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RECORDED IN VOL 106  
OF OFFICIAL RECORD  
PAGE 24 REQUEST

TRANSAMERICA TITLE  
JAN 27 3 00 AM '71

DOROTHY TOWNE AUDITOR  
FRANKLIN COUNTY, WASH  
*J. Davidson* DEPUTY  
MAIL TO:

PROTECTIVE COVENANTS  
for  
BERNICE ADDITION

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being the owners of all the land and lots in Bernice Addition, a subdivision within Franklin County, State of Washington, the plat which is recorded in the office of the County Auditor of said county under Auditor's File No. 374974, 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, 1990, 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 in part. If the parties hereto, 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 of 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 so doing or to recover damages resulting from said violation. Invalidation of any of these covenants by judgement, court order, legislative enactment or otherwise shall in no wise affect any of the other provisions which shall remain in full force and effect.

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1. Water and Sewer
  - a. Septic tanks, dry wells and drain fields shall conform to State of Washington Health regulations.
  - b. Domestic water shall be derived from City of Pasco Master System only.
  - c. Irrigation water shall be derived from Franklin County Irrigation Dist. sources. No cross-connections between domestic and irrigation waters shall be permitted.
2. All lots in Bernice Addition shall be known and described as residential lots. No structure shall be erected, altered, placed or permitted to remain on any residential lot other than one detached, single-family dwelling not to exceed two stories in height and a private garage of not more than three car capacity and swimming pool. All out buildings shall be architecturally in keeping with residences.
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 planning commission or building inspector of Franklin County. All plans, setbacks 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 30 feet to the front lot line and 15 feet to the side lot lines with the exception of a detached garage which may be located not less than 75 feet from the front lot line no less

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than 20 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 or other improvements will be permitted to encroach on any utility easement provided for in said plat where such utility easement exist.

5. No residential structure shall be erected or placed on any building plat nor allowed to remain thereon which plat has an area less than 12,500 square feet nor on any lot having less than 99 feet of frontage, excepting that nothing contained in this restriction shall prevent erection of a residence on any lot as platted regardless of the frontage of said lot.

6. No noxious trade or activity shall be carried on upon any lot nor shall anything be done thereon which may become any annoyance or nuisance to the neighborhood.

7. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the addition shall be used as a residence temporarily or permanently nor shall any structure of a temporary character be used as a residence or allowed to remain in said subdivision.

8. Any dwelling or structure erected or placed on any lot on this subdivision shall be of new construction and shall be completed as to external appearance including finished painting, within one year from date of the commencement of construction.

9. No dwelling with a total ground floor area less than 950 sq. ft. exclusive of garage or open porches, shall be permitted on any lot in the subdivision except that a house with full basement shall have a minimum of 1,200 sq. ft. of ground floor

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area, exclusive of garage, open porches or basement.

10. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets, may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

11. Fences shall not be constructed over 36 inches in height in front yards, nor over 48 inches in height in back yards, except that for rear yard fences there shall be no height limitation, and that except that fences of no more than 72 inches in height will be permitted: (1) where the fence top is less than the elevation of the nearest street shown on the plat; or (2) around a patio or swimming pool where the fence is attached to the house and has a total length or perimeter of no more than 150 feet.

12. Shelter bolts and solid planting of trees, vines and shrubs shall not be allowed to grow and mature so as to block the view of the adjacent lots.

EASEMENTS:

Easements for drainage are reserved over a 5 foot wide strip along each side of interior lot lines and over the rear five feet of each lot. Within these easements, no structures, planting or other material shall be placed or permitted to remain which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

Recorded \_\_\_\_\_ under Auditor's File No. \_\_\_\_\_

January 22, 1978

Notary Public for the State of Washington

residing in Richland, Washington

*Lillian P. Haven*

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