



**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Peach Tree Estates II Rezone

LOCATION: 1251 Bermuda Road

APPLICANT: Alex Rietmann applicant on behalf of MD&D Investments, LLC

PROPERTY OWNER: MD&D Investments, LLC

FILE NO.: Z2024-101

DESCRIPTION: Request to rezone portions of Parcels 134982010595005 and 134982000005007 from Agriculture (AG) to R-2S.

PROJECT TYPE: Type IIIA Site-Specific Rezone

HEARING DATE: April 8, 2024

REPORT BY: Kyle Hendricks, Planner

RECOMMENDED ACTION: Approval

**Vicinity
Map**

Item: Peach Tree Estates II
Applicant: MD&D Investments
File #: S2024-101 & Z2024-101

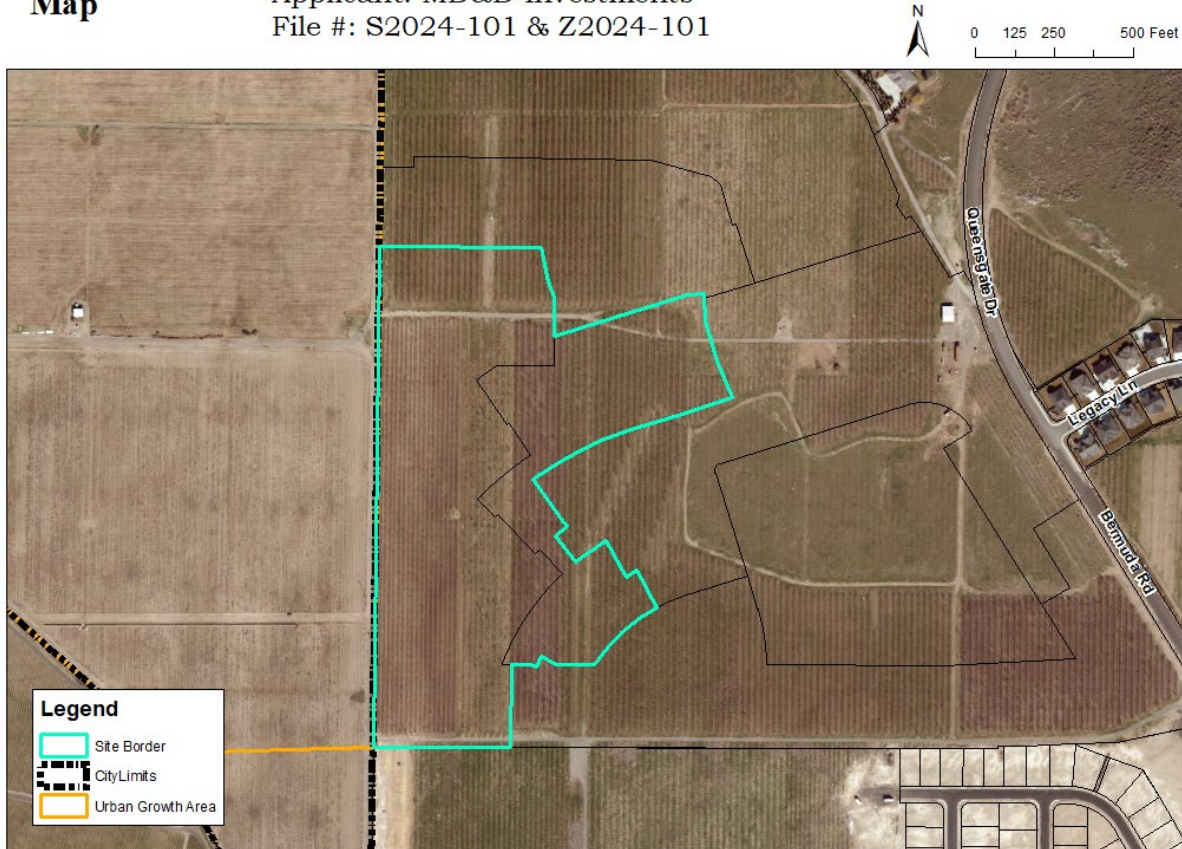


Figure 1 – Vicinity Map

DESCRIPTION OF PROPOSAL

Parallel to a Preliminary Plat Application for the development of an approximately 26.3-acre site, with one-hundred and twelve (112) residential lots, Alex Rietmann has submitted a Zoning Map Amendment Application on behalf of MD&D Investments, LLC (owner), petitioning to rezone portions of parcels 134982010595005 and 134982000005007 from the Agriculture (AG) zoning designation to the medium density residential, small lot, (R-2S) designation. The purpose of this change is to enable residential development to proceed in agreement with the overlying Badger Mountain South Subarea Plan Medium Density Residential (MDR) land use classification. Figure 1 (above) shows the site within its larger context.

REASON FOR REQUEST

Richland Municipal Code (RMC) Chapter 19.20.010(D)(1) 19.20.030, and 19.25.010 requires a site-specific rezone review to take place by the Hearing Examiner. See additional RMC guidance for the Hearing Examiner, below:

19.20.010 Procedures for processing development permits.

For the purpose of project permit processing, all development permit applications shall be classified as one of the following: Type I, Type II, Type III, or Type IIIA.

D. Type IIIA permits include the following types of permit applications:

1. Site-specific rezones;

19.60.060 Burden of proof.

Except for Type IV actions, the burden of proof is on the proponent. The project permit application must be supported by proof that it conforms to the applicable elements of the city's development regulations, comprehensive plan and that any significant adverse environmental impacts have been adequately addressed.

23.70.210(A) Public hearing and recommendation to council.

Reclassification. The hearing examiner shall conduct an open record public hearing as required by RMC Title 19 for a Type IIIA permit application. The recommendation shall include written findings of fact and the reasons for the hearing examiner's action; and shall refer expressly to the maps, description and other matters intended by the hearing examiner to constitute the reclassification.

Additional Considerations.

Washington Courts apply three basic rules when reviewing appeals of rezone applications: (1) there is no presumption favoring the rezone request; (2) the proponent must demonstrate that there has been a change of circumstances since the original zoning provided if a proposed rezone implements the policies of the comprehensive plan, a showing of changed circumstances is usually not required; and (3) the rezone must have a substantial relationship to the public health, safety, morals or general welfare.

For the purposes of this rezone request, the central questions presented are:

1. Whether the requested rezone implements policies of the City's Comprehensive Plan, and /or whether there has been a change of circumstances since the original Agricultural [AG] zoning was adopted for the site?
2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

REVIEW AUTHORITY

Richland Municipal Code (RMC) Chapter 19.20.010(D)(1) 19.20.030, and 19.25.010 requires a site-specific rezone review to take place by the Hearing Examiner.

SITE DESCRIPTION & ADJACENT LAND USES

Peach Tree Estates II is comprised of portions of two (2) parcels totaling approximately 26.3-acres and approximately 1,000 feet to the west of Bermuda Road and immediately southeast of Badger Mountain.

The site slopes down one hundred (100) feet from north to south, across approximately 1,500 horizontal feet from the northern boundary to southern boundary of the site area. The area will be accessed from a connection to Bermuda Road through Peach Tree Estates (S2022-105) and what appears to be other connections to Bermuda Road/Queensgate Drive, added in future

development according to the application materials.

The northeastern boundary is approximately 900-feet from Bermuda Road to the east. The western boundary is immediately adjacent to the City boundary near Badger Mountain. The southern boundary of the site is approximately 600 feet directly west of the northwestern corner of Siena Hills, Phase 3. The eastern boundary is at least 900 feet from Bermuda Road but has varied distances due to the geometry of the boundaries.

CURRENT LAND USE DESIGNATION AND USES :

North: BMS MDR (Medium Density Residential), former orchard

East: BMS MDR (Medium Density Residential) and Civic, former orchard

South: BMS MDR (Medium Density Residential), former orchard

West: RL-5 Farm, Benton County, Badger Mountain-proximate agriculture

**BMS
Land Use
Map**

Item: Peach Tree Estates II
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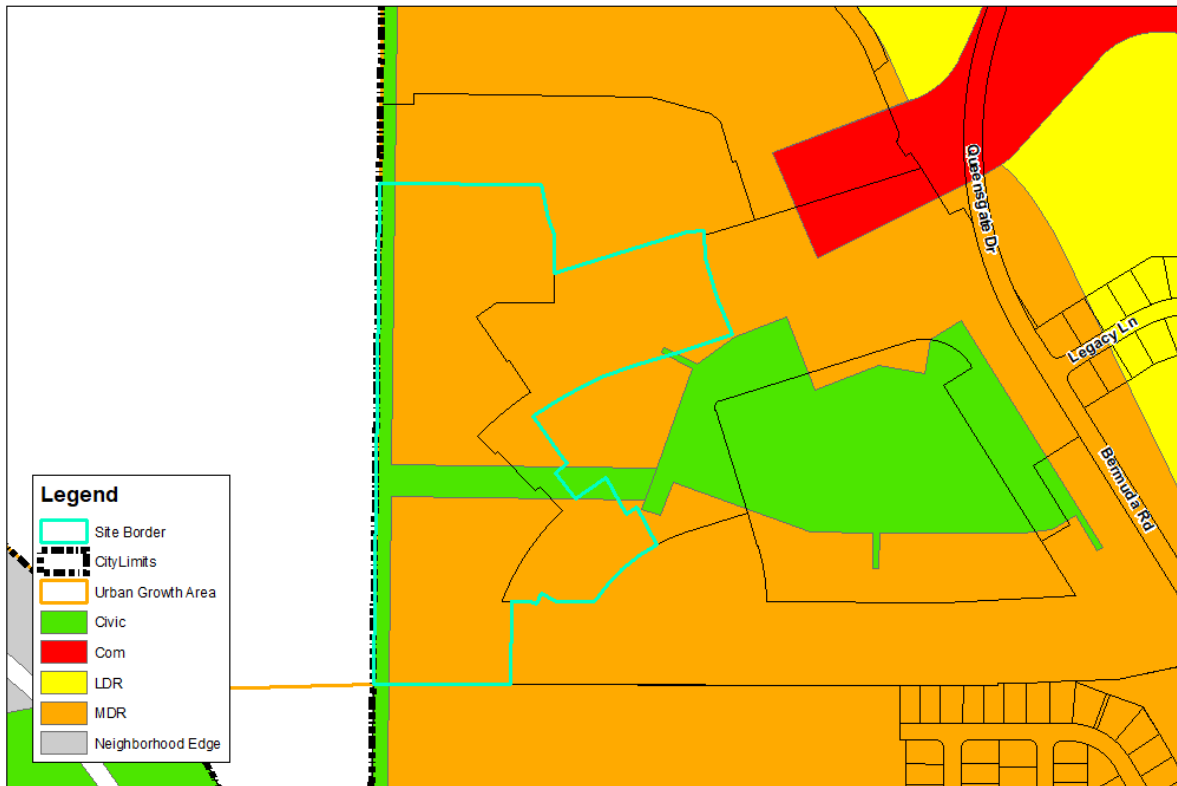
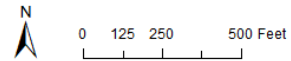


Figure 2 – Badger Mountain South LUDR Land Use Map

COMPREHENSIVE PLAN - BADGER MOUNTAIN SOUTH SUBAREA PLAN

As illustrated in Figure 2 (above), the Comprehensive Plan Land Use designation (as established by the Badger Mountain Subarea Plan) largely designates the site for medium-

density residential development. Typical City [RMC] zoning designations apply underneath BMS Subarea Plan land use designations. Some of the area is also denoted as Civic. This Civic designation is in place for a future, proposed Richland School District elementary school location. Take note that the Civic designated land geometry does not match the new shape of the future school site, the boundary of the school site was updated by BLA2022-110, this change in geometry has been reflected in City and County maps, however, this was not reflected in Badger Mountain South land use maps as of the date this report was prepared. Likewise, ownership and the applicant team on this proposal have been informed by Planning staff that additional rezones and/or land actions will be required to resolve predevelopment BMS Civic and residential geometries. (See BMS Land Use Map – *Exhibit 3*.)

Applicable Goals & Policies

Provided below is a set of Comprehensive Plan goals & policies which are particularly applicable to the subject residential subdivision.

Land Use Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2: Facilitate planned growth and infill developments within the City.

Land Use Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Land Use Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Provided below is a set of Badger Mountain South Subarea Plan goals & policies which are particularly applicable to the subject residential subdivision.

Comprehensive Plan Land Use Goal 5. The City will encourage efficient use and location of municipal and public facilities such as transportation centers, utility facilities, schools, parks and other public uses.

BMLU Policy 5.3 – Locate school facilities using sound urban design principles and work with the school districts to identify future school sites that are walkable.

Comprehensive Plan Urban Design Goal 1. The City will create a well-planned community with an aesthetically pleasing environment.

BMUD Policy 1.3 – Support the development of the Badger Mountain South area by encouraging a development pattern that resembles traditional neighborhood design.

CURRENT ZONING

The subject site is zoned AG, Agricultural use district. Surrounding parcels are zoned as follows:

North: AG, Agricultural use district

East: AG, Agricultural use district and R-2S, Medium-Density Residential Small Lot, as established with Peach Tree Estates I (Z2022-106 & S2022-105)
South: R-2, Medium-Density residential
West: RL-5 Farm, Benton County

**Zoning
Map**

Item: Peach Tree Estates II
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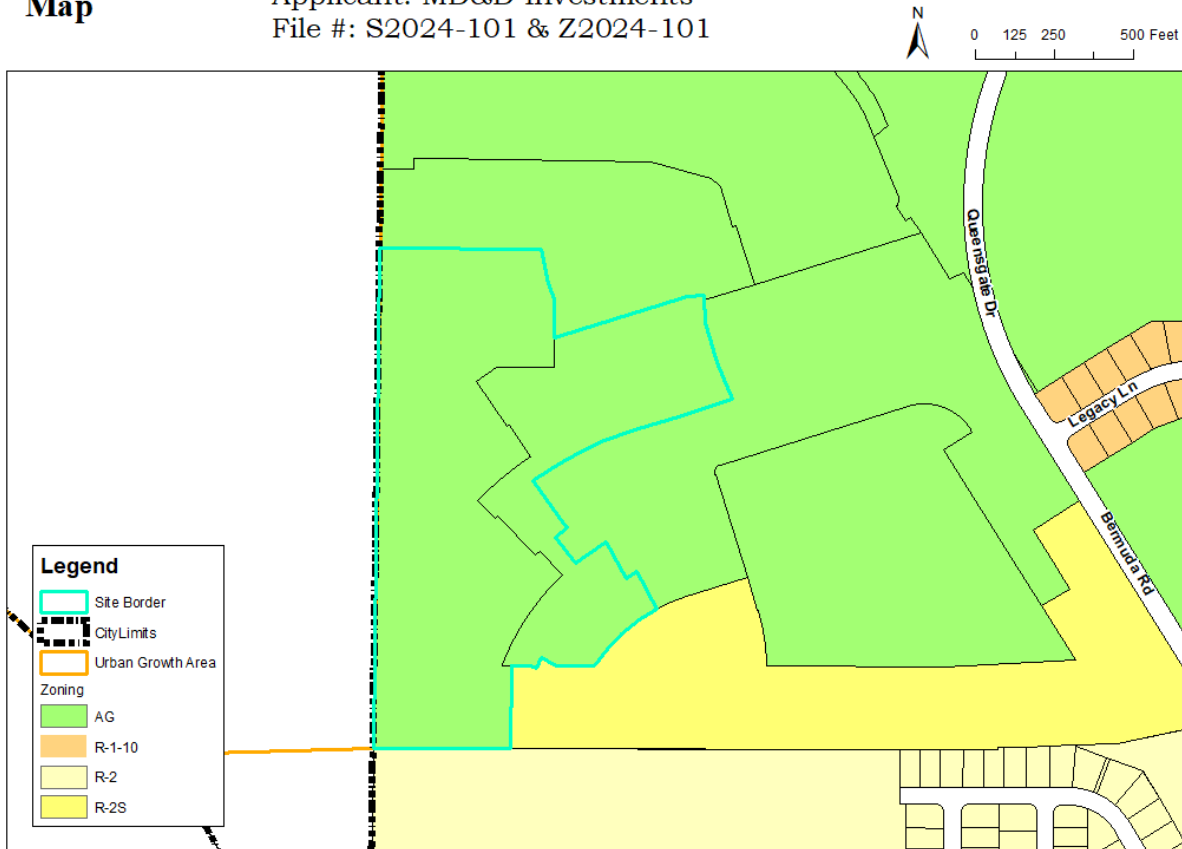


Figure 3 – Zoning Map

The Agricultural use district (AG) is a primary zone classification permitting essentially open land uses such as grazing lands or pasture, agriculture, and development of part-time small tract farming and other compatible uses of an open nature such as a cemetery, park, and recreational or similar uses on land which has favorable combinations of slope, climate, availability of water, or soil conditions. This land has been zoned AG since its annexation into the City in 2010 by Annexation 41-10. This zoning classification is intended to be applied to some portions of the city that are designated as agriculture or as urban reserve under the city of Richland comprehensive plan (RMC 23.14.010(A)).

REQUESTED ZONING

Following the applicant's request, City staff is presenting this staff report and associated application materials for a site-specific rezone of 26.3 acres.

The medium-density residential small lot (R-2S) is a residential zone classification permitting a higher density of population, encouraging small lot development conducive to energy conservation and to other factors contributing to the production of affordable housing, and including the establishment of duplex dwellings and providing for these one- and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland comprehensive plan. (RMC 23.18.010(D)).

Along with R-2, R-2S is the only residential zoning suitable to effectuate the site's Medium-Density Residential (MDR) BMS Land Use designation. Note, the area west of the Siena Hills plat and immediately south of this site is likewise MDR and zoned R-2.

Note: RMC 23.18.020(A) refers to R-2S as a "High-Density Residential Small Lot", which is incorrect. R-2S is a medium-density residential land use designation and is described (correctly) as such in RMC 23.18.010(D). Staff acknowledges the error and will seek to amend the heading in a future Code update.

UTILITY AVAILABILITY

There are existing irrigation and electrical power line connections in place, available near the site with adequate capacity to supply the proposed project. Water, sewer, natural gas, and stormwater connections would need to be extended from nearby right-of-way to the site area.

Utility Map

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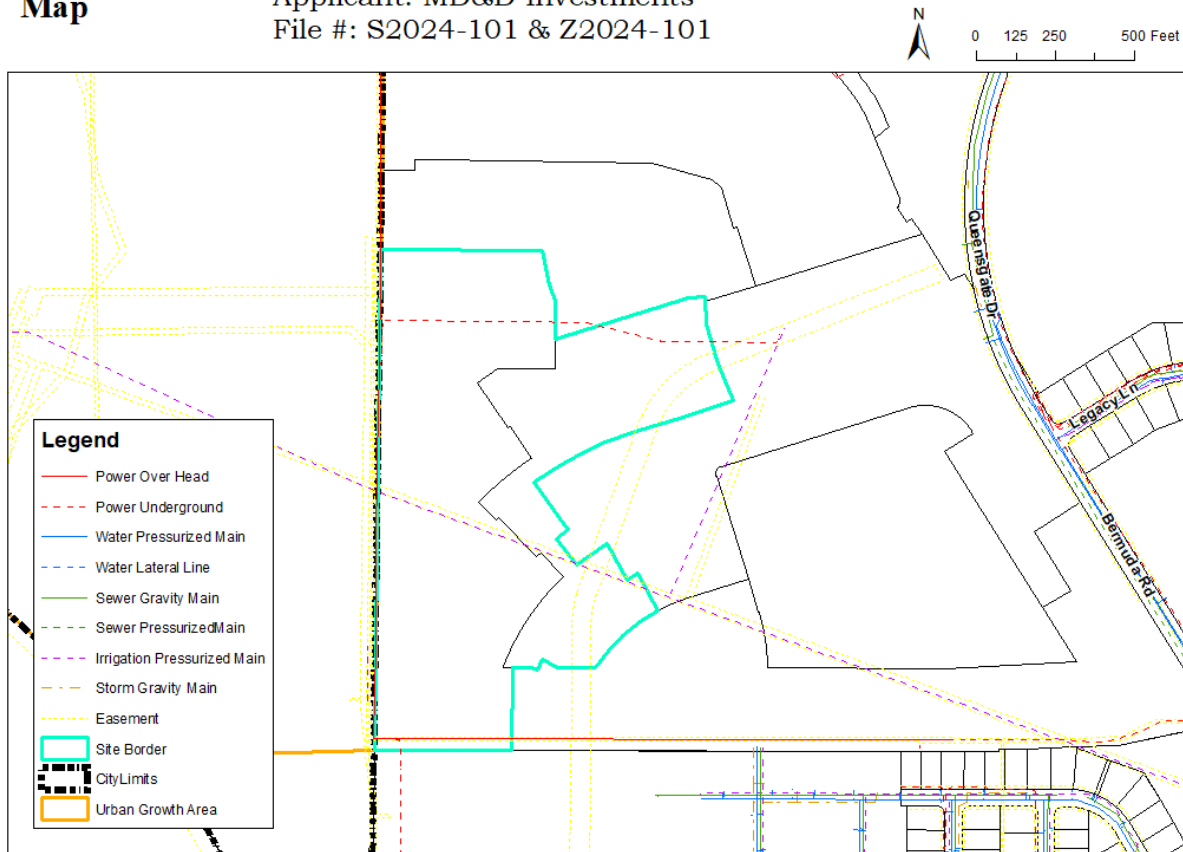


Figure 4 – Utilities Map

Sewer

There is an existing 4-inch pressurized main in the Bermuda Road right-of-way, switching to an 8-inch gravity main north of the current development initiative. The application materials indicate that a sewer connection will be made within a SEVA road extending to the Bermuda Road connection. Sewer connections will be made through Peach Tree Estates 2022.

Water

There is a distribution main within the Bermuda Road right-of-way and an ? inch distribution main within the Waterhill Avenue right-of-way within the Sienna Hills development to the south. Water connections will need to be extended; it appears this will be achieved through Peach Tree Estates.

Power

The site has an existing overhead primary conductor running east-to-west along the southern boundary of the proposed site.

Stormwater

The City does have an existing 18-inch stormwater gravity main in the Bermuda Road right-of-way that currently terminates immediately adjacent to the southeastern corner of the Peach Tree Estates I site, and could potentially be available for extension to the north. There is also a 12-inch main line at the terminus of Waterhill Avenue.

Irrigation

There is an existing 26-inch distribution main (with easement) operated by the Badger Mountain Irrigation District bisecting the site area. A portion of the easement will be vacated during development.

TRANSPORTATION & ACCESS

Primary access into the site will come from Bermuda Road and Snowking Street to be constructed with Peach Tree Estates. Bermuda Road is classified by the City as a “Major Collector”.

This area is largely characterized as single-family housing in transition from undeveloped and agricultural uses. As such, there are no significant nodes of employment or shopping amenities via suburban scale commercial, office or industrial development within close proximity. That said, the City does have a pocket of anticipated neighborhood commercial some 350-feet to the east on Bermuda Road. This area already has a Badger Mountain South Land Use designation of Commercial.

Sidewalks will be installed on local roads. Existing trails and on-street bicycle lanes are also designated by the City. Likewise, there are ongoing efforts to improve the active transportation portfolio of the area. There are no nearby, current (nor proposed) Ben Franklin Transit bus routes.

