

Ole Brue's Addition

198237
3/1/46

That Ole Brue and Antler Brue, husband and wife, do hereby dedicate this plat of Ole Brue Addition to Kennewick, and the streets, alleys, and roads, as shown thereon, to and for the public.

This plat and dedication are made subject to the following restrictions and covenants which run with the land, and shall be binding on all parties and all persons claiming under them until January 1, 1977, at which time said covenants shall be automatically extended for successive periods of ten years, unless by vote of a majority of the then owners of the lots it is agreed to change said covenants, in whole or in part. If the parties hereto, or any of them, or their heirs, and assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision, to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing, or to recover damages for such violation.

Invalidation of any one of these covenants by Judgment or Court Order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Failure of any property owners to enforce any of such restrictions, conditions, covenants and agreements herein contained, shall in no event be deemed a waiver of the right to do so thereafter.

Said covenants, conditions and restrictions are as follows:

1. All lots in the tract shall be residential lots except Lot 1, which shall be a commercial lot, but may be used for residential purposes. No single family dwelling shall be erected, altered, placed, or be permitted to remain on any residential building plot with a frontage of less than fifty feet. No duplex or double dwelling shall be erected, altered, placed or permitted to remain on any building plot with a frontage of less
2. A private garage for not more than two cars may be erected on lots with a frontage of 75 feet or less, and on building plots for multiple dwellings, not more than one private garage for each dwelling unit may be erected. No building of any kind or character shall be placed on any of said residential building plots that exceeds two and one-half stories in height.
3. No building shall be located on any residential plot nearer than thirty feet to the front lot line, nor nearer than ten feet to any side street line or rear lot line. excepting Lot 1, 21, 22, 23, 39, as platted, which will conform to city ordinance. No building, except a garage or other outbuilding located seventy feet or less from the front lot line will be nearer than five feet to any side lot line.
4. No residential structures shall be erected or placed on any building plot, which plot has an area of less than six thousand square feet or a width of less than 50 feet at the front building setback line.
5. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

6. No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

7. No dwelling costing less than \$4,500.00 shall be permitted on any lot in the tract. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 700 square feet in the case of a one-story structure, nor less than 650 square feet in the case of a one and one-half, two or two and one-half story structure.

8. The grantor, for himself, his successors and assigns, desires to dedicate easements for public utility purposes, over, across, and under each and all of the lots in the plat above referred to, for the benefit of the grantees of such lots. Said easements are hereby granted to maintain, construct, reconstruct and repair sewer lines, domestic water and irrigation lines, telephone lines, and lines for the delivery of electric energy as the same are constructed and installed at the time of the conveyance of each of the lots in said plat, and in addition thereto, the grantor dedicates easements for all of the above described purposes along the streets and alleys shown on said plat. In addition to the foregoing, the grantor hereby dedicates an easement five feet in width across Lot 35 of said plat for a sewer line extending from the alley to the street, as shown on said plat. Whenever the use of said easements or any of them shall cease, the same shall revert to the owners of the land affected by said easement.

9. Any dwelling or structure erected or placed on any lot in this subdivision shall be completed as to external appearance, including finished painting within six months from the date of commencement of construction, and shall be connected to the public sewer, if such connection can be made. 3/6
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IN WITNESS WHEREOF these presents have been executed this 20th day of February, 1946.

Ole Brue
OLE BRUE

Dorothy Brue
BRUE