the purpose of human habitation, including tents tent frames and trailers or campers, and that no other improvements are made to the property other than fences or those necessary for agricultural, open space, or forestry purposes, unless or until said lot(s) are approved by King County in accordance with County short plat regulations.

"2. This covenant shall run with the land and is binding on all subsequent owner(s) of the above described lot(s).

"3. This covenant is enforceable by any purchasers of lots within the same short plat, and by King County.

"4. Warning: King County has no responsibility to build, improve, maintain or otherwise service any private road contained within or providing service to the above referenced property."

owner \_\_\_\_\_

owner \_\_\_\_\_

STATE OF WASHINGTON)
COUNTY OF KING ) ss

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein stated.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

NOTARY PUBLIC in and for the State of Washington, residing at \_\_\_\_\_

APPENDIX A-2

NOTARIZED PURCHASERS ACKNOWLEDGEMENT OF NON-BUILDING RESTRICTIVE COVENANT, REQUIRED TO BE OBTAINED AND RECORDED BY THE SELLER OF ANY LOT ENCUMBERED BY THE DECLARATION OF COVENANT SET FORTH IN APPENDIX A-1, AS PROVIDED IN SECTION 10. OF THIS ORDINANCE.

"Purchasers Acknowledgment of Prohibition Against Building

"1. (I) (We) have read the foregoing Declaration of Covenant which appears on the same or preceding page on which this statement appears. (I) (We) understand that this Declaration of Covenant prohibits the construction of any temporary or permanent improvements on the land for the purpose of habitation; and that no other improvements are to be made on the property other than fences or those improvements necessary for agricultural, open space, or forestry purposes, unless or until said lots(s) are approved by King County, in accordance with County short plat regulations.

"2. (I) (We) further understand that King County has no responsibility to build, improve, maintain, or otherwise service any private road contained within or providing service to the above referenced property.

"3. (I) (We) further understand that (I am) (we are) not required to sign this acknowledgement, and that by so doing (I) (we) may lose whatever legal rights (I) (we) might otherwise have had against the Seller for selling me a lot for which a building permit will not be issued until County Subdivision requirements have been fulfilled, and which may not meet County sewage disposal requirements."

STATE OF WASHINGTON)
COUNTY OF KING ) ss

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual (s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein stated.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

NOTARY PUBLIC in and for the State of Washington, residing at \_\_\_\_\_

DECLARATION OF COVENANT REQUIRING PRIVATE CONSTRUCTION AND MAINTENANCE OF SHORT PLAT APPROVED PRIVATE ROAD, AND DEDICATION TO THE COUNTY WHEN REQUIRED, AS PROVIDED IN NEW SECTION 12 OF THIS ORDINANCE.

"Declaration of Covenant

"In consideration of the approval by King County of short plat # \_\_\_\_\_, which said plat creates (a lot) ( lots) described as follows:

(Insert legal description)

the undersigned convenants and agrees that:

"1. The owner(s) of the aforescribed property or of any lot which has been or is subsequently created on said property shall be responsible for the financing for construction and maintenance of all private roads within said short plat.

"2. The road shall be improved consistent with King County standards for short plat private roads.

"3. Maintenance methods, standards, and financing shall be in a manner determined by the owners of a majority of the square footage of buildable land within such aforescribed property.

"4. In the event such private road is improved to King County standards for public streets and the County is willing to accept the dedication of such road, each lot owner shall execute any documents necessary to accomplish such dedication.

"5. Owners of lots within the above referenced short plat, who are served by such private road, may sue and recover from any owner of any lot within the short plat which is similarly served who refuses to participate in the road construction, financing, and maintenance. Such owners who refuse to share the costs under the percentage set forth above shall be liable for any attorneys fees.

"6. Warning: King County has no responsibility to build, improve, maintain, or otherwise service the private roads contained within or providing service to the above referenced property."

\_\_\_\_\_  
owner

STATE OF WASHINGTON) \_\_\_\_\_  
COUNTY OF KING ) ss owner

On this day personally appeared before me \_\_\_\_\_, to me known as the individual (s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein stated.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington, residing at \_\_\_\_\_

APPENDIX B-2

NOTARIZED PURCHASERS ACKNOWLEDGMENT OF PRIVATE ROAD CONSTRUCTION  
MAINTENANCE RESPONSIBILITIES SET FORTH IN APPENDIX B-1, AS PROVIDED  
BY NEW SECTION 14., OF THIS ORDINANCE.

