

RESTRICTIVE COVENANTS FOR AQUAVIEW ADDITION

The owners and platters of Aquaview Addition, a sub-division in the County of Franklin, State of Washington, the plat of which is filed in the office of the Franklin County Auditor, under Auditor's File Number 157037, do hereby declare that the following restrictions and covenants shall be restrictions and covenants running with the land, and shall be binding on all parties and all persons claiming under the undersigned, until January 1, 1978, at which time these restrictions and covenants shall automatically extend for successive periods of ten years, unless by vote of the majority of the then owners of the lots it is agreed to change or abrogate such restrictions and covenants.

If the parties hereto, or any of them, or their successors or assigns shall violate any of the covenants or restrictions herein contained, it shall be lawful for any other persons or person owning real property situate in said sub-division to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any of such covenants, and either to prevent him or them from so doing, or to recover damages resulting from said violation or both.

Invalidation of any one of these covenants by judgment, court order, legislative enactment, or otherwise, shall in no wise affect any of the other provisions, which shall remain in full force and effect.

1. All lots in Aquaview Addition shall be residential lots, and no structures shall be erected, altered, placed or permitted to remain on any lot in said Addition, other than one single family dwelling with attached garage, provided, however, that a private garage for not more than two cars, and attached to the residence by a breeze-way shall be permitted. No structures unattached to the single family dwelling shall be allowed. No structure of any kind shall be erected on any lot in Aquaview Addition, other than one story dwellings, except on Lots 15 to 21, inclusive, and on said lots such structures shall not exceed one and one-half stories in height.

2. No trailer, basement, tent, shack, garage, barn, or other outbuilding shall be erected or allowed to remain on any lot, or used as a residence

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1 temporarily or otherwise, provided, however, that during the course of con-
 2 struction, a construction shed will be allowed, but no such shed or other build-
 3 ing shall be used as a residence temporarily or otherwise.

4 3. No building on any residential lot shall be located nearer than 40
 5 feet to the lot line facing the roadway in said plat, and no building on Lots
 6 1 to 7, inclusive, of said Addition shall be located nearer than 40 feet to
 7 the Southerly boundary line of said Lots 1 to 7, inclusive. No building on any
 8 lot shall be located nearer than 10 feet to the side lot lines, including a
 9 garage attached to the dwelling.

10 4. No noxious or offensive activity shall be carried on, on any lot, nor
 11 shall anything be done thereon which may be or may become an annoyance or
 12 nuisance to the neighborhood, of which fact a two-thirds majority of the
 13 occupants of said Aquaview Addition shall be the sole judge.

14 5. No dwelling or residential structure, with a minimum floor space of
 15 the main structure, exclusive of open porches, garages or breezeways, of less
 16 than 1200 square feet, shall be permitted on Lots 1 to 14 inclusive, and no
 17 dwelling or residential structure, with a minimum floor space of the main
 18 structure, exclusive of open porches, garages or breezeways, of less than 950
 19 feet shall be permitted on Lots 15 to 21 inclusive.

20 6. Any dwelling erected or placed on any lot in this sub-division shall
 21 be complete as to external appearance, including finished painting, within six
 22 months from date of commencement of construction.

23 7. No livestock or poultry shall be permitted to be kept or maintained on
 24 any of the lots in this sub-division.

25 8. No solid board fence shall be permitted on any lot in this sub-division
 26 and no fence of any kind, including live growth hedges, shall be allowed on any
 27 lot in this sub-division, more than four feet in height, and all shade trees
 28 situate on any lot in the area between houses shall be completely trimmed of all
 29 branching limbs up to a height of seven feet, as soon as it is possible to do
 30 so, and shall thereafter be maintained.

31 9. The owner or occupant of each lot shall maintain the grounds in good
 32 presentable condition at all times, and the grounds shall be landscaped and

1 lawn planted within six months from the date of the commencement of construction
2 or any dwelling on said lots.
3 DATED this 3 day of March, 1954.

Stewart S. Sibley
STEWART S. SIBLEY

Hessie S. Sibley
HESSIE S. SIBLEY

S. A. Connell
S. A. CONNELL

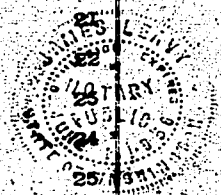
Hazel Connell
HAZEL CONNELL

13 STATE OF WASHINGTON)
14 County of Franklin) ss.

15 On this day personally appeared before me STEWART S. SIBLEY and HESSIE S.
16 SIBLEY, his wife, S. A. CONNELL and HAZEL CONNELL, his wife, to me known to be
17 the individuals described in and who executed the within and foregoing instrument
18 and acknowledged that they signed the same as their free and voluntary act and
19 deed, for the uses and purposes therein mentioned.

20 Witness my hand and official seal this 3 day of March, 1954.

James Leavy
Notary Public for the State of Washington, residing at Pasco.



PASCO, WASH.
OFFICE OF THE AUDITOR
FRANKLIN COUNTY, WASH.
Filed for Record - MAR 10 54
At 11:34 AM. By *S. S.*
Tobers
and recorded in Vol. 73 of
Deeds Page
NUTH LIVINGSTON
Deputy
By *Nuth Livingston*
Deputy
Indexed direct 11/11 Checked
Indexed reverse 11/11 Checked
Recorded by
Checked by

JAMES LEAVY
ATTORNEY AT LAW
PASCO, WASHINGTON

mail to
11/11
Pasco Wash.

