



AFTER recording return to:  
LANCE G. DOUGLASS  
E-1402 MAGNESTUM RD.  
SPOKANE WA 99217

STW1011-005

Document Title DECLARATION OF COVENANT  
Reference Numbers \_\_\_\_\_  
Legal Description PTN gov. LOTS 4 & 5 IN NW 1/4 OF SEC 5-24N-44E  
Parcel Number a portion of parcel # 44052-9179  
Grantors and Grantees Lance G. Douglass Inv. LLC / Spokane County

In consideration of the approval by Spokane County of Ponperosa Ridge PUD

COURTESY RECORDING ONLY  
NO LIABILITY FOR VALIDITY  
AND/OR ACCURACY ASSUMED  
BY STEWART TITLE

(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 a 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 owner(s) of any lot created by the Development or alternation thereof and served by a private road shall be responsible for maintenance of said private road, including associated drainage facilities in conformance with approved plans on file with the County Engineers office.
4. Maintenance financing of the private roads and associated drainage facilities shall be in a manner determined by the owners of:
  - a. the majority of lots served by such private road;
  - b. the majority of frontage of lots served by such private road;
  - c. the majority square footage of lots served by such private road; or
  - d. \_\_\_\_\_
5. 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 facilities, each lot owner shall execute any documents necessary to accomplish such dedication.
6. Owners of lots within the Development who are served by such road, may sue and recover damages and attorney's fees from any owner of any lot within the Development which is similarly served who refused to participate in the road and drainage facilities, construction, financing, and maintenance.
7. **WARNING:** Spokane County has no responsibility to build, improve, or maintain or otherwise service the private roads, including 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 of nature whatsoever to establish, examine, survey, construct, alter, repair improve, maintain, provide drainage or snow removal on a private road, or associated drainage facilities.

8. This covenant and agreement 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, and drainage facilities as provided herein.

*Lance G. Douglass*  
OWNER  
*LANCE G. Douglass* *pres.*  
*INV. LLC.*

OWNER

DATED this 19 day of OCT, 2011

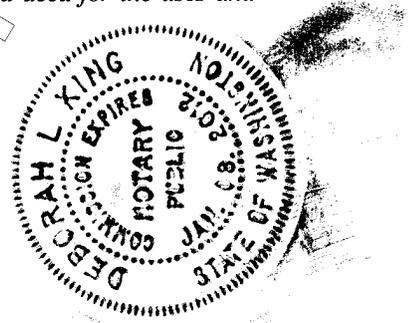
STATE OF WASHINGTON )

:ss

County of Spokane )

On this day personally appeared before me *Lance G. Douglass*

known to me to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein stated.



GIVEN UNDER MY HAND AND OFFICIAL SEAL this 19<sup>th</sup> day of October, 2011.

*Graham L. King*  
Notary Public in and for the State  
of Washington, residing at Spokane

Unofficial Document

**EXHIBIT "A"**

That portion of Government Lots 4 and 5 of Section 5, Township 24 North, Range 44 East, W.M., being more particularly described as follows:

Commencing at the Northwest corner of said Section 5;  
Thence along the North line of said Section, North  $87^{\circ}34'48''$  East a distance of 976.14 feet;  
Thence South  $02^{\circ}25'12''$  East a distance of 30.00 feet to a point on the Southerly right of way line of 44<sup>th</sup> Avenue and the Northwest corner of Lot "D" of Spokane County Short Plat No. SP-746-92, recorded in Book 9 of Short Plats at Page 8, said point also being the True Point of Beginning;  
Thence along the West line of said Lot "D", South  $02^{\circ}40'43''$  East a distance of 825.27 feet;  
Thence leaving said West line South  $87^{\circ}19'17''$  West a distance of 120.05 feet;  
Thence South  $02^{\circ}40'43''$  East a distance of 14.60 feet;  
Thence South  $87^{\circ}19'17''$  West a distance of 165.95 feet to a point on the East line of the West 690.00 feet of said Government Lot 5;  
Thence along said East line North  $02^{\circ}40'43''$  West a distance of 150.00 feet;  
Thence leaving said East line South  $87^{\circ}19'17''$  West a distance of 100.00 feet;  
Thence North  $02^{\circ}25'12''$  West a distance of 309.44 feet;  
Thence North  $21^{\circ}22'10''$  West a distance of 52.87 feet;  
Thence North  $02^{\circ}25'12''$  West a distance of 332.16 feet to a point on the said Southerly right of way line of 44<sup>th</sup> Avenue;  
Thence along said Southerly right of way line North  $87^{\circ}34'48''$  East a distance of 400.05 feet to the True Point of Beginning;

Situate in the County of Spokane, State of Washington

Unofficial Document