Parcel No. 55303.9005
Sumner Lane No. 2507
P 1724 A

SPokane COUNTY ENGINEERING DEPARTMENT
Spokane County, Washington

DRAINAGE EASEMENT

The Grantor(s) Bruce B. Butler and Judith A. Butler, husband and wife; Mary Ann Wilharm, as her sole and separate property; S & B Investments, L. L. C., a Washington Limited Company; and Richard B. and Ruth L. Jarvis, husband & wife, d/b/a Jay Investment Company, of the County of Spokane, State of Washington, for and in consideration of Mutual Benefits, the receipt of which is hereby acknowledged, grants to Spokane County and The Viewmont at Morningside Homeowners Association of the County of Spokane, State of Washington, an Easement over, under, and across the following described real property situated in the County of Spokane, State of Washington:

Drainage Easement Along the East side of Viewmont at Morningside

R.F. Excise Tax Exempt

Date: 3-22-96

Spokane County Treasurer

By /s/ [Signature]

A portion of the Northeast Quarter of the Southwest Quarter of Section 30, T.25 N., R.45 E., W.M. in Spokane County, Washington, described as follows:

Commencing at the Northwest Corner of said Northeast Quarter of the Southwest Quarter; thence S.00°37'25"W. along the west line of said Northwest Quarter of the southwest Quarter a distance of 642.22 feet to the TRUE POINT OF BEGINNING; thence continuing S.00°37'25"W. along said west line a distance of 202.00 feet; thence 3.89°38'26"E., a distance of 130.00 feet; thence N.00°37'25"E. a distance of 202.00 feet; thence N.89°38'26"W. a distance of 130.00 feet to the True Point of Beginning.

The Grantor/Grantee will construct the drainage facilities in conformance with the approved plans on file in the County Engineers Office.

This EASEMENT grants to Dahn Development, Inc. & Viewmont at Morningside Homeowners Assoc. the right of ingress and egress to, over, and from said EASEMENT for the purpose of constructing, inspecting, and maintaining the drainage ways and facilities in conformance with the approved plan.

The Viewmont at Morningside Homeowners Association or their successors in interest shall maintain the drainage facilities in conformance with the approved plans on file in the Engineers Office.

Maintenance financing of the drainage facilities shall be in a manner determined by Viewmont at Morningside Homeowners Association or their successors in interest.

Should Viewmont at Morningside Homeowners Association be terminated for any reason, the successors in interest shall be the individual lot owners, or their successors in interest, who are members of the Viewmont at Morningside Homeowners Association at the time of said termination.

In the event such private drainage facilities are improved to Spokane County standards, and the County is willing to accept the dedication of such drainage facilities, each lot owner shall execute any documents necessary to accomplish such dedication.

Spokane County is hereby granted the right of ingress and egress to, over, and from the above described property.
Whenever Viewmont at Morningside Homeowners Association or their successors in interest fail to maintain the drainage facilities in conformance with the approved Drainage Plan, a notice will be given to Viewmont at Morningside Homeowners Association or their successors in interest by the County. If not corrected after ten (10) days, the County has the right to correct the maintenance failure or have it corrected at the expense of Viewmont at Morningside Homeowners Association or their successors in interest.

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 drainage 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.

This Easement will terminate at such a time the described area is platted.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s) this 27th day of February 1996.

Bruce B. Butler

Mary Ann Wilharm

Judith A. Butler

On this day personally appeared before me Bruce B. and Judith A. Butler

personally known to me to be the individual(s) who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said individual(s), for the uses and purposes therein mentioned.

Given under my hand and seal this 27th day of February, 1996.

Mary Ann Wilharm

I certify that I know or have satisfactory evidence that

(is/are) the person(s) who appeared before me, and said person(s) acknowledged that she signed this instrument, and acknowledged it as her free and voluntary act, for the uses and purposes mentioned in the instrument.

Dated this 3rd day of March 1996.

Mary Ann Wilharm

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

My appointment expires 2/1/98.
IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this __th day of ________________ 1996.

By: ___________________________ By: ___________________________
   Joseph T. Jarvis               Susan T. Jarvis

STATE OF WASHINGTON
COUNTY OF SPOKANE

I certify that I know or have satisfactory evidence that __________________________
Jay M. Jarvis,

(is/are) the person(s) who appeared before me, and said person(s) acknowledged that (he/she/they) signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute the instrument and acknowledged it as the Managers of S & B Investments, L. L. C.,

______________________________
Sandra J. Hacking
Notary Public
In and for the State of Washington, residing at Spokane. My appointment expires 8-1-96.

Dated this __th day of ________________ 1996.

IN WITNESS WHEREOF, ________________ have hereunto set our hand(s) and seal(s) this __th day of ________________ 1996.

By: ___________________________ By: ___________________________
   Richard B. Jarvis             Ruth L. Jarvis

STATE OF WASHINGTON
COUNTY OF SPOKANE

I certify that I know or have satisfactory evidence that __________________________
Richard B. and Ruth L. Jarvis,

(is/are) the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument, and acknowledged it as their free and voluntary act, for the uses and purposes mentioned in the instrument.

Dated this __th day of ________________ 1996.
IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this 20th day of March, 1996.

FOR OBLIGATION TO CONSTRUCT
DAHM DEVELOPMENT, INC.

By: Richard T. Dahm, President

STATE OF WASHINGTON
COUNTY OF SPOKANE

I certify that I know or have satisfactory evidence that

Richard T. Dahm

(is/are) the person(s) who appeared before me, and said person(s) acknowledged that (he/she/they) signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute the instrument and acknowledged it as the President of Dahm Development, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 20th day of March, 1996.

ANDREW J. BULL
Notary Public in and for the State of Washington
Residing at Spokane
Appointed August 9, 1997

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this 20th day of March, 1996.

FOR OBLIGATION TO MAINTAIN
VIEWMONT AT MORNINGSIDE HOMEOWNERS ASSOCIATION

By: Richard T. Dahm, President

STATE OF WASHINGTON
COUNTY OF SPOKANE

I certify that I know or have satisfactory evidence that

Richard T. Dahm

(is/are) the person(s) who appeared before me, and said person(s) acknowledged that (he/she/they) signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute the instrument and acknowledged it as the Authorized Agent of Viewmont at Morningside Homeowners Assn. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 20th day of March, 1996.

ANDREW J. BULL
Notary Public
In and for the State of Washington
Residing at Spokane.
My appointment expires 9-1-97.