

DECLARATION OF COVENANT REQUIRING PRIVATE CONSTRUCTION AND MAINTNANCE OF ~~SHORT~~ PLAT APPROVED PRIVATE ROAD, AND DEDICATION TO THE COUNTY WHEN REQUIRED.

"Declaration of Covenant

"In consideration of the approval by Spokane County of ~~short~~ plat of Northwood 4th Add., which said plat creates ~~(17)~~ (17 lots) described as follows:

- Lots 4, 8, 9, 10 and 11, Block 3, Sandlewood Lane
- Lots 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, and 17, Block 4 - Gunning Lane

the undersigned covenants and agrees that:

- "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.
- "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."

Theodore G. Gunning
 Owner Theodore Gunning

Diane D. Gunning
 Owner Diane D. Gunning

STATE OF WASHINGTON)
COUNTY OF SPOKANE) ss

On this day personally appeared before me Theodore G. Gunning and Diane D. Gunning, known to me to be the individual(s) 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 stated.

Given under my hand and affixed my official seal this 28th day of April, 19 83

David B. Clark
 Notary Public
 In and for the State of Washington
 residing at Spokane, Washington

FILED OR RECORDED

REQUEST OF Adams, Benthin
& Clark

APR 28 3 51 PM '83

WILLIAM E. DONAHUE
AUDITOR
SPOKANE COUNTY, WASH.
DEPUTY

3.00

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