



RETURN NAME and ADDRESS

Steven Anderson
W. 720 Boone ste 200
Spokane, WA 99201

Please Type or Print Neatly and Clearly All Information

Document Title(s)

Declaration For Annexation

Reference Number(s) of Related Documents

Grantor(s) (Last Name, First Name, Middle Initial)

D & J Elkridge Heights, LLC

Grantee(s) (Last Name, First Name, Middle Initial)

Elk Ridge Heights Homeowners Association

Legal Description (Abbreviated form is acceptable, i.e. Section/Township/Range/Qtr Section or Lot/Block/Subdivision)

Ptn 34-25-44 SE Ptn 03-24-44 NE
PTN 03-24-44 NW Additional on page 5-7

Assessor's Tax Parcel ID Number 44035.1305 & 44344.1303

The County Auditor will rely on the information provided on this form. The Staff will not read the document to verify the accuracy and completeness of the indexing information provided herein.

Sign below only if your document is Non-Standard.

I am requesting an emergency non-standard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some parts of the text of the original document. Fee for non-standard processing is \$50.

Signature of Requesting Party

WHEN RECORDED RETURN TO:

STEVEN O. ANDERSON
STAMPER RUBENS, P.S.
West 720 Boone, Ste. 200
Spokane, WA 99201

**DECLARATION OF ANNEXATION
FOR
ELKRIDGE HEIGHTS**

THIS DECLARATION OF ANNEXATION ("Annexation") is made on the date set forth, by D&J ELKRIDGE HEIGHTS, LLC, a Washington limited liability company, ("Declarant"), with reference to the following facts:

- A. Declarant is the owner of a certain tract of land located in Spokane County, Washington, which property is more particularly described as ELK RIDGE HEIGHTS 2ND ADDITION.
- B. The Plat was recorded on August 10, 2018 and the legal description is attached as Exhibit "A" (the "annexation property").
- C. Declarant intends to incorporate the annexation property into a common plan of development for "Elk Ridge Heights Homeowners' Association" and D&J ELK RIDGE HEIGHTS, LLC intends to improve the annexation property by constructing certain residential improvements and related facilities thereon, or sell such property for the development of certain residential improvements and related facilities thereon.
- D. Declarant intended by this document to impose upon the annexation property the mutually beneficial restriction imposed by the Amended and Restated Declaration Establishing Covenants, Conditions and Restrictions for Elkridge Heights, as recorded on September 12, 2011 under Spokane County Auditor's Document No. 6026850, and by this reference said document is incorporated herein.
- E. Declarant makes reference and agrees to abide by the Bylaws of the Elk Ridge Heights Homeowners' Association prepared in conjunction with the recordation of the plat for Elkridge Heights.

ANNEXATION OF ELKRIDGE HEIGHTS

PAGE 2

Declarant hereby declares that the annexation property shall be held, conveyed, mortgage, encumbered, leased, rented, used, occupied, sold and improved subject to the Amended and Restated Declaration Establishing Covenants, Conditions and Restrictions for Elkridge Heights, incorporated herein, all of which is for the purpose of enhancing and protecting the value and attractiveness of the annexation property. All of said limitations, covenants, conditions, restrictions and easements shall run with the land and shall be perpetually binding upon Declarant and their successors-in-interest and assigns, and all parties having or acquiring any right, title or interest in or to any part of the annexation property.

The undersigned Declarant herein, has executed this Declaration.

DECLARANT:

D&J Elk Ridge Heights, LLC


By: JEFFERY AMISTOSO
Its: Manager


By: DOUGLAS H. MAIN
Its: Manager

Unofficial Copy

ANNEXATION OF ELKRIDGE HEIGHTS

PAGE 4

EXHIBIT "A"

ALL THAT REAL PROPERTY SITUATE IN A PORTION OF GOVERNMENT LOTS 2, 3, 5 & 6, SECTION 03, TOWNSHIP 24 NORTH, RANGE 44 EAST AND A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 25 NORTH, RANGE 44 EAST, W.M., AND BLOCK 8, ELK RIDGE HEIGHTS PER AFN 5523688. SPOKANE COUNTY, WASHINGTON; MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34 AS WITNESSED BY A "X" IN A STONE; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, NORTH $02^{\circ}32'06''$ WEST, 260.26 FEET TO THE SOUTHWEST CORNER OF "TRACT A", ELK RIDGE HEIGHTS AS RECORDED WITH SPOKANE COUNTY IN BOOK 33 OF PLATS AT PAGE 096;

THENCE, NORTH $87^{\circ}28'09''$ EAST, 29.94 FEET;

THENCE, SOUTH $72^{\circ}31'53''$ EAST, 41.75 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE FOR CROWS NEST LANE AND BEING THE POINT OF NON-TANGENT CURVATURE TO THE RIGHT;

THENCE, 83.34 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 84.00 FEET, A CENTRAL ANGLE OF $56^{\circ}50'36''$ AND A CHORD BEARING NORTH $45^{\circ}53'25''$ EAST, 79.96 FEET TO A POINT OF TANGENT COMPOUND CURVATURE;

