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Spokane Co. WA

Spokane County Engineers
1026 West Broadway
Spokane, WA 99260-0170

DECLARATION OF CONVENANT

Legal Description: Part of NE $\frac{1}{4}$ of NW $\frac{1}{4}$; SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 31, Township 26 North, Range 44 EWM
Parcel Number: 46312.9009, .9033, .9039, .9038, .9071
Grantors and Grantees: Northwood Properties, Inc. / Public

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DECLARATION OF COVENANT

- In consideration of the approval by Spokane County of Plat # 1771, Sommerset Vista (hereinafter referred to as the "Plat"), undersigned covenants and agrees that:

The property owner or authorized representative shall inform each succeeding purchaser of all drainage easements on the property and their responsibility for maintaining surface drainage paths and swales within said easements.

Any building that is constructed on a lot in this plat shall be set at such an elevation so as to provide positive drainage away from any drainage entry point to the building (including but not limited to a window well, a window unprotected by a window well, or a doorway). Said positive drainage shall consist of a minimum slope of 3% away from the building for a distance of at least 10 feet from the building. The lots shall be graded so that either a) all runoff is routed away from the building, and conveyed over the lot to a natural drainage swale or approved drainage facility, or b) drainage intercepted on the lot is disposed of on the lot in an approved drainage facility. The approved drainage facility shall be constructed in accordance with any applicable accepted plans on file at the County Engineer's Office. Any revisions to the accepted drainage plans must be accepted by the County Engineer's Office prior to construction of said revisions.

The subdivider/sponsor will construct the associated drainage facilities in conformance with the approved plans on file in the County Engineer's Office.

The property owners within this plat shall be held responsible for keeping open and maintaining the surface path of natural or man-made drainage flow over and across their respective properties. Spokane County does not accept the responsibility of maintaining the drainage course on private lots within drainage easements or floodplain areas, nor the responsibility for any damage whatsoever, including, but not limited to, inverse condemnation to any properties due to deficient construction and or maintenance of drainage courses on private property.

If the property owner fails to maintain the surface path of natural or man-made drainage flow, or the drainage swale, a notice of such failure may be given to the property owner by the County Engineer. If not corrected within the period indicated on said notice, Spokane County has the right to correct the maintenance failure, or have it corrected, at the expense of the property owner.

This plat is included in a Special Stormwater Management Service Area established by Resolution # 97-0613 of the Board of County Commission of Spokane County, Washington, and within the service area Spokane County will provide perpetual maintenance of stormwater facilities and appurtenances within Lots 5, 6, and 9, Block 2, and any other areas which Spokane County may accept for maintenance. The owner(s), or their successors in interest, agree and shall be responsible to pay such rates and charges to the County as fixed through public hearings for service or benefit obtained by the maintenance, operation and replacement of such stormwater facilities and appurtenances.



Spokane County, through the Special Stormwater Management Service Area agreement, is responsible for maintaining Lots 5,6, and 9, Block 2; where maintenance shall include cleaning the drywells, pipes and catch basins, removing and disposing of the soil and grass sod at such time the county deems necessary, and replacing the soil and grass sod. The County shall not be responsible for maintaining the lawn turf within said tracts, which includes but is not limited to mowing, irrigating and keeping the area free of debris. The Lot Owners shall be responsible for mowing, irrigating and keeping clean the stormwater swales and ponds within Lots 5,6, and 9, Block 2.

The Lot Owners shall maintain the drainage swales in Lot 9, Block 2 with a permanent live cover of lawn turf as indicated by the approved plans. The Lot Owners shall be responsible for payment of all claims and other liabilities which may become due for said lots, including electrical and water charges.

Grassed areas within right-of-ways within this plat, are the maintenance responsibility of adjacent lot owners. The Lot Owners shall maintain the drainage swales with a permanent live cover of lawn turf as indicated by the approved plans. The Lot Owners shall be responsible for payments of all maintenance claims such as water fees, mowing, electrical charges, etc., which may become due for said maintenance areas.

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