



Spokane County Engineers  
1026 W Broadway  
Spokane WA 99260-0170  
509)477-3600

PUD

DECLARATION OF COVENANT

Document Title \_\_\_\_\_  
Reference Numbers The Final Plat of Wandermere Estates

Legal Description \_\_\_\_\_ S.5-T26N.-R43E-SE 1/4

Parcel Number 36055.9049

Grantors and Grantees Wandermere Estates LLC

In consideration of the approval by Spokane County of The Final Plat of Wandermere Estates

(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 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 Wandermere Estates Home Owners 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 alternation 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 Wandermere Estates

Home Owners Association or their successors in interest.

6. Should the Wandermere Estates Home Owners 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 Wandermere Estates

Home Owners 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 the 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 of 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 Wandermere Estates

Home Owners 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 Wandermere Estates

Home Owners 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 Wandermere Estates

Home Owners Association, 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, no 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.

Wandermere Estate LLC.  
OWNER

Howell McKee - Member  
OWNER

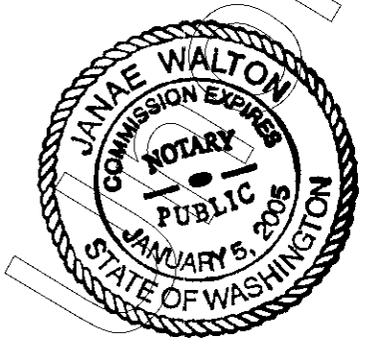
Dated this 02 day of March, 20 04

STATE OF WASHINGTON )  
  :SS  
County of Spokane )

On this day personally appeared before me Howell McKee

known to me to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein stated.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 02 day of March, 20 04.



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



DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY LOCATED IN SECTION 5, TOWNSHIP 26 NORTH, RANGE 43 EAST, W.M., IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION;  
 THENCE SOUTH 01°32'31" EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 293.83 FEET;  
 THENCE SOUTH 75°41'24" WEST A DISTANCE OF 89.57 FEET;  
 THENCE SOUTH 88°05'47" WEST A DISTANCE OF 397.67 FEET TO THE TRUE POINT OF BEGINNING;  
 THENCE NORTH 76°45'05" WEST A DISTANCE OF 69.67 FEET;  
 THENCE NORTH 87°31'34" WEST A DISTANCE OF 137.04 FEET;  
 THENCE NORTH 28°28'50" WEST A DISTANCE OF 102.15 FEET;  
 THENCE NORTH 79°41'48" WEST A DISTANCE OF 305.02 FEET;  
 THENCE SOUTH 87°38'12" WEST A DISTANCE OF 213.91 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST THE RADIUS OF WHICH BEARS NORTH 26°52'41" EAST A DISTANCE OF 2000.00 FEET;  
 THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°52'09" AN ARC DISTANCE OF 414.31 FEET TO ITS INTERSECTION WITH THE EASTERLY MARGIN OF S.R. 395 AND BEGINNING OF A NON-TANGENT CURVE THE RADIUS OF WHICH BEARS SOUTH 85°17'48" WEST A DISTANCE OF 2357.00 FEET;  
 THENCE NORTHERLY ALONG SAID CURVE AND EASTERLY MARGIN, THROUGH A CENTRAL ANGLE OF 11°27'02" AN ARC DISTANCE OF 471.05 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF THE SOUTH 599.71 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION;  
 THENCE NORTH 87°04'43" EAST ALONG SAID NORTH LINE, A DISTANCE OF 371.37 FEET;  
 THENCE SOUTH 10°13'47" EAST A DISTANCE OF 127.34 FEET;  
 THENCE SOUTH 33°52'59" EAST A DISTANCE OF 172.93 FEET;  
 THENCE NORTH 86°40'37" EAST A DISTANCE OF 113.14 FEET;  
 THENCE NORTH 53°14'29" EAST A DISTANCE OF 307.86 FEET;  
 THENCE NORTH 87°04'44" EAST A DISTANCE OF 183.36 FEET;  
 THENCE NORTH 20°34'57" EAST A DISTANCE OF 148.61 FEET;  
 THENCE NORTH 67°49'28" EAST A DISTANCE OF 319.18 FEET;  
 THENCE SOUTH 38°23'17" EAST A DISTANCE OF 128.65 FEET;  
 THENCE SOUTH 56°27'51" WEST A DISTANCE OF 70.00 FEET;  
 THENCE SOUTH 45°16'56" WEST A DISTANCE OF 76.00 FEET;  
 THENCE SOUTH 24°58'27" WEST A DISTANCE OF 90.00 FEET;  
 THENCE SOUTH 06°09'49" WEST A DISTANCE OF 119.55 FEET;  
 THENCE SOUTH 00°24'37" WEST A DISTANCE OF 74.95 FEET;  
 THENCE SOUTH 79°15'13" EAST A DISTANCE OF 20.00 FEET;  
 THENCE SOUTH 17°16'17" WEST A DISTANCE OF 52.05 FEET;  
 THENCE SOUTH 30°19'17" WEST A DISTANCE OF 52.05 FEET;  
 THENCE SOUTH 53°09'13" EAST A DISTANCE OF 105.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST THE RADIUS OF WHICH BEARS NORTH 53°09'13" WEST A DISTANCE OF 334.00 FEET;  
 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°48'46" AN ARC DISTANCE OF 33.89 FEET;  
 THENCE SOUTH 58°58'00" EAST A DISTANCE OF 32.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST THE RADIUS OF WHICH BEARS SOUTH 58°58'00" EAST A DISTANCE OF 30.00 FEET;  
 THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 83°19'46" AN ARC DISTANCE OF 43.63 FEET;  
 THENCE SOUTH 52°17'46" EAST A DISTANCE OF 1.30 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 204.00 FEET;  
 THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°24'18" AN ARC DISTANCE OF 58.41 FEET;  
 THENCE SOUTH 29°12'55" WEST A DISTANCE OF 144.58 FEET;  
 THENCE SOUTH 53°50'28" WEST A DISTANCE OF 224.77 FEET;  
 THENCE SOUTH 06°16'59" WEST A DISTANCE OF 108.89 FEET TO THE TRUE POINT OF BEGINNING.