THENCE, 48.38 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 29.50 FEET, A CENTRAL ANGLE OF $93^{\circ}57'26''$ AND A CHORD BEARING SOUTH $58^{\circ}42'34''$ EAST, 43.13 FEET TO A POINT OF TANGENCY WITH THE SOUTHERLY RIGHT-OF-WAY LINE FOR COPPER RIVER LANE;

THENCE ALONG SAID RIGHT-OF-WAY, SOUTH $11^{\circ}43'51''$ EAST, 14.96 FEET TO A POINT OF TANGENT CURVATURE TO THE LEFT;

THENCE, 237.01 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 122.50 FEET, A CENTRAL ANGLE OF $110^{\circ}51'17''$ AND A CHORD BEARING SOUTH $67^{\circ}09'29''$ EAST, 201.73 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 8 OF SAID PLAT;

ANNEXATION OF ELKRIDGE HEIGHTS

PAGE 5

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, NORTH $57^{\circ}24'52''$ WEST, 66.84 FEET TO A POINT OF TANGENT CURVATURE TO THE RIGHT;

THENCE, 46.34 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 29.50 FEET, A CENTRAL ANGLE OF $90^{\circ}00'00''$ AND A CHORD BEARING SOUTH $77^{\circ}35'08''$ EAST, 41.72 FEET TO A POINT OF TANGENCY ON THE WEST RIGHT-OF-WAY LINE OF SAN JUAN LANE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, SOUTH $32^{\circ}35'08''$ EAST, 41.28 FEET TO A POINT OF TANGENT CURVATURE TO THE RIGHT;

THENCE, 310.54 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 247.50 FEET, A CENTRAL ANGLE OF $71^{\circ}53'25''$ AND A CHORD BEARING SOUTH $03^{\circ}21'35''$ WEST, 290.57 FEET TO A POINT OF NON-TANGENCY;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, SOUTH $50^{\circ}41'43''$ EAST, 5.91 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE, 23.43 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 222.50 FEET, A CENTRAL ANGLE OF $06^{\circ}01'57''$ AND A CHORD BEARING SOUTH $18^{\circ}10'19''$ WEST, 23.42 FEET TO A POINT OF COMPOUND CURVATURE;

THENCE, 379.98 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 622.50 FEET, A CENTRAL ANGLE OF $34^{\circ}58'26''$ AND A CHORD BEARING SOUTH $02^{\circ}19'52''$ EAST, 374.11 FEET TO A POINT OF REVERSE CURVATURE;

THENCE, 79.44 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 117.50 FEET, A CENTRAL ANGLE OF $38^{\circ}44'04''$ AND A CHORD BEARING SOUTH $00^{\circ}27'03''$ EAST, 77.93 FEET TO A POINT OF TANGENCY;

THENCE, SOUTH $18^{\circ}54'59''$ WEST, 66.52 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 2, ELK RIDGE HEIGHTS 1st ADDITION AS RECORDED WITH SPOKANE COUNTY IN BOOK 38 OF PLATS AT PAGE 099;

THENCE, NORTH $71^{\circ}05'01''$ WEST, 125.30 FEET TO THE NORTHWEST CORNER THEREOF;

ANNEXATION OF ELKRIDGE HEIGHTS
PAGE 6

THENCE, SOUTH 23°47'40" WEST, 80.95 FEET TO THE COMMON NORTH CORNER FOR LOTS 1 & 2 OF SAID PLAT;

THENCE, SOUTH 33°02'42" WEST, 72.77 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;

THENCE, NORTH 51°10'32" WEST, 19.57 FEET TO THE NORTHERLY MOST CORNER OF LOT 3, BLOCK 2 OF SAID PLAT;

THENCE, SOUTH 42°49'35" WEST, 150.00 FEET TO THE WESTERLY MOST CORNER OF LOT 4 OF SAID PLAT;

THENCE, SOUTH 31°18'23" EAST, 127.23 FEET TO THE SOUTHERLY MOST CORNER THEREOF AND BEING THE POINT OF NON-TANGENT CURVATURE TO THE RIGHT OF THE AFOREMENTIONED SAN JUAN LANE WESTERLY RIGHT-OF-WAY;

THENCE, 10.17 FEET ALONG SAID RIGHT-OF-WAY CURVE HAVING A RADIUS OF 566.31 FEET, A CENTRAL ANGLE OF 01°01'43" AND A CHORD BEARING SOUTH 59°12'27" WEST, 10.17 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH HALF OF SAID GOVERNMENT LOT 5;

THENCE ALONG SAID SOUTH LINE, SOUTH 87°12'36" WEST, 412.00 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 02°04'15" WEST, 332.94 FEET;

THENCE, NORTH 51°36'49" WEST, 66.37 FEET TO A 1/2" REBAR;

THENCE, NORTH 02°44'10" WEST, 586.81 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34;

THENCE, NORTH 87°13'31" EAST, 319.41 FEET RETURNING TO SAID POINT-OF-BEGINNING FOR THIS DESCRIBED PARCEL OF LAND;

SAID DESCRIBED PARCEL CONTAINING 16.496 ACRES MORE OF LESS;