"Purchasers acknowledgment of private road construction and  
maintenance responsibility.

"1. (I) (We) have read the foregoing Declaration of Covenant which  
appears on the same or preceding page on which this statement appears. (I)  
(We) understand that this Declaration of Covenant requires me to provide for a  
portion of financing, construction, and maintenance of any private road  
serving the lot which I am purchasing, and that owners of other lots in this  
short plat may sue and recover for those costs which this covenant requires  
me to pay, plus their damages resulting from my refusal to contribute, plus  
reasonable attorneys fees.

"2. Further, (I) (we) understand that King County has no responsibility  
to build, improve, maintain, or otherwise service the private roads contained  
within or providing service to the above referenced property.

"3. I understand that a building permit cannot be issued for con-  
struction on the lot I am purchasing until that portion of the private right-of-  
way serving that lot is to King County improved standard for short plat private  
roads."

\_\_\_\_\_  
purchaser

\_\_\_\_\_  
purchaser

STATE OF WASHINGTON)  
COUNTY OF KING ) ss

On this day personally appeared before me \_\_\_\_\_  
\_\_\_\_\_ to me known to be the individual (s)  
described in and who executed the within and foregoing instrument and  
acknowledged that they signed the same as their free and voluntary act and  
deed, for the uses and purposes therein stated.

Given under my hand and official seal this \_\_\_\_\_  
day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC in and for the  
State of Washington, residing  
at \_\_\_\_\_

APPENDIX C-1

DECLARATION OF COVENANT IN LIEU OF SOILS TEST FOR SEWAGE DISPOSAL  
SUITABILITY, AS PROVIDED IN NEW SECTION 15. OF THIS ORDINANCE.

"Declaration of Covenant

"In consideration of the approval by King County of short plat  
# \_\_\_\_\_, which said plat creates a lot described as follows:

(Insert legal description)

the undersigned covenants and agrees that:

"(a) No percolation test has been performed on the above-described  
lot.

"(b) Approval of short plat # \_\_\_\_\_ creating the above-  
described lot DOES NOT constitute approval by King County that said lot can  
be used for a building site.

"(c) No structure requiring domestic water consumption or sewage  
disposal can be placed on said lot until approval is given by the Seattle-King  
County Health Department or other appropriate department agencies.

"(d) This covenant shall run with the land and is binding on all  
subsequent owner(s) of the above described lot(s)."

\_\_\_\_\_  
fee owner

\_\_\_\_\_  
fee owner

STATE OF WASHINGTON)  
COUNTY OF KING ) ss

On this day personally appeared before me \_\_\_\_\_  
\_\_\_\_\_, to me known to be the individual(s) described  
in and who executed the within and foregoing instrument and acknowledged that  
they signed the same as their free and voluntary act and deed, for the uses and  
purposes therein stated.

Given under my hand and official seal this \_\_\_\_\_  
day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC in and for the  
State of Washington, residing at

APPENDIX C-2

PURCHASER'S ACKNOWLEDGMENT OF NO SOILS TEST TAKEN AND POTENTIAL UNSUITABILITY OF PROPERTY FOR HUMAN HABITATION, AS REQUIRED BY NEW SECTION 15. OF THIS ORDINANCE.

"Purchaser's acknowledgment of potential unsuitability for building.

"(I) (We) have read the foregoing Declaration of Covenant which appears on the same or preceding page on which this statement appears, (I) (We) understand the restrictions which this Declaration of Covenant places or may place on the property described therein and that (I) (We) (am) (are) nevertheless purchasing said property with full knowledge that it may not be a suitable building site, and that King County will not approve any building permit for any human habitation structure or accessory uses unless it is determined that adequate means are available for sewage disposal, either by septic tank or public sewers.

"(I) (We) further understand that by signing this acknowledgement, (I) (We) may lose whatever legal rights (I) (We) might otherwise have had against the Seller for selling (me) (us) a lot (or lots) which may not meet King County sewage disposal requirements.

\_\_\_\_\_ purchaser

\_\_\_\_\_ purchaser

STATE OF WASHINGTON)  
COUNTY OF KING ) ss

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual (s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein stated.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC in and for the  
State of Washington, residing  
at \_\_\_\_\_