Spokane County Engineers
1026 W. Broadway Ave
Spokane, WA 99260-0170
(509) 477-3600

Document Title: DECLARATION OF COVENANT
Reference Numbers: PN 1851-97
Legal Description: PTN NW 1/4 SEC 18, T.26N., R.43E., W.M.
Parcel Numbers: 36132.9147
Grantor and Grantee: HANSON INDUSTRIES, INC.
SPokane COUNTY and VIEWMONT GLEN HOMEOWNERS ASSOCIATION.

In consideration of the approval by Spokane County of VIEWMONT GLEN (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 approved plans on file in the County Engineer's Office.

2. A lot is served by the 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 VIEWMONT GLEN HOMEOWNERS ASSOCIATION or their successors in interest shall maintain the private roads and associated drainage facilities in conformance with the approved plans on file in the County Engineer's Office.

4. 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.

5. Maintenance financing of the private roads and associated drainage facilities shall be in a manner determined by the VIEWMONT GLEN HOMEOWNERS ASSOCIATION or their successors in interest.

6. Should the VIEWMONT GLEN HOMEOWNERS ASSOCIATION be terminated for any reasons, the successors in interest shall be the individual lot owners, or their successors in interest, who are members of the VIEWMONT GLEN HOMEOWNERS ASSOCIATION at the time of said termination.

7. 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 drainage facilities, each lot owner shall execute any documents necessary to accomplish such dedication.

8. Owners of lots within the Development who are served by such road may sue and recover damages and attorneys' fees from any owner of any lot within the Development which is similarly served who refuses to participate in the road and drainage facilities construction, financing, and maintenance.

9. WARNING: Spokane County has no responsibility to build, improve, or maintain or otherwise service the private roads and associated drainage facilities contained within or providing service to the property described in this Development. By accepting this 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 its associated drainage facilities.
10. Whenever the VIEWMONT GLEN 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 the VIEWMONT GLEN HOMEOWNERS ASSOCIATION or their successors in interest by the County. If not corrected after 10 days, the County has the right to correct the maintenance failure or have it corrected at the expense of the VIEWMONT GLEN HOMEOWNERS ASSOCIATION or their successors in interest or lots in the development.

11. 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.

12. This covenant and agreement 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 and drainage facilities as provided herein.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed on this 14th day of October, 2003

HANSON INDUSTRIES, INC.
A WASHINGTON CORPORATION

BY: Robert J. Boyle

Vice President

STATE OF WASHINGTON )

County of Spokane )

On this 14th day of October, 2003, before me, the undersigned, a Notary Public in and for the State of Washington, personally appeared Robert Boyle, known to be the Vice President of HANSON INDUSTRIES, INC., a Washington Corporation, which executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said partnership, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument on behalf of said partnership.

Given under my hand and official seal the day and year last above written.

Dated 10.14.03

[Signature]

Notary Public in and
for the State of Washington.
My Appointment Expires: Nov. 1, 2003

My Appointment Expires: ______________
SPOKANE COUNTY

Property Account Summary

Account No.: 36182.9147
Account Type: Real Property
TCA: 1290
Situs Address: 15427 N JUANITA RD

SPOKANE, WA

Legal:
16-25-43 PTN OF GOVT LT 2 IN SW1/4 OF NW1/4 DAF; BEG AT W1/4 COR TH
TH N ALG W/LN OF SEC 164.05FT TO TRUE POB TH CONT N 796.77
FT TH S 86DEG 30MIN E 86.71FT TO A PT ON AN EXTND LN OF WLY
LN LT 8 BLK 2 OF WHITWORTH TERRACE 5TH ADD TH ALG EXT LN N
31DEG 30MIN E 89.33FT TO SW COR LT 5 TH ALG SLY LN S 63DEG
30MIN E 120.47FT TO SE COR LT 6 ALG WLY LN OF LT 5 BLK 2 S
31DEG 30MIN W 100FT TO SW COR LT 5 TH ALG SLY LN LT 5 S 88
DEG 30MIN E 1.04FT TO PT OF CURVE TAN CURVE TO RIGHT RAD 625
FT TH SLY SLY LN & EXT THRU CEN ANG 38DEG 20MIN ARC 418.15FT
TH TAN TO PREC CURVE S 20DEG 10MIN E 86.59FT TH ALG TAN
CURVE TO LEFT CURVE RAD 20FT THRU CEN ANG 84DEG 50MIN ARC
22.63FT TO PT TH N 86DEG W 12.79FT TH S 86DEG 03MIN 53SDS W
563.83FT TO TRUE POB