

DECLARATION OF COVENANT REQUIRING PRIVATE CONSTRUCTION AND MAINTENANCE 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 # 79-150, which said plat creates ~~(a lot)~~ ( 8 lots) described as follows:

The E 1/2 of the E 1/2 of the NW 1/4 of Section 25, Township 29 North, Range 42 East, W.M., Spokane County, Washington, EXCEPT the north 30 feet thereof, more particularly described as follows:

Beginning at a point on the east line of said NW 1/4, 30 feet south of the north quarter corner of said Section 25, said point also being on the south line of Montgomery Road; thence S0°48'16"E along the east line of the NW 1/4, 2715.16 feet to the center quarter corner; thence N88°39'30"W along the south line of the NW 1/4, 669.76 feet; thence N0°39'59"W along the west line of the E 1/2 E 1/2 NW 1/4, 2699.40 feet to said south line of Montgomery Road; thence East, 662.85 feet to the point of beginning.

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."

*E. Bruce Cousins*  
Owner

*Ramona Luvise Bloomer*  
Owner

Province of British Columbia  
STATE OF WASHINGTON )  
COUNTY OF SPOKANE ) ss

*Jah*  
On this day personally appeared before me EDWARD BRUCE COUSINS, 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 21<sup>st</sup> day of October, 1980.



*E. Bruce Cousins*  
E. BRUCE COUSINS  
A Notary Public in and for the State of Washington,  
Province of British Columbia and for the State of Washington,  
3410 Coldstream Avenue, residing at Spokane, Washington.  
Vernon, B.C. • VIT 1Y2

SHORT PLAT # 79-152

"TRACT X" IDENTIFIED FUTURE PUBLIC RIGHT-OF-WAY, SUBDIVIDER'S AGREEMENT  
"AGREEMENT"

Tract X, designated upon the plat as a private road and thoroughfare, as described in the Spokane County Comprehensive Plan as a 'local access street or road' and in accordance with the standards therein, may be required for future County street, road or thoroughfare.

"(a) The owner(s), his grantees and assigns, hereby agree to dedicate Tract X to Spokane County for right-of-way and street purposes at such time as said Tract X is needed by Spokane County for that purpose. A Deed conveying Tract X to Spokane County shall be executed by the owner, his grantees and assigns, and shall be delivered to Spokane County upon demand.

"(b) The owner, his grantees and assigns, hereby agree to participate in, and/or not oppose or protest, the formation of a County Road Improvement District (RID) pursuant to RCW 36.88 or any Road Improvement project sanctioned by Spokane County, which is designed to improve Tract X and the immediate street system of which it is a part.

"(c) Timing of the formation of said RID or other road improvement project shall be determined by Spokane County consistent with RCW 36.88. The street improvement authorized by the RID or other improvement project shall call for the improvement of Tract X and its immediate street system to at least the minimum Spokane County Road standards applicable to Tract X and the immediate street system at the time the RID, or other road improvement project, if a majority of the property owners want a higher standard, i.e. gutters, underground drainage, etc., that standard shall prevail.

"(d) Building constructed on any parcel abutting Tract X shall be set back from the Tract X boundary by that distance which equals the set back requirements of the zone."

E. Glenn Bloomer  
Owner

Bonnie Louise Bloomer  
Owner

~~Province of British Columbia~~  
STATE OF WASHINGTON )  
COUNTY OF SPOKANE ) ss

John  
On this day personally appeared before me EDWARD BRUCE COUSINS

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.

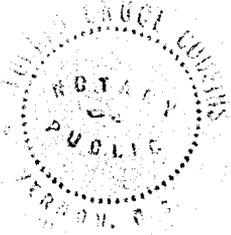
Given under my hand and affixed my official seal this 21<sup>st</sup> day of October, 1980.

E. Bruce Cousins  
Notary Public  
In and for the State of Washington,  
residing at Spokane, Washington.

FILED OR RECORDED!  
REQUEST OF Dan Clark

DEC 9 3 36 PM '80

VERNON \* CLAY A. LITOF  
SPOKANE COUNTY, WASH.  
DEPUTY: L. YOUNG



E. BRUCE COUSINS  
A Notary Public in and for the  
Province of British Columbia  
3410 Coldstream Avenue  
Vernon, B.C. • V1T 1Y2