

DECLARATION OF
COVENANT REQUIRING PRIVATE CONSTRUCTION
AND MAINTENANCE OF
PLAT APPROVED PRIVATE ROAD
FOR

WAIKIKI VIEW RIDGE
A PLANNED UNIT DEVELOPMENT
SPOKANE COUNTY WASHINGTON

FILED OR RECORDED
REQUEST OF Inland
Pacific Engineering
OCT 22 4 24 PM '85

WILLIAM E. DONAHUE
AUDITOR
SPOKANE COUNTY, WASH.
DEPUTY

S 25 Altamont 99202

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:

F. YOUNG

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 aforescribed platted property or of any lot which has been or is subsequently created on said property shall be responsible for the financing for construction 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 outside 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 distance 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 boundary 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 boundary 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.

Martin S. Weber

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



Unofficial Document

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.

Dated: October 11, 1985.

Bancshares Mortgage Company

By: Michael M. Jackson
Assistant Vice Pres. (Title)

By: _____ (Title)

State of Washington)
 : ss
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 Michael M. Jackson ~~and~~ _____ to me known to be the Asst. Vice President ~~and~~ Assistant 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.



[Signature]
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.

Dated: 10 - 11, 1985.

OLD NATIONAL BANK

By: R. E. Shull J.P.
(Title)

By: Ronald P. Bach AUP
(Title)

State of Washington)
: ss
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 R. E. Shull and Ronald P. Bach to me known to be the Vice President and Asst. Vice President 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 and official seal hereto affixed the day and year first above written.

Kathy M. Buehler
Notary Public in and for the State of Washington, residing at Spokane

