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SPOKANE COUNTY ENGINEERS
1026 W. BROADWAY
SPOKANE, WA 99260-0170

Please Type or Print Neatly & Clearly All Information

Document Title(s)

DECLARATION OF COVENANT

Reference Number(s) of Related Documents

Grantor(s) (Last Name, First & Middle Initial)

FRANK W. RHUBY
DENNIS AND LINDA BERGZAY

Grantee(s) (Last Name, First & Middle Initial)

PRESENT AND FUTURE LOT OWNERS, STARR
ESTATES FIRST ADDITION

Legal Description (Abbreviated form is acceptable) i.e. Section/Township/Range/1/4 Section

PTN. SW 1/4, SECTION 25, T26N, R45E, W.M.
SPOKANE COUNTY, WA.

Assessor's Tax Parcel ID Number: 56253.9044 AND 56253.9058

The County Auditor will rely on the information provided on this form. The Staff will not read the document to verify the Accuracy or completeness of the indexing information provided herein.

Sign below only if your document is Non-Standard.

I am requesting an emergency non-standard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some parts of the text of the original document. Fee for non-standard processing is \$50.

Signature of Requesting Party



Spokane County Engineers
1026 West Broadway
Spokane, WA 99260-0170
(509) 456-3600

DECLARATION OF COVENANT (Page 1 of 2)

Legal description: A portion of the Southwest Quarter, Section 25, Township 26 North, Range 45 East, Willamette Meridian, Spokane County, WA (proposed Large Lot Subdivision "Starr Estates 1st Addition, Parcel Numbers 56253.9044 and 56253.9058

Grantor(s): Frank W. Rhuby; Dennis Berezay and Linda Berezay

Grantee(s): Present and Future Lot Owners, Starr Estates First Addition

In consideration of the approval by Spokane County of Starr Estates First Addition, (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 with the approved plans on file in the Spokane 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 alteration thereof, and served by a private road, shall be responsible for maintenance of said private road, including associated drainage facilities, in conformance with the approved plans on file in the Spokane County Engineer's 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 may 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, 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 the 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 or 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 owners, their heirs, successors or assigns, including the obligation to participate in the maintenance of the private road and associated drainage facilities, as provided herein.

