

SOUTH RICHLAND TERRACE NO. 1

We the undersigned, being the owners of the following describe real property, to-wit:

South Highland terrace No. 1, according to plat thereof recorded in Volume 8 of Plats, Page 120, in Benton County, Washington.

Do hereby declare the following restrictions and covenants which shall ran with the land shall be binding on all parties and their heirs, successors or assigns hereafter and until January, 1972, and shall thereafter be automatically extended for successive periods of five years, unless by a vote of the 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 theirs heirs, successors or assigns, shall violate or attempt to violate any of the following covenants, it shall be lawful for any other person or persons owning any real property situated in the above described area to prosecute any proceedings at law or in equity covenant and either to request injunctive relief or damages for such violation. Individual of any one of the following covenants by court of competent jurisdiction shall in no wise affect any of the other covenants which shall remain in full force and effect.

NEIGHBORHOOD COMMITTEE: These covenants and irrigation provisions hereinafter describe shall be under the jurisdiction of a neighborhood committee composed of landowners in the subdivision. Harold Thompson and Ira C. Lampson shall constitute the committee until other owners have purchased property in the subdivision. Thereafter the committee shall consist of three persons elected by the majority of landowners in the subdivision.

CHILDREN: The East ½ of South Highland Terrace No. 1 shall be for people with or without children. The West ½ of South Highland Terrace No. 1 shall be for people with no children. No children shall live in this area under 15 years of age.

IRRIGATION WATER USAGE: Irrigation water will be supplied under pressure. The neighborhood committee shall have full authority to operate and maintain the prorate share of the cost of maintenance and operation of the system in each year. The irrigation systems shall deliver water to the boundaries of the respective lots at one turnout.

Upon full development of the subdivision, rotation of irrigation deliveries may be required. The neighborhood committee shall be vested with full power to establish the rotation calendar of days and hours when water will be available to the respective lots and all lots in the subdivision shall be subject to this schedule. The committee can change the schedule from time to time as circumstances require. The purpose of the irrigation regulations shall be distribute irrigation water to all of the lots in the most equitable manner possible.

FENCING: Any fencing shall be of a decorative nature with a height of not more than four feet. No barbed wire fencing will be allowed. Exceptions may be made for swimming pools.

LOCATION OF DWELLINGS AND STRUCTURES: No mobil or modular home shall be located less than 25 feet from the front property line of the adjacent street, and not less than 10 feet from the side lot line.

DWELLING AND STRUCTURES: There shall be no shack, tents, or barn built on this property for temporary or permanent living purposes. No mobil or modular home shall be less than 720 square feet. The neighborhood committee will have the right to deny the entry of a mobil or modular home that in their opinion would be detrimental to the subdivision. Also the mobil or modular home must meet City of Kennewick specifications.

All lots in South Highland Terrace No. 1 are now and shall be known as mobil home or modular home residential lots. And there shall be no structures erected, altered, placed or permitted to remain on any lot or lots other than single residential mobil or modular home not to exceed two stories in height or a one story detached garage of not more than two cars. Repairs must conform to the original construction and of similar materials. Mobil and modular homes will be required to build foundations according to City specifications.

LIVESTOCK AND POULTRY: 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 commercial purposes.

RESTRICTIONS ON OTHER USES: This property shall not be used for storage for construction machinery or rental equipment.

No public garage, manufactory, merchantile business or repair occupation may be conducted as a significant part of the activity on any of these lots.

No inoperable farm machinery, including tractors, trucks, or automobiles may be held on the property for more than 30 days.

No used machinery or scrap equipment, implements, automobiles, or conspicuous parts of such equipment may be held or accumulated on the property.

No trash shall be kept will pruned and not to exceed 20 feet in height.

EASEMENTS: Easements as indicated on the plat have been dedicated for irrigation water lines, and for public utility purposes. As long as these easements are not employed for the intended uses, the owners of the land affected by said easements shall have the use of same. It should be understood of course, that any structure or fencing

erected thereon are subject to removal whenever these easements are employed for the intended public uses.

Recorded: November 17, 1971

Recording Number: 627935

AMENDED PROTECTIVE COVENANTS

1. Said Protective Covenants of South Highland Terrace No. 1, be and the same is, hereby amended by deleting the following paragraph:

“CHILDREN: The east half of South Highland Terrace No. 1, shall be for people with or without children. The west half of South Highland Terrace No. 1, Shall be for people with no children. No Children shall live in the area under (15) years of age.

Recording Number: 767462