

FILED BY

Trinidad Co.

Nov 9 12 42 PM '65

VERNER HILLER, AUDITOR

DEPUTY

RECORDED IN VOL. 221

VOLUME PAGE

INDEXED BY WLA

CHECKED BY _____

PROTECTIVE COVENANTS FOR PATERSON HEIGHTS,
BENTON COUNTY, WASHINGTON

The undersigned, being the owners of all the land and lots in the Plat of Paterson Heights, a subdivision within Benton County, Washington, which Plat is recorded in the Office of the Benton County Auditor under File No. 519942, do hereby declare that the following restrictions and covenants shall be restrictions and covenants running with the land, shall apply to and restrict the use of all of the lots in said plat and shall be binding on all parties to this Declaration of Protective Covenants and all persons claiming under them until July 1, 1975, 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 lots, the record of which vote and the manner of taking the same shall be certified and acknowledged by three of the record owners of lots in said plat and recorded with the Benton County Auditor, it is agreed to change said 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 plat 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 such violation or to recover damages resulting from said violation.

Invalidation of any of these covenants by judgment, court order, legislative enactment or otherwise, shall in nowise effect any of the other provisions which shall remain in full force and effect.

It is the intent of these restrictive covenants to provide for the maximum enjoyment and use of the lots in this plat by the owners thereof and to preserve open space between buildings on adjoining lots so that one property owner in attempting to get maximum use and enjoyment of his property shall not infringe upon the use and enjoyment of other property in said plat. The following restrictions are hereby adopted:

1. Every residence constructed on any lot in the plat of Paterson Heights shall have a living area of not less than 700 square feet, exclusive of garages, car ports, porches, patios and similar structures.

Trinidad Co.
Trinidad Co.
205 Main Bldg.
Yakima, Wn.

2. 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 of the County of Benton. All plans, setbacks and building designs shall be in strict conformance to the protective covenants and restrictions listed herein.

3. All structures in this subdivision shall conform to uniform building code specifications. No structure shall be moved from another location to this subdivision unless that structure meets with all requirements of the uniform building code and shall be inspected and approved by the County Building Inspector and when relocated conforms to all of the requirements contained in these covenants.

4. 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.

5. No basement, tent, quonset, 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. Mobile homes containing no less than 500 square feet of living space may be placed on any lot, provided said mobile home is equipped with electricity, water and sanitary facilities in accordance with the laws of Benton County, Washington, pertaining thereto. No lean-tos or additions may be attached to any mobile home unless of new construction and finished on the outside in the same manner as if they were permanent dwellings.

6. No residential structure shall be erected or placed on any building plot nor allowed to remain thereon which plot has an area less than 10,000 square feet nor on any lot having less than 100 feet of frontage excepting that nothing contained in these restrictions shall prevent erection of a residence on any lot as platted regardless of the frontage of said lot.

7. No building shall be located nearer than 20 feet to the front or rear lot lines nor nearer than 15 feet to the side lot lines unless one owner owns two or more adjoining lots and in that case, should he erect a building that extends over more than one lot, no part of such a building shall be closer than 15 feet to the side lot line of his lot or lots abutting property owned by another. No building will be permitted to encroach on any utility easement provided for in this plat.

8. The following building height restrictions are hereby declared and adopted:

For Lots 1, 1a, 2, 3, 4, 5, 6, 7, 8, 9, 10, 17, 18, 19, 20, 20a, 21, 21a, 22, 39, 40 and 40a, no height restrictions.

For Lots 12, 13, 14, 15, 16, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, and 38, the top of the roof line shall be no more than 18 feet above ground level, and no residence or structure shall be constructed thereon of more than one and one half stories in height.

For Lots 11 and 30, the top of the roof line shall be no more than 22 feet above ground level and no residential structure shall be constructed thereon or erected, placed or altered except construction of not more than two stories in height.

9. Not more than two residential units shall be constructed, placed, erected or altered on any of the lots in said plat except Lots 1, 1a, 2, 18, 19, 20, 20a, 21, 21a, 22, 23, 39, 40, and 40a without the written permission of the owners of the Paterson Heights Water System established to serve the domestic water needs of all property within said plat. "Residential unit" for the purposes of this paragraph shall mean a separate living complex consisting of at least one room, one kitchen and one bathroom.

10. The parking of trucks, tractors, graders or heavy equipment on or in front of any lot not fronting on Secondary State Highway No. 221, shall not be permitted except for loading and unloading purposes and in connection with work being done on the property or adjoining streets or easements. Pickup trucks, campers or jeeps may be parked wherever it is lawful to do so.

11. No business activity generally classified as industrial or light industry such as a garage, machine shop or service station, shall be permitted on any lot except Lots 1, 1a, 2, 19, 20, 20a, 21, 21a, 22, 39, 40 and 40a.

12. No noxious or illegal 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. No animals, livestock or poultry of any kind shall be raised or bred or kept on any lot except that dogs, cats, rabbits, birds or other household pets may be kept and bred as long as their presence thereon does not constitute a noxious activity. No unusual pets such as skunks, coyotes, reptiles, pigs, may be kept on any lot in the subdivision.

13. No lot shall be used or maintained as a dumping ground for rubbish, old building materials, trash, garbage, or other waste. All garbage, trash and waste shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

14. No sewage disposal system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the County Sanitary Inspector, Planning Commission and/or Building Inspector.

DATED this ^{Nov.} October 2, 1965.

PRIOR LAND COMPANY, INC.

Martha B. Prior
President

Attest: George A. Prior
Secretary

Robert Crow
Robert Crow

Lois Crow
Lois Crow

ACKNOWLEDGEMENTS

State of Washington

County of Yakima

On this 2nd day of ^{November} ~~October~~, 1965, before me the undersigned, a Notary Public in and for the State of Washington personally appeared Martha B. Prior and George F. Prior, to be known to be the President and Secretary, respectively, of Prior Land Company, Inc., a Washington corporation, that executed the foregoing instrument and acknowledged to me that said instrument to be the true and voluntary act and deed of said corporation for the uses and purposes herein mentioned and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.



Howard H. Lottlinger
NOTARY PUBLIC in and for the State of Washington, residing in Yakima.

State of Washington

County of Benton

On this 5 day of ^{November} ~~October~~, 1965, before me the undersigned, a Notary Public in and for the State of Washington personally appeared Robert Crow and Lois Crow, owners of Lots 39, 40 and 40a of the Paterson Heights Subdivision, who are joining in executing the foregoing instrument and acknowledged to me the said instrument to be the true and voluntary act and deed of themselves for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

Robert Crow
NOTARY PUBLIC in and for the State of Washington, residing in Yakima.

