

D. Halstead

Aug 13 12 04 PM '69

DECLARATIONS OF PROTECTIVE RESTRICTIONS
COVENANTS AND AGREEMENTS
OF
WESTERN HILLS ESTATES

VERIFIED REGISTRAR

BY

INDEXED BY LA

EXEMPT FROM

249

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Know all men by these presents: That the undersigned being the owners of and having all of the interest in the property covered by the tract designated:

Western Hills Estates

Benton County, Washington

Do hereby declare the following restrictions and covenants which shall run with the land and be binding on all parties and all persons under them until such time as the majority of the owners of the lots herein may agree to change or dissolve them covenants.

If the undersigned, or either of them or their heirs or assigns, shall violate or attempt to violate any of these covenants, it shall be lawful for any other person or persons owning any real property situated in said tract to prosecute any proceeding at law or in equity against the persons violating or attempting to violate any such covenants and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any of these covenants by judgement or court order shall in no ways effect any of the other provisions which shall remain in full force and effect.

1. Each one family dwelling, together with its accessory buildings, shall be located on a building site in one ownership having an area not less than 1 acre.
2. No dwelling house shall be erected upon any lot or plot resulting from rearrangement or subdividing of original tract, as shown upon the recorded map of this tract, unless such lot or plot so resulting has an area of 1 acre or more.
3. No dwelling house having a ground floor area of less than 1400 square feet (exclusive of open porches, garages, and the like) shall be constructed or placed on any lot or plot in this tract. Except in multi-level house, the two upper levels shall not be less than 1500 square feet. Overall height of a home may not exceed 25 feet.
4. No non-hybrid elm trees, non-hybrid locust trees, poplar trees, or cottonwood trees shall be permitted to grow in the entire tract. No tree shall be allowed to exceed a height of 30 feet.
5. No structures erected elsewhere may be moved or placed upon any lot or plot in this entire tract unless written consent is given by two-thirds vote of the property owners of Western Hills Estates.
6. No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the tract shall at any time be used as a residence temporarily, or permanently, nor shall any structure of a temporary character be used as a residence.

Wright Halstead
Prosser, Wash

WESTERN HILLS ESTATES COVENANTS CON'T.--

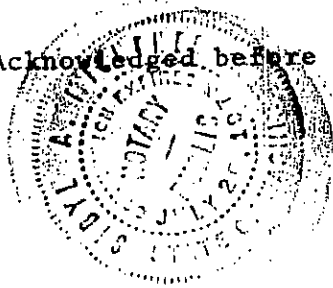
7. Any dwelling or structure erected on any lot or plot shall be completed as to external appearance, including finished painting within one year from date of commencement of construction, provided however, that such unavoidable delays caused by Acts of God, strikes, embargoes, hostilities seizures, orders of governmental authorities or any other interruptions beyond the control of the builder.
8. No trade, commercial or manufacturing enterprise or activity shall be conducted upon any lot or plot, nor shall any material, vehicle, or equipment or goods used in conjunction with any business or service be kept or stored outside any building, nor in any manner objectionable to other residents in the tract.
9. No swine shall be located or kept on any part of a lot or plot in this tract.
10. No automobile, truck or major parts thereof which is not in an operable condition, or which is in a state of repair or construction, shall be left in sight of the street for a period of more than 30 days.
11. No buildings of any kind shall be erected on any lot or plot which has a set back of less than 30 feet from the C.I.D. canal right of way.
12. No high intensity public utilities yard lights (commonly known as dusk to dawn yard lights) shall be permitted in the entire tract.
13. No yard light pole shall exceed 8 (eight) feet in height.
14. No buildings of any kind shall be erected on any lot or plot which has a set back of less than 35 feet from the front lot line.

McLinnark, Inc.

By:

Lawrence Mabry
Lawrence Mabry, Agent

Acknowledged before me this 18 day of August, 1969.



S. A. Mickener
Notary Public in and for the State of
Washington - residing in Crossen.