



Spokane County Engineers
1026 W. Broadway Ave
Spokane, WA 99260-0170
(509) 477-3600

**PUD
DECLARATION OF COVENANT**

Document Title:
Reference Numbers: P1746

Legal Description: PTN. GVMT. LOT 8 & 9, SEC.4, T.24N., R.44E., W.M.
Parcel Numbers: 44042.9055, 44042.9135, 44042.9108, 44042.9187 & 44042.9110
Grantor and Grantee: TOMLINSON BLACK VALLEY, INC
SPOKANE COUNTY and MICA VIEW HOMEOWNERS ASSOCIATION

STW-0505-006

In consideration of the approval by Spokane County of MICA VIEW ESTATES (hereinafter referred to as the "**Development**"), the undersigned covenants and agrees that:

1. The subdivider/sponsor will construct the private roads and associated drainage facilities in conformance with the approved plans on file in the County Engineer's Office.
2. A lot is served by the private road when: a. the only road frontage for the lot in the Development is on the private road; or b. a lot having frontage on more than one road (public or private) constructs an approach to the private road.
3. The MICA VIEW HOMEOWNERS ASSOCIATION or their successors in interest shall maintain the private roads and associated drainage facilities in conformance with the approved plans on file in the County Engineer's Office.
4. The owner(s) of any lot created by the Development or alteration thereof and served by a private road shall be responsible for maintenance of said private road, including associated drainage facilities.
5. Maintenance financing of the private roads and associated drainage facilities shall be in a manner determined by the MICA VIEW HOMEOWNERS ASSOCIATION or their successors in interest.
6. Should the MICA VIEW HOMEOWNERS ASSOCIATION be terminated for any reasons, the successors in interest shall be the individual lot owners, or their successors in interest, who are members of the MICA VIEW HOMEOWNERS ASSOCIATION at the time of said termination.
7. In the event such private road including associated drainage facilities is improved to Spokane County standards for public streets, and the County is willing to accept the dedication of such road and drainage facilities, each lot owner shall execute any documents necessary to accomplish such dedication.
8. Owners of lots within the Development who are served by such road may sue and recover damages and attorneys' fees from any owner of any lot within the Development which is similarly served who refuses to participate in the road and drainage facilities construction, financing, and maintenance.
9. **WARNING:** *Spokane County has no responsibility to build, improve, or maintain or otherwise service the private roads and associated drainage facilities contained within or providing service to the property described in this Development. By accepting this development or subsequently by allowing a building permit to be issued for 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 or its associated drainage facilities.*

