DECLARATION OF COVENANT REQUIRING PRIVATE CONSTRUCTION AND MAINTENANCE OF AAKER ADDITION APPROVED PRIVATE ROAD.

Declaration of Covenant

In consideration of the approval by Spokane County of Aaker Addition which said plat creates (34 lots) described as follows:

The Northeast quarter of the Northeast quarter of Section 8, Township 24 North, Range 43 East, W.M., lying easterly of Hatch Road, EXCEPT the North 400.00 feet thereof, in Spokane County, Washington, being more particularly described as follows:

Beginning at the Northeast corner of said Section 8; thence South 00°41'55" West, along the East line of said Northeast quarter, 400.07 feet to a point on the South line of the North 400.00 feet of said Northeast quarter of the Northeast quarter, the True Point of Beginning; thence continuing South 00°41'55" West, along said East line of the Northeast quarter, 963.94 feet to the Southeast corner of said Northeast quarter of the Northeast quarter; thence North 89°41'55" West, along the South line of said Northeast quarter of the Northeast quarter, 890.16 feet to the Easterly right of way line of Hatch Road, a point on a non-tangent 939.22 foot radius curve to the left, the center of circle of which bears North 62°46'59" West; thence Northeasterly, along said right of way line and along said curve through a central angle of 20°14'50" and arc distance of 331.90 feet to the point of tangent; thence North 06°58'11" East, along said right of way line 456.25 feet to the point of curve of a 1066.22 foot radius curve to the left; thence along said right of way line and along said curve, through a central angle of 10°00'29" an arc distance of 186.24 feet to a point on the South line of the North 400.00 feet of said Northeast quarter of the Northeast quarter; thence North 89°37'39" East, along said South line, 748.13 feet to the True Point of Beginning.

the undersigned covenants and agrees that:

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

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

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

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

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

6. WARNING: Spokane County has no responsibility to build, improve, or maintain or otherwise service the private roads contained within or providing service to the property described in this plat. By accepting this plat or subsequently by allowing a building permit to be issued on property on a private road, Spokane County assumes no obligation for said private road and the owners hereby acknowledge that the County has no obligation of any kind or nature whatsoever to establish, examine, survey, construct, alter, repair, improve, maintain, provide drainage or snow removal on a private road. This requirement
is and shall run with the land and shall be binding upon the owner, their heirs, successors or assigns including the obligation to participate in the maintenance of the private road as provided herein.

PINES PARTNERSHIP
a Washington General Partnership

By:

Bud Aaker, Partner

By:

Del Batchelder, Partner

By:

Dan G. Gardner, Partner

By:

Kenneth V. Moland, Partner

The undersigned lienholders acknowledge that any interest they presently have in the property or which they hereafter acquire shall be subject to the covenants, conditions and restrictions contained herein.

S.O. "Bud" Aaker, General Partner of Whispering Pines, a Limited Partnership

Marjorie K. Kuhey, IIi

Shelly A. Kuhey

LINCOLN MUTUAL SAVINGS BANK

By: Luladee A. Blount

STATE OF WASHINGTON )
) ss
County of Spokane )

On this day personally appeared before me BUD AAKER, to me known to be a general partner of PINES PARTNERSHIP, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said partnership for the uses and purposes therein mentioned and on behalf of said partnership.

GIVEN under my hand and official seal this 7 day of June,

- NOTARY PUBLIC in and for the State of Washington, residing at Spokane
STATE OF WASHINGTON 
County of Spokane 

On this 6th day of June, 1984, before me personally appeared \begin{underline} \underline{\underline{Kenneth H. laminate}}\end{underline}, to me known to be the \begin{underline} \underline{President} \underline{\underline{LINCOLN MUTUAL SAVINGS BANK}}, the corporation that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

[Signature]

NOTARY PUBLIC in and for the State of Washington, residing at Spokane.

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STATE OF WASHINGTON 
County of Spokane 

On this day personally appeared before me DAN G. GARDNER, to me known to be a general partner of PINES PARTNERSHIP, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said partnership for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument for and on behalf of said partnership.

GIVEN under my hand and official seal this 6th day of June, 1984.

[Signature]

NOTARY PUBLIC in and for the State of Washington, residing at Spokane.

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STATE OF WASHINGTON 
County of Spokane 

On this day personally appeared before me KENNETH V. MOLAND, to me known to be a general partner of PINES PARTNERSHIP, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said partnership for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument for and on behalf of said partnership.

GIVEN under my hand and official seal this 6th day of June, 1984.

REQUEST OF: Pete Witherspoon

[Signature]

NOTARY PUBLIC in and for the State of Washington, residing at Spokane.

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12th floor, Wash Mut Bldg, 99201
STATE OF WASHINGTON )
County of Spokane ) ss

On this day personally appeared before me DEL BATCHelder, to me known to be a general partner of PINES PARTNERSHIP, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said partnership for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument for and on behalf of said partnership.

GIVEN under my hand and official seal this 6th day of June, 1984.

[Signature]

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

STATE OF WASHINGTON )
County of Spokane ) ss

On this day personally appeared before me S. O. "Bud" Aaker, to me known to be a general partner of WHISPERING PINES, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said partnership for the uses and purposes therein mentioned and on oath stated that he was authorized to execute said instrument for and on behalf of said partnership.

GIVEN under my hand and official seal this 7th day of June, 1984.

[Signature]

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

STATE OF WASHINGTON )
County of Spokane ) ss.

On this day personally appeared before me MAX J. KUNEY, III and SHELLY A. KUNEY, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 54th day of June, 1984.

[Signature]

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