Transportation Map

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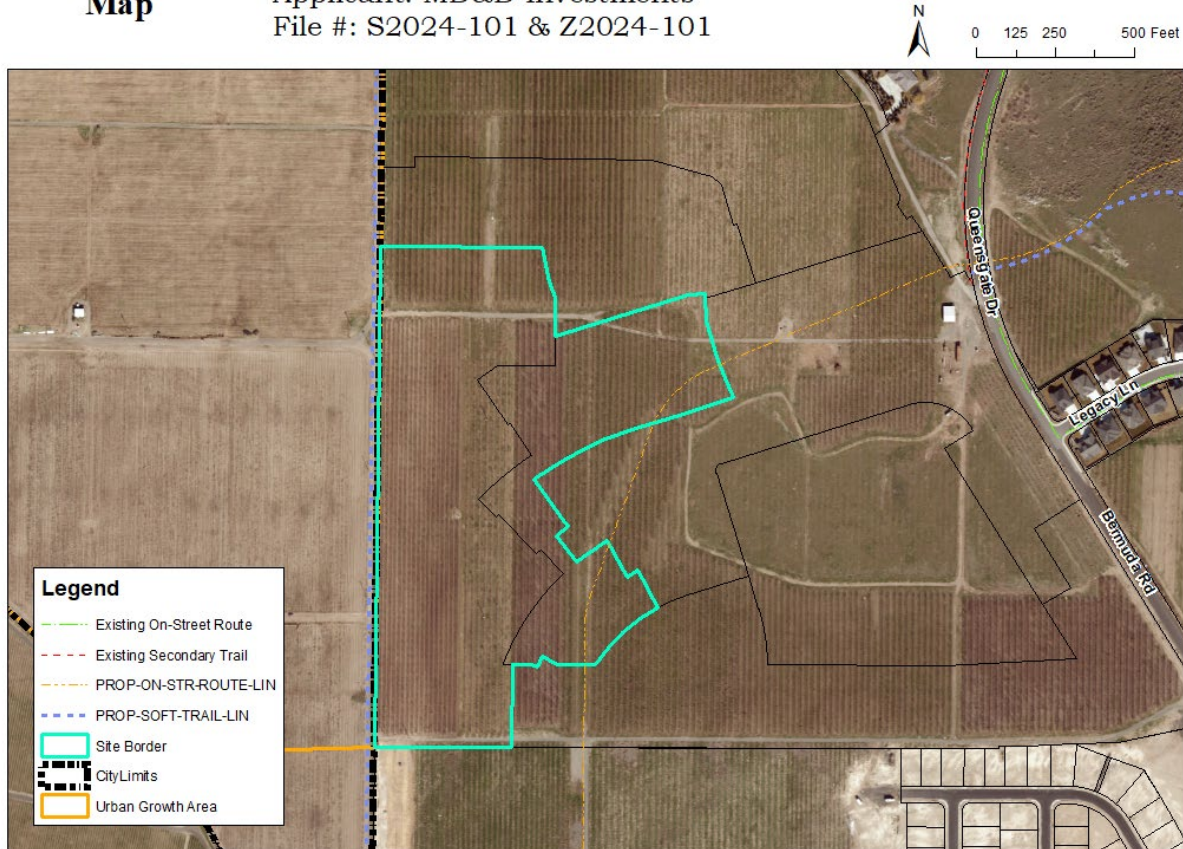


Figure 5 – Transportation Map

EASEMENTS

There are two easements which resemble an “X” shape near the site area. One easement is approximately 20’ wide which runs from Badger Mountain (northwest to southeast orientation) and bisects the site area. This easement would need to be adjusted before structures can be built in this area. The other easement, which runs perpendicular to the previously mentioned easement, roughly follows the proposed Gage Boulevard extension through the plat, shown in the application materials.

FIRE SAFETY

The City of Richland Fire Department will provide fire protection services to the subject property and resulting development. Currently, there are no hydrants immediately adjacent to the proposed site. Two hydrants are in place within Siena Hills’ Lazio Way.

SCHOOLS

The plat falls within the boundaries of the Richland School District. The school district anticipates the siting of a future elementary school immediately east of this proposed phase.

Recent land actions have contemporized the School District's land holdings in preparation for this and future phases of this development. Secondary education is not in the immediate vicinity of this proposed development.

SEPA

The proposal is not subject to State environmental review under the State Environmental Policy Act. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

Critical Areas

The subject site does not lie within any existing, recognized Critical Area. Critical Area requirements are not applicable with this proposal.

Shoreline Master Program

The subject site lies outside of the jurisdiction of the Shoreline Master Program. This project will have no effect on shorelines of statewide significance. Shoreline permitting requirements are not applicable with this proposal.

AGENCY COMMENTS

A variety of public agencies and City departments were given an opportunity to comment on the proposal. While comments were received regarding the parallel preliminary plat proposal, no comments were received regarding this zoning action.

PUBLIC COMMENTS

Owners of all properties within 300-feet of the plat site were directly notified of the project by way of USPS mailing. As of the date of this report, city staff have received no public comments regarding this proposed zoning action.

PUBLIC NOTICE

| | |
|------------------------------|----------------|
| Notice of Hearing Mailed: | March 12, 2024 |
| Notice of Hearing Posted: | March 12, 2024 |
| Notice of Hearing Published: | March 17, 2024 |
| Public Hearing: | April 8, 2024 |

Notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in *Exhibit 5*.

ANALYSIS

Over the past twenty (20) or so years the City of Richland (with support from Benton County) has placed a high priority on development within the Badger Mountain Subarea for residential growth, alongside more limited neighborhood commercial and office space improvements. The Badger Mountain Subarea Plan (April 2010, with subsequent updates) formalized these efforts placing the 26.3 acres at question in this review under its Medium Density Residential (MDR) designation (5.1 to 10 dwellings per acre).

Along the area's eastern reaches near Bermuda Road, single-family residential development has proceeded first with the Siena Hills neighborhood and now extending through Peach Tree Estates and now to this proposed Peach tree Estates II. However, before the existing MDR designation can be effectuated, the Agricultural (AG) zoning must be contemporized to match residential zoning allowed within the MDR designation, either R-2 or R-2S. The applicant is seeking an R-2S zoning designation for the site in question. Being as this would be in agreement with the pre-existing BMS Land Use designation, staff concurs that R-2S is appropriate for this site, in agreement with the goals and policies arrived at after the public Comprehensive and Subarea planning efforts, and by extension, bears a substantial relationship to the public health, safety, morals, or general welfare.

This requested rezone does not approve any development activity on the site. As with all development proposals, City development regulations will apply to any specific projects that may eventually be proposed on the site. Following public notices and reviews conducted in accord with City practices for all other private or public rezone applications, there is no evidence in this record that would provide a basis in fact or law to deny the pending rezone request.

Staff also want to address questions posed to Hearing Examiner under "Reason for Request":

1. Whether the requested rezone implements policies of the City's Comprehensive Plan, and /or whether there has been a change of circumstances since the original zoning was adopted for the site?

The site has been designated for medium-density residential [MDR] uses by the City's Comprehensive Plan through the Badger Mountain South Subarea Plan, and the rezone request would serve to effectuate those plans. The subject property remains undeveloped. The site has been left unattended and while it is not overgrown with weeds and noxious vegetation, leaving it in a distressed/undeveloped condition is not in the public interest. The requested rezone is meant to facilitate the applicant's plans to develop the site in a manner fully authorized by the appropriate residential zoning regulations.

2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

It appears that the proposed rezone is consistent with this criterion because the rezone is consistent with the City's Comprehensive Plan, and any future, project-specific proposal will have to meet city development regulations, including SEPA, possible subdivision codes, traffic impact reviews, public infrastructure concurrency reviews, and payment of any impact fees in effect at the time of an application.

The Planning Department requests the Hearing Examiner recommend the proposed zoning map amendment to the Richland City Council.

SUGGESTED FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2024-101) and recommends approval of the request based on the following:

1. The property owner and applicant in this matter is MD&D Investments, LLC, with Alex Rietmann acting on behalf of, and, as lead contact.
2. The application is to rezone portions of various parcels: Benton County Assessor's Tax Parcel Numbers 134982010595005 and 134982000005007.
3. The lots are currently zoned Agricultural use district (AG).
4. The requested zone change is to change portions of the parcels identified above to R-2S (Medium-Density Residential Small Lot).
5. The subject site was previously disturbed as it was part of a large apple orchard.
6. The site is gently sloped from north to south.
7. The surrounding area is transitioning from agricultural uses to single-family residential.
8. The Badger Mountain South Subarea Plan designates this parcel as Medium Density Residential [MDR] (5.1 -10 dwellings per acre).
9. The current Agricultural (AG) zone does not implement the BMS MDR land use designation.
10. Per RMC 23.18.010, the R-2S Medium-Density Residential Small Lot zoning is intended to be applied to land that is designated MDR (5.1-10 dwellings per acre) under the City's Comprehensive Plan, such as BMS MDR.
11. No portion of this proposed rezone is in the Shoreline Management Program's jurisdiction.
12. No portion of this proposed rezone is in a Critical Aquifer Recharge Area (CARA). No other critical areas have been identified.
13. The proposed site is encumbered by existing easements, some to be relocated, some to be relinquished, some to stay in place at time of platting.
14. Recent, recorded land action via Boundary Line Adjustment (BLA2022-101) has recently altered property lines surrounding a future Richland School District site. This is reflected on City maps, but not upon the Badger Mountain South land use areas map as of the date of this report.
15. The application is exempt from the provisions of the State Environmental Policy Act (SEPA), as identified in WAC 197-11-800(6)(c).
16. Notice requirements of RMC 19.30.040 have been met:
 - a. Notice of Hearing Mailed: March 12, 2024
 - b. Notice of Hearing Posted: March 12, 2024
 - c. Notice of Hearing Published: March 17, 2024
17. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland.

EXHIBIT LIST

1. Application Materials
2. Zone Map
3. BMS Land Use Map
4. BLA2022-110, Recorded

5. Public Notices & Affidavits

Exhibit 1



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
509-942-7794
509-942-7764

Zoning Map Amendment Application

Note: A Pre-Application meeting is required prior to submittal of an application.

| | | |
|---|------------------------------|--|
| PROPERTY OWNER INFORMATION | | <input checked="" type="checkbox"/> Contact Person |
| Owner: MD&D Investments, LLC | | Alex Rietmann |
| Address: 63615 E Jacobs Rd. Benton City, WA 99320 | | |
| Phone: 509-778-2373 | Email: alexr@gooserridge.com | |

| | | |
|--|--------|--|
| APPLICANT/CONTRACTOR INFORMATION (if different) | | <input checked="" type="checkbox"/> Contact Person |
| Company: Same as above. | UBI#: | |
| Contact: | | |
| Address: | | |
| Phone: | Email: | |

| |
|---|
| DESCRIPTION OF WORK |
| Applicant is requesting that portions of parcel 134982000005007 and portions of parcel #134982010595005 be rezoned from Agricultural (AG) designation. The project would be seeking the following Zoning Designation: R-2S. |

| | | |
|---|---------------------------|-----------------------------|
| PROPERTY INFORMATION | | |
| Parcel #: 134982010595005 and 134982000005007 | | |
| Legal Description: That portion of Section 34, Township 9 North, Range 28 East of the Willamette Meridian, Benton County, WA. | | |
| Current Zoning: AG | Current Comp Plan: BMS | Requested Zoning: R-2S |
| Current Use: Vacant | Proposed Use: Residential | Area of Property: 26+ Acres |

| |
|---|
| APPLICATION MUST INCLUDE |
| <ol style="list-style-type: none">1. Completed application and filing fee2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved3. Other information as determined by the Administrator |

| |
|---|
| ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE |
| The unique characteristics, if any, of the property or circumstances of the owner: The property has been used as agricultural orchards for a number of years; recently all the orchards have been torn out and the site sits vacant. |
| Any hardship that may result in the event the rezone is not granted: The orchards have been torn out with the intention of developing for residential use. If the rezone was not granted, the property would remain undeveloped. The area anticipates an increase in housing supply, which will not be met if the property is not developed. |

The manner in which the proposed rezone conforms to patterns in adjacent zones:

Property to the south, east, and north has been rezoned for residential, property in the middle of the parcel is zoned agricultural but is owned by Richland School District, and property to the west is zoned residential through Benton County. Rezoning the property will help zoning conformance in nearby areas.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

The rezone will allow an anticipated residential development to be permitted and constructed on site. This will benefit the area by encouraging population growth within the City and provide an affordable housing supply.

There are no major anticipated effects of accepting the rezone.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

Granting of the rezone application would be consistent with the goals and policies set in place by the City of Richland for the Badger Mountain South Subarea Plan.

The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:

No detriments to the City can be anticipated from granting of this permit.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

The proposed rezone of the land represents a higher and better use to the City of Richland than the current designation of Agricultural. It achieves the goals set forth in the City's comprehensive plan goals related to residential development and seeks to achieve long range transportation goals set forth by the City.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

The proposal does not represent spot zoning. At this time the only area being considered for rezone are the proposed parcels.

Identify impacts on the environment and public safety:

There are no detrimental impacts to the environment or public safety that can be identified at this time by rezoning the property consistent with the current City of Richland comprehensive plan.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

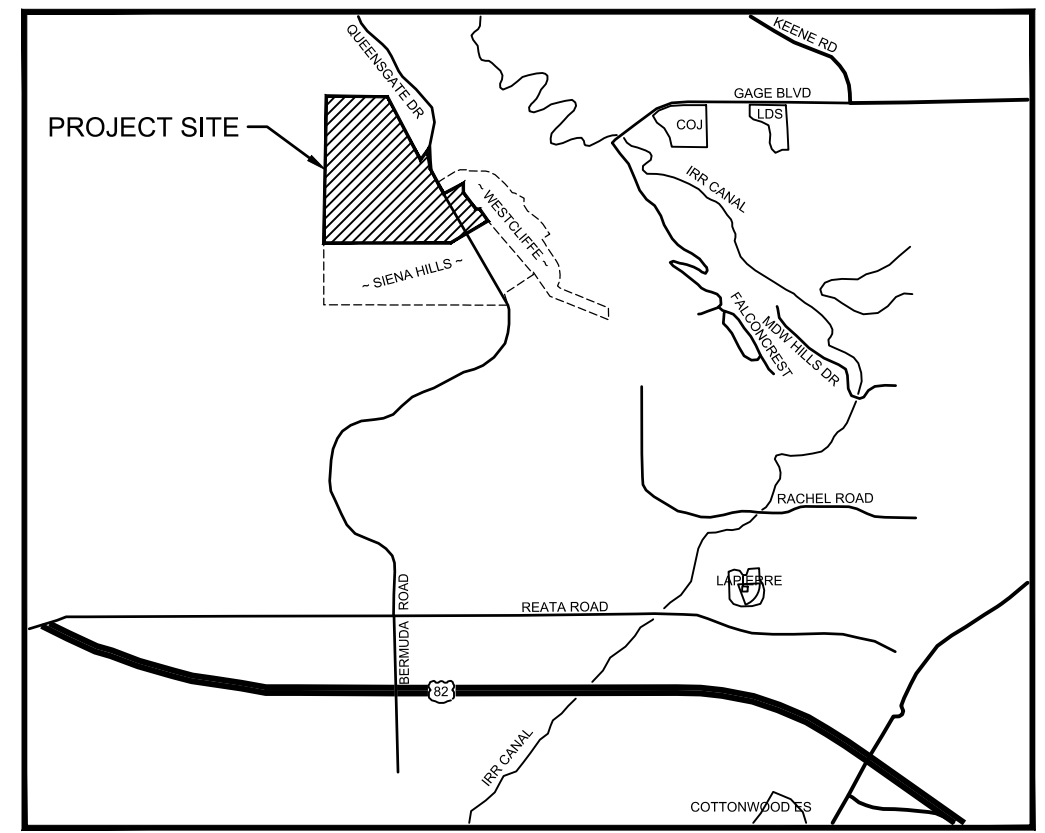
Applicant Printed Name: Alex Rietmann

Applicant Signature: Alex Rietmann Date 2-21-24

PEACHTREE ESTATES II

PRELIMINARY PLAT

LOCATED IN SECTION 34 TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



VICINITY MAP
NOT TO SCALE

| SHEET INDEX | |
|-------------|-----------------------|
| 1. | PRELIMINARY PLAT PLAN |
| 2. | OVERALL SITE PLAN |
| 3. | OVERALL UTILITY PLAN |

SURVEY BENCHMARK:

BRASS CAP AT THE INTERSECTION OF GALA WAY AND SICILY LANE, CITY OF RICHLAND
NAVD88 ELEVATION FOR THIS MONUMENT IS 699.05
ALTERNATE BENCHMARK IS A 5/8" IRON ROD IN PIPE AT THE NORTHWEST CORNER OF SECTION 34, ELEVATION FOR THIS MONUMENT IS 1072.36.

BASIS OF BEARINGS:

NAD83 WASHINGTON STATE SOUTH ZONE GRID BEARING OF S89°09'47"E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, AS MEASURED BETWEEN EXISTING MONUMENTS.

NOTES:

- ALL LOTS SHALL HAVE A 10' UTILITY EASEMENT ABUTTING STREET RIGHT-OF-WAYS.

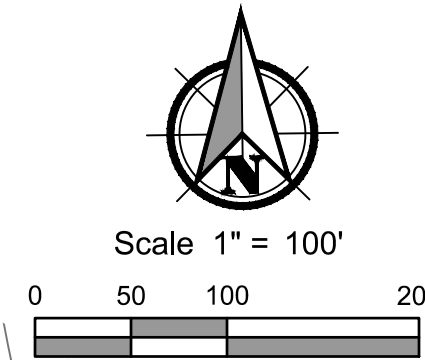
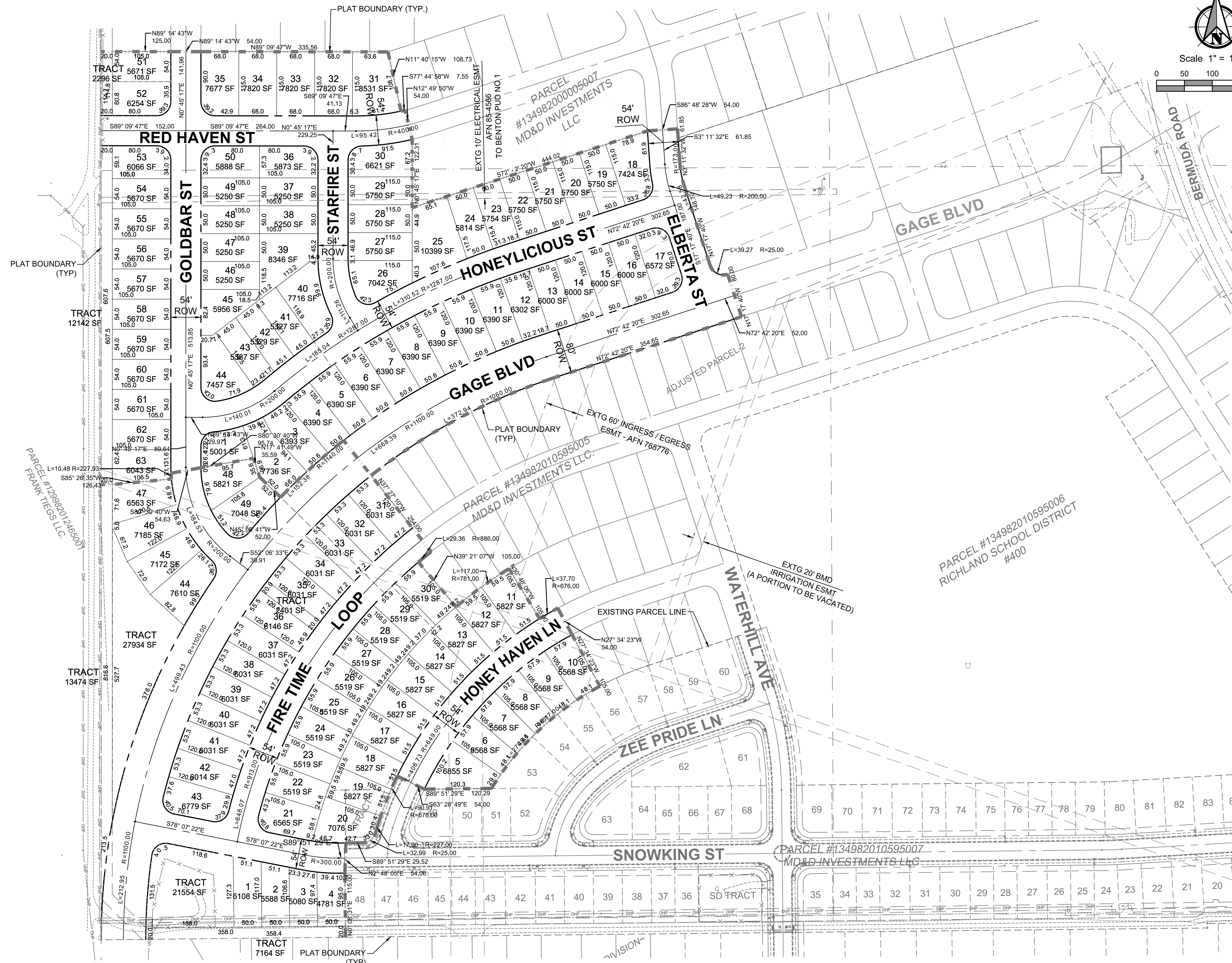
OWNER / DEVELOPER:
MD&D INVESTMENTS LLC.
63615 E. JACOBS ROAD NE
BENTON CITY, WA. 99320

ENGINEER:
PBS ENGINEERING AND ENVIRONMENTAL
CONTACT: JASON MATTOX, PE
400 BRADLEY BLVD, SUITE 106
RICHLAND, WA 99352
(509) 942-1600

SURVEYOR:
PBS ENGINEERING AND ENVIRONMENTAL
CONTACT: ALEX MATARAZZO, PLS
400 BRADLEY BLVD, SUITE 106
RICHLAND, WA 99352
(509) 942-1600

ZONING CLASSIFICATION:
MEDIUM DENSITY RESIDENTIAL SMALL (R-2S)

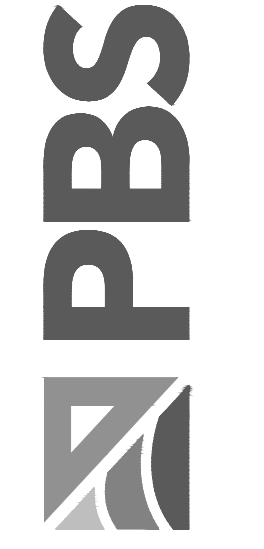
| LAND USE TABLE | |
|--|-------------|
| PRE-PLATTED SITE AREA: | 26.34 ACRES |
| R-2S RESIDENTIAL ZONED AREA: | 26.34 ACRES |
| RIGHT OF WAY DEDICATION: | 8.57 ACRES |
| SINGLE FAMILY RESIDENTIAL LOT COUNT (PHASE 2): | 49 LOTS |
| SINGLE FAMILY RESIDENTIAL LOT COUNT (PHASE 3): | 63 LOTS |
| MINIMUM LOT AREA: | 4,781 SF |
| MAXIMUM LOT AREA: | 10,399 SF |
| AVERAGE LOT AREA: | 6,131 SF |



File name: L:\Projects\66000\66336\66336-003\Civil\CAD\Working\Preplat\66336_003-Preplat-SitePlan.dwg
 User: James Rauech
 CAD Plot Date/Time: 2/22/2024 10:00:12 AM
 Layout Tab: 66336_003_OF3

Full Size Sheet Format Is 22x34; If Printed Size Is Not 22x34, Then This Sheet Format Has Been Modified & Indicated Drawing Scale Is Not Accurate.

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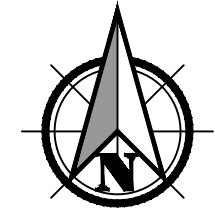
PRELIMINARY PLAT FOR:
PEACHTREE ESTATES II
A RESIDENTIAL SUBDIVISION IN THE CITY OF RICHLAND, WA.



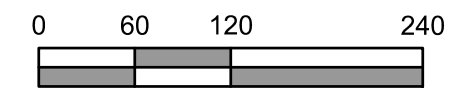
DESIGNED:
MRC/ELG
CHECKED:
JLM
FEB 2024
66336.003

File Name: L:\Projects\66336\66336-003\Civil\CAD\Working\Preplat\66336-003-Preplat-OverallPlan.dwg Layout Tab: 66336\03_20F3 User: James Rauech CAD Plot Date/Time: 2/22/2024 10:00:24 AM

PARCEL #129882012465001
FRANK TIEGS LLC



Scale 1" = 120'



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Planning
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OVERALL SITE PLAN FOR: PEACHTREE ESTATES II A RESIDENTIAL SUBDIVISION IN THE CITY OF RICHLAND, WA.



Know what's below.
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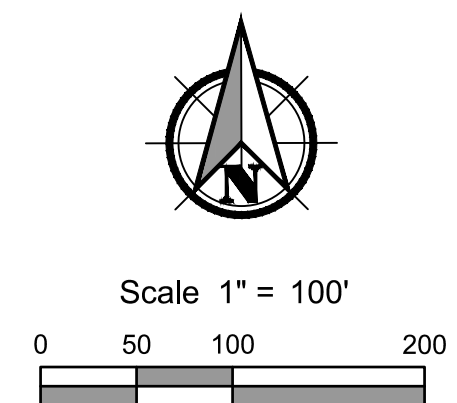
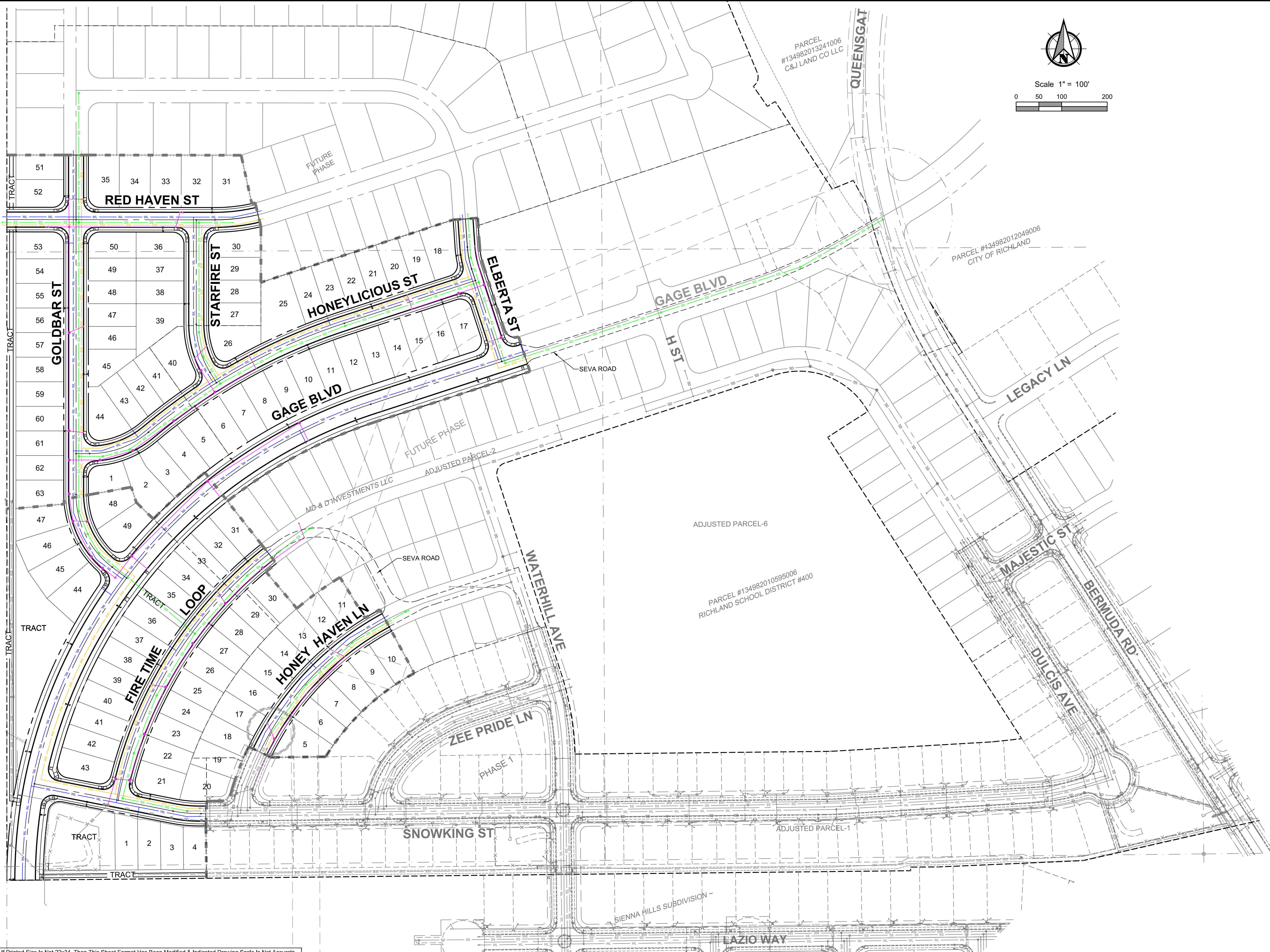
CHECKED:
JLM

FEB 2024
66336.003

SHEET ID

Filepath: L:\Projects\66000\66336\66336-003\Civil\CAD\Working\Preplat\66336_003-Preplat-UtilityPlan.dwg Layout Tab: 66336.003_30F3 User: James Rausch CAD Plot Date/Time: 2/22/2024 10:00:39 AM

PARCEL #129982012465001
FRANK TIEGS LLC



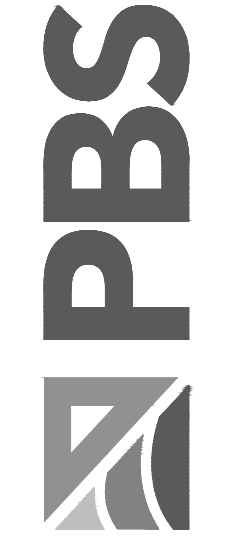
PARCEL #134982013241006
C&J LAND CO LLC

PARCEL #134982012049006
CITY OF RICHLAND

ADJUSTED PARCEL-6

PARCEL #134982010595006
RICHLAND SCHOOL DISTRICT #400

PBS Engineering and
400 Bradley Blvd, Ste 106
Richland, WA 99362
509.942.1600
pbsusa.com



OVERALL UTILITY PLAN FOR:
PEACHTREE ESTATES II
A RESIDENTIAL SUBDIVISION IN THE CITY OF RICHLAND, WA.



Know what's below.
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JLM
FEB 2024
66336.003

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Full Size Sheet Format Is 22x34; If Printed Size Is Not 22x34, Then This Sheet Format Has Been Modified & Indicated Drawing Scale Is Not Accurate.

SUBDIVISION

Issued By: COMMONWEALTH LAND TITLE INSURANCE COMPANY
by its agent:

Guarantee/Certificate Number:



472426067

COMMONWEALTH LAND TITLE INSURANCE COMPANY, a corporation, herein called the Company,

GUARANTEES

MD&D Investments LLC AND City of Richland

herein called the Assured, against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

Commonwealth Land Title Insurance Company

By:

**Ticor Title Company
8101 W Grandridge Blvd., Suite 110
Kennewick, WA 99336**

Michael J. Nolan, President

Countersigned By:

Attest:

Dylan Strait
Authorized Officer or Agent



Marjorie Nemzura, Secretary

| |
|--|
| ISSUING OFFICE: Ticor Title Company 8101 W Grandridge Blvd., Suite 110 Kennewick, WA 99336 Main Phone: (509)579-7020 |
|--|

SCHEDULE A

| Liability | Premium | Tax |
|------------|----------|---------|
| \$1,000.00 | \$350.00 | \$30.45 |

Effective Date: January 26, 2024 at 12:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

For APN/Parcel ID(s): 134982010595005, 134982000005007 and 134982000008000

PARCEL A: (134982010595005)

REAL PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34. MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 2699.45 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34 MARKED BY A 1/2 INCH REBAR WITH NO CAP; THENCE SOUTH 00°45'21" WEST ALONG THE WEST UNE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 30.02 FEET TO THE NORTHWEST CORNER OF PARCEL 4 OF SURVEY NO. 5494 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122; THENCE SOUTH 89°51'29" EAST ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL 4 A DISTANCE OF 438.49 FEET;

THENCE NORTH 00°03'8"31" EAST LEAVING SAID NORTH BOUNDARY A DISTANCE OF 159.02 FEET;

THENCE SOUTH 89°51'29" EAST A DISTANCE OF 2.51 FEET;

THENCE NORTH 00°08'31" EAST A DISTANCE OF 105.01 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°51'29" EAST A DISTANCE OF 60.21 FEET;

THENCE SOUTH 66°27'51" EAST A DISTANCE OF 20.00 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 676.07 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 66°27'51" EAST;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 35.21 FEET, WITH A DELTA ANGLE OF 02°59'02", A CHORD BEARING OF NORTH 25°01'40" EAST, AND A CHORD LENGTH OF 35.20 FEET;

SCHEDULE A

(continued)

THENCE SOUTH 63°28'49" EAST A DISTANCE OF 54.01 FEET;

THENCE SOUTH 89°51'29" EAST A DISTANCE OF 120.31 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 517.06 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 57°32'48" EAST;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 363.25 FEET, WITH A DELTA ANGLE OF 40°15'08", A CHORD BEARING OF NORTH 52°34'46" EAST, AND A CHORD LENGTH OF 355.83 FEET;

THENCE NORTH 72°42'20" EAST A DISTANCE OF 214.55 FEET;

THENCE NORTH 17°17'40" WEST A DISTANCE OF 344.04 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 39.27 FEET, WITH A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF NORTH 27°42'20" EAST, AND A CHORD LENGTH OF 35.36 FEET;

THENCE NORTH 72°42'20" EAST A DISTANCE OF 624.07 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 173.02 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 227.40 FEET, WITH A DELTA ANGLE OF 75°18'21", A CHORD BEARING OF SOUTH 69°38'29" EAST, AND A CHORD LENGTH OF 211.39 FEET;

THENCE SOUTH 31°59'19" EAST A DISTANCE OF 10.42 FEET;

THENCE SOUTH 58°00'41" WEST A DISTANCE OF 105.01 FEET;

THENCE SOUTH 31°59'19" EAST A DISTANCE OF 450.05 FEET;

THENCE SOUTH 31°58'33" EAST A DISTANCE OF 136.78 FEET;

THENCE NORTH 58°01'27" EAST A DISTANCE OF 105.01 FEET;

THENCE NORTH 31°58'33" WEST A DISTANCE OF 136.79 FEET;

THENCE NORTH 31°59'19" WEST A DISTANCE OF 84.05 FEET;

THENCE NORTH 58°00'41" EAST A DISTANCE OF 174.02 FEET;

THENCE NORTH 31°59'17" WEST A DISTANCE OF 69.05 FEET;

THENCE NORTH 31°59'19" WEST A DISTANCE OF 272.34 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,230.00 FEET; THENCE ALONG SAID CURVE. HAVING AN ARC LENGTH OF 417.94 FEET, WITH A DELTA ANGLE OF 19°28'07", A CHORD BEARING OF NORTH 22°15'16" WEST, AND A CHORD LENGTH OF 415.93 FEET TO THE SOUTHERLY MOST CORNER OF NEW PARCEL II OF SURVEY NO. 5521 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5521 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-030634 BEING A POINT ON A CURVATURE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,268.96 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 59°19'17" EAST; THENCE ALONG SAID CURVE AND SAID SOUTHERLY BOUNDARY. HAVING AN ARC LENGTH OF 58.78 FEET, WITH A DELTA ANGLE OF 02°39'15", A CHORD BEARING OF NORTH 29°21'06" WEST, AND A CHORD LENGTH OF 58.78 FEET; THENCE SOUTH 68°24'08" WEST A DISTANCE OF 50.01 FEET;

THENCE NORTH 32°20'10" WEST ALONG THE WESTERLY BOUNDARY OF SAID NEW PARCEL II A

SCHEDULE A
(continued)

DISTANCE OF 170.68 FEET;

THENCE SOUTH 72°42'20" WEST LEAVING SAID WESTERLY BOUNDARY A DISTANCE OF 719.81 FEET;

THENCE NORTH 03°11'32" WEST A DISTANCE OF 16.34 FEET;

THENCE SOUTH 86°48'28" WEST A DISTANCE OF 54.01 FEET;

THENCE SOUTH 72°42'20" WEST A DISTANCE OF 444.07 FEET;

THENCE SOUTH 00°45'17" WEST A DISTANCE OF 94.91 FEET;

THENCE NORTH 89°14'43" WEST A DISTANCE OF 169.00 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 227.03 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 89°58'43" EAST;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 1.62 FEET, WITH A DELTA ANGLE OF 00°24'34", A CHORD BEARING OF SOUTH 00°13'34" EAST, AND A CHORD LENGTH OF 1.62 FEET;

THENCE SOUTH 89°34'09" WEST A DISTANCE OF 14.86 FEET;

THENCE SOUTH 53°36'29" WEST A DISTANCE OF 76.46 FEET;

THENCE SOUTH 34°29'01" EAST A DISTANCE OF 172.90 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,260.14 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 34°29'01" EAST;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 7.00 FEET, WITH A DELTA ANGLE OF 00°19'05", A CHORD BEARING OF NORTH 55°40'32" EAST, AND A CHORD LENGTH OF 7.00 FEET;

THENCE SOUTH 34°09'56" EAST A DISTANCE OF 120.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 1,140.13 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 34°09'56" EAST;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 217.81 FEET, WITH A DELTA ANGLE OF 10°56'46", A CHORD BEARING OF SOUTH 50°21'42" WEST, AND A CHORD LENGTH OF 217.48 FEET;

THENCE SOUTH 45°06'41" EAST A DISTANCE OF 80.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,060.12 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 45°06'41" EAST;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 7.63 FEET, WITH A DELTA ANGLE OF 00°24'45", A CHORD BEARING OF NORTH 45°05'41" EAST, AND A CHORD LENGTH OF 7.63 FEET;

THENCE SOUTH 44°41'56" EAST A DISTANCE OF 174.02 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 886.10 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 44°41'56" EAST;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 18.24 FEET. WITH A DELTA ANGLE OF 01°10'47", A CHORD BEARING OF NORTH 45°53'27" EAST, AND A CHORD LENGTH OF 18.24 FEET;

THENCE SOUTH 43°31'09" EAST A DISTANCE OF 105.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 781.09 FEET; THE RADIUS

SCHEDULE A

(continued)

POINT OF WHICH BEARS SOUTH 43°31'09" EAST;

THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 349.22 FEET, WITH A DELTA ANGLE OF 25°37'00", A CHORD BEARING OF SOUTH 33°40'21" WEST, AND A CHORD LENGTH OF 346.32 FEET;

THENCE SOUTH 89°51'29" EAST A DISTANCE OF 31.49 FEET TO THE TRUE POINT OF BEGINNING. HAVING AN AREA OF 1,236,153 SQUARE FEET. 28.38 ACRES MORE OR LESS TOGETHER WITH;

REAL PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 89°09'47" EAST ALONG THE NORTH LINE OF SAID SECTION 34 A DISTANCE OF 2599.03 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 34 MARKED BY A 3" BRASS CAP; THENCE SOUTH 00°06'46" WEST A DISTANCE OF 1,333.89 FEET TO THE NORTHEAST CORNER OF LOT 6 OF THE PLAT OF WESTCUFFE HEIGHTS II RECORDED IN VOLUME 15 OF PLATS AT PAGE 608 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-015773;

THENCE NORTH 89°30'45" WEST ALONG THE NORTHERLY BOUNDARY OF SAID PLAT OF WESTCUFFE HEIGHTS II A DISTANCE OF 155.72 FEET;

THENCE SOUTH 58°00'41" WEST A DISTANCE OF 427.93 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 31°59'19" WEST A DISTANCE OF 130.96 FEET TO THE EASTERLY RIGHT OF WAY MARGIN OF QUEENSGATE DRIVE ESTABLISHED PER QUIT CLAIM DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-01826 BEING A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 1,170.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 65°30'31" EAST; THENCE ALONG SAID CURVE AND RIGHT OF WAY MARGIN, HAVING AN ARC LENGTH OF 131.40 FEET, WITH A DELTA ANGLE OF 06°26'05", A CHORD BEARING OF SOUTH 27°42'32" EAST, AND A CHORD LENGTH OF 131.33 FEET TO THE NORTHWEST CORNER OF ADJUSTED LOT 1 OF SURVEY NO. 5036 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5036 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-019538; THENCE NORTH 58°00'41" EAST ALONG THE NORTHERLY BOUNDARY OF SAID ADJUSTED LOT 1 A DISTANCE OF 9.80 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B: (134982000005007)

REAL PROPERTY LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP;

SCHEDULE A
(continued)

THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 887.49 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH 89°14'43" EAST LEAVING SAID WEST LINE A DISTANCE OF 104.98 FEET;

THENCE NORTH 00°48'16" EAST A DISTANCE OF 35.17 FEET;

THENCE SOUTH 89°14'43" EAST A DISTANCE OF 54.01 FEET;

THENCE SOUTH 89°09'47" EAST A DISTANCE OF 698.33 FEET;

THENCE SOUTH 74°58'55" EAST A DISTANCE OF 199.70 FEET;

THENCE SOUTH 46°50'00" EAST A DISTANCE OF 42.12 FEET;

THENCE SOUTH 17°17'40" EAST A DISTANCE OF 130.01 FEET;

THENCE NORTH 72°42'20" EAST A DISTANCE OF 10.82 FEET;

THENCE SOUTH 17°17'40" EAST A DISTANCE OF 198.02 FEET;

THENCE SOUTH 72°42'20" WEST A DISTANCE OF 166.85 FEET;

THENCE NORTH 03°11'32" WEST A DISTANCE OF 16.34 FEET;

THENCE SOUTH 86°48'28" WEST A DISTANCE OF 54.01 FEET;

THENCE SOUTH 72°42'20" WEST A DISTANCE OF 444.07 FEET;

THENCE SOUTH 00°45'17" WEST A DISTANCE OF 94.91 FEET;

THENCE NORTH 89°14'43" WEST A DISTANCE OF 169.00 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 227.03 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 89°58'43" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 1.62 FEET, WITH A DELTA ANGLE OF 00°24'34", A CHORD BEARING OF SOUTH 00°13'34" EAST, AND A CHORD LENGTH OF 1.62 FEET;

THENCE SOUTH 89°34'09" WEST A DISTANCE OF 14.86 FEET;

THENCE SOUTH 53°36'29" WEST A DISTANCE OF 76.46 FEET;

THENCE SOUTH 34°29'01" EAST A DISTANCE OF 17290 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,260.14 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 34°29'01" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 7.00 FEET, WITH A DELTA ANGLE OF 00°19'05", A CHORD BEARING OF NORTH 55°40'32" EAST, AND A CHORD LENGTH OF 7.00 FEET;

THENCE SOUTH 34°09'56" EAST A DISTANCE OF 120.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 1,140.13 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 34°09'56" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 217.81 FEET, WITH A DELTA ANGLE OF 10°56'46", A CHORD BEARING OF SOUTH 50°21'42" WEST, AND A CHORD LENGTH OF 217.48 FEET;

THENCE SOUTH 45°06'41" EAST A DISTANCE OF 80.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,060.12 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 45°06'41" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC

SCHEDULE A

(continued)

LENGTH OF 7.63 FEET, WITH A DELTA ANGLE OF 00°24'45", A CHORD BEARING OF NORTH 45°05'41" EAST, AND A CHORD LENGTH OF 7.63 FEET;

THENCE SOUTH 44°41'56" EAST A DISTANCE OF 174.02 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 886.10 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 44°41'56" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 18.24 FEET, WITH A DELTA ANGLE OF 01°10'47", A CHORD BEARING OF NORTH 45°53'27" EAST, AND A CHORD LENGTH OF 18.24 FEET;

THENCE SOUTH 43°31'09" EAST A DISTANCE OF 105.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 781.09 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 43°31'09" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 349.22 FEET, WITH A DELTA ANGLE OF 25°37'00", A CHORD BEARING OF SOUTH 33°40'21" WEST, AND A CHORD LENGTH OF 346.32 FEET;

THENCE SOUTH 89°51'29" EAST A DISTANCE OF 31.49 FEET;

THENCE SOUTH 00°08'31" WEST A DISTANCE OF 105.01 FEET;

THENCE NORTH 89°51'29" WEST A DISTANCE OF 2.51 FEET;

THENCE SOUTH 00°08'31" WEST A DISTANCE OF 159.02 FEET TO THE NORTHERLY BOUNDARY OF PARCEL 4 OF SURVEY NO. 5494 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122;

THENCE NORTH 89°51'29" WEST ALONG SAID NORTHERLY BOUNDARY A DISTANCE OF 438.49 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4 BEING ALSO A POINT ON THE WEST UNE OF THE SOUTHWEST QUARTER SAID SECTION 34;

THENCE NORTH 00°45'21" EAST ALONG SAID WEST UNE A DISTANCE OF 30.02 FEET TO THE WEST QUARTER CORNER OF SECTION 34, MARKED BY A 1/2 INCH REBAR WITH NO CAP; THENCE NORTH 00°45'17" EAST ALONG SAID WEST UNE OF THE NORTHWEST QUARTER A DISTANCE OF 1,811.96 FEET TO THE POINT OF BEGINNING.

PARCEL C: (134982000008000)

REAL PROPERTY LOCATED IN THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 887.49 FEET;

THENCE SOUTH 89°14'43" EAST LEAVING SAID WEST LINE A DISTANCE OF 104.98 FEET;

THENCE NORTH 00°48'16" EAST A DISTANCE OF 35.17 FEET;

THENCE SOUTH 89°14'43" EAST A DISTANCE OF 54.01 FEET;

THENCE SOUTH 89°09'47" EAST A DISTANCE OF 698.33 FEET;

THENCE SOUTH 74°58'55" EAST A DISTANCE OF 199.70 FEET;

SCHEDULE A

(continued)

THENCE SOUTH 46°50'00" EAST A DISTANCE OF 42.12 FEET;

THENCE SOUTH 17°17'40" EAST A DISTANCE OF 130.01 FEET;

THENCE NORTH 72°42'20" EAST A DISTANCE OF 10.82 FEET;

THENCE SOUTH 17°17'40" EAST A DISTANCE OF 198.02 FEET;

THENCE NORTH 72°42'20" EAST A DISTANCE OF 552.96 FEET TO THE EASTERLY BOUNDARY OF NEW PARCEL IV OF SURVEY NO. 5521 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5521 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-030634; THENCE ALONG SAID EASTERLY BOUNDARY THE FOLLOWING COURSES:

THENCE NORTH 32°20'10" WEST A DISTANCE OF 58.63 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 173.00 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 27°39'19" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 20.16 FEET, WITH A DELTA ANGLE OF 06°40'38", A CHORD BEARING OF SOUTH 59°00'22" WEST, AND A CHORD LENGTH OF 20.15 FEET;

THENCE NORTH 34°16'51" WEST A DISTANCE OF 54.02 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 25.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 34°21'45" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 33.94 FEET, WITH A DELTA ANGLE OF 77°47'46", A CHORD BEARING OF NORTH 16°44'23" EAST, AND A CHORD LENGTH OF 31.40 FEET;

THENCE NORTH 22°02'34" WEST A DISTANCE OF 205.67 FEET;

THENCE NORTH 21°59'37" WEST A DISTANCE OF 4239 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 471.00 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 67°55'51" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 149.38 FEET, WITH A DELTA ANGLE OF 18°10'17", A CHORD BEARING OF NORTH 31°09'18" WEST, AND A CHORD LENGTH OF 148.75 FEET; THENCE NORTH 40°10'17" WEST A DISTANCE OF 156.06 FEET; TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 179.00 FEET;

THE RADIUS POINT OF WHICH BEARS NORTH 49°40'40" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 116.02 FEET, WITH A DELTA ANGLE OF 37°08'14", A CHORD BEARING OF NORTH 21°45'13" WEST, AND A CHORD LENGTH OF 114.00 FEET; THENCE NORTH 03°04'35" WEST A DISTANCE OF 77.62 FEET;

THENCE NORTH 16°32'19" WEST A DISTANCE OF 83.41 FEET;

THENCE NORTH 27°38'46" WEST A DISTANCE OF 79.89 FEET;

THENCE NORTH 33°55'58" WEST A DISTANCE OF 179.99 FEET TO THE NORTH LINE OF SAID SECTION 34;

THENCE NORTH 89°09'47" WEST ALONG SAID NORTH LINE A DISTANCE OF 1,157.16 FEET TO THE POINT OF BEGINNING.

SCHEDULE A
(continued)

Title to said real property is vested in:

MD&D Investments, LLC, a Washington limited liability company

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

END OF SCHEDULE A

SCHEDULE B

1. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2024
Tax Account No.: [134982010595005](#)
Levy Code: R3
Assessed Value-Land: \$642,000.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:
Billed: \$5,945.55
Paid: \$0.00
Unpaid: \$5,945.55

2. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2024
Tax Account No.: [134982000005007](#)
Levy Code: R3
Assessed Value-Land: \$633,250.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:
Billed: \$5,869.74
Paid: \$0.00
Unpaid: \$5,869.74

3. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2024
Tax Account No.: [134982000008000](#)
Levy Code: R3
Assessed Value-Land: \$655,650.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:
Billed: \$6,076.97
Paid: \$0.00
Unpaid: \$6,076.97

4. Any assessments levied by Badger Mountain Irrigation District for the year 2024, amounts of which are unavailable at this time.

5. Amounts as may be due to City of Richland for document:

For: Sewer Latecomer Agreement
Recorded: September 5, 2018
Recording No.: [2018-026345](#)

SCHEDULE B
(continued)

6. A mortgage to secure an indebtedness as shown below

Amount: \$7,082,839.00
Dated: October 18, 2021
Mortgagor: MD&D Investments LLC, a Washington limited liability company
Mortgagee: Community First Bank
Recording Date: October 29, 2021
Recording No.: [2021-049836](#)

7. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$1,965,000.00
Dated: December 1, 2022
Trustor/Grantor: MD&D Investments LLC, a Washington limited liability company
Trustee: Cascade Title Company
Beneficiary: Donald F Douglas, an individual
Recording Date: April 20, 2023
Recording No.: [2023-007371](#)
Affects: Said premises and includes other property

Subordination Agreement recorded at [2023-026939](#), referencing the Trust Deed recorded at 2023-007371 and the Trust Deed recorded at 2023-026936.

8. A mortgage to secure an indebtedness as shown below

Amount: \$6,531,225.00
Dated: December 18, 2023
Mortgagor: MD&D Investments LLC
Mortgagee: Community First Bank
Recording Date: December 27, 2023
Recording No.: [2023-026936](#)

Affects: Said premises and other property

Subordination Agreement recorded at [2023-026939](#), referencing the Trust Deed recorded at 2023-007371 and the Trust Deed recorded at 2023-026936.

9. Any unrecorded leaseholds, right of vendors and holders of security interests on personal property installed upon the Land and rights of tenants to remove trade fixtures at the expiration of the terms.

SCHEDULE B
(continued)

10. The Land is within or near designated agricultural lands or farm operations upon which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. You may be subject to inconveniences or discomforts arising from such operations, including but not limited to noise, odors, flies, fumes, dust, smoke, the operation of machinery of any kind during any 24 hour period (including aircraft) the storage and disposal of manure, and the application of spraying or storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. Benton County has determined that the use of real property for agricultural operations is a high priority and favored use and will not consider those inconveniences or discomforts arising from legally permitted farm operations to be a nuisance if such practices are consistent with commonly accepted best management practices and otherwise comply with local, state and federal laws.
11. Rights-of-way for pipelines, ditches, canals, flumes, if any cross said premises, together with the right to enter thereon for the purpose of repair and maintenance thereof.
12. Right(s) of way for the purpose(s) stated below as set forth in the patent to said Land
- Purpose(s): Ditches, Canals and Electric Power Transmission
Recording Date: September 17, 1973
Recording No.: [654855](#)
13. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Badger Mountain Irrigation District
Purpose: Construct, repair, replace, operate and maintain pipelines and appurtenant structures
Recording Date: January 13, 1977
Recording No.: [718936](#)
14. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Public Utility District No. 1 of Benton County
Purpose: Electric transmission and distribution line and appurtenances thereto
Recording Date: May 26, 1977
Recording No.: [728681](#)
15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Public Utility District No. 1 of Benton County
Purpose: Electric transmission and distribution line and appurtenances thereto
Recording Date: September 15, 1977
Recording No.: [737310](#) and [737311](#)
16. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Public Utility District No. 1 of Benton County
Purpose: Electric transmission and distribution line and appurtenances thereto
Recording Date: February 8, 1978
Recording No.: [749794](#)

SCHEDULE B
(continued)

17. Terms, covenants, conditions and provisions contained in Agreement entered into ;
Between: City of Richland, Washington
AND: Milo Bauder, his successors and assignees
Recorded: July 24, 1978
Recording No.: [765214](#)
Providing: Domestic Water and/or Sewer Services
18. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Purpose: Ingress and Egress
Recording Date: July 28, 1978
Recording No.: [765776](#)
19. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Purpose: Access
Recording Date: June 15, 1982
Recording No.: [862635](#)
20. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Purpose: Ingress-egress, utility and irrigation
Recording Date: July 17, 1984
Recording No.: [898901](#)
Affects: 60 foot strip over a portion of said premises and other property
21. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Badger Mountain Irrigation Easement
Purpose: Utilities
Recording Date: October 9, 1984
Recording No.: [84-3561](#)
22. Right of way Easement, including the terms, covenants and provisions thereof, for electric transmission and/or distribution line, together with necessary appurtenances, as granted by instrument;
Recorded: April 12, 1985
Recording No.: [85-4566](#)
In favor of: Public Utility District No. 1 of Benton County
23. Terms, covenants, conditions and provisions set forth in Agreement entered into;
Between: Public Utility District No. 1 of Benton County
AND: Badger Mountain Irrigation District
Recorded: April 24, 1985
Recording No.: [85-5124](#)

SCHEDULE B
(continued)

24. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Purpose: Ingress and egress
Recording Date: October 8, 1987
Recording No.: [87-16073](#)
25. Right of way Easement, including the terms, covenants and provisions thereof, for electric transmission and/or distribution line, together with necessary appurtenances, as granted by instrument;
- Recorded: November 5, 1993
Recording No.: [93-34114](#)
In favor of: Public Utility District No. 1 of Benton County
26. Terms, covenants, conditions and provisions Interlocal Agreement between Benton County and the City of Richland regarding City of Richland Urban Growth Area Expansion Request - File CPA 03-2
- Recorded: February 1, 2005
Recording No.: [2005-003324](#)
27. Amended and restated interlocal agreement between Benton County and the City of Richland recorded December 12, 2006 under Auditor's File No. [2006-040708](#).
28. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Secondary Emergency Access Easement
Recording Date: November 2, 2012
Recording No.: [2012-034461](#)
29. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: The City of Richland
Purpose: Utility Easement
Recording Date: March 24, 2014
Recording No.: [2014-006658](#)
Affects: A Portion of said premises
30. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Utility easement
Recording Date: February 23, 2016
Recording No.: [2016-004839](#)
- Parial Relinquishment of Easement as recorded under Recording No. [2022-004850](#)

SCHEDULE B
(continued)

31. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Badger Mountain Irrigation District
Purpose: Irrigation
Recording Date: September 3, 2020
Recording No.: [2020-033644](#)
32. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Waterline Easement
Recording Date: January 17, 2018
Recording No.: [2018-001482](#) and [2018-001483](#)
33. Exceptions, covenants, conditions, and reservations as contained in Deed and including terms thereof:
- From: C & J Land Company LLC
To: MD&D Investments LLC
Recorded: October 29, 2021
Recording No.: [2021-049835](#)
- As Follows: Regarding future development by MD&D Investments LLC, mobile and manufactured homes, and modular homes are specifically not permitted.
34. Terms and Conditions of Ordinance No. 41-10 recorded January 5, 2011 under Auditor's File No. [2011-000610](#).
35. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Access and Utility
Recording Date: July 13, 2017
Recording No.: [2017-019386](#)
36. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Access and Utility
Recording Date: July 13, 2017
Recording No.: [2017-019388](#)
37. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Waterline
Recording Date: January 17, 2018
Recording No.: [2018-001484](#)
38. Sewer Latecomers Ageement and the Terms and Conditions thereof between the City of Richland and Pahlisch Homes at Westcliffe Heights LLC recorded September 5, 2018 under Auditor's File No. [2018-026345](#) and First Amendment recorded June 3, 2019 under Auditor's File No. [2019-014443](#).

SCHEDULE B
(continued)

39. Terms and Conditions of Ordinance No. 2023-12 recorded June 23, 2023 under Auditor's File No. [2023-012671](#).

40. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey No. 5521:

Recording No: [2021-030634](#)

41. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey No. 5031:

Recording No: [2018-018513](#)

42. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Short Plat No. 2049:

Recording No: [94-17574](#)

43. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey 2164:

Recording No: [96-12391](#)

44. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey 4140
:

Recording No: [2010-026670](#)

SCHEDULE B
(continued)

45. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey 4925:

Recording No: [2017-026905](#)

46. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey 5036

Recording No: [2018-019538](#)

47. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Short Plat 595:

Recording No: [771566](#)

48. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey 5724:

Recording No: [2022-033094](#)

49. NOTE: We have reviewed the authority documentation for MD&D Investments LLC. Based on our review:

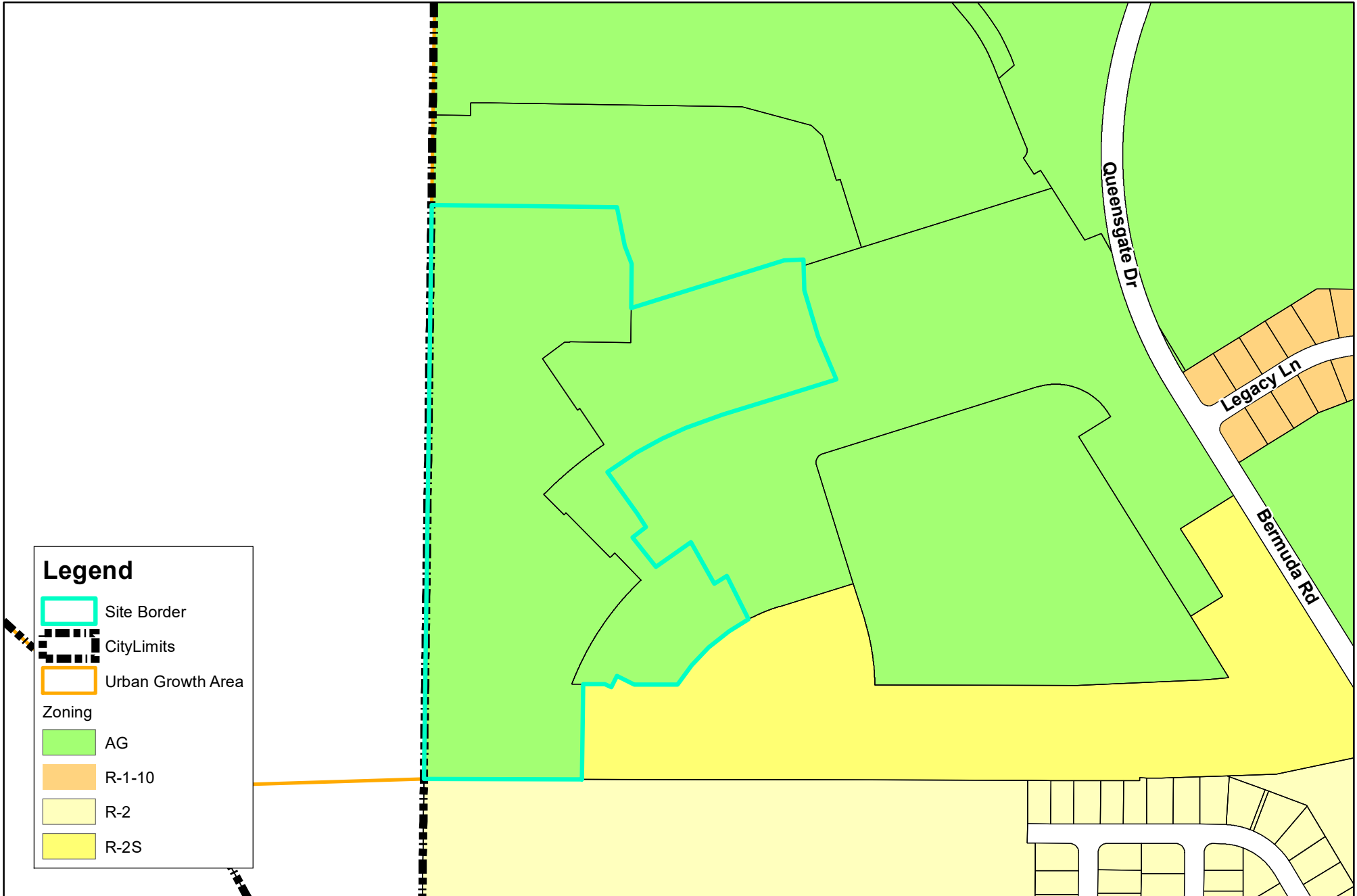
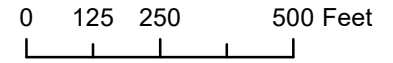
1. David W Douglas and Donald F Douglas must sign as a Member and William A. Monson must sign as Manager of Monson Development Washington LLC as Member of said entity.
2. All signature(s) must be notarized in an appropriate representative capacity.

END OF SCHEDULE B

Zoning Map

Item: Peach Tree Estates II
Applicant: MD&D Investments
File #: S2024-101 & Z2024-101

Exhibit 2



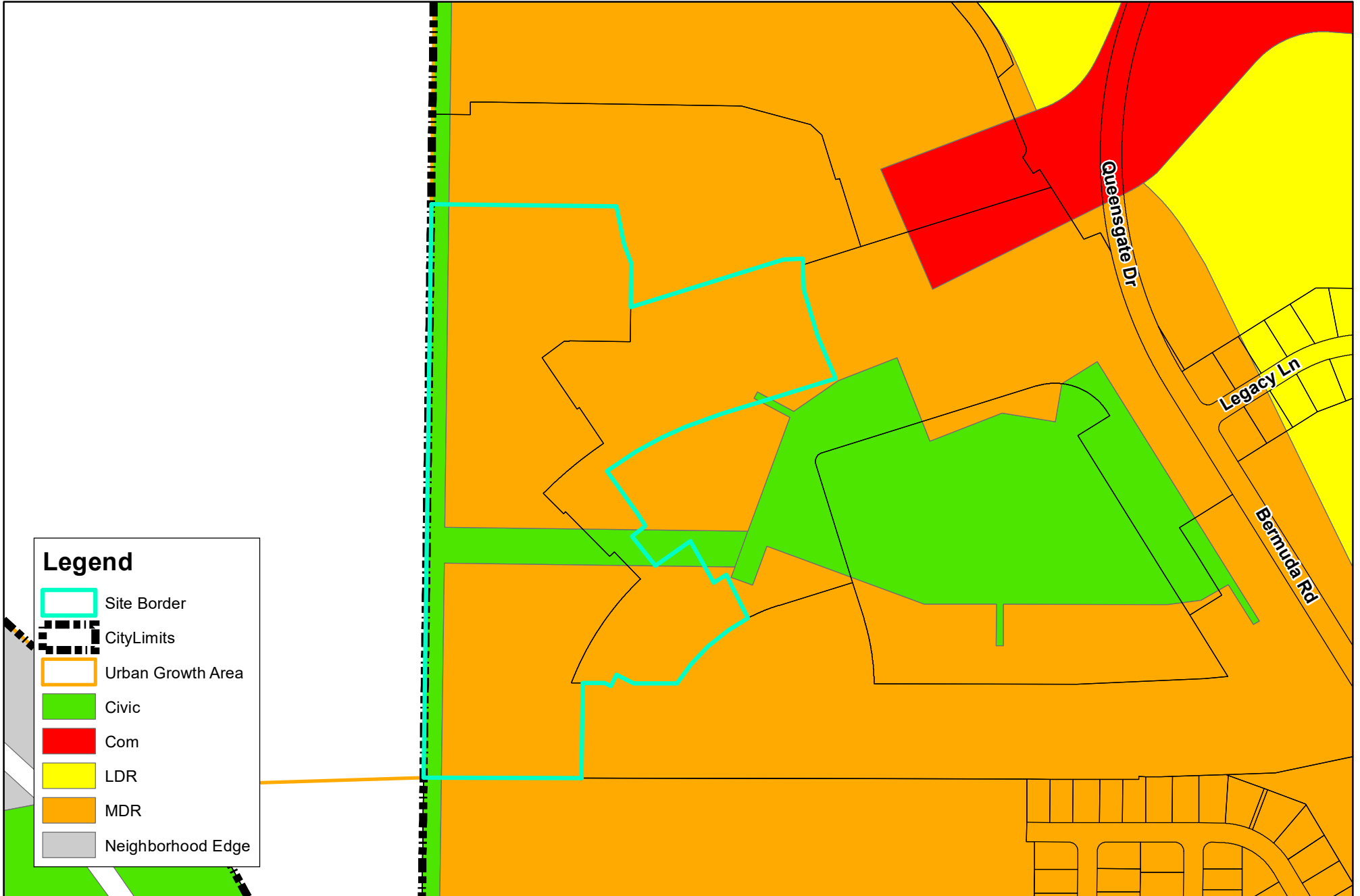
BMS Land Use Map

Item: Peach Tree Estates II
Applicant: MD&D Investments
File #: S2024-101 & Z2024-101

Exhibit 3



0 125 250 500 Feet



RECORD OF SURVEY

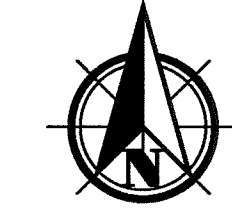
FOR BOUNDARY LINE ADJUSTMENT

LOCATED IN THE NW 1/4, A PORTION OF THE SW 1/4 OF THE NE 1/4 AND A PORTION OF THE N 1/2 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

EXHIBIT 4

LEGEND

- ⊕ FOUND SURVEY MONUMENT AS NOTED
- ⊙ FOUND SURVEY PIN - SEE FOUND SURVEY PIN KEY, SHEET 5
- ◆ FOUND BRASS CAP IN MONUMENT CASE, STAMPED "2018 PLS 46318" PER (R8) OR AS NOTED
- ⊙ SET 5/8" x 30" IRON REBAR WITH YPC STAMPED: "MATARAZZO 46318" WITH THIS SURVEY
- CALCULATED POINT, NOT FOUND OR SET
- (R#)/(D#) DENOTES SURVEY REFERENCE/DEED REFERENCE, SEE LIST, ALSO DENOTES MEASURED DIMENSION MATCHES RECORD DIMENSION UNLESS NOTED OTHERWISE
- AFN AUDITOR FILE NUMBER
- ESMT EASEMENT
- OPC ORANGE PLASTIC CAP
- S.F. / AC. SQUARE FEET / ACRES
- (VOL. , PG.) VOLUME, PAGE
- YPC YELLOW PLASTIC CAP
- SECTION OR SECTION SUB-DIVISION LINE
- RIGHT-OF-WAY
- RIGHT-OF-WAY CENTERLINE
- EXISTING PROPERTY LINE
- EASEMENT BOUNDARY
- ADJUSTED PARCEL BOUNDARY
- TRANSFER PORTION BOUNDARY - SEE TRANSFER PORTION KEY



Scale 1" = 200'

BASIS OF BEARINGS

NAD 83, WASHINGTON SOUTH ZONE GRID
BEARING OF SOUTH 89°09'47" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 34, AS MEASURED BETWEEN EXISTING MONUMENTS

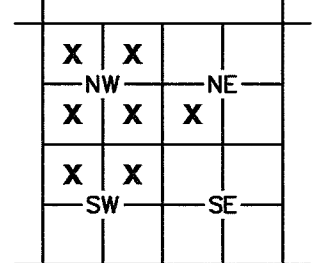
ORIGINAL PARCEL AREA TABLE

| PARCEL # | SQUARE FOOTAGE | ACREAGE | OWNERSHIP |
|----------|----------------|------------|--------------------------|
| PARCEL A | 4,537,255 S.F. | 104.16 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL B | 219,112 S.F. | 5.03 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL C | 128,677 S.F. | 2.95 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL D | 28,821 S.F. | 0.66 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL E | 58,603 S.F. | 1.35 AC. | MD&D INVESTMENTS, LLC. |
| LOT 1 | 632,982 S.F. | 14.53 AC. | RICHLAND SCHOOL DISTRICT |

ADJUSTED PARCEL AREA TABLE

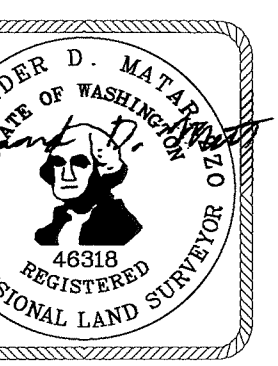
| PARCEL # | SQUARE FOOTAGE | ACREAGE | OWNERSHIP |
|----------|----------------|-----------|--------------------------|
| PARCEL 1 | 848,106 S.F. | 19.47 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL 2 | 1,236,956 S.F. | 28.40 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL 3 | 1,160,860 S.F. | 26.65 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL 4 | 1,356,132 S.F. | 31.13 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL 5 | 364,972 S.F. | 8.38 AC. | MD&D INVESTMENTS, LLC. |
| PARCEL 6 | 638,424 S.F. | 14.66 AC. | RICHLAND SCHOOL DISTRICT |

SECTION DIAGRAM



SECTION 34
T 9 N , R 28 E

WEST 1/4 CORNER SECTION 34 FOUND 1/2" REBAR W/ NO CAP



SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF MONSON DEVELOPMENT WASHINGTON, LLC IN 2022.

Alexander D. Matarazzo
10/12/2022
ALEXANDER D. MATARAZZO, PLS 46318 DATE

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 14th DAY OF October, 2022 at 2:45 P.M. IN VOLUME 01 OF SURVEYS AT PAGE 5724 AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

Brenda Chilton, by Merry Boehnigk, deputy
COUNTY AUDITOR



PBS Engineering and Environmental Inc.
400 Bradley Blvd, Ste 106
Richland, WA 99352
509.942.1600
pbsusa.com

| | | |
|--|-------------------|------------------------|
| CLIENT: MONSON DEVELOPMENT WASHINGTON, LLC | | PROJECT NO.: 66336.000 |
| SURVEYOR: ALEX D. MATARAZZO | | DATE: 10/12/2022 |
| CALC BY: ROP | DRAWN BY: DWW | SCALE: 1" = 200' |
| SECTION: 34 | TOWNSHIP: 9 NORTH | RANGE: 28 EAST |
| CITY: RICHLAND | COUNTY: BENTON | SHEET 1 OF 9 |

TRANSFER PORTION KEY

- ① TRANSFER PORTION FROM MD&D INVESTMENTS, LLC TO RICHLAND SCHOOL DISTRICT - SEE SHEET 7 FOR LEGAL DESCRIPTION
- ② TRANSFER PORTION FROM RICHLAND SCHOOL DISTRICT TO MD&D INVESTMENTS, LLC - SEE SHEET 7 FOR LEGAL DESCRIPTION

NOTES:

- 1. SEE SHEETS 2, THRU 4 FOR ADJUSTED PARCELS 1 THROUGH 6 DETAILS.
- 2. SEE SHEET 5 FOR FOUND SURVEY PIN KEY - (X), EXISTING EASEMENT KEY - (X) & COMPLETE LINE AND CURVE TABLES.

SURVEY / DEED REFERENCES

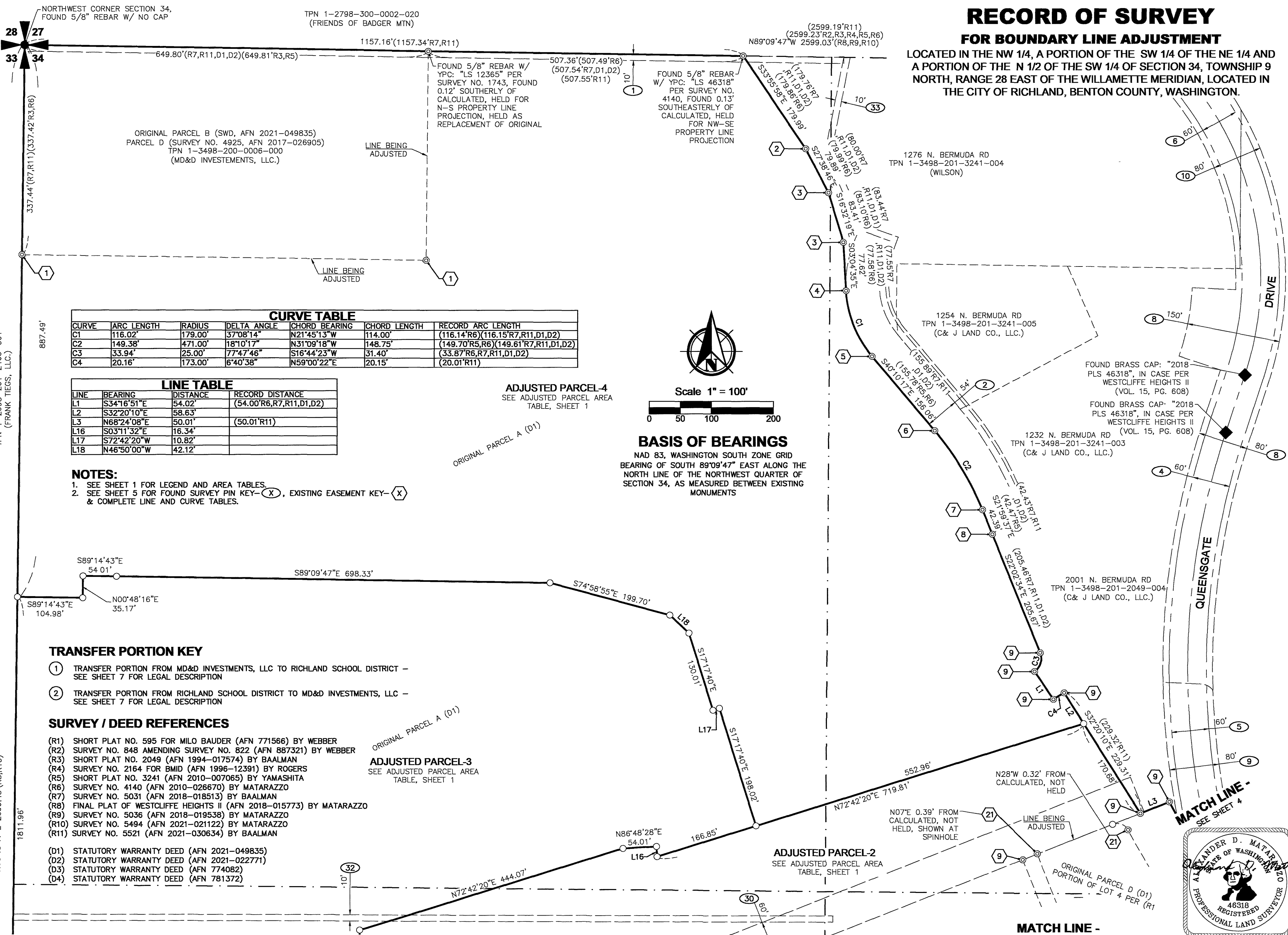
- (R1) SHORT PLAT NO. 595 FOR MILO BAUDER (AFN 771566) BY WEBBER
- (R2) SURVEY NO. 848 AMENDING SURVEY NO. 822 (AFN 887321) BY WEBBER
- (R3) SHORT PLAT NO. 2049 (AFN 1994-017574) BY BAALMAN
- (R4) SURVEY NO. 2164 FOR BMID (AFN 1996-12391) BY ROGERS
- (R5) SHORT PLAT NO. 3241 (AFN 2010-007065) BY YAMASHITA
- (R6) SURVEY NO. 4140 (AFN 2010-026670) BY MATARAZZO
- (R7) SURVEY NO. 5031 (AFN 2018-018513) BY BAALMAN
- (R8) FINAL PLAT OF WESTCLIFFE HEIGHTS II (AFN 2018-015773) BY MATARAZZO
- (R9) SURVEY NO. 5036 (AFN 2018-019538) BY MATARAZZO
- (R10) SURVEY NO. 5494 (AFN 2021-021122) BY MATARAZZO
- (R11) SURVEY NO. 5521 (AFN 2021-030634) BY BAALMAN
- (D1) STATUTORY WARRANTY DEED (AFN 2021-049835)
- (D2) STATUTORY WARRANTY DEED (AFN 2021-022771)
- (D3) STATUTORY WARRANTY DEED (AFN 774082)
- (D4) STATUTORY WARRANTY DEED (AFN 781372)

2022-033094 B-01 P: 5724 SUR
 10/12/2022 10:46:46 AM
 Pbs Engineering and Environmental, Inc.
 Benton County Auditor's Office
 327 50

RECORD OF SURVEY

FOR BOUNDARY LINE ADJUSTMENT

LOCATED IN THE NW 1/4, A PORTION OF THE SW 1/4 OF THE NE 1/4 AND A PORTION OF THE N 1/2 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.



| CURVE TABLE | | | | | | |
|-------------|------------|---------|-------------|---------------|--------------|-------------------------------------|
| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH | RECORD ARC LENGTH |
| C1 | 116.02' | 179.00' | 37°08'14" | N21°45'13"W | 114.00' | (116.14'R6)(116.15'R7,R11,D1,D2) |
| C2 | 149.38' | 471.00' | 18°10'17" | N31°09'18"W | 148.75' | (149.70'R5,R6)(149.61'R7,R11,D1,D2) |
| C3 | 33.94' | 25.00' | 77°47'46" | S16°44'23"W | 31.40' | (33.87'R6,R7,R11,D1,D2) |
| C4 | 20.16' | 173.00' | 6°40'38" | N59°00'22"E | 20.15' | (20.01'R11) |

| LINE TABLE | | | |
|------------|-------------|----------|-------------------------|
| LINE | BEARING | DISTANCE | RECORD DISTANCE |
| L1 | S34°16'51"E | 54.02' | (54.00'R6,R7,R11,D1,D2) |
| L2 | S32°20'10"E | 58.63' | |
| L3 | N68°24'08"E | 50.01' | (50.01'R11) |
| L16 | S03°11'32"E | 16.34' | |
| L17 | S72°42'20"W | 10.82' | |
| L18 | N46°50'00"W | 42.12' | |

- NOTES:**
- SEE SHEET 1 FOR LEGEND AND AREA TABLES.
 - SEE SHEET 5 FOR FOUND SURVEY PIN KEY—(X), EXISTING EASEMENT KEY—(X) & COMPLETE LINE AND CURVE TABLES.

TRANSFER PORTION KEY

- ① TRANSFER PORTION FROM MD&D INVESTMENTS, LLC TO RICHLAND SCHOOL DISTRICT - SEE SHEET 7 FOR LEGAL DESCRIPTION
- ② TRANSFER PORTION FROM RICHLAND SCHOOL DISTRICT TO MD&D INVESTMENTS, LLC - SEE SHEET 7 FOR LEGAL DESCRIPTION

SURVEY / DEED REFERENCES

- (R1) SHORT PLAT NO. 595 FOR MILO BAUDER (AFN 771566) BY WEBBER
- (R2) SURVEY NO. 848 AMENDING SURVEY NO. 822 (AFN 887321) BY WEBBER
- (R3) SHORT PLAT NO. 2049 (AFN 1994-017574) BY BAALMAN
- (R4) SURVEY NO. 2164 FOR BMID (AFN 1996-12391) BY ROGERS
- (R5) SHORT PLAT NO. 3241 (AFN 2010-007065) BY YAMASHITA
- (R6) SURVEY NO. 4140 (AFN 2010-026670) BY MATARAZZO
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- (R11) SURVEY NO. 5521 (AFN 2021-030634) BY BAALMAN
- (D1) STATUTORY WARRANTY DEED (AFN 2021-049835)
- (D2) STATUTORY WARRANTY DEED (AFN 2021-022771)
- (D3) STATUTORY WARRANTY DEED (AFN 774082)
- (D4) STATUTORY WARRANTY DEED (AFN 781372)

BASIS OF BEARINGS

NAD 83, WASHINGTON SOUTH ZONE GRID
 BEARING OF SOUTH 89°09'47" EAST ALONG THE
 NORTH LINE OF THE NORTHWEST QUARTER OF
 SECTION 34, AS MEASURED BETWEEN EXISTING
 MONUMENTS

Scale 1" = 100'

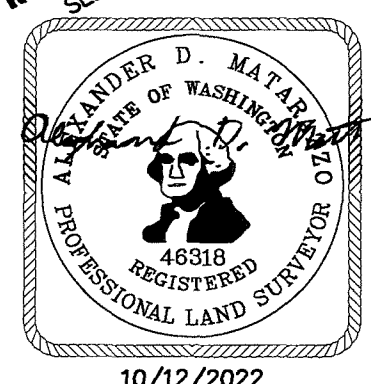
12702 N DALLAS RD
 TPN 1-2996-201-2465-001
 (FRANK TIEGS, LLC.)

(2699.53'R7,R11)
 (2699.38'R1,R3,R4,R6)
 N00°45'17"E 2699.45'(R6,R10)

AUDITOR'S CERTIFICATE
 FILED FOR RECORD THIS 14th DAY OF October, 2022 AT 2:45 P.M. IN VOLUME 01 OF SURVEYS AT PAGE 5724 AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.
 Brenda Chilton by Mery Boatright deputy
 COUNTY AUDITOR

PBS Engineering and Environmental Inc.
 400 Bradley Blvd, Ste 106
 Richland, WA 99352
 509.942.1600
 pbsusa.com

| | |
|--|------------------------|
| CLIENT: MONSON DEVELOPMENT WASHINGTON, LLC | PROJECT NO.: 66336.000 |
| SURVEYOR: ALEX D. MATARAZZO | DATE: 10/12/2022 |
| CALC BY: ROP | DRAWN BY: DWW |
| SECTION: 34 | TOWNSHIP: 9 NORTH |
| CITY: RICHLAND | COUNTY: BENTON |
| SCALE: 1" = 100' | RANGE: 28 EAST |
| | SHEET 2 OF 9 |



RECORD OF SURVEY

FOR BOUNDARY LINE ADJUSTMENT

LOCATED IN THE NW 1/4, A PORTION OF THE SW 1/4 OF THE NE 1/4 AND A PORTION OF THE N 1/2 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

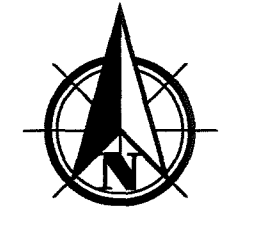
| CURVE TABLE | | | | | | |
|-------------|------------|----------|-------------|---------------|--------------|-------------------|
| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH | RECORD ARC LENGTH |
| C9 | 39.27' | 25.00' | 90°00'00" | S27°42'20"W | 35.36' | |
| C10 | 182.43' | 627.07' | 16°40'08" | S08°57'36"E | 181.79' | |
| C11 | 363.25' | 517.06' | 40°15'08" | S52°34'46"W | 355.83' | |
| C12 | 35.21' | 676.07' | 2°58'02" | S25°01'40"W | 35.20' | |
| C13 | 349.22' | 781.09' | 25°37'00" | S33°40'21"W | 346.32' | |
| C14 | 18.24' | 886.10' | 1°10'47" | S45°53'27"W | 18.24' | |
| C15 | 7.63' | 1060.12' | 0°24'45" | S45°05'41"W | 7.63' | |
| C16 | 217.81' | 1140.13' | 10°56'46" | N50°21'42"E | 217.48' | |
| C17 | 7.00' | 1260.14' | 0°19'05" | S55°40'32"W | 7.00' | |
| C18 | 1.62' | 227.03' | 0°24'34" | S00°13'34"E | 1.62' | |

| LINE TABLE | | | |
|------------|-------------|----------|---------------------------|
| LINE | BEARING | DISTANCE | RECORD DISTANCE |
| L8 | N00°45'21"E | 30.02' | (R10)(29.94'R7,R11,D1,D2) |
| L9 | S89°51'29"E | 2.51' | |
| L10 | N89°51'29"W | 31.49' | |
| L11 | S89°51'29"E | 60.21' | |
| L12 | S89°51'29"E | 91.70' | |
| L13 | S66°27'51"E | 20.00' | |
| L14 | S63°28'49"E | 54.01' | |
| L15 | N89°34'09"E | 14.86' | |

MATCH LINE -
SEE SHEET 2

MATCH LINE -
SEE SHEET 2

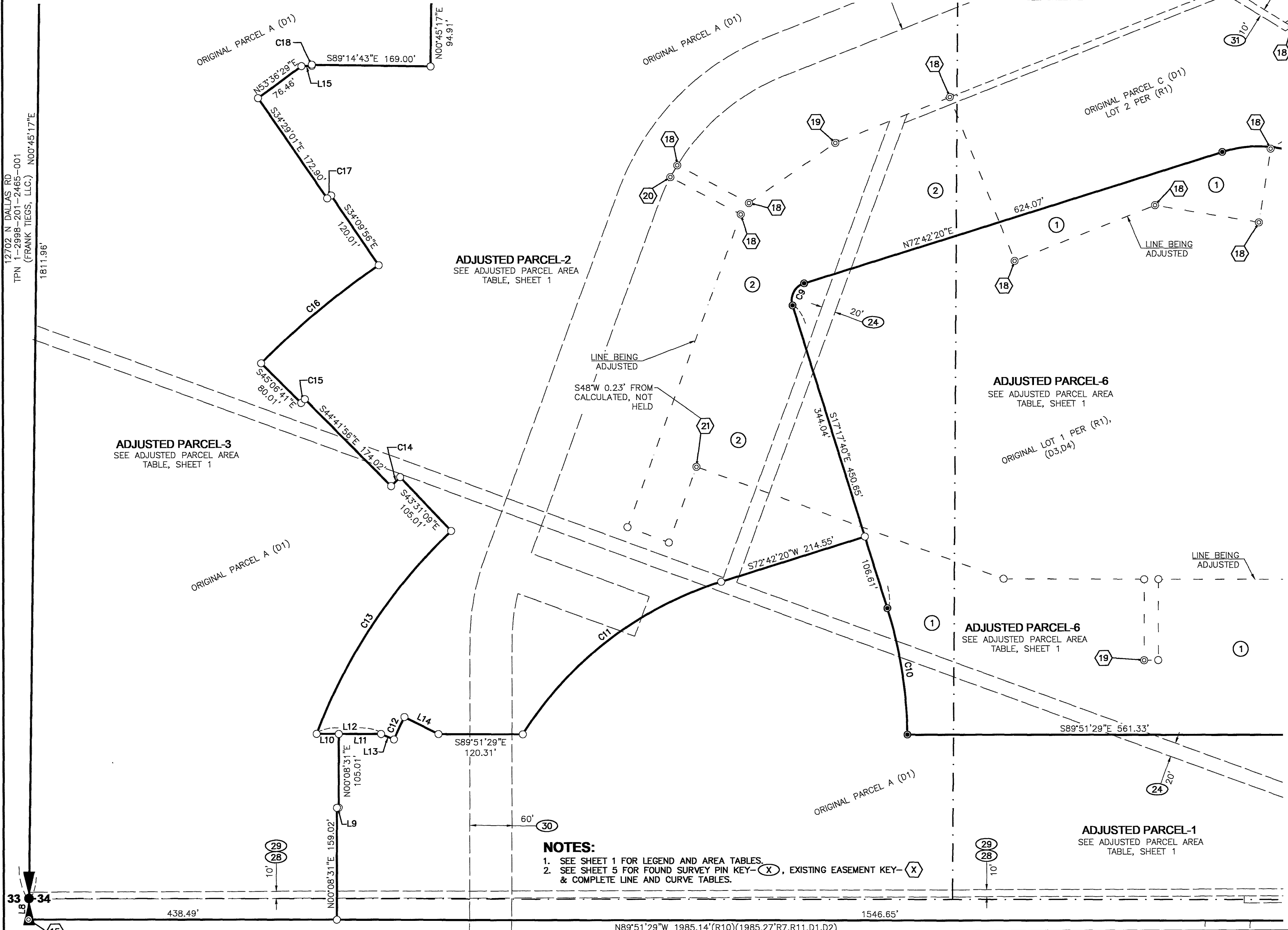
MATCH LINE -
SEE SHEET 4



Scale 1" = 100'

BASIS OF BEARINGS

NAD 83, WASHINGTON SOUTH ZONE GRID
BEARING OF SOUTH 89°09'47" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 34, AS MEASURED BETWEEN EXISTING MONUMENTS

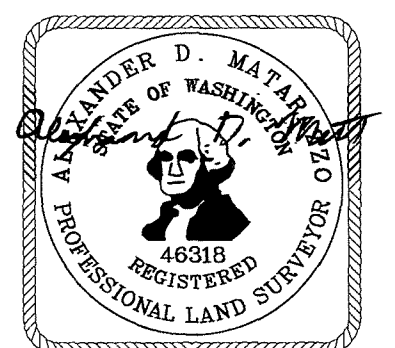


SURVEY / DEED REFERENCES

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- (R2) SURVEY NO. 848 AMENDING SURVEY NO. 822 (AFN 887321) BY WEBBER
- (R3) SHORT PLAT NO. 2049 (AFN 1994-017574) BY BAALMAN
- (R4) SURVEY NO. 2164 FOR BMID (AFN 1996-12391) BY ROGERS
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- (R10) SURVEY NO. 5494 (AFN 2021-021122) BY MATARAZZO
- (R11) SURVEY NO. 5521 (AFN 2021-030634) BY BAALMAN
- (D1) STATUTORY WARRANTY DEED (AFN 2021-049835)
- (D2) STATUTORY WARRANTY DEED (AFN 2021-022771)
- (D3) STATUTORY WARRANTY DEED (AFN 774082)
- (D4) STATUTORY WARRANTY DEED (AFN 781372)

NOTES:

1. SEE SHEET 1 FOR LEGEND AND AREA TABLES.
2. SEE SHEET 5 FOR FOUND SURVEY PIN KEY-(X), EXISTING EASEMENT KEY-(X) & COMPLETE LINE AND CURVE TABLES.



10/12/2022

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 14th DAY OF October, 2022 at 2:45 P.M. IN VOLUME 01 OF SURVEYS AT PAGE 5724 AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

Brenda Clifton by Cheryl Beach, Deputy
COUNTY AUDITOR

TRANSFER PORTION KEY

- ① TRANSFER PORTION FROM MD&D INVESTMENTS, LLC TO RICHLAND SCHOOL DISTRICT - SEE SHEET 7 FOR LEGAL DESCRIPTION
- ② TRANSFER PORTION FROM RICHLAND SCHOOL DISTRICT TO MD&D INVESTMENTS, LLC - SEE SHEET 7 FOR LEGAL DESCRIPTION



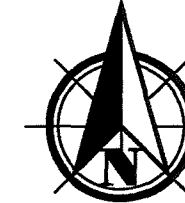
PBS Engineering and Environmental Inc.
400 Bradley Blvd, Ste 106
Richland, WA 99352
509.942.1600
pbsusa.com

| | | |
|--|-------------------|------------------------|
| CLIENT: MONSON DEVELOPMENT WASHINGTON, LLC | | PROJECT NO.: 66336.000 |
| SURVEYOR: ALEX D. MATARAZZO | | DATE: 10/12/2022 |
| CALC BY: ROP | DRAWN BY: DWW | SCALE: 1" = 100' |
| SECTION: 34 | TOWNSHIP: 9 NORTH | RANGE: 28 EAST |
| CITY: RICHLAND | COUNTY: BENTON | SHEET 3 OF 9 |

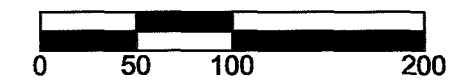
RECORD OF SURVEY

FOR BOUNDARY LINE ADJUSTMENT

LOCATED IN THE NW 1/4, A PORTION OF THE SW 1/4 OF THE NE 1/4 AND A PORTION OF THE N 1/2 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.



Scale 1" = 100'

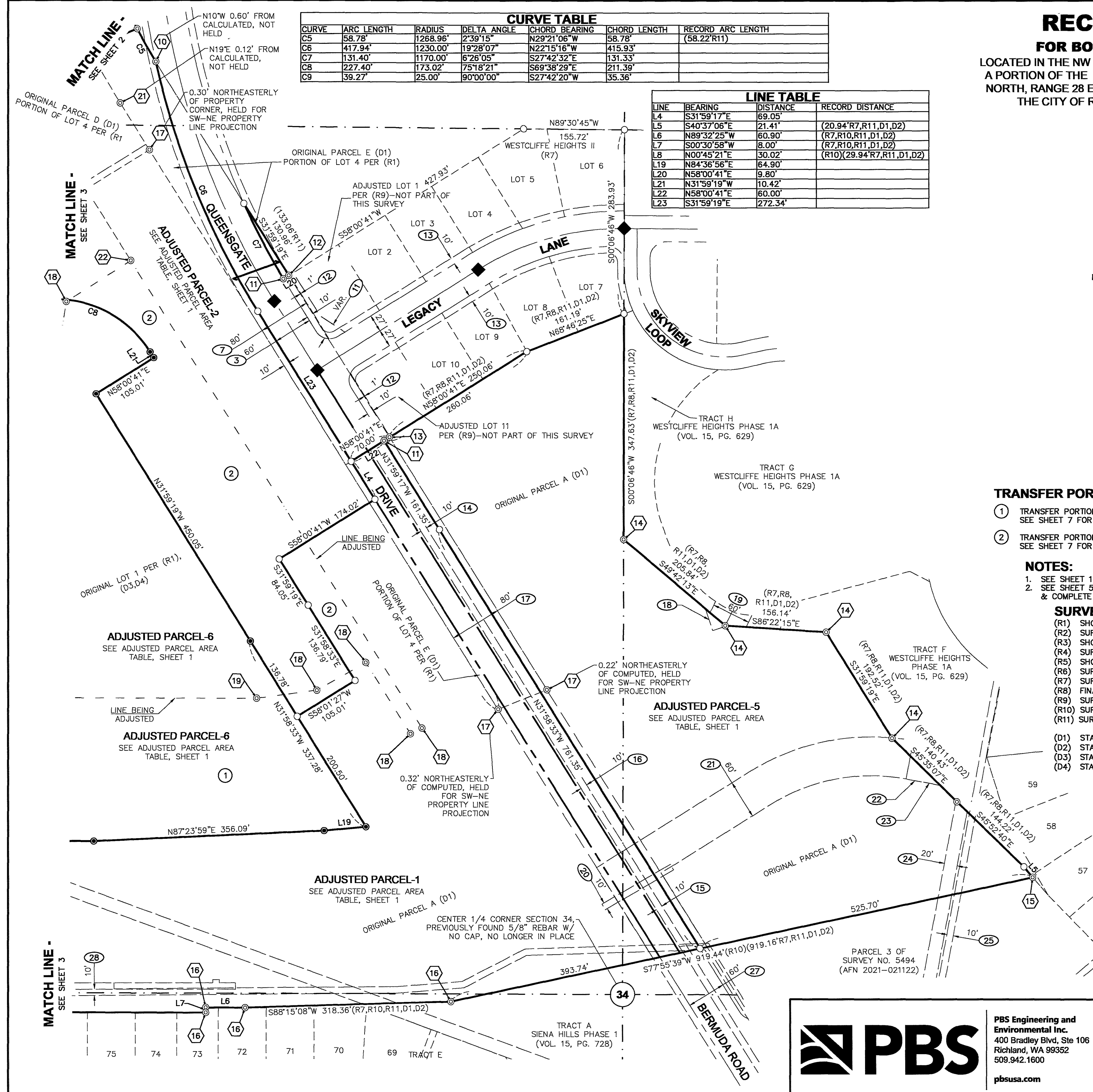


BASIS OF BEARINGS

NAD 83, WASHINGTON SOUTH ZONE GRID
BEARING OF SOUTH 89°09'47" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 34, AS MEASURED BETWEEN EXISTING MONUMENTS

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH | RECORD ARC LENGTH |
|-------|------------|----------|-------------|---------------|--------------|-------------------|
| C5 | 58.78' | 1268.96' | 2°39'15" | N29°21'06"W | 58.78' | (58.22'R11) |
| C6 | 417.94' | 1230.00' | 19°28'07" | N22°15'16"W | 415.93' | |
| C7 | 131.40' | 1170.00' | 6°26'05" | S27°42'32"E | 131.33' | |
| C8 | 227.40' | 173.02' | 75°18'21" | S69°38'29"E | 211.39' | |
| C9 | 39.27' | 25.00' | 90°00'00" | S27°42'20"W | 35.36' | |

| LINE | BEARING | DISTANCE | RECORD DISTANCE |
|------|-------------|----------|---------------------------|
| L4 | S31°59'17"E | 69.05' | |
| L5 | S40°37'06"E | 21.41' | (20.94'R7,R11,D1,D2) |
| L6 | N89°32'25"W | 60.90' | (R7,R10,R11,D1,D2) |
| L7 | S00°30'58"W | 8.00' | (R7,R10,R11,D1,D2) |
| L8 | N00°45'21"E | 30.02' | (R10)(29.94'R7,R11,D1,D2) |
| L19 | N84°36'56"E | 64.90' | |
| L20 | N58°00'41"E | 9.80' | |
| L21 | N31°59'19"W | 10.42' | |
| L22 | N58°00'41"E | 60.00' | |
| L23 | S31°59'19"E | 272.34' | |



TRANSFER PORTION KEY

- ① TRANSFER PORTION FROM MD&D INVESTMENTS, LLC TO RICHLAND SCHOOL DISTRICT - SEE SHEET 7 FOR LEGAL DESCRIPTION
- ② TRANSFER PORTION FROM RICHLAND SCHOOL DISTRICT TO MD&D INVESTMENTS, LLC - SEE SHEET 7 FOR LEGAL DESCRIPTION

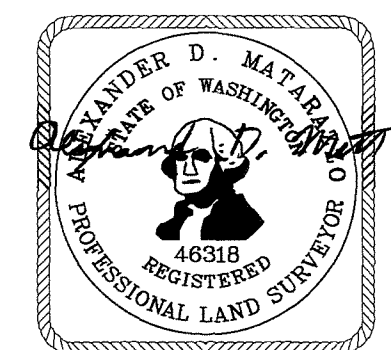
NOTES:

- 1. SEE SHEET 1 FOR LEGEND AND AREA TABLES.
- 2. SEE SHEET 5 FOR FOUND SURVEY PIN KEY-(X), EXISTING EASEMENT KEY-(X) & COMPLETE LINE AND CURVE TABLES.

SURVEY / DEED REFERENCES

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- (R3) SHORT PLAT NO. 2049 (AFN 1994-017574) BY BAALMAN
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- (R5) SHORT PLAT NO. 3241 (AFN 2010-007065) BY YAMASHITA
- (R6) SURVEY NO. 4140 (AFN 2010-026670) BY MATARAZZO
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- (R11) SURVEY NO. 5521 (AFN 2021-030634) BY BAALMAN

- (D1) STATUTORY WARRANTY DEED (AFN 2021-049835)
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- (D3) STATUTORY WARRANTY DEED (AFN 774082)
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10/12/2022

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 14th DAY OF October, 2022 AT 2:45 P.M. IN VOLUME 01 OF SURVEYS AT PAGE 5724 AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

Donda Chilton by Mary Boardright, deputy
COUNTY AUDITOR



PBS Engineering and Environmental Inc.
400 Bradley Blvd, Ste 106
Richland, WA 99352
509.942.1600
pbsusa.com

| | | |
|--|-------------------|------------------------|
| CLIENT: MONSON DEVELOPMENT WASHINGTON, LLC | | PROJECT NO.: 66336.000 |
| SURVEYOR: ALEX D. MATARAZZO | | DATE: 10/12/2022 |
| CALC BY: ROP | DRAWN BY: DWW | SCALE: 1" = 100' |
| SECTION: 34 | TOWNSHIP: 9 NORTH | RANGE: 28 EAST |
| CITY: RICHLAND | COUNTY: BENTON | SHEET 4 OF 9 |

RECORD OF SURVEY

FOR BOUNDARY LINE ADJUSTMENT

LOCATED IN THE NW 1/4, A PORTION OF THE SW 1/4 OF THE NE 1/4 AND A PORTION OF THE N 1/2 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

EASEMENT KEY

- ① 10' BENTON PUBLIC UTILITY DISTRICT NO. 1 EASEMENT PER AFN 1993-34114
- ② 54' PRIVATE ROAD EASEMENT FOR USE OF 3 LOTS PER SHORT PLAT 3241 AFN 2010-007065
- ③ 60' RIGHT OF WAY PER AFN 2018-017826
- ④ 60' RIGHT OF WAY PER AFN 2018-017827
- ⑤ 60' RIGHT OF WAY PER AFN 2018-017828
- ⑥ 60' RIGHT OF WAY PER AFN 2018-017829
- ⑦ 80' ACCESS AND UTILITY EASEMENT TO CITY OF RICHLAND PER AFN 2017-019386
- ⑧ 80'/150' ACCESS AND UTILITY EASEMENT TO CITY OF RICHLAND PER AFN 2017-019387
- ⑨ 80' ACCESS AND UTILITY EASEMENT TO CITY OF RICHLAND PER AFN 2017-019388
- ⑩ 80' ACCESS AND UTILITY EASEMENT TO CITY OF RICHLAND PER AFN 2017-019389
- ⑪ VARIABLE WIDTH LANDSCAPE & ENTRY MONUMENT EASEMENT PER AFN 2018-037686
- ⑫ 1' NO ACCESS/SCREENING EASEMENT PER (R7)
- ⑬ PUBLIC UTILITY EASEMENT PER (R7)
- ⑭ 10' WATERLINE EASEMENT TO CITY OF RICHLAND PER AFN 2018-001484
- ⑮ 10' WATERLINE EASEMENT TO CITY OF RICHLAND PER AFN 2018-001483
- ⑯ 10' WATERLINE EASEMENT TO CITY OF RICHLAND PER AFN 2018-001482
- ⑰ 80' ACCESS & UTILITY EASEMENT PER AFN 2019-001554
- ⑱ VARIABLE WIDTH EASEMENTS TO BADGER MOUNTAIN IRRIGATION DISTRICT PER AFN 718936 PARTIALLY TERMINATED PER AFN 2019-005050
- ⑲ 60' SPILLWAY EASEMENT TO BADGER MOUNTAIN IRRIGATION DISTRICT PER AFN 2018-037403
- ⑳ 10' IRRIGATION EASEMENT TO BADGER MOUNTAIN IRRIGATION DISTRICT PER AFN 2020-033644
- ㉑ 60' ACCESS EASEMENT PER AFN 862635, BENEFITING ALL LANDS IN SECTION 34, EXCEPT THE N 1/2 OF THE NE 1/4 THAT PORTION OF SECTION 35 LYING SOUTHERLY AND WESTERLY OF THE K.I.D. EAST LATERAL CANAL RIGHT-OF-WAY
- ㉒ 60' INGRESS-EGRESS, UTILITY & IRRIGATION EASEMENT PER AFN 898901 IN FAVOR OF LAND NOW BEING SHORT PLAT NO. 1452 (ADJACENT PORTION IN TRACT A OF WESTCLIFFE HEIGHTS II TERMINATED BY 2019-002642)
- ㉓ 60' INGRESS-EGRESS EASEMENT PER AFN 87-16073, BENEFITING ALL LANDS IN SECTION 34, EXCEPT THE N 1/2 OF THE NE 1/4 & THAT PORTION OF SECTION 35 LYING SOUTHERLY AND WESTERLY OF THE K.I.D. EAST LATERAL CANAL RIGHT-OF-WAY (ADJACENT PORTION IN TRACT A OF WESTCLIFFE HEIGHTS II TERMINATED BY AFN 2019-000678)
- ㉔ 20' BADGER MOUNTAIN IRRIGATION DISTRICT EASEMENT AS DEPICTED ON (R4)
- ㉕ 10' RIGHT-OF-WAY EASEMENT TO BENTON PUBLIC UTILITY DISTRICT NO. 1 PER AFN 728681
- ㉖ 10' UTILITY EASEMENT TO CITY OF RICHLAND PER AFN 2016-004839
- ㉗ 60' RIGHT-OF-WAY PER SIENA HILLS PHASE 1 AFN 2021-051239
- ㉘ 10' UTILITY EASEMENT TO CITY OF RICHLAND PER AFN 2016-004839 (PORTION TO SOUTH TERMINATED BY AFN 2022-004850)
- ㉙ 10' UTILITY EASEMENT TO CITY OF RICHLAND PER AFN 2014-006658
- ㉚ 60' INGRESS & EGRESS EASEMENT PER AFN 765776, IN FAVOR OF LAND LABELED AS "PROPERTY" (AKA LOTS 1-4 OF (R1))
- ㉛ 10' IRRIGATION EASEMENT PER (R1)
- ㉜ 10' BENTON PUBLIC UTILITY DISTRICT NO. 1 ELECTRICAL EASEMENT PER AFN 85-4566
- ㉝ 10' UTILITY EASEMENT PER SHORT PLAT NO. 3241 AFN 2010-007065

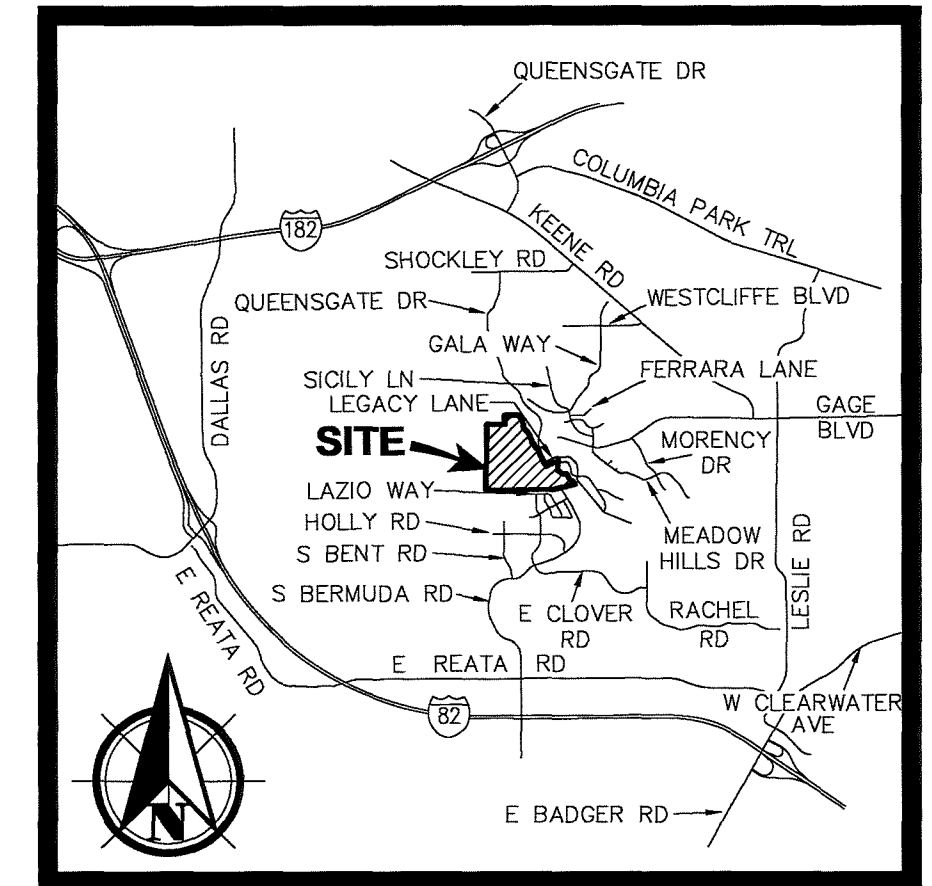
NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF MD&D INVESTMENT, LLC AND RICHLAND SCHOOL DISTRICT, TO PERFORM A BOUNDARY LINE ADJUSTMENTS BETWEEN LOT 1 OF SHORT PLAT NO. 595, RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 595 UNDER AUDITOR'S FILE NO. 771566, PARCEL A PER STATUTORY WARRANTY DEED FILED UNDER AUDITOR'S FILE NUMBER 2021-049835, PARCEL B PER STATUTORY WARRANTY DEED FILED UNDER AUDITOR'S FILE NUMBER 2021-049835, FORMERLY PARCEL D OF SURVEY NO. 4925, FILED UNDER AUDITOR'S FILE NUMBER 2017-026905, PARCEL C PER STATUTORY WARRANTY DEED FILED UNDER AUDITOR'S FILE NUMBER 2021-049835, FORMERLY LOT 2 OF SHORT PLAT NO. 595, RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 595 UNDER AUDITOR'S FILE NO. 771566, PARCEL D PER STATUTORY WARRANTY DEED FILED UNDER AUDITOR'S FILE NUMBER 2021-049835, FORMERLY A PORTION OF LOT 4 OF SHORT PLAT NO. 595, RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 595 UNDER AUDITOR'S FILE NO. 771566, AND PARCEL E PER STATUTORY WARRANTY DEED FILED UNDER AUDITOR'S FILE NUMBER 2021-049835, FORMERLY A PORTION OF LOT 4 OF SHORT PLAT NO. 595, RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 595 UNDER AUDITOR'S FILE NO. 771566.

THIS PROJECT IS BOUND ON THE NORTH BY TAX PARCEL 1-2798-300-0002-020, ON THE EAST BY TAX PARCELS 1-3498-201-3241-004, 1-3498-201-3241-005, 1-3498-201-2049-004, LOTS 1 AND 11 OF SURVEY NO. 5036 RECORDED UNDER AFN 2018-019538, LOTS 7 THROUGH 10 OF THE FINAL PLAT OF WESTCLIFFE HEIGHTS II RECORDED UNDER AFN 2018-015773, TRACTS F, G & H OF THE FINAL PLAT OF WESTCLIFFE HEIGHTS PHASE 1A RECORDED UNDER AFN 2019-001945 AND LOTS 57 THROUGH 59 OF THE FINAL PLAT OF WESTCLIFFE HEIGHTS PHASE 1B RECORDED UNDER AFN 2019-001949, ON THE SOUTH BY PARCEL 3 OF SURVEY NO. 5494 RECORDED UNDER AFN 2021-021122, TRACT A OF THE PLAT OF SIENA HILLS PHASE 1 RECORDED UNDER AFN 2021-051239, LOTS 69 THROUGH 77 OF THE PLAT OF SIENA HILLS PHASE 2 RECORDED UNDER AFN 2022-015989 AND PARCEL 4 OF SURVEY NO. 5494 RECORDED UNDER AFN 2021-021122, ON THE WEST BY TAX PARCEL 1-2998-201-2465-001, ALL RECORDS BEING OF BENTON COUNTY, WASHINGTON.

ALL FOUND MONUMENTS AND PROPERTY CORNERS SHOWN ON THIS SURVEY WERE VISITED BETWEEN APRIL OF 2016 & JANUARY OF 2022. INDICATED PROPERTY CORNERS WERE SET IN OCTOBER OF 2022.

THIS SURVEY WAS PERFORMED USING TRIMBLE R8 GNSS GPS RECEIVERS IN RTK MODE, HAVING A STANDARD ERROR OF 1CM+2PPM TIMES MEASURED LENGTH.



VICINITY MAP

NOT TO SCALE

FOUND PIN AND MONUMENT KEY

- ① 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) MARKED "LS 12365" PER SURVEY NO. 1743 - HELD AS REPLACEMENT OF ORIGINAL
- ② 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) MARKED "LS 46318" PER SURVEY NO. 4140
- ③ 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) "ILLEGIBLE" PER SURVEY NO. 4140
- ④ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SURVEY NO. 4140 - HELD AS REPLACEMENT OF ORIGINAL
- ⑤ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SHORT PLAT NO. 3241 - HELD AS REPLACEMENT OF ORIGINAL
- ⑥ 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) MARKED "LS 36814" PER SHORT PLAT NO. 3241
- ⑦ 5/8" REBAR NO CAP PER SHORT PLAT NO. 3241
- ⑧ 5/8" REBAR NO CAP PER SHORT PLAT NO. 3241 - BENT, SHOT AT SPIN HOLE
- ⑨ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SURVEY NO. 5521
- ⑩ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SURVEY NO. 5521 - OVER 0.10' FROM COMPUTED POSITION AS NOTED - NOT HELD
- ⑪ 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) MARKED "LS 46318" PER SURVEY NO. 5036
- ⑫ 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) MARKED "LS 46318" PER PLAT OF WESTCLIFFE HEIGHTS AUDITORS FILE NUMBER 2018-015773
- ⑬ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SURVEY NO. 4925
- ⑭ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SURVEY NO. 4925
- ⑮ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SURVEY NO. 5031
- ⑯ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SURVEY NO. 5031
- ⑰ 5/8" REBAR WITH ORANGE PLASTIC CAP (OPC) MARKED "LS 41028" PER SURVEY NO. 5521 - OVER 0.10' FROM COMPUTED POSITION AS NOTED - HELD AS NOTED
- ⑱ 5/8" REBAR W/ NO CAP PER SHORT PLAT NO. 595, BENT - SHOWN AT SPINHOLE
- ⑲ 5/8" REBAR W/ NO CAP PER SHORT PLAT NO. 595
- ㉑ 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) MARKED "LS 14120" PER SHORT PLAT NO. 595
- ㉒ 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) MARKED "LS 14120" PER SHORT PLAT NO. 595 - OVER 0.10' FROM COMPUTED POSITION AS NOTED - NOT HELD
- ㉓ 5/8" REBAR WITH YELLOW PLASTIC CAP (YPC) "ILLEGIBLE" PER SHORT PLAT NO. 595 - HELD AS REPLACEMENT OF ORIGINAL

CURVE TABLE

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH | RECORD ARC LENGTH |
|-------|------------|----------|-------------|---------------|--------------|-------------------------------------|
| C1 | 116.02' | 179.00' | 37°08'14" | N21°45'13"W | 114.00' | (116.14'R6)(116.15'R7,R11,D1,D2) |
| C2 | 149.38' | 471.00' | 18°10'17" | N31°09'18"W | 148.75' | (149.70'R5,R6)(149.61'R7,R11,D1,D2) |
| C3 | 33.94' | 25.00' | 77°47'46" | S16°44'23"W | 31.40' | (33.87'R6,R7,R11,D1,D2) |
| C4 | 20.16' | 173.00' | 6°40'38" | N59°00'22"E | 20.15' | (20.01'R11) |
| C5 | 58.78' | 1268.96' | 2°39'15" | N29°21'06"W | 58.78' | (58.22'R11) |
| C6 | 417.94' | 1230.00' | 19°28'07" | N22°15'16"W | 415.93' | |
| C7 | 131.40' | 1170.00' | 6°26'05" | S27°42'32"E | 131.33' | |
| C8 | 227.40' | 173.02' | 75°18'21" | S69°38'29"E | 211.39' | |
| C9 | 39.27' | 25.00' | 90°00'00" | S27°42'20"W | 35.36' | |
| C10 | 182.43' | 627.07' | 16°40'08" | S08°57'36"E | 181.79' | |
| C11 | 363.25' | 517.06' | 40°15'08" | S52°34'46"W | 355.83' | |
| C12 | 35.21' | 676.07' | 2°59'02" | S25°01'40"W | 35.20' | |
| C13 | 349.22' | 781.09' | 25°37'00" | S33°40'21"W | 346.32' | |
| C14 | 18.24' | 886.10' | 1°10'47" | S45°53'27"W | 18.24' | |
| C15 | 7.63' | 1060.12' | 0°24'45" | S45°05'41"W | 7.63' | |
| C16 | 217.81' | 1140.13' | 10°56'46" | N50°21'42"E | 217.48' | |
| C17 | 7.00' | 1260.14' | 0°19'05" | S55°40'32"W | 7.00' | |
| C18 | 1.62' | 227.03' | 0°24'34" | S00°13'34"E | 1.62' | |

LINE TABLE

| LINE | BEARING | DISTANCE | RECORD DISTANCE |
|------|-------------|----------|---------------------------|
| L1 | S34°16'51"E | 54.02' | (54.00'R6,R7,R11,D1,D2) |
| L2 | S32°20'10"E | 58.63' | |
| L3 | N68°24'08"E | 50.01' | (50.01'R11) |
| L4 | S31°59'17"E | 69.05' | |
| L5 | S40°37'06"E | 21.41' | (20.94'R7,R11,D1,D2) |
| L6 | N89°32'25"W | 60.90' | (R7,R10,R11,D1,D2) |
| L7 | S00°30'58"W | 8.00' | (R7,R10,R11,D1,D2) |
| L8 | N00°45'21"E | 30.02' | (R10)(29.94'R7,R11,D1,D2) |
| L9 | S89°51'29"E | 2.51' | |
| L10 | N89°51'29"W | 31.49' | |
| L11 | S89°51'29"E | 60.21' | |
| L12 | S89°51'29"E | 91.70' | |
| L13 | S66°27'51"E | 20.00' | |
| L14 | S63°28'49"E | 54.01' | |
| L15 | N89°34'09"E | 14.86' | |
| L16 | S03°11'32"E | 16.34' | |
| L17 | S72°42'20"W | 10.82' | |
| L18 | N46°50'00"W | 42.12' | |
| L19 | N84°36'56"E | 64.90' | |
| L20 | N58°00'41"E | 9.80' | |
| L21 | N31°59'19"W | 10.42' | |
| L22 | N58°00'41"E | 60.00' | |
| L23 | S31°59'19"E | 272.34' | |

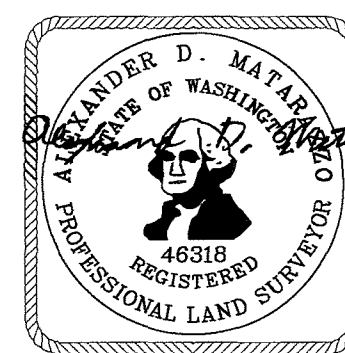
SURVEY / DEED REFERENCES

- (R1) SHORT PLAT NO. 595 FOR MILO BAUDER (AFN 771566) BY WEBBER
- (R2) SURVEY NO. 848 AMENDING SURVEY NO. 822 (AFN 887321) BY WEBBER
- (R3) SHORT PLAT NO. 2049 (AFN 1994-017574) BY BAALMAN
- (R4) SURVEY NO. 2164 FOR BMD (AFN 1996-12391) BY ROGERS
- (R5) SHORT PLAT NO. 3241 (AFN 2010-007065) BY YAMASHITA
- (R6) SURVEY NO. 4140 (AFN 2010-026670) BY MATARAZZO
- (R7) SURVEY NO. 5031 (AFN 2018-018513) BY BAALMAN
- (R8) FINAL PLAT OF WESTCLIFFE HEIGHTS II (AFN 2018-015773) BY MATARAZZO
- (R9) SURVEY NO. 5036 (AFN 2018-019538) BY MATARAZZO
- (R10) SURVEY NO. 5494 (AFN 2021-021122) BY MATARAZZO
- (R11) SURVEY NO. 5521 (AFN 2021-030634) BY BAALMAN
- (D1) STATUTORY WARRANTY DEED (AFN 2021-049835)
- (D2) STATUTORY WARRANTY DEED (AFN 2021-022771)
- (D3) STATUTORY WARRANTY DEED (AFN 774082)
- (D4) STATUTORY WARRANTY DEED (AFN 781372)

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 14th DAY OF October, 2022 at 2:45 P.M. IN VOLUME 01 OF SURVEYS AT PAGE 5724 AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

Brenda Chilton by Merry Bowdight, deputy
COUNTY AUDITOR



10/12/2022

PBS Engineering and Environmental Inc.
400 Bradley Blvd, Ste 106
Richland, WA 99352
509.942.1600
pbsusa.com

| | | |
|--|-------------------|------------------------|
| CLIENT: MONSON DEVELOPMENT WASHINGTON, LLC | | PROJECT NO.: 66336.000 |
| SURVEYOR: ALEX D. MATARAZZO | | DATE: 10/12/2022 |
| CALC BY: ROP | DRAWN BY: DWW | SCALE: NA |
| SECTION: 34 | TOWNSHIP: 9 NORTH | RANGE: 28 EAST |
| CITY: RICHLAND | COUNTY: BENTON | SHEET 5 OF 9 |

**RECORD OF SURVEY
FOR BOUNDARY LINE ADJUSTMENT**

LOCATED IN THE NW 1/4, A PORTION OF THE SW 1/4 OF THE NE 1/4 AND A PORTION OF THE N 1/2 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

LEGAL DESCRIPTION FOR TRANSFER PORTIONS FROM MD&D INVESTMENTS, LLC TO RICHLAND SCHOOL DISTRICT

REAL PROPERTY LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 2158.03 FEET; THENCE SOUTH 89°14'43" EAST LEAVING SAID WEST LINE A DISTANCE OF 1179.51 FEET TO THE SOUTHERLY BOUNDARY OF LOT 1 OF SHORT PLAT FOR MILO BAUDER RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 595, FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 771566, RECORDS OF BENTON COUNTY, STATE OF WASHINGTON AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING COURSES:
 THENCE SOUTH 69°51'52" EAST A DISTANCE OF 214.55 FEET;
 THENCE SOUTH 89°44'14" EAST A DISTANCE OF 200.23 FEET;
 THENCE SOUTH 00°04'46" WEST A DISTANCE OF 114.94 FEET;
 THENCE SOUTH 89°52'50" EAST A DISTANCE OF 19.90 FEET;
 THENCE NORTH 00°08'24" EAST A DISTANCE OF 114.90 FEET;
 THENCE SOUTH 89°52'00" EAST A DISTANCE OF 455.20 FEET;
 THENCE NORTH 82°21'13" EAST A DISTANCE OF 42.18 FEET;
 THENCE SOUTH 31°58'33" EAST LEAVING SAID BOUNDARY A DISTANCE OF 240.23 FEET;
 THENCE SOUTH 84°36'56" WEST A DISTANCE OF 64.90 FEET;
 THENCE SOUTH 87°23'59" WEST A DISTANCE OF 356.09 FEET;
 THENCE NORTH 89°51'29" WEST A DISTANCE OF 561.33 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 627.07 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 89°22'28" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 182.43 FEET, WITH A DELTA ANGLE OF 16°40'08", A CHORD BEARING OF NORTH 08°57'36" WEST, AND A CHORD LENGTH OF 181.79 FEET;
 THENCE NORTH 17°17'40" WEST A DISTANCE OF 120.83 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 208,078 SQUARE FEET, 4.78 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

TOGETHER WITH THE FOLLOWING:

REAL PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 1612.05 FEET; THENCE SOUTH 89°14'43" EAST LEAVING SAID WEST LINE A DISTANCE OF 1758.96 FEET TO THE SOUTHERLY BOUNDARY OF LOT 2 OF SHORT PLAT FOR MILO BAUDER RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 595 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 771566, RECORDS OF BENTON COUNTY, STATE OF WASHINGTON AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE BOUNDARY OF SAID LOT 2 THE FOLLOWING COURSES:
 THENCE SOUTH 57°34'37" WEST A DISTANCE OF 4.22 FEET;
 THENCE SOUTH 09°16'14" WEST A DISTANCE OF 105.78 FEET;
 THENCE NORTH 80°30'44" WEST A DISTANCE OF 150.04 FEET;
 THENCE SOUTH 68°28'26" WEST A DISTANCE OF 214.80 FEET;
 THENCE NORTH 21°27'30" WEST A DISTANCE OF 59.37 FEET;
 THENCE NORTH 72°42'20" EAST LEAVING SAID BOUNDARY A DISTANCE OF 332.83 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 173.02 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 73.19 FEET, WITH A DELTA ANGLE OF 24°14'09", A CHORD BEARING OF NORTH 84°49'25" EAST, AND A CHORD LENGTH OF 72.64 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 24,170 SQUARE FEET, 0.55 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

SURVEY / DEED REFERENCES

- (R1) SHORT PLAT NO. 595 FOR MILO BAUDER (AFN 771566) BY WEBBER
- (R2) SURVEY NO. 848 AMENDING SURVEY NO. 822 (AFN 887321) BY WEBBER
- (R3) SHORT PLAT NO. 2049 (AFN 1994-017574) BY BAALMAN
- (R4) SURVEY NO. 2164 FOR BMID (AFN 1996-12391) BY ROGERS
- (R5) SHORT PLAT NO. 3241 (AFN 2010-007065) BY YAMASHITA
- (R6) SURVEY NO. 4140 (AFN 2010-026670) BY MATARAZZO
- (R7) SURVEY NO. 5031 (AFN 2018-018513) BY BAALMAN
- (R8) FINAL PLAT OF WESTCLIFFE HEIGHTS II (AFN 2018-015773) BY MATARAZZO
- (R9) SURVEY NO. 5036 (AFN 2018-019538) BY MATARAZZO
- (R10) SURVEY NO. 5494 (AFN 2021-021122) BY MATARAZZO
- (R11) SURVEY NO. 5521 (AFN 2021-030634) BY BAALMAN

- (D1) STATUTORY WARRANTY DEED (AFN 2021-049835)
- (D2) STATUTORY WARRANTY DEED (AFN 2021-022771)
- (D3) STATUTORY WARRANTY DEED (AFN 774082)
- (D4) STATUTORY WARRANTY DEED (AFN 781372)

LEGAL DESCRIPTION FOR TRANSFER PORTIONS FROM RICHLAND SCHOOL DISTRICT TO MD&D INVESTMENTS, LLC

A PORTION OF LOT 1 OF THE SHORT PLAT FOR MILO BAUDER RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 595 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 771566, LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 1612.05 FEET; THENCE SOUTH 89°14'43" EAST LEAVING SAID WEST LINE A DISTANCE OF 1758.96 FEET TO THE NORTHERLY BOUNDARY OF SAID LOT 1 AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING COURSES:
 THENCE NORTH 57°34'37" EAST A DISTANCE OF 113.44 FEET;
 THENCE SOUTH 31°59'03" EAST A DISTANCE OF 849.63 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 540.00 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 25°35'44" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 20.08 FEET, WITH A DELTA ANGLE OF 02°07'50", A CHORD BEARING OF SOUTH 63°20'21" WEST, AND A CHORD LENGTH OF 20.08 FEET;
 THENCE NORTH 32°00'28" WEST A DISTANCE OF 129.62 FEET;
 THENCE SOUTH 60°32'16" WEST A DISTANCE OF 86.98 FEET;
 THENCE SOUTH 82°21'13" WEST A DISTANCE OF 51.77 FEET;
 THENCE NORTH 31°58'33" WEST LEAVING SAID BOUNDARY A DISTANCE OF 97.05 FEET;
 THENCE NORTH 31°59'19" WEST A DISTANCE OF 450.05 FEET;
 THENCE NORTH 58°00'41" EAST A DISTANCE OF 105.01 FEET;
 THENCE NORTH 31°59'19" WEST A DISTANCE OF 10.42 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 173.02 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 154.22 FEET, WITH A DELTA ANGLE OF 51°04'12", A CHORD BEARING OF NORTH 57°31'25" WEST, AND A CHORD LENGTH OF 149.16 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 99,760 SQUARE FEET, 2.29 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

TOGETHER WITH THE FOLLOWING:

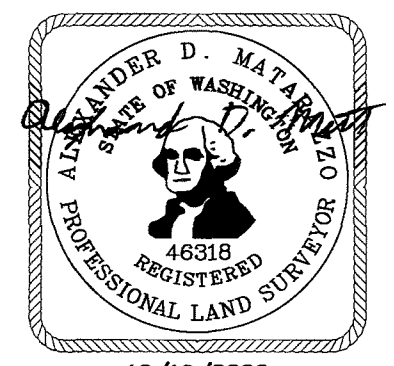
A PORTION OF LOT 1 OF THE SHORT PLAT FOR MILO BAUDER RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 595 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 771566, LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 2158.03 FEET; THENCE SOUTH 89°14'43" EAST LEAVING SAID WEST LINE OF SECTION 34 A DISTANCE OF 1179.51 FEET TO THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING COURSES:
 THENCE NORTH 69°51'52" WEST A DISTANCE OF 250.66 FEET;
 THENCE SOUTH 20°04'32" WEST A DISTANCE OF 114.90 FEET;
 THENCE NORTH 69°30'12" WEST A DISTANCE OF 62.75 FEET;
 THENCE NORTH 20°03'15" EAST A DISTANCE OF 472.64 FEET;
 THENCE NORTH 62°08'09" WEST A DISTANCE OF 113.26 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 310.00 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 61°20'09" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 19.77 FEET, WITH A DELTA ANGLE OF 03°39'17", A CHORD BEARING OF NORTH 30°29'30" EAST, AND A CHORD LENGTH OF 19.77 FEET;
 THENCE SOUTH 62°02'39" EAST A DISTANCE OF 115.13 FEET;
 THENCE NORTH 55°16'50" EAST A DISTANCE OF 149.96 FEET;
 THENCE NORTH 68°23'03" EAST A DISTANCE OF 175.62 FEET;
 THENCE SOUTH 21°27'30" EAST A DISTANCE OF 190.87 FEET;
 THENCE SOUTH 72°42'20" WEST LEAVING SAID BOUNDARY A DISTANCE OF 291.24 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 39.27 FEET, WITH A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF SOUTH 27°42'20" WEST, AND A CHORD LENGTH OF 35.36 FEET;
 THENCE SOUTH 17°17'40" EAST A DISTANCE OF 329.82 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 127,047 SQUARE FEET, 2.92 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.



10/12/2022

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 14th DAY OF October, 2022 AT 2:45 P. M. IN VOLUME 01 OF SURVEYS AT PAGE 5724 AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

Brenda Chilton by Merry Boadright deputy
 COUNTY AUDITOR

| | | |
|---|--|----------------------------|
| <p>PBS Engineering and Environmental Inc. 400 Bradley Blvd, Ste 106 Richland, WA 99352 509.942.1600 pbsusa.com</p> | CLIENT: MONSON DEVELOPMENT WASHINGTON, LLC | PROJECT NO.: 66336.000 |
| | SURVEYOR: ALEX D. MATARAZZO | DATE: 10/12/2022 |
| CALC BY: ROP | DRAWN BY: DWW | SCALE: NA |
| SECTION: 34 | TOWNSHIP: 9 NORTH | RANGE: 28 EAST |
| CITY: RICHLAND | COUNTY: BENTON | SHEET <u>7</u> OF <u>9</u> |

RECORD OF SURVEY

FOR BOUNDARY LINE ADJUSTMENT

LOCATED IN THE NW 1/4, A PORTION OF THE SW 1/4 OF THE NE 1/4 AND A PORTION OF THE N 1/2 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

ADJUSTED LEGAL DESCRIPTIONS

MD&D INVESTMENTS, LLC. PROPERTIES:

ADJUSTED PARCEL 1:

REAL PROPERTY LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER, THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 2699.45 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34 MARKED BY A 1/2 INCH REBAR WITH NO CAP; THENCE SOUTH 00°45'21" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 30.02 FEET TO THE NORTHWEST CORNER OF PARCEL 4 OF SURVEY NO. 5494 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122; THENCE SOUTH 89°51'29" EAST ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL 4 A DISTANCE OF 438.49 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH BOUNDARY THE FOLLOWING COURSES:

THENCE SOUTH 89°51'29" EAST A DISTANCE OF 1,546.65 FEET; THENCE NORTH 00°30'58" EAST A DISTANCE OF 8.00 FEET; THENCE SOUTH 89°32'25" EAST A DISTANCE OF 60.90 FEET; THENCE NORTH 88°15'08" EAST A DISTANCE OF 318.36 FEET; THENCE NORTH 77°55'39" EAST A DISTANCE OF 393.74 FEET; THENCE NORTH 31°58'33" WEST LEAVING SAID NORTH BOUNDARY A DISTANCE OF 761.35 FEET; THENCE NORTH 31°59'17" EAST A DISTANCE OF 161.35 FEET TO THE SOUTHEASTERLY CORNER OF A 60 FOOT RIGHT OF WAY FOR QUEENSGATE DRIVE ESTABLISHED PER QUIT CLAIM DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-017826; THENCE SOUTH 58°00'41" WEST ALONG THE SOUTH LINE OF SAID RIGHT OF WAY A DISTANCE OF 60.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID RIGHT OF WAY; THENCE SOUTH 31°59'17" EAST LEAVING SAID RIGHT OF WAY A DISTANCE OF 69.05 FEET; THENCE SOUTH 58°00'41" WEST A DISTANCE OF 174.02 FEET; THENCE SOUTH 31°59'19" EAST A DISTANCE OF 84.05 FEET; THENCE SOUTH 31°58'33" EAST A DISTANCE OF 136.79 FEET; THENCE SOUTH 58°01'27" WEST A DISTANCE OF 105.01 FEET; THENCE SOUTH 31°58'33" EAST A DISTANCE OF 200.50 FEET; THENCE SOUTH 84°36'56" WEST A DISTANCE OF 64.90 FEET; THENCE SOUTH 87°23'59" WEST A DISTANCE OF 356.09 FEET; THENCE NORTH 89°51'29" WEST A DISTANCE OF 561.33 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 627.07 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 89°22'28" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 182.43 FEET, WITH A DELTA ANGLE OF 16°40'08", A CHORD BEARING OF NORTH 08°57'36" WEST, AND A CHORD LENGTH OF 181.79 FEET; THENCE NORTH 17°17'40" WEST A DISTANCE OF 106.61 FEET; THENCE SOUTH 72°42'20" WEST A DISTANCE OF 214.55 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 517.06 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 363.25 FEET, WITH A DELTA ANGLE OF 40°15'08", A CHORD BEARING OF SOUTH 52°34'46" WEST, AND A CHORD LENGTH OF 355.83 FEET; THENCE NORTH 89°51'29" WEST A DISTANCE OF 120.31 FEET; THENCE NORTH 63°28'49" WEST A DISTANCE OF 54.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 676.07 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 63°28'49" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 35.21 FEET, WITH A DELTA ANGLE OF 02°59'02", A CHORD BEARING OF SOUTH 25°01'40" WEST, AND A CHORD LENGTH OF 35.20 FEET; THENCE NORTH 66°27'51" WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 89°51'29" WEST A DISTANCE OF 60.21 FEET; THENCE SOUTH 00°08'31" WEST A DISTANCE OF 105.01 FEET; THENCE NORTH 89°51'29" WEST A DISTANCE OF 2.51 FEET; THENCE SOUTH 00°08'31" WEST A DISTANCE OF 159.02 FEET TO THE NORTH BOUNDARY OF SAID PARCEL 4 AND THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 848,106 SQUARE FEET, 19.47 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

ADJUSTED PARCEL 2:

REAL PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 2699.45 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34 MARKED BY A 1/2 INCH REBAR WITH NO CAP; THENCE SOUTH 00°45'21" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 30.02 FEET TO THE NORTHWEST CORNER OF PARCEL 4 OF SURVEY NO. 5494 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122; THENCE SOUTH 89°51'29" EAST ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL 4 A DISTANCE OF 438.49 FEET; THENCE NORTH 00°08'31" EAST LEAVING SAID NORTH BOUNDARY A DISTANCE OF 159.02 FEET; THENCE SOUTH 89°51'29" EAST A DISTANCE OF 2.51 FEET; THENCE NORTH 00°08'31" EAST A DISTANCE OF 105.01 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°51'29" EAST A DISTANCE OF 60.21 FEET; THENCE SOUTH 66°27'51" EAST A DISTANCE OF 20.00 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 676.07 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 66°27'51" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 35.21 FEET, WITH A DELTA ANGLE OF 02°59'02", A CHORD BEARING OF NORTH 25°01'40" EAST, AND A CHORD LENGTH OF 35.20 FEET; THENCE SOUTH 63°28'49" EAST A DISTANCE OF 54.01 FEET; THENCE SOUTH 89°51'29" EAST A DISTANCE OF 120.31 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 517.06 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 57°32'48" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 363.25 FEET, WITH A DELTA ANGLE OF 40°15'08", A CHORD BEARING OF NORTH 52°34'46" EAST, AND A CHORD LENGTH OF 355.83 FEET; THENCE NORTH 72°42'20" EAST A DISTANCE OF 214.55 FEET; THENCE NORTH 17°17'40" WEST A DISTANCE OF 344.04 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 39.27 FEET, WITH A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF NORTH 27°42'20" EAST, AND A CHORD LENGTH OF 35.36 FEET; THENCE NORTH 72°42'20" EAST A DISTANCE OF 624.07 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 173.02 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 227.40 FEET, WITH A DELTA ANGLE OF 75°18'21", A CHORD BEARING OF SOUTH 69°38'29" EAST, AND A CHORD LENGTH OF 211.39 FEET;

THENCE SOUTH 31°59'19" EAST A DISTANCE OF 10.42 FEET; THENCE SOUTH 58°00'41" WEST A DISTANCE OF 105.01 FEET; THENCE SOUTH 31°59'19" EAST A DISTANCE OF 450.05 FEET; THENCE SOUTH 31°58'33" EAST A DISTANCE OF 136.78 FEET; THENCE NORTH 58°01'27" EAST A DISTANCE OF 105.01 FEET; THENCE NORTH 31°58'33" WEST A DISTANCE OF 136.79 FEET; THENCE NORTH 31°59'19" WEST A DISTANCE OF 84.05 FEET; THENCE NORTH 58°00'41" EAST A DISTANCE OF 174.02 FEET; THENCE NORTH 31°59'17" WEST A DISTANCE OF 69.05 FEET; THENCE NORTH 31°59'19" WEST A DISTANCE OF 272.34 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,230.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 417.94 FEET, WITH A DELTA ANGLE OF 19°28'07", A CHORD BEARING OF NORTH 22°15'16" WEST, AND A CHORD LENGTH OF 415.93 FEET TO THE SOUTHERLY MOST CORNER OF NEW PARCEL II OF SURVEY NO. 5521 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5521 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-030634 BEING A POINT ON A CURVATURE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,268.96 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 59°19'17" EAST; THENCE ALONG SAID CURVE AND SAID SOUTHERLY BOUNDARY, HAVING AN ARC LENGTH OF 58.78 FEET, WITH A DELTA ANGLE OF 02°39'15", A CHORD BEARING OF NORTH 29°21'06" WEST, AND A CHORD LENGTH OF 58.78 FEET; THENCE SOUTH 68°24'08" WEST A DISTANCE OF 50.01 FEET; THENCE NORTH 32°20'10" WEST ALONG THE WESTERLY BOUNDARY OF SAID NEW PARCEL II A DISTANCE OF 170.68 FEET; THENCE SOUTH 72°42'20" WEST LEAVING SAID WESTERLY BOUNDARY A DISTANCE OF 719.81 FEET; THENCE NORTH 03°11'32" WEST A DISTANCE OF 16.34 FEET; THENCE SOUTH 86°48'28" WEST A DISTANCE OF 54.01 FEET; THENCE SOUTH 72°42'20" WEST A DISTANCE OF 444.07 FEET; THENCE SOUTH 00°45'17" WEST A DISTANCE OF 94.91 FEET; THENCE NORTH 89°14'43" WEST A DISTANCE OF 169.00 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 227.03 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 89°58'43" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 1.62 FEET, WITH A DELTA ANGLE OF 00°24'34", A CHORD BEARING OF SOUTH 00°13'34" EAST, AND A CHORD LENGTH OF 1.62 FEET; THENCE SOUTH 89°34'09" WEST A DISTANCE OF 14.86 FEET; THENCE SOUTH 53°36'29" WEST A DISTANCE OF 76.46 FEET; THENCE SOUTH 34°29'01" EAST A DISTANCE OF 172.90 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,260.14 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 34°29'01" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 7.00 FEET, WITH A DELTA ANGLE OF 00°19'05", A CHORD BEARING OF NORTH 55°40'32" EAST, AND A CHORD LENGTH OF 7.00 FEET; THENCE SOUTH 34°09'56" EAST A DISTANCE OF 120.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 1,140.13 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 34°09'56" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 217.81 FEET, WITH A DELTA ANGLE OF 10°56'46", A CHORD BEARING OF SOUTH 50°21'42" WEST, AND A CHORD LENGTH OF 217.48 FEET; THENCE SOUTH 45°06'41" EAST A DISTANCE OF 80.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,060.12 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 45°06'41" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 7.63 FEET, WITH A DELTA ANGLE OF 00°24'45", A CHORD BEARING OF NORTH 45°05'41" EAST, AND A CHORD LENGTH OF 7.63 FEET; THENCE SOUTH 44°41'56" EAST A DISTANCE OF 174.02 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 886.10 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 44°41'56" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 18.24 FEET, WITH A DELTA ANGLE OF 01°10'47", A CHORD BEARING OF NORTH 45°53'27" EAST, AND A CHORD LENGTH OF 18.24 FEET; THENCE SOUTH 43°31'09" EAST A DISTANCE OF 105.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 781.09 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 43°31'09" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 349.22 FEET, WITH A DELTA ANGLE OF 25°37'00", A CHORD BEARING OF SOUTH 33°40'21" WEST, AND A CHORD LENGTH OF 346.32 FEET; THENCE SOUTH 89°51'29" EAST A DISTANCE OF 31.49 FEET TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 1,236,153 SQUARE FEET, 28.38 ACRES MORE OR LESS.

(SEE CONTINUED)

ADJUSTED PARCEL 2:

(CONTINUED)

TOGETHER WITH;

REAL PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 89°09'47" EAST ALONG THE NORTH LINE OF SAID SECTION 34 A DISTANCE OF 2599.03 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 34 MARKED BY A 3" BRASS CAP; THENCE SOUTH 00°06'46" WEST A DISTANCE OF 1,333.89 FEET TO THE NORTHEAST CORNER OF LOT 6 OF THE PLAT OF WESTCLIFFE HEIGHTS II RECORDED IN VOLUME 15 OF PLATS AT PAGE 608 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-015773; THENCE NORTH 89°30'45" WEST ALONG THE NORTHERLY BOUNDARY OF SAID PLAT OF WESTCLIFFE HEIGHTS II A DISTANCE OF 155.72 FEET; THENCE SOUTH 58°00'41" WEST A DISTANCE OF 427.93 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 31°59'19" WEST A DISTANCE OF 130.96 FEET TO THE EASTERLY RIGHT OF WAY MARGIN OF QUEENSGATE DRIVE ESTABLISHED PER QUIT CLAIM DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-01826 BEING A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 1,170.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 65°30'31" EAST; THENCE ALONG SAID CURVE AND RIGHT OF WAY MARGIN, HAVING AN ARC LENGTH OF 131.40 FEET, WITH A DELTA ANGLE OF 06°26'05", A CHORD BEARING OF SOUTH 27°42'32" EAST, AND A CHORD LENGTH OF 131.33 FEET TO THE NORTHWEST CORNER OF ADJUSTED LOT 1 OF SURVEY NO. 5036 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5036 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-019538; THENCE NORTH 58°00'41" EAST ALONG THE NORTHERLY BOUNDARY OF SAID ADJUSTED LOT 1 A DISTANCE OF 9.80 FEET TO THE TRUE POINT OF BEGINNING.

HAVING AN AREA OF 803 SQUARE FEET, 0.02 ACRES, MORE OR LESS.

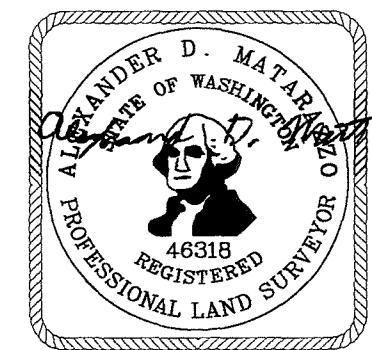
WITH A COMBINED TOTAL AREA OF 1,236,956 SQUARE FEET, 28.40 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

SURVEY / DEED REFERENCES

- (R1) SHORT PLAT NO. 595 FOR MILO BAUDER (AFN 771566) BY WEBBER
(R2) SURVEY NO. 848 AMENDING SURVEY NO. 822 (AFN 887321) BY WEBBER
(R3) SHORT PLAT NO. 2049 (AFN 1994-017574) BY BAALMAN
(R4) SURVEY NO. 2164 FOR BMID (AFN 1996-12391) BY ROGERS
(R5) SHORT PLAT NO. 3241 (AFN 2010-007065) BY YAMASHITA
(R6) SURVEY NO. 4140 (AFN 2010-026670) BY MATARAZZO
(R7) SURVEY NO. 5031 (AFN 2018-018513) BY BAALMAN
(R8) FINAL PLAT OF WESTCLIFFE HEIGHTS II (AFN 2018-015773) BY MATARAZZO
(R9) SURVEY NO. 5036 (AFN 2018-019538) BY MATARAZZO
(R10) SURVEY NO. 5494 (AFN 2021-021122) BY MATARAZZO
(R11) SURVEY NO. 5521 (AFN 2021-030634) BY BAALMAN

- (D1) STATUTORY WARRANTY DEED (AFN 2021-049835)
(D2) STATUTORY WARRANTY DEED (AFN 2021-022771)
(D3) STATUTORY WARRANTY DEED (AFN 774082)
(D4) STATUTORY WARRANTY DEED (AFN 781372)



10/12/2022

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 14th DAY OF October, 2022 AT 2:45 P.M. IN VOLUME 01 OF SURVEYS AT PAGE 5724 AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

Brenda Chilton by Merry Boudright, deputy COUNTY AUDITOR

PBS Engineering and Environmental Inc. 400 Bradley Blvd, Ste 106 Richland, WA 99352 509.942.1600 pbsusa.com
CLIENT: MONSON DEVELOPMENT WASHINGTON, LLC PROJECT NO: 66336.000
SURVEYOR: ALEX D. MATARAZZO DATE: 10/12/2022
CALC BY: ROP DRAWN BY: DWW SCALE: NA
SECTION: 34 TOWNSHIP: 9 NORTH RANGE: 28 EAST
CITY: RICHLAND COUNTY: BENTON SHEET 8 OF 9

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT

LOCATED IN THE NW 1/4, A PORTION OF THE SW 1/4 OF THE NE 1/4 AND A PORTION OF THE N 1/2 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, LOCATED IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON.

ADJUSTED LEGAL DESCRIPTIONS

MD&D INVESTMENTS, L.L.C. PROPERTIES:

ADJUSTED PARCEL 3:

REAL PROPERTY LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 887.49 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH 89°14'43" EAST LEAVING SAID WEST LINE A DISTANCE OF 104.98 FEET; THENCE NORTH 00°48'16" EAST A DISTANCE OF 35.17 FEET; THENCE SOUTH 89°14'43" EAST A DISTANCE OF 54.01 FEET; THENCE SOUTH 89°09'47" EAST A DISTANCE OF 698.33 FEET; THENCE SOUTH 74°58'55" EAST A DISTANCE OF 199.70 FEET; THENCE SOUTH 46°50'00" EAST A DISTANCE OF 42.12 FEET; THENCE SOUTH 17°17'40" EAST A DISTANCE OF 130.01 FEET; THENCE NORTH 72°42'20" EAST A DISTANCE OF 10.82 FEET; THENCE SOUTH 17°17'40" EAST A DISTANCE OF 198.02 FEET; THENCE SOUTH 72°42'20" WEST A DISTANCE OF 166.85 FEET; THENCE NORTH 03°11'32" WEST A DISTANCE OF 16.34 FEET; THENCE SOUTH 86°48'28" WEST A DISTANCE OF 54.01 FEET; THENCE SOUTH 72°42'20" WEST A DISTANCE OF 444.07 FEET; THENCE SOUTH 00°45'17" WEST A DISTANCE OF 94.91 FEET; THENCE NORTH 89°14'43" WEST A DISTANCE OF 169.00 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 227.03 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 89°58'43" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 1.62 FEET, WITH A DELTA ANGLE OF 00°24'34", A CHORD BEARING OF SOUTH 00°13'34" EAST, AND A CHORD LENGTH OF 1.62 FEET; THENCE SOUTH 89°34'09" WEST A DISTANCE OF 14.86 FEET; THENCE SOUTH 53°36'29" WEST A DISTANCE OF 76.46 FEET; THENCE SOUTH 34°29'01" EAST A DISTANCE OF 172.90 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,260.14 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 34°29'01" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 7.00 FEET, WITH A DELTA ANGLE OF 00°19'05", A CHORD BEARING OF NORTH 55°40'32" EAST, AND A CHORD LENGTH OF 7.00 FEET; THENCE SOUTH 34°09'56" EAST A DISTANCE OF 120.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 1,140.13 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 34°09'56" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 217.81 FEET, WITH A DELTA ANGLE OF 10°56'46", A CHORD BEARING OF SOUTH 50°21'42" WEST, AND A CHORD LENGTH OF 217.48 FEET; THENCE SOUTH 45°06'41" EAST A DISTANCE OF 80.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 1,060.12 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 45°06'41" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 7.63 FEET, WITH A DELTA ANGLE OF 00°24'45", A CHORD BEARING OF NORTH 45°05'41" EAST, AND A CHORD LENGTH OF 7.63 FEET; THENCE SOUTH 44°41'56" EAST A DISTANCE OF 174.02 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 886.10 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 44°41'56" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 18.24 FEET, WITH A DELTA ANGLE OF 01°10'47", A CHORD BEARING OF NORTH 45°53'27" EAST, AND A CHORD LENGTH OF 18.24 FEET; THENCE SOUTH 43°31'09" EAST A DISTANCE OF 105.01 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 781.09 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 43°31'09" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 349.22 FEET, WITH A DELTA ANGLE OF 25°37'00", A CHORD BEARING OF SOUTH 33°40'21" WEST, AND A CHORD LENGTH OF 346.32 FEET; THENCE SOUTH 89°51'29" EAST A DISTANCE OF 31.49 FEET; THENCE SOUTH 00°08'31" WEST A DISTANCE OF 105.01 FEET; THENCE NORTH 89°51'29" WEST A DISTANCE OF 2.51 FEET; THENCE SOUTH 00°08'31" WEST A DISTANCE OF 159.02 FEET TO THE NORTHERLY BOUNDARY OF PARCEL 4 OF SURVEY NO. 5494 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122; THENCE NORTH 89°51'29" WEST ALONG SAID NORTHERLY BOUNDARY A DISTANCE OF 438.49 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4 BEING ALSO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER SAID SECTION 34; THENCE NORTH 00°45'21" EAST ALONG SAID WEST LINE A DISTANCE OF 30.02 FEET TO THE WEST QUARTER CORNER OF SECTION 34, MARKED BY A 1/2 INCH REBAR WITH NO CAP; THENCE NORTH 00°45'17" EAST ALONG SAID WEST LINE OF THE NORTHWEST QUARTER A DISTANCE OF 1,811.96 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 1,160,860 SQUARE FEET, 26.65 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

ADJUSTED PARCEL 4:

REAL PROPERTY LOCATED IN THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 887.49 FEET; THENCE SOUTH 89°14'43" EAST LEAVING SAID WEST LINE A DISTANCE OF 104.98 FEET; THENCE NORTH 00°48'16" EAST A DISTANCE OF 35.17 FEET; THENCE SOUTH 89°14'43" EAST A DISTANCE OF 54.01 FEET; THENCE SOUTH 89°09'47" EAST A DISTANCE OF 698.33 FEET; THENCE SOUTH 74°58'55" EAST A DISTANCE OF 199.70 FEET; THENCE SOUTH 46°50'00" EAST A DISTANCE OF 42.12 FEET; THENCE SOUTH 17°17'40" EAST A DISTANCE OF 130.01 FEET; THENCE NORTH 72°42'20" EAST A DISTANCE OF 10.82 FEET; THENCE SOUTH 17°17'40" EAST A DISTANCE OF 198.02 FEET; THENCE NORTH 72°42'20" EAST A DISTANCE OF 552.96 FEET TO THE EASTERLY BOUNDARY OF NEW PARCEL IV OF SURVEY NO. 5521 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5521 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-030634;

THENCE ALONG SAID EASTERLY BOUNDARY THE FOLLOWING COURSES:

THENCE NORTH 32°20'10" WEST A DISTANCE OF 58.63 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 173.00 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 27°39'19" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 20.16 FEET, WITH A DELTA ANGLE OF 06°40'38", A CHORD BEARING OF SOUTH 59°00'22" WEST, AND A CHORD LENGTH OF 20.15 FEET; THENCE NORTH 34°16'51" WEST A DISTANCE OF 54.02 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 25.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 34°21'45" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 33.94 FEET, WITH A DELTA ANGLE OF 77°47'46", A CHORD BEARING OF NORTH 16°44'23" EAST, AND A CHORD LENGTH OF 31.40 FEET; THENCE NORTH 22°02'34" WEST A DISTANCE OF 205.67 FEET; THENCE NORTH 21°59'37" WEST A DISTANCE OF 42.39 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 471.00 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 67°55'51" WEST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 149.38 FEET, WITH A DELTA ANGLE OF 18°10'17", A CHORD BEARING OF NORTH 31°09'18" WEST, AND A CHORD LENGTH OF 148.75 FEET; THENCE NORTH 40°10'17" WEST A DISTANCE OF 156.06 FEET; THENCE ALONG SAID CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 179.00 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 49°40'40" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 116.02 FEET, WITH A DELTA ANGLE OF 37°08'14", A CHORD BEARING OF NORTH 21°45'13" WEST, AND A CHORD LENGTH OF 114.00 FEET; THENCE NORTH 03°04'35" WEST A DISTANCE OF 77.62 FEET; THENCE NORTH 16°32'19" WEST A DISTANCE OF 83.41 FEET; THENCE NORTH 27°38'46" WEST A DISTANCE OF 79.89 FEET; THENCE NORTH 33°55'58" WEST A DISTANCE OF 179.99 FEET TO THE NORTH LINE OF SAID SECTION 34; THENCE NORTH 89°09'47" WEST ALONG SAID NORTH LINE A DISTANCE OF 1,157.16 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 1,356,132 SQUARE FEET, 31.13 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

ADJUSTED PARCEL 5:

REAL PROPERTY LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 89°09'47" EAST ALONG THE NORTH LINE OF SAID SECTION 34 A DISTANCE OF 2599.03 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 34 MARKED BY A 3" BRASS CAP; THENCE SOUTH 00°06'46" WEST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 1617.82 FEET TO THE SOUTHERLY BOUNDARY OF LOT 7 OF THE PLAT OF WESTCLIFFE HEIGHTS II RECORDED IN VOLUME 15 OF PLATS AT PAGE 608 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-015773 AND THE TRUE POINT OF BEGINNING;

THENCE ALONG THE SOUTHWESTERLY PLAT BOUNDARY OF SAID WESTCLIFFE HEIGHTS II THE FOLLOWING COURSES:

THENCE SOUTH 00°06'46" WEST A DISTANCE OF 347.63 FEET; THENCE SOUTH 49°42'13" EAST A DISTANCE OF 205.84 FEET; THENCE SOUTH 86°22'15" EAST A DISTANCE OF 156.14 FEET; THENCE SOUTH 31°59'19" EAST A DISTANCE OF 192.52 FEET; THENCE SOUTH 45°35'07" EAST A DISTANCE OF 140.43 FEET; THENCE SOUTH 45°52'40" EAST A DISTANCE OF 144.22 FEET; THENCE SOUTH 40°37'06" EAST A DISTANCE OF 21.41 FEET TO THE NORTHEAST CORNER OF PARCEL 3 OF SURVEY NO. 5494 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122; THENCE SOUTH 77°55'39" WEST ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL 3 A DISTANCE OF 525.70 FEET; THENCE NORTH 31°58'33" WEST LEAVING SAID NORTHERLY BOUNDARY A DISTANCE OF 761.35 FEET; THENCE NORTH 31°59'17" WEST A DISTANCE OF 161.35 FEET TO THE SOUTHERLY BOUNDARY OF ADJUSTED LOT 11 OF SURVEY NO. 5036 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5036 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2018-019538; THENCE NORTH 58°00'41" EAST ALONG SAID SOUTHERLY BOUNDARY AND CONTINUING ALONG THE SOUTHERLY BOUNDARY OF SAID WESTCLIFFE HEIGHTS II A DISTANCE OF 260.06 FEET; THENCE NORTH 68°46'25" EAST CONTINUING ALONG SAID SOUTHERLY BOUNDARY OF WESTCLIFFE HEIGHTS II A DISTANCE OF 161.19 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 364,972 SQUARE FEET, 8.38 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

RICHLAND SCHOOL DISTRICT PROPERTY:

ADJUSTED PARCEL 6:

REAL PROPERTY LOCATED IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 34, MARKED BY A 5/8 INCH IRON REBAR WITH NO CAP; THENCE SOUTH 00°45'17" WEST ALONG THE WEST LINE OF SECTION 34 A DISTANCE OF 2699.45 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34 MARKED BY A 1/2 INCH REBAR WITH NO CAP; THENCE SOUTH 00°45'21" WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 A DISTANCE OF 30.02 FEET TO THE NORTHWEST CORNER OF PARCEL 4 OF SURVEY NO. 5494 RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 5494 FILED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2021-021122; THENCE SOUTH 89°51'29" EAST ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL 4 A DISTANCE OF 438.49 FEET; THENCE NORTH 00°08'31" EAST LEAVING SAID NORTH BOUNDARY A DISTANCE OF 159.02 FEET; THENCE SOUTH 89°51'29" EAST A DISTANCE OF 2.51 FEET; THENCE NORTH 00°08'31" EAST A DISTANCE OF 105.01 FEET; THENCE SOUTH 89°51'29" EAST A DISTANCE OF 60.21 FEET; THENCE SOUTH 86°27'51" EAST A DISTANCE OF 20.00 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 676.07 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 66°27'51" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 35.21 FEET, WITH A DELTA ANGLE OF 02°59'02", A CHORD BEARING OF NORTH 25°01'40" EAST, AND A CHORD LENGTH OF 35.20 FEET; THENCE SOUTH 63°28'49" EAST A DISTANCE OF 54.01 FEET; THENCE SOUTH 89°51'29" EAST A DISTANCE OF 120.31 FEET TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 517.06 FEET; THE RADIUS POINT OF WHICH BEARS SOUTH 57°32'48" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 363.25 FEET, WITH A DELTA ANGLE OF 40°15'08", A CHORD BEARING OF NORTH 52°34'46" EAST, AND A CHORD LENGTH OF 355.83 FEET; THENCE NORTH 72°42'20" EAST A DISTANCE OF 214.55 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 17°17'40" EAST A DISTANCE OF 106.61 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 627.07 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 182.43 FEET, WITH A DELTA ANGLE OF 16°40'08", A CHORD BEARING OF SOUTH 08°57'36" EAST, AND A CHORD LENGTH OF 181.79 FEET; THENCE SOUTH 89°51'29" EAST A DISTANCE OF 561.33 FEET; THENCE NORTH 87°23'59" EAST A DISTANCE OF 356.09 FEET; THENCE NORTH 84°36'56" EAST A DISTANCE OF 64.90 FEET; THENCE NORTH 31°58'33" WEST A DISTANCE OF 337.28 FEET; THENCE NORTH 31°59'19" WEST A DISTANCE OF 450.05 FEET; THENCE NORTH 58°00'41" EAST A DISTANCE OF 105.01 FEET; THENCE NORTH 31°59'19" WEST A DISTANCE OF 10.42 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 173.02 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 227.40 FEET, WITH A DELTA ANGLE OF 75°18'21", A CHORD BEARING OF NORTH 69°38'29" WEST, AND A CHORD LENGTH OF 211.39 FEET; THENCE SOUTH 72°42'20" WEST A DISTANCE OF 624.07 FEET TO A POINT OF CURVATURE WITH A TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 25.00 FEET; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 39.27 FEET, WITH A DELTA ANGLE OF 90°00'00", A CHORD BEARING OF SOUTH 27°42'20" WEST, AND A CHORD LENGTH OF 35.36 FEET; THENCE SOUTH 17°17'40" EAST A DISTANCE OF 344.04 FEET TO THE TRUE POINT OF BEGINNING.

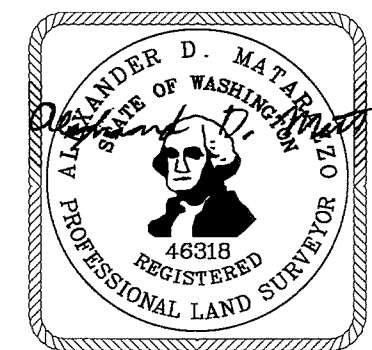
HAVING AN AREA OF 638,424 SQUARE FEET, 14.66 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

SURVEY / DEED REFERENCES

- (R1) SHORT PLAT NO. 595 FOR MILO BAUDER (AFN 771566) BY WEBBER
(R2) SURVEY NO. 848 AMENDING SURVEY NO. 822 (AFN 887321) BY WEBBER
(R3) SHORT PLAT NO. 2049 (AFN 1994-017574) BY BAALMAN
(R4) SURVEY NO. 2164 FOR BMID (AFN 1996-12391) BY ROGERS
(R5) SHORT PLAT NO. 3241 (AFN 2010-007065) BY YAMASHITA
(R6) SURVEY NO. 4140 (AFN 2010-026670) BY MATARAZZO
(R7) SURVEY NO. 5031 (AFN 2018-018513) BY BAALMAN
(R8) FINAL PLAT OF WESTCLIFFE HEIGHTS II (AFN 2018-015773) BY MATARAZZO
(R9) SURVEY NO. 5036 (AFN 2018-019538) BY MATARAZZO
(R10) SURVEY NO. 5494 (AFN 2021-021122) BY MATARAZZO
(R11) SURVEY NO. 5521 (AFN 2021-030634) BY BAALMAN

- (D1) STATUTORY WARRANTY DEED (AFN 2021-049835)
(D2) STATUTORY WARRANTY DEED (AFN 2021-022771)
(D3) STATUTORY WARRANTY DEED (AFN 774082)
(D4) STATUTORY WARRANTY DEED (AFN 781372)



10/12/2022

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 14th DAY OF October, 2022 AT 2:45 P.M. IN VOLUME 01 OF SURVEYS AT PAGE 5724 AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

Brenda Chilton by Mery Boadright deputy COUNTY AUDITOR



PBS Engineering and Environmental Inc. 400 Bradley Blvd, Ste 106 Richland, WA 99352 509.942.1600 pbsusa.com

Table with client information: CLIENT: MONSON DEVELOPMENT WASHINGTON, LLC; PROJECT NO.: 66336.000; SURVEYOR: ALEX D. MATARAZZO; DATE: 10/12/2022; CALC BY: ROP; DRAWN BY: DWW; SCALE: NA; SECTION: 34; TOWNSHIP: 9 NORTH; RANGE: 28 EAST; CITY: RICHLAND; COUNTY: BENTON; SHEET 9 OF 9



Richland

Exhibit 5

CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS (Z2024-101, S2024-101 & EA2024-107)

Notice is hereby given that MD&D Investments, LLC has filed rezone and preliminary plat applications to: 1) rezone the site to R-2S (Medium-Density Residential-Small) reflecting the City's Comprehensive Plan, and 2) subdivide a 26+ acre site into 112 lots (Preliminary Plat of Peach Tree Estates II).

Project Site: The project site is located at 1251 Bermuda Road, which is located approximately 1500-feet west of the intersection of Queensgate Drive and Legacy Lane (APNs 1-34982000005007, 1-34982010595005, and 1-34982010595007). The proposed plat will have an average lot size of 6,130 square feet.

Public Hearing: The Richland Hearings Examiner will conduct a public hearing and review of the application at 6:00 p.m., Monday, April 8th, 2024 at City Hall, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

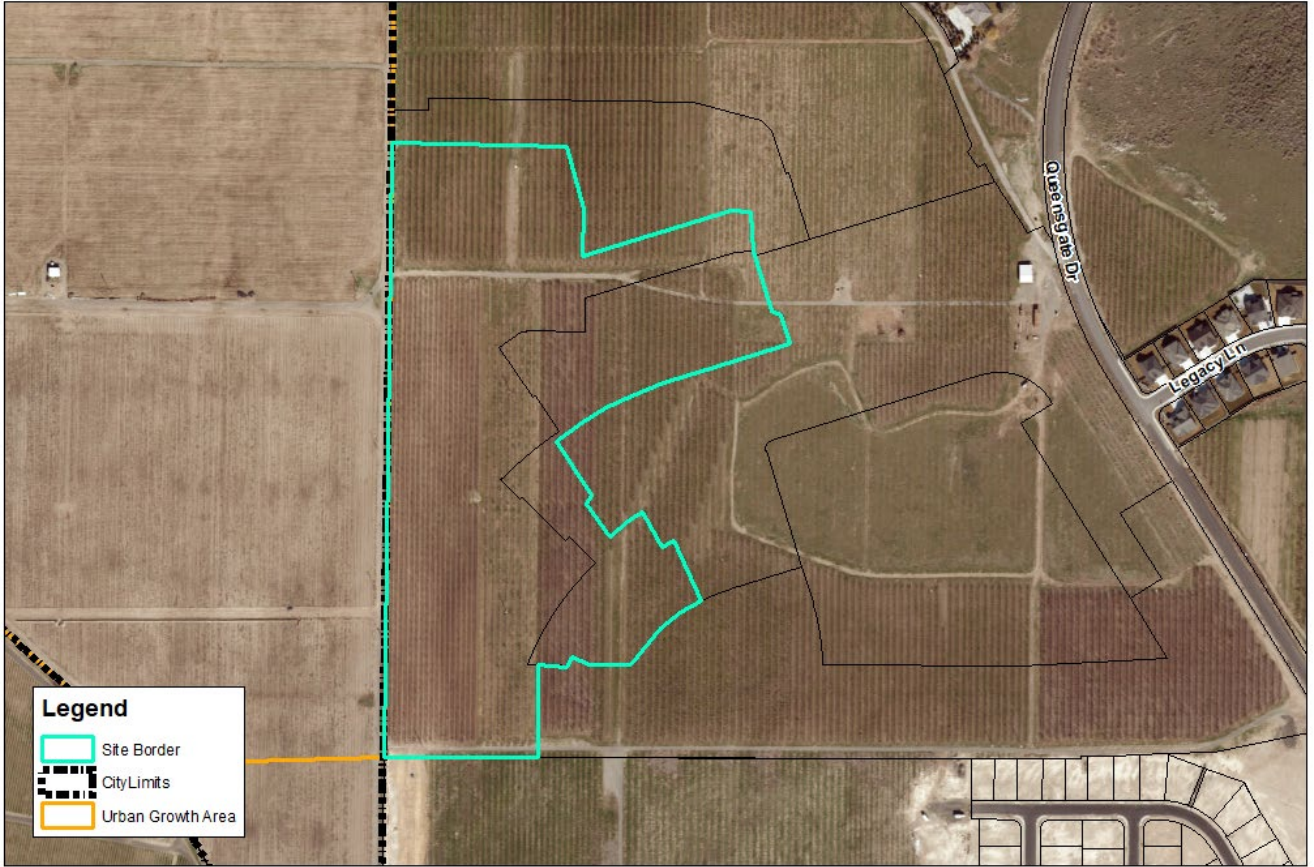
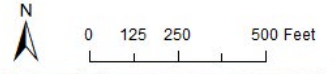
Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed at www.ci.richland.wa.us.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to mstevens@ci.richland.wa.us. The deadline for written comments is 6:00 p.m., Sunday, April 7th. However, written comments must be received no later than 5:00 p.m. on Monday, April 1, 2024 to be incorporated into the staff report. Comments received after that time will be entered into the record during the hearing.

Appeal: The application will be reviewed in accordance with the regulations in RMC Title 23 Zoning, Title 19 Development Regulations Administration and Title 24 Plats and Subdivisions. Appeal procedures of decisions related to the above referenced applications are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.

Vicinity Map

Item: Peach Tree Estates II
Applicant: MD&D Investments
File #: S2024-101 & Z2024-101



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AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

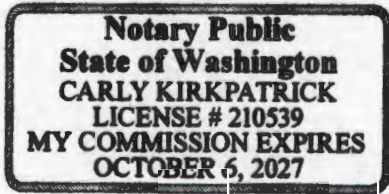
COMES NOW, Jodi Hogan, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.

2. On the 12th day of March 2024, I mailed a copy of the attached CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS (Z2024-101, S2024-101 & EA2024-107) to the attached list of individuals via regular USPS or email on the date indicated above. The Richland Hearings Examiner will conduct a public hearing at 6:00 p.m. on Monday, April 8th, 2024.

Jodi Hogan
Signed: Jodi Hogan

SIGNED AND SWORN to before me this 12th day of March 2024 by Jodi Hogan.



Carly Kirkpatrick
Notary Public in and for the State of Washington,
Carly Kirkpatrick
Print Name
Residing at Benton County
My appointment expires: Oct. 6, 2027

AFFIDAVIT OF MAILING - 1
Notice of Closed Record Hearing attached.
Address list attached.

C & J LAND COMPANY LLC
1276 N BERMUDA RD
RICHLAND, WA 99352

DALAN KYLE & JULIE
2114 LEGACY LN
RICHLAND, WA 99352

FRANK TIEGS LLC
6610 W COURT ST #B
PASCO, WA 99301

HEARNE FIONA
2113 LEGACY LN
RICHLAND , WA 99352

JAYLEX BUILT CO
6855 W CLEARWATER AVE
KENNEWICK, WA 99336

MD&D INVESTMENTS LLC
63615 E JACOBS RD NE
BENTON CITY, WA 99320

PAR HOMES LLC
PO BOX 4927
PASCO , WA 99301

RICHLAND SCHOOL DISTRICT #400
6972 KEENE RD
WEST RICHLAND, WA 99353

RIVERWOOD HOMES WASHINGTON LLC
PO BOX 344
MERIDIAN , ID 83680

SIENA HILLS HOMEOWNERS ASSOCIATION
6725 W CLEARWATER AVE
KENNEWICK, WA 99336

CARTER MICHAEL & JANICE KAY
2107 LEGACY LN
RICHLAND, WA 99352

DAUGHTERS KOURTNEY & DAVID L
2101 LEGANCY LN
RICHLAND, WA 99352

HAYNES SANDRA D & DEMSEY ROBERT
2120 LEGACY LANE
RICHLAND , WA 99352

JAMES LINDA L
2337 SIENA AVE
RICHLAND, WA 99352

KOHLER HEATH LEWIS
2102 LEGALCY LN
RICHLAND , WA 99352

MW DEVELOPMENT LLC
615 BIG SKY DR
RICHLAND, WA 99352

RICHLAND PROPERTIES LLC
PO BOX 344
MERIDIAN , ID 83680

RIEBE STEPHEN WAYDE & KATHERINE
18018 147TH AVENUE SOUTHEAST
RENTON, WA 98508

SHENK MERRILEE
2108 LEGACY LN
RICHLAND , WA 99352

SIGNATURE HOMES LLC
2445 WOODS DR
RICHLAND , WA 99352

TANNINEN CUSTOM HOMES INC

4364 HIGHVIEW ST

RICHLAND , WA 99352

TRAN VU THUY & ROMANO NASHIA

2325 SIENA AVE

RICHLAND, WA 99352

THE SIENA HILLS HOMEOWNERS ASSOCIATION

PO BOX 344

MERIDIAN, ID 83680

WESTCLIFFE HEIGHTS OWNERS ASSOCIATION

PO BOX 8550

BEND, OR 97708



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
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 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

| Account # | Order Number | Identification | Order PO | Amount | Cols | Depth |
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| 36823 | 530891 | Print Legal Ad-IPL01642010 - IPL0164201 | HE PHN Z2024-101, S2024 | \$205.46 | 1 | 7L |

Attention: Jennifer Anderson

CITY OF RICHLAND/LEGALS
 625 SWIFT BLVD. MS-05
 RICHLAND, WA 99352

janderson@ci.richland.wa.us

**CITY OF RICHLAND
 NOTICE OF APPLICATION,
 PUBLIC HEARING AND
 OPTIONAL DNS
 (Z2024-101, S2024-101 &
 EA2024-107)**

Notice: MD&D Investments, LLC has filed a rezone and preliminary plat application to: 1) rezone the site to R-2S (Medium-Density Residential-Small) reflecting the City's Comprehensive Plan, and 2) subdivide a 26+ acre site into 112 lots (Preliminary Plat of Peach Tree Estates II).

Project Site: The project site is located at 1251 Bermuda Road, which is approximately 1500 feet west of the intersection of Queensgate Drive and Legacy Lane (APNs 1-34982000005007, 1-34982010595005, and 1-34982010595007). The proposed plat will have an average lot size of 6,130 square feet.

Public Hearing: The Richland Hearing Examiner will conduct a public hearing and review of the application on **Monday, April 8, 2024 at 6:00 p.m.** in the Richland City Hall Council Chambers, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA). has reviewed the proposed project for probable adverse environmental impacts, and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed at www.ci.richland.wa.us.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to mstevens@ci.richland.wa.us. The deadline for written comments is 6:00 p.m. on Sunday, April 7, 2024; however, written comments must be received no later than 5:00 p.m. on Monday, April 1, 2024, to be incorporated into the staff report. Comments received after that time will be entered into the record during the hearing.

Date Published: Sunday, March 17, 2024
 IPL0164201
 Mar 17 2024

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Mary Castro, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time (s) commencing on 03/17/2024, and ending on 03/17/2024 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:

03/17/24

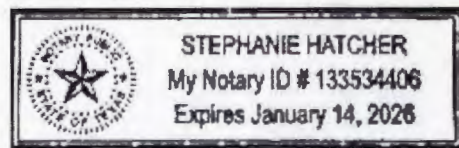
Mary Castro

(Signature of Legals Clerk)

Sworn to and subscribed before me this 19th day of March in the year of 2024

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

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AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

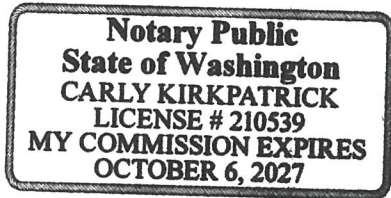
COMES NOW, **Kyle Hendricks**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.
2. On the 12th day of March 2024, I posted the attached NOTICE OF PUBLIC HEARING, File Number Z2024-101, S2024-101, and EA2024-107 (Zone Change and Preliminary Plat for Peach Tree Estates II) in the following locations:

The intersection of Bermuda Road and Legacy Lane, generally at the western terminus of Legacy Lane.


Signed: Kyle Hendricks

SIGNED AND SWORN to before me this 12th day of March, 2024, by Kyle Hendricks.




Signature of Notary

Carly Kirkpatrick
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: Oct. 6, 2027