

DECLARATION OF COVENANT

In consideration of the approval by Spokane County of Short Plat # SP 1060, Idaho Pines Estates (hereinafter referred to as the "Plat"), undersigned covenants and agrees that:

- 2. 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.
3. The property owners within this Plat shall maintain all water quality treatment swales ("208 swales") and drainage ditches situated on their respective properties, and any portion of a 208 swale situated in the public right-of-way adjacent to their respective properties, with a permanent ground cover as specified on the current approved plans on file at the County Engineer's Office.
4. The property owner or his representative shall inform each succeeding purchaser of all drainage easements on the property and of his responsibility for maintaining surface drainage paths and swales within said easements.
5. 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 in drainage easements on private property.
7. 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).



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INDIVIDUAL ACKNOWLEDGEMENT

Michael E. Schmitz (signature)
Michael E. Schmitz

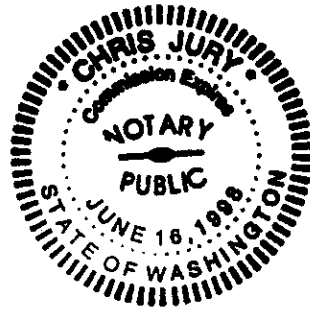
Karen M. Schmitz (signature)
Karen M. Schmitz

STATE OF WASHINGTON )
)ss
County of Spokane )

Attn. D. Butts

I certify that I know or that I have satisfactory evidence that Michael E. & Karen M. Schmitz are the person(s) who appeared before me, and said persons acknowledge that they signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as their free and voluntary act and deed, for the uses and purposes stated in the instrument.

DATED this 24 day of June 1996
Chris Jury (signature)
NOTARY PUBLIC in and for the
State of Washington, residing at Spokane. My
appointment expires 6-16-98



Unrecorded