

134697

BOOK 187 PAGE 831

RETURN ADDRESS:

Richard Lang
c/o Skamania County Engineer's Office
Skamania County Courthouse Annex
P O Box 790
Stevenson, WA 98648

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SKAMANIA COUNTY
BY *Skamania Engineer*
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GARY H. OLSON

Please Print or Type Information.

Document Title(s) or transactions contained therein:

1. Dedication of Covenants & Limitations for the Maintenance of
2. Drain Line and Drain Field
3. _____
4. _____

GRANTOR(S) (Last name, first, then first name and initials)

1. Lavine, Gary C.
2. Olson-Lavine, Lynda J.
3. Waters, Carl Henry
4. _____

☐ Additional Names on Page _____ of Document.

GRANTEE(S) (Last name, first, then first name and initials)

1. Public, The
2. _____
3. _____
4. _____

☐ Additional Names on Page _____ of Document.LEGAL DESCRIPTION (Abbreviated: i.e., Lot, Block, Plat or Section Township, Range, Quarter/Quarter)
Lots 7 & 8 of Plat of Edgewater Properties☒ Complete Legal on Page 1 of Document.REFERENCE NUMBER(S) Of Document assigned or released:
Vol 187 Pg 660 AF 134643 3/23/99☐ Additional Numbers on Page _____ of Document.

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

04-07-23-3-4-0608 & 0609-00

☐ Property Tax parcel ID is not yet assigned.☐ Additional Parcel Numbers on Page _____ of Document.

The Auditor/Recorder will rely on the information provided on the form. The Staff will not read the document to verify the accuracy or completeness of the indexing information.

DEDICATION OF COVENANTS & LIMITATIONS
FOR THE MAINTENANCE OF DRAIN LINE
AND DRAIN FIELD

THIS AGREEMENT IS MADE AND ENTERED INTO BY THE UNDERSIGNED OWNERS OF ALL THAT CERTAIN REAL PROPERTY LYING AND BEING IN SKAMANIA COUNTY, STATE OF WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 NORTH, RANGE 7 EAST, W.M.

LOTS 7 AND 8 OF THE PLAT OF EDGEWATER PROPERTIES ACