

SUN FLOWER ESTATES THE SOUTH 170 FEET OF LOT 1

DECLARATION OF COVENANT REGARDING A CONCOMITANT ZONING AGREEMENT

WHEREAS, Franklin County, Washington, under the laws of the State of Washington (Chapter 36 R.C.W.) has authority to enact laws and enter into agreements to promote the health, safety and welfare of its citizens, and thereby control the use and development of property within its jurisdiction; and

WHEREAS, the Owner(s) (Greg Bosch and Tim White, Grantors) of certain property have applied for a rezone of such property described below within the County's jurisdiction; and

WHEREAS, Franklin County and the Owner(s) are both interested in compliance with the County Development Regulations (Zoning) provisions relating to the use and development of property situated in the County, described as follows:

(SEE PAGE 2, #5, LEGAL DESCRIPTION)

WHEREAS, the Owner(s) have indicated willingness to cooperate with the County, its Planning Commission and Planning and Building Department to insure compliance with the County Development Regulations (Zoning), and all other local, state and federal laws relating to the use and development of the above described property; and

WHEREAS, the County, in addition to civil and criminal sanctions available by law, desires to enforce the rights and interest of the public by this concomitant agreement, **NOW, THEREFORE**,

In the event the above-described property (or a portion thereof) is rezoned by Franklin County to **R-2 (Medium Density Residential)** and in consideration of that event should it occur, and subject to the terms and conditions hereinafter stated, the applicant does hereby covenant and agree as follows:

1. The Owner(s) promise to comply with all of the terms of the agreement in the event the County, as full consideration herein grants a rezone on the above-described property.
2. The Owner(s) agrees to perform the terms set forth in Section 4 of this agreement.
3. This agreement shall be binding on their heirs, assigns, grantees or successors in interest of the Owner(s) of the property herein described.

4. Conditions:

A. The development shall comply with the following requirements:

- 1) **The property will be constructed with site built single family dwellings only. Two-family dwellings (duplex) and multiple dwellings (apartment) are not permitted for construction as a condition of this concomitant zoning agreement.**

5. Legal Description:

The South 170 feet of Lot #1, Sun Flower Estates.

Parcel Number 119-641-041

The person(s) whose names are subscribed herein do hereby certify that they are the sole holders of fee simple interest in the above-described property:

Owners: Greg Bosch
Tim White

Dated: May, 2001

Recorded: May 16, 2001

Recording No.: 1590242