DECLARATION OF
COVENANT REQUIRING PRIVATE CONSTRUCTION
AND MAINTENANCE OF
PLAT APPROVED PRIVATE ROAD
FOR
WAIKIKI VIEW RIDGE
A PLANNED UNIT DEVELOPMENT
SPOKANE COUNTY WASHINGTON

IN CONSIDERATION OF THE APPROVAL by Spokane County of
Waikiki View Ridge, which said Plat creates 16 residential
lots from the property described as follows:

All property within that subdivision known as Waikiki
View Ridge, being a planned unit development and a
replat of portion of Short Plat No. 81-194, located in
Sections 6 and 7, T.26 N., R.43 E.W.M., in Spokane
County, Washington and recorded in Volume 2 of Short
Plats, pages 32 and 33, in the Auditor's Office of said
County, described as follows:

All of Parcel "C" of said Short Plat;
TOGETHER WITH that portion of Parcel "B"
of said Short Plat being more partic-
ularly described as follows:
Beginning at a point on the southerly
line of said Parcel "B" distant easterly
27.00 feet from the southwest corner of
said parcel; thence N.27°21'54"E. at a
right angle to said south line, a dis-
tance of 10.00 feet; thence S.62°38'06"E.
parallel with said south line, a distance
of 50.00 feet; thence S.27°21'54"W. at a
right angle to said south line of Parcel
"B" a distance of 10.00 feet to said
south line; thence N.62°38'06"W. a dis-
tance of 50.00 feet to the point of
beginning;
ALSO TOGETHER WITH that portion of Parcel
"B" of said Short Plat being more par-
ticularly described as follows:
Beginning at a point on the southerly
line of said Parcel "B" distance easterly
127.96 feet from the southwest corner of
said parcel; thence N.27°21'54"E. at a
right angle to said south line, a dis-
tance of 20.00 feet; thence S.62°38'06"E.
parallel with said south line, a distance
of 184.87 feet to the easterly margin of
Mill Road; thence S.41°03'23"W. along
said easterly margin a distance of 20.58
feet to the southeast corner of said
Parcel "B"; thence N.62°38'06"W. along
the south line of said Parcel "B" a
distance of 180.00 feet to the point of
beginning.

1. The Owner(s) of the aforesaid platted property
or of any lot which has been or is subsequently created on
said property shall be responsible for the financing for con-
struction and maintenance of all private roads within said
plat, and also for the construction and maintenance of that
portion of the following described property which lies out-
side the boundaries of such plat:

That portion of Parcel "B" of Spokane County Short Plat
#81-194, as recorded in Volume 2 of Short Plats, pages
32 and 33, in the Spokane County Auditor's Office, and
located in the Southeast Quarter of Section 6, T.26 N.,
R.43 E.W.M., in Spokane County, Washington, described as
follows:

Beginning at a point on the southerly
boundary of said Parcel "B" distant
easterly 127.96 feet from the southwest
corner of said parcel; thence
N.27°21'54"E. at right angles to said
southerly boundary a distance of 53.00
feet; thence S.62°38'06"E. a distance of
30.00 feet; thence S.00°34'11"E. a dis-
tance of 23.93 feet; thence S.76°04'59"E.
a distance of 160.00 feet to the easterly
boundary of said Parcel "B", being also
the westerly margin of Mill Road; thence
S.41°03'23"W. along said easterly bound-
ary a distance of 50.50 feet to a point
20.58 feet northerly of the southeast
corner of said Parcel "B"; thence
N.62°38'06"W. parallel with said southerly
boundary a distance of 64.24 feet thence
N.76°04'59"W. a distance of 86.00 feet to
said southerly boundary; thence
N.62°38'06"W. along said southerly bound-
ary a distance of 36.99 feet to the point
of beginning.

2. The road shall be improved consistent with Spokane
County standards for 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 the above described
platted property; provided, however, that should the owners
of such property become members of an Owners Association,
established in connection with and for the benefit of the
plat, decisions respecting such maintenance methods,
standards and financing shall be made consistent with the organizational documents of the Association.

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 plat who are served by such road, may sue and recover from any owner of any lot within the plat which is similarly served who refuses to participate in the road construction, financing, and maintenance. Such owners who refuse to share the costs according to the requirements of paragraph 3 above (whether allocated on the basis of square footage or according to the organizational documents of an Owners Association) shall be liable for any attorneys fees.

6. WARNING: Spokane County has no responsibility to build, improve, maintain or otherwise service the private roads contained within or providing service to the above described property. By accepting the plat or subsequently by allowing a building permit to be issued on property on a private road, Spokane County assumes 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.

OWNER:

LEROY J. KOHLER

LINDA J. KOHLER
STATE OF WASHINGTON } ss.
County of Spokane }

On this day personally appeared before me LEROY J. KOHLER and LINDA J. KOHLER, husband and wife, known to me to be the individuals 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 official seal this 26th day of December, 1984.

[Signature]
Notary Public in and for the State of Washington, residing at Spokane.
CONSENT TO RECORDATION OF DECLARATION

Bancshares Mortgage Company, which is or shall be the holder of a recorded first Deed of Trust covering the property described in the foregoing Declaration, hereby acknowledges that it has read and approves the Declaration.


Bancshares Mortgage Company

By: ____________________________
   /_____________________________
   (Title)

By: ____________________________
   /_____________________________
   (Title)

State of Washington )
Count[y of Spokane )

On this 11th day of October, 1985, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Michael M. Jackson and to be the Asst. Vice President of Bancshares Mortgage Company, the Corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said Corporation.

WITNESS my hand an official seal hereto affixed the day and year first above written.

(Notary Public in and for the State of Washington, residing at Spokane.)
CONSENT TO RECORDATION OF DECLARATION

OLD NATIONAL BANK, which is the holder of a recorded first mortgage (or deed of trust) covering the property described in the foregoing Declaration, hereby acknowledges that it has read and approves the Declaration.


OLD NATIONAL BANK

By: [Signature] V.P.
   (Title)

By: [Signature] A.D.P.
   (Title)

State of Washington )
County of Spokane )

On this 11th day of October, 1985, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared L.E. SHULL and RALPH BUCHANAN, to me known to be the VICE PRESIDENT and TRUSTEE, respectively, of Old National Bank, the Corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said Corporation.

WITNESS my hand an official seal hereto affixed the day and year first above written.

[Signature]
Notary Public in and for the State of Washington, residing