

8409270118

1 DECLARATION OF COVENANT REQUIRING PRIVATE CONSTRUCTION AND  
2 MAINTENANCE OF SHORT PLAT APPROVED PRIVATE ROAD, AND  
3 DEDICATION TO THE COUNTY WHEN REQUIRED.

4 "DECLARATION OF COVENANT"

5 "In consideration of the approval by Spokane County of  
6 short plat # 84-298, which said plat creates 2 lots  
7 described as follows:

8 That portion of the Northeast Quarter of the Southwest  
9 Quarter of Section 12, Township 26, North, Range 42 East,  
10 W.M., Spokane County, Washington, more particularly  
11 described as follows:

12 Beginning at the Southwest corner of said Northeast  
13 Quarter of the Southwest Quarter; thence S 88°56'00" E,  
14 75.42 feet; thence N 01°04'30" W, 108.24 feet to the TRUE  
15 POINT OF BEGINNING; thence N 01°04'30" W, 155.76 feet;  
16 thence N 88°56'00" W, 75.42 feet to a point of the West  
17 Line of the Northeast quarter of the Southwest quarter;  
18 thence N 01°04'30" W, along the West line of the Northeast  
19 quarter of the Southwest quarter, 719.74 feet; thence  
20 N 74°42'49" E, 125.51 feet; thence S 88°56'00" E, 215.00  
21 feet to a point on the West line of amended plat of June's  
22 Addition, according to plat recorded in Volume 4 of Plats,  
23 Page 34, in Spokane County, Washington; thence  
24 S 00°01'00" E, 402.00 feet; thence N 88°56'00" W, 120.00  
25 feet; thence S 00°01'00" E, along said West line of  
26 subdivision 352.73 feet; thence N 88°56'00" W, 15.37 feet;  
27 thence S 01°04'30" E, 83.00 feet more or less to the north  
28 right of way of Kathy Drive; thence S 57°26'00" W along the  
29 North right of way line of Kathy Drive and projection of  
30 said right of way line, 131.26 feet to the TPOB.

31 the undersigned covenants and agrees that:

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

"2. The road shall be improved consistent with 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  
aforescribed 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.

(continued)

"6. WARNING: Spokane County has no responsibility to build, improve, maintain, or otherwise service the private road 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.

IN WITNESS WHEREOF the aforesaid owners have hereunto set their hands this 26<sup>th</sup> day of September, 1984.

Clifford S. Truscott Jo Ann Marie Truscott  
Clifford S. Truscott, husband Jo Ann Marie Truscott, wife

Elaine G. Gilbert  
Supervisor of the Loan Department,  
Spokane Teachers Credit Union

ACKNOWLEDGEMENT: STATE OF WASHINGTON) ss,  
On this 26<sup>th</sup> day of September, 1984, before me personally appeared Clifford S. Truscott, and Jo Ann Marie Truscott, husband and wife, known to me to be the individuals that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act of said individuals for the uses and purposes therein mentioned.

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

Donna M. Burke  
Notary Public in and for the State of Washington, residing at Spokane.

ACKNOWLEDGEMENT: State of Washington) ss,  
On this 26<sup>th</sup> day of September, 1984, before me personally appeared ELAINE G. GILBERT, known to me to be the Supervisor of the Loan Department, of the Spokane Teachers Credit Union, that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act of said credit union for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute the said instrument.

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

Donna M. Burke  
Notary Public in and for the State of Washington, residing at Spokane.

FILED OR RECORDED  
REQUEST OF Dunsmore Land Surveyors, Inc.

SEP 27 9 33 AM '84

WILLIAM E. DONAHUE  
AUDITOR  
SPOKANE COUNTY, WASH.  
DEPUTY

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