

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

"Declaration of Covenant

PE-1459-85

ZE-55-84

PUD E-4-84

"In consideration of the approval by Spokane County of ~~short~~ plat # \_\_\_\_\_, which said plat creates 41 building lots described as follows:

See attached legal description.

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."

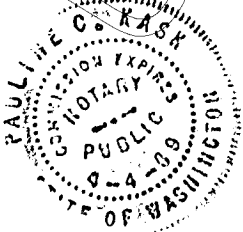
*Theodore G. Gunning*  
Owner

*Diane D. Gunning*  
Owner

STATE OF WASHINGTON )  
COUNTY OF SPOKANE ) SS

On this day personally appeared before me Theodore G. Gunning and Diane D. Gunning, husband and wife and President and Secretary, respectively, of Northwood Properties, Inc., known to me to be the individuals and officers 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 5th day of June, 1987.



*Pauline C. Kask*  
Notary Public in and for the State of Washington, residing in Spokane.

March 3, 1987

LEGAL DESCRIPTION

Those platted and unplatted portions of the N1/2 of the N1/2 of the SE1/4 of Section 31, Township 26 North, Range 44 East, W.M., Spokane County, Washington, lying southerly of Columbia Drive, described as follows:

COMMENCING at the east 1/4 corner of said Section 31; thence S00°12'51"E, along the east line of said section, 664.42 feet to the south line of said N1/2 of the N1/2 of the SE1/4; thence N89°51'01"W, along said south line, 396.00 feet to the west line of the east 396.00 feet of said SE1/4 and the POINT OF BEGINNING; thence continuing N89°51'01"W, along said south line, 924.39 feet to the southwest corner of the N1/2, NE1/4, of said SE1/4; thence N00°14'18"E, along the west line of said N1/2, NE1/4, SE1/4, 37.50 feet to the southeast corner of Block 4 of Columbia Park, per plat recorded in Book "D" of Plats, Page 29; thence N89°51'01"W, along the south line of said Block 4, 240.31 feet to a point on the east line of the west 90.00 feet of said Block 4; thence N00°12'59"E, along said east line, 140.00 feet; thence N89°51'01"W, 90.00 feet to a point on the west line of said Block 4; thence N00°12'59"E, along said west line, 247.72 feet to a point on the south line of Columbia Drive and the point of curve of a nontangent 520.12 foot radius curve to the right, the center of circle of which bears S18°29'17"E; thence along the south line of said Columbia Drive the following five (5) calls: (1) along the arc of said curve, through a central angle of 18°34'18", 168.59 feet; (2) S89°54'59"E, 629.65 feet to the point of curve of a 1,118.47 foot radius curve to the left; (3) along the arc of said curve, through a central angle of 10°29'54", 204.94 feet; (4) N79°35'07"E, 232.00 feet to the point of curve of a 1,779.37 foot radius curve to the left; (5) along the arc of said curve, through a central angle of 00°54'26", 28.18 feet to a point on the west line of the east 396.00 feet of said SE1/4; thence S00°12'51"W, along said west line, 520.10 feet to the POINT OF BEGINNING.

Unofficial Copy

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REQUEST OF *Adams & Clark*

JUN 5 2 33 PM '87

WILLIAM E. DONAHUE  
AUDITOR  
SPOKANE COUNTY, WASH.  
DEPUTY

*600*

SNELL

*W 1803 Maxwell  
99201*