

OFFICIAL RECORDS

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COVENANTS, CONDITIONS AND RESTRICTIONS

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FOR

SORBLE SACHER  
BENTON COUNTY AUDITOR

SHORT PLATS 2092, 2093, and 2094

The undersigned hereby declare that all the properties described below shall be held, sold, conveyed and developed subject to the following restrictions, covenants and conditions, all of which are for the purpose of enhancing the value and attractiveness of the real property. These covenants, restrictions and conditions shall run with the real property and shall be binding on all parties now having or hereafter acquiring any right, title or interest in the described properties or any part thereof and shall inure to the benefit of each owner thereof.

SECTION ONE

Definitions

Owner. The term "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any lot or portion of said plat, including contract purchasers, but excluding those having such interest merely as security for the performance of an obligation.

SECTION TWO

Real Property

The real property which is and shall be held, transferred, sold, conveyed and occupied subject to this declaration is located in the County of Benton, State of Washington, and legally described as the following:

Lots 1, 2, 3, and 4 of Short Plat No. 2092, according to the survey thereof recorded August 22, 1994, under Auditor's File NO. 94-27836, records of Benton County, Washington.

Lots 1, 2, 3, and 4 of Short Plat No. 2093, according to the survey thereof recorded August 22, 1994, under Auditor's File No. 94-27837, records of Benton County, Washington.

Lots 1, 2, 3, and 4 of Short Plat No. 2094, according to the survey thereof recorded August 22, 1994, under Auditor's File No. 94-27826, records of Benton County, Washington.

FRANKLIN TITLE CO.

## SECTION THREE

Use Restrictions

A. Enjoyment of Property. The owners shall use their respective properties for their enjoyment in such manner as not to offend or detract from the other owners' enjoyment of their own respective properties.

B. In Derogation of Law. No owner shall carry on any activity of any nature whatsoever on his property that is in derogation or in violation of the laws and statutes of the State of Washington.

C. Pets. Owners shall observe and obey the laws applicable to the residents of Benton County pertaining to the care, control and husbandry of animals and pets.

D. Building Restrictions. Only single family residential building(s), together with such other accessory buildings as may be permitted by local land use ordinances, shall be permitted. No residential building shall be less than 1,600 square feet in size. Mobile or manufactured homes shall not be permitted. Modular homes of stick construction shall be permitted.

E. Temporary Structures. No structure of a temporary character, such as a trailer, motor home, camper, tent or shack or other outbuilding shall be used on any lot at any time as a permanent residence. If such a structure is placed on the lot it shall be used no longer than a twelve (12) month period.

F. Nuisances. No noxious or offensive activity shall be carried on upon any properties hereinabove described, nor shall anything be done which shall become a nuisance as such is defined by the laws of the State of Washington or the ordinances of Benton County, Washington.

G. Animals, Livestock and Poultry. Animals, livestock or poultry may be raised, bred or kept on any lot, pursuant to Benton County rules and regulations.

H. Garbage and Refuse Disposal. No lot shall be used or maintained as a dumping ground for rubbish or trash, and all trash, garbage or waste shall be kept only in sanitary containers.

I. Oil and Mining Operations. No oil drilling, oil development operations, quarrying or mining operations of any kind shall be permitted upon any lot.

INITIAL  
J. H. R.

J. Certain Building Uses Prohibited. No public garage, manufacturing business, retail business or repair occupation shall be conducted as a significant part of the activity on any of these lots. Notwithstanding the foregoing, the raising, breeding and sale of animals, livestock or poultry shall be allowed pursuant to Benton County Rules and Regulations.

K. Storage or Accumulation of Certain Materials Prohibited. No machinery or scrap equipment, implements, scrap automobiles or conspicuous parts of such equipment may be stored or accumulated on the property. Machinery and equipment that is in working order and is used for the benefit of the property may be kept on the property.

## SECTION FOUR

General Provisions

A. Enforcement. Any owner shall have the right to enforce by any proceedings at law or equity, all restrictions, conditions, covenants, reservations now or hereafter imposed by provision of this declaration.

B. Severability. Invalidation of any one these conditions or restrictions by judgment or court order shall in no way affect any other provision. All other provisions shall remain in full force and effect.

C. Amendments. The covenants and restrictions of this declaration shall run with and bind the land and shall inure to the benefit of and be enforceable by the owners of any lot subject to this declaration, their legal representatives, heirs, successors and assigns. The conditions, covenants and restrictions of this declaration may be amended by an instrument signed by not less than seventy-five percent (75%) of the lot owners therein. All amendments shall be binding upon recording with the Benton County Auditor.

Dated this 27<sup>th</sup> day of April, 1995.

By: James Autrey  
James Autrey, Owner

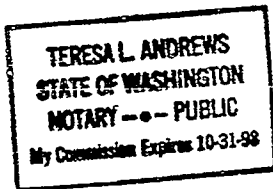
By: Cheryl Sylanski  
Cheryl Sylanski, Owner

STATE OF WASHINGTON )  
 )  
County of Benton ) : ss.

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On this 27<sup>th</sup> day of April, 1995, personally appeared before me JAMES AUTREY and CHERYL SYLANSKI known to be the owners of Lots 1, 2, 3, and 4 of Short Plat No. 2092, Lots 1, 2, 3, and 4 of Short Plat No. 2093, and Lots 1, 2, 3, and 4 of Short Plat No. 2094, according to the records of Benton County, the individuals that executed the within and foregoing instrument, and acknowledged the said instrument to e the free and voluntary act and deed of said persons for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 27<sup>th</sup> day of April, 1995.



Teresa L. Andrews  
Notary Public in and for the  
State of Washington, residing  
at Bonnewick  
My appointment expires: 10/31/98  
Teresa L. Andrews