321135

RECORDED IN BOOK 27
FRANKLIN COUNTY RECORDS

AMERICAN NATIONAL TITLE INS CO

AMENDMENT TO RESTRICTIVE COVENANTS
FOR
AQUAVIEW ADDITION

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New York City

WE, the undersigned, owners of Aquaview Addition, a subdivision in the County of Franklin, State of Washington, the Plat of which is File #157037, do hereby agree and declare that the "Restrictive Covenants for Aquaview Addition" filed March 10, 1954, Document #157575, Book 83 of Deeds, Page 667 Records of the Auditor of Franklin County, Washington, are hereby amended so that the following part of Paragraph 8, page 2, is hereby removed therefrom and is no longer a part thereof:

"No solid board fence shall be permitted on any lot in this subdivision and no fence of any kind, including live growth hedges, shall be allowed on any lot in this sub-division, more than four feet in height, and."

Roger R. Neff
ROGER R. NEFF
ADDRESS: 404 Rd. 39, Pasco, Washington - 99301

Mildred R. Neff
MILDRED R. NEFF
ADDRESS: 404 Rd. 39, Pasco, Washington - 99301

A single man

RUPERT W. GILLETTE
ADDRESS: 614 Puyallup Ave., Tacoma, Washington-98421

Duane Guenther
DUANE GUENTHER
ADDRESS: 10516 W. Court, Pasco, Washington-99301

Phyllis E. Guenther
PHYLLIS E. GUENTHER
ADDRESS: 10516 W. Court, Pasco, Washington-99301

Richard A. Connell
RICHARD A. CONNELL
ADDRESS: 1597 Edgewood Drive, Palo Alto, California-94303

Lots 12, 13, 14 and lot 4-Aquaview Add.
As his separate property

THOMAS C. BOYSEN
ADDRESS:

POCHAM BOYSEN

GLEN A. WITTERS
ADDRESS: 5008 W. Irving St., Pasco, Washington-99301

GLENN A. WITTERS

JOHN EDMOND MIRUS
ADDRESS: 820 West Marie, Pasco, Washington-99301

SUSAN J. MIRUS

James P. Mc Loughlin
JAMES P. MC LOUGHLIN
ADDRESS: 5121 W. Irving, Pasco, Washington-99301

Rose L. Mc Loughlin
ROSE L. MC LOUGHLIN
ADDRESS: 5121 W. Irving, Pasco, Washington-99301

Virginia Chenoweth
VIRGINIA CHENOWETH
ADDRESS: 5113 W. Irving Street, Pasco, Washington-99301

A Widow

LOREN TERRELL
ADDRESS: 5105 W. Irving Street, Pasco, Washington-99301

DOROTHY TERRELL

R. L. TENGLEY
ADDRESS: 5024 W. Sylvester, Pasco, Washington-99301

MAXINE TENGLEY

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RUDOLPH R. MANUEL

ADDRESS: 5120 W. Sylvester, Pasco, Washington-99301

NOELLA MANUEL

A Divorced woman

OLIVE DOWTON

ADDRESS: 807 South 4th, Pasco, Washington-99301

[Signature]

ROBERT SMITH

ADDRESS: 5104 W. Sylvester, Pasco, Washington-99301

[Signature]

HAZEL P. SMITH

WILLIAM S. NEFF

ADDRESS: 804 W. Henry, Pasco, Washington-99301

VIRGINIA NEFF

A Single woman

IVAH M. MC DONNELL

ADDRESS: 5008 W. Sylvester

[Signature]

ALLEN R. BANKS

ADDRESS: 5004 W. Sylvester, Pasco, Washington-99301

[Signature]

ELAINE M. BANKS

STATE OF WASHINGTON:

County of Franklin :

On this day personally appeared before me ROGER R. NEFF AND MILDRED R. NEFF, DUANE GUENTHER AND PHYLLIS E. GUENTER, ~~THOMAS C. BOGGEN AND DOUGLAS BOGGEN, JAMES P. MC LOUGHLIN AND ROSE L. MC LOYGLIN, VIRGINIA CHENOWITH, HENRY TERRELL AND DOUGLAS TERRELL, PAUL STRIGLER AND MARION STRIGLER, RUDOLPH R. MANUEL AND NOELLA MANUEL, OLIVE DOWTON, ROBERT SMITH AND HAZEL P. SMITH, WILLIAM S. NEFF AND VIRGINIA NEFF, IVAH M. MC DONNELL AND ALLEN R. BANKS AND ELAINE M. BANKS~~ to me known 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 mentioned.

Given under my hand and official seal this 15 day of August, 1970.

[Signature]
Notary Public in and for the State of Washington, residing at Pasco

STATE OF WASHINGTON:

County of Pierce :

On this day personally appeared before me RUPERT W. GILLETTE, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this _____ day of _____, 1970.

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

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STATE OF CALIFORNIA:

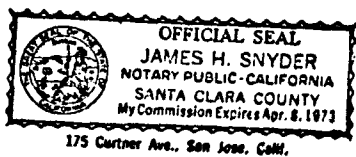
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County of Santa Clara:

On this day personally appeared before me RICHARD A. CONNELL, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 18th day of August 1970.

James H. Snyder
Notary Public in and for the State of California, residing at Palo Alto
San Jose



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Vol. 27 PAGE 553