

335421 304 1/2 Acre Plats, Kennewick, Wash.

R. E. WISE, County Auditor

PROTECTIVE COVENANTS FOR PLAT OF BALFE ADDITION

The owners of all the land and lots in Balfe Addition, a subdivision within the limits of the county of Benton, State of Washington, and now adjoining the corporate limits of the city of Kennewick, county of Benton, State of Washington, the plat of which is recorded in the office of the County Auditor of said County under Auditor's File No. 335420, 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 them until January 1, 1965, at which time said restrictions and covenants shall automatically extend for successive periods of ten years, unless by a vote of the majority of the then owners of the lots it is agreed to change such restrictions and covenants in whole or part.

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

Invalidation of any 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 Balfe Addition shall be known and described as residential lots with the exception of Lots 1, 2, 3, and 4, Block One, which shall be commercial lots. All buildings in the above described areas shall be of a permanent nature conforming to the existing building codes of the County of Benton and the City of Kennewick, Washington.

2. With that exception, no structure shall be erected, altered, placed or permitted to remain on any residential lot other than one detached, single family dwelling or a duplex dwelling not to exceed two stories in height and a private garage or not more than three car capacity.

3. No building shall be erected, placed, or altered on any lot in this subdivision until the external design and location thereof have been approved by the building inspector governing said plat. All plans, setback and building designs shall be in strict conformance to the protective covenants and restrictions listed herein and the buildings along each street shall be so designed as to conform in height and general appearance with other buildings on such street already erected.

4. No building on any residential lot shall be located nearer than 25 feet to the front lot line and 5 feet to the side lot line with the exception of a detached garage which may be located not less than 60 feet of the front lot line nor less than 5 feet from any flanking street line and excepting that garages attached to or within the dwelling will be permitted regardless of this restriction. No building will be permitted to encroach on any utility easement provided for in said plat where such utility easements exist.
5. No noxious trade or activity shall be carried on upon any residential lot nor shall anything be done thereon which may or become an annoyance or nuisance to the neighborhood.
6. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the subdivision shall be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
7. Any dwelling or structure erected or placed on any lot in this subdivision shall be completed as to external appearance, including finished painting, within one year from the date of the commencement of construction.
8. No residential dwelling or structure with a total ground floor area less than 750 square feet shall be permitted on any residential lot; said minimum floor area shall be exclusive of garage and unenclosed porches.
9. Overhead utility easement on Lots 2, 3, 4, and 5, Block Four, shall be retained for power feeder lines to Block Two and Three.
10. No commercial building constructed on Lots 1, 2 and 3 in Block One, shall be located nearer than 50 feet of the front lot line, and or within 25 feet of the rear lot line.

*James J. Balfe*  
James J. Balfe  
*Margaret C. Balfe*  
Margaret C. Balfe

*George A. Hodgson*  
George A. Hodgson  
*Hazel E. Hodgson*  
Hazel E. Hodgson

RECORDED: \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_



Acknowledgement:  
State of Washington }  
County of Benton } S.S.

On this 5th day of FEBRUARY, 1955, appeared before me personally James J. Balfe, Margaret C. Balfe, George A. Hodgson, Hazel E. Hodgson to me known to be the parties who executed said instrument freely and voluntarily for the uses and purposes stated.

In witness thereof I have hereunto set my hand and affixed my official seal, this 5th day of FEBRUARY, 1955.

*Charles P. Lator*  
Notary Public for State of Washington  
Residing at Pasco.