

DECLARATION OF COVENANT REQUIRING PRIVATE CONSTRUCTION AND MAINTENANCE OF PLAT APPROVED PRIVATE ROAD, AND DEDICATION TO THE COUNTY WHEN REQUIRED.

Declaration of Covenant

In consideration of the approval by Spokane County of plat # West Terrace Addition which said plat creates ~~(53 lots)~~ (53 lots) described as follows:
See Exhibit "A" attached.

the undersigned covenants and agrees that:

1. The owner(s) of the aforescribed 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.
2. The road shall be improved consistent with Spokane County standards for platted 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 such aforescribed property.
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 under the percentage set forth above shall be liable for any attorney's fees.
6. WARNING: Spokane County has no responsibility to build, improve, or maintain or otherwise service the private roads contained within or providing service to the property described in this plat. By accepting this plat or subsequently by allowing a building permit to be issued on 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. 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.

FILED UP RECORDED

REQUEST BY Adams & Clark

MAY 2 3 00 PM '86

1803 W Maxwell 99201

WILLIAM E. DONAHUE
AUDITOR
SPOKANE COUNTY, WASH.
DEPUTY T. YOUNG
STATE OF WASHINGTON)
COUNTY OF SPOKANE) SS

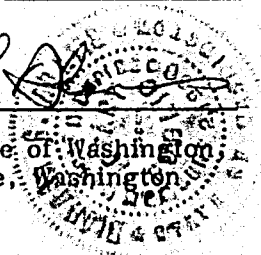
WEST TERRACE JOINT VENTURE
Charles R. Klar
Owner

Owner

On this day personally appeared before me Charles R. Klar, known to me to be the individual 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 affixed my official seal this 10th day of March, 1986.

Richard S. [Signature]
Notary Public
In and for the State of Washington,
residing at Spokane, Washington



That portion of the SE $\frac{1}{4}$ of Section 7 and the NE $\frac{1}{4}$ of Section 18, Township 24 North, Range 42 East, W.M., Spokane County, State of Washington, described as follows:

EXHIBIT "A"

Beginning at the NE corner of said Section 18; thence S02°30'24"E, along the east line of said Section 18 and the centerline of Thomas Mallen Road, the centerline of said Helvillie Road; thence along the centerline of said Helvillie Road the following four (4) courses: (1) N85°51'49"W, 976.71 feet to the point of curve of a 409.17 foot radius curve to the right; (2) thence along the arc of said curve, through a central angle of 33°39'36", 240.38 feet to the point of tangency; (3) thence, N52°12'13"W, 76.47 feet to the point of curve of a 572.74 foot radius curve to the left; (4) thence along the arc of said curve, through a central angle of 11°13'43", 112.24 feet; thence, leaving said centerline, N26°34'04"E, 30.00 feet to a point on the northerly right-of-way line of said Helvillie Road, being a point on a nontangent 602.74 foot radius curve to the left, the center of circle of which bears S26°34'04"W, said point being the True Point of Beginning; thence continuing along right-of-way line and along the arc of said curve, through a central angle of 15°59'55", 168.30 feet to the point of tangency; thence continuing along said right-of-way line N79°25'51"W, 496.00 feet; thence leaving said right-of-way line N09°03'42"E, 249.39 feet; thence S89°49'51"E, 125.00 feet to a point on a said right-of-way line N79°25'51"W, 251.27 feet; thence N20°16'09"E, 635.11 feet; thence N22°45'40"E, 249.39 feet; thence S89°49'51"E, 125.00 feet to a point on a nontangent 15.00 foot radius curve to the left, the center of circle of which bears N89°49'51"W; thence along the arc of said curve, through a central angle of 47°46'31", 12.51 feet to the point of reverse curve of a 50.00 foot radius curve to the right, the center of circle of which bears N80°48'04"E, 251.27 feet; thence N20°16'09"E, 635.11 feet; thence N22°45'40"E, 249.39 feet; thence S89°49'51"E, 125.00 feet to the point of reverse curve of a 15.00 foot radius curve to the left, the center of circle of which bears S45°16'17"E; thence along the arc of said curve, through a central angle of 27°20'05", 237.66 feet to the point of reverse curve of a 15.00 foot radius curve to the left, the center of circle of which bears S45°16'17"E; thence along the arc of said curve, through a central angle of 44°42'58", 11.71 feet to the point of reverse curve of a 910.00 foot radius curve to the right, the center of circle of which bears N89°59'12"W, 250.58 feet; thence N42°23'38"E; thence along the arc of said curve, through a central angle of 11°13'43", 112.24 feet; thence, leaving said curve, through a central angle of 04°33'11", 33.77 feet to the point of compound curve of a 15.00 foot radius curve to the left, the center of circle of which bears N12°56'17"W; thence along the arc of said curve, through a central angle of 00°09'23", 2.49 feet; thence S48°08'08"E, 250.23 feet; thence S89°21'24"E, 128.22 feet; thence S12°56'17"E, 11.71 feet to the point of reverse curve of a 15.00 foot radius curve to the left, the center of circle of which bears N12°56'17"W; thence along the arc of said curve, through a central angle of 425°00'00", 186.34 feet; thence S73°00'16"E; thence along the arc of said curve, through a central angle of 55°31'08", 14.54 feet to the point of reverse curve of a 150.00 feet to a point on a nontangent 425.00 foot radius curve to the left, the center of circle of which bears S73°00'16"E; thence along the arc of said curve, through a central angle of 04°33'11", 33.77 feet to the point of compound curve of a 15.00 foot radius curve to the left, the center of circle of which bears N17°29'28"W; thence along the arc of said curve, through a central angle of 15°00'16°09"W, 129.21 feet; thence S62°43'51"E, 62.26 feet; thence S77°21'11"W, 114.46 feet; thence S89°59'12"W, 247.74 feet to the point of reverse curve of a 15.00 foot radius curve to the left, the center of circle of which bears S30°53'04"W; thence along the arc of said curve through a central angle of 48°57'34", 12.82 feet; thence S18°04'30"E, 130.00 feet; thence S77°21'11"W, 114.46 feet; thence S89°59'12"W, 247.74 feet; thence S13°15'11"W, 254.51 feet to a point of curve of a 15.00 foot radius curve to the left, the center of circle of which bears S17°11'30"W, 176.78 feet; thence S13°15'11"W, 254.51 feet to a point of curve of a 15.00 foot radius curve to the left, the center of circle of which bears S76°44'49"E; thence along the arc of said curve through a central angle of 94°24'42", 24.72 feet to the point of reverse curve of a 50.00 foot radius curve to the right, the center of circle of which bears S08°50'28"W; thence along the arc of said curve, through a central angle of 197°43'36", 172.55 feet; thence S26°34'04"W, 69.08 feet to the True Point of Beginning.