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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 Covenant**
Grantor(s): Northwood Properties
Grantee: Government, County of Spokane
Legal Description: Portion of NE ¼, Section 31, T. 26 N., R. 44 E., W.M., Spokane County
Additional Legal Description: See Page 1
Assessor's Tax Parcel Number: **46311.9083**
Reference Number: PE-1729G
Log In Date: 15 Nov 99 **Requested by:** Sallie Moore **Prepared by:** Ed Parry
Purpose:

SPOKANE COUNTY DIVISION OF ENGINEERING
Spokane County, Washington

Drainage Declaration of Covenant

In consideration of the approval by Spokane County of **Red Oak – Woodland Estates, Spokane County Project No. PE-1729G** (hereinafter referred to as the "plat"), 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 the **Red Oak - Woodland Estates Homeowners' Association**. Spokane County does not accept the responsibility to inspect or maintain drainage facilities located outside of public rights-of-way, except in cases where Spokane County specifically assumes that responsibility in writing. 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

