

DEED RECORD No. 75
FRANKLIN COUNTY, WASHINGTON

132707

DECLARATION OF PROTECTIVE COVENANTS
of
SIMON'S ADDITION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, being owners of all of the lots in Simon's Subdivision, a subdivision in Franklin County, Washington, recorded under Auditor's File 132, 191, do hereby declare the following restrictions and covenants which shall run with the land and which shall be binding on all parties and all persons claiming under them until January 1, 1975, at which time said covenants shall be automatically extended for successive periods of ten (10) 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 or 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 persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues 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.

1. All lots in the tract shall be known and described as residential lots. No structure shall be erected, altered, placed, or be permitted to remain on any residential building plot other than one detached single family dwelling not to exceed two stories in height, and private garage for not more than two cars.

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 in writing by the neighborhood committee, which shall be appointed or elected by the owner or owners of a majority of the lots which are subject to the covenants herein set forth; provided, however, that if such committee fails to approve or disapprove such design and location within thirty (30) days after such plans have been submitted to it, or if no suit to enjoin the erection of such building or the making of such alterations has been commenced prior to the completion thereof, such approval will not be required. The neighborhood committee herein provided for shall consist of three (3) members to be elected annually by the land owners at regular annual meetings to be held at some convenient place in said Addition on the second Saturday in February at 2:00 P.M. each year hereafter. The names of the committee men who are to serve until their next annual meeting and until their successors are elected and qualified are: RAY Z. SIMONS, DRADIE SIMONS, ORVEL K. SIMONS, BYRON D. SIMONS AND RIMMER SIMONS.

3. No building shall be located nearer than 25 feet to the front lot line or nearer than 15 feet to the side street line, nor shall have a minimum lot width at the setback line of less than 63 feet. No building, except a detached garage or other outbuilding located 70 feet or more from the front lot line, shall be located nearer than 5 feet to any side lot line.

4. No residential structure shall be erected or placed on any building plot, which plot has an area of less than 8,500 square feet or a width of less than 63 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, shack, garage, tent, barn or other out-building or tm-

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porary structure shall be used as residence; provided that a garage or basement in connection with a bona fide residence as herein required may be used as a temporary residence for a period of not more than eighteen months from the date the owner first moves onto the premises, and if he proceeds within twelve months from said date to construct the main portion of his said residence.

7. No dwelling shall be permitted on any lot at a cost of less than \$4,000 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 600^{square} feet for a one-story dwelling, nor less than 600 square feet for a dwelling or more than one story.

IN WITNESS WHERE these presents have been executed this 19th of May 1951.

Ray E. Robinson
Jerry Leo Robinson
R. E. Williamson
Phyllis Williamson
Robert Southards
Eyrone D. Simons
Nancy A. Simons
E. I. Morehouse
Lillian Morehouse

Ray Z. Simons
Dradie E. Simons
Mary E. Southards

STATE OF WASHINGTON)
County of Franklin) ss

On this day personally appeared before me RAY E. ROBINSON, JERRY LEO ROBINSON, R. E. WILLIAMSON, PHYLLIS WILLIAMSON, ROBERT SOUTHARDS, EYRONE D. SIMONS, NANCY A. SIMONS, E. I. MOREHOUSE, LILLIAN MOREHOUSE, RAY Z. SIMONS, DRADIE E. SIMONS and MARY E. SOUTHARDS, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal this 19th day of
May 1951.



Ralph A. Rodgers

Notary Public in and for the State of Washington, residing in Pasco

Filed for record May 22, 1951 at 3:50 P.M. BY FRANKLIN BENTON TITLE COMPANY.

RUTH LIVINGSTON AUDITOR FRANKLIN COUNTY

Recorded EAS
Proved E. M. T. W.
Indexed Direct
Indexed Reverse

E.A.S.

F&S \$2.15