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 Spokane Co. WA

AFTER RECORDING RETURN TO:
 Spokane County Public Works
 Development Engineering Services, 2nd Floor
 1026 W. Broadway Ave
 Spokane, WA 99260-0170

Document Title: Drainage Declaration of Covenants
 Grantor: Richard J. Boyden, J&D Builders
 Grantee: Spokane County
 Abbreviated Legal Description: Portion of SW ¼, Section 7, T. 24 N., R. 42 E., W.M., Spokane County, WA; Plat of West Terrace Heights
 Assessor's Tax Parcel Numbers: 24073.0101
 County Reference No. P1791

SPOKANE COUNTY ENGINEER'S OFFICE
 Spokane County, Washington

DRAINAGE DECLARATION OF COVENANTS

In consideration of the approval by Spokane County of the (Spokane County Project No. PW-1791) hereinafter referred to as the "plat"), the undersigned covenants and agrees that:

Spokane County and its authorized agents are hereby granted the right to ingress and egress to, over and from all public drainage easements for the purposes of inspection and emergency maintenance of drainage swales, ponds, ditches, culverts and other drainage facilities, if not properly maintained by the property owner or West Terrace Heights Homeowners' Association (hereinafter referred to as the "WTHOA"). Spokane County does not accept the responsibility to inspect or maintain drainage facilities located outside of public rights-of-way. Neither does Spokane County accept any liability for any failure by the property owner(s) to properly maintain such areas.

The property owners within this plat shall be held responsible for keeping open and maintaining the surface path of natural or man-made drainage flow over and across their respective properties. If the property owners fail to maintain the surface path of natural or man-made drainage flow, or drainage facilities on private properties, a notice of such failure may be given to the property owner. If not corrected within the period indicated on said notice, Spokane County has the right to correct the maintenance failure, or have it corrected, at the expense of the property owner.

Spokane County does not accept the responsibility of maintaining the drainage course on private lots or floodplain areas within private lots, nor the responsibility for any damage 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.

Any building that is constructed on a lot in this plat shall be set at such an elevation so as to provide positive drainage away from any drainage entry point to the building (including but not limited to a window well, a window unprotected by a window well, or a doorway). Said positive drainage shall consist of a minimum slope of 3% away from the building for a distance of at least 10 feet from the building. The lots shall be graded so that either a) all runoff is routed away from the building, and conveyed over the lot to a natural drainage swale or approved drainage facility, or b) drainage intercepted on the lot is disposed of on the lot in a drainage facility approved by the Spokane County Engineer. All drainage facilities for this plat, including any '208' swales, shall be constructed in accordance with the approved plans on file at the Spokane County Engineer's Office. Any proposed changes to the approved road and drainage plans must be approved by the Spokane County Engineer's Office prior to construction of said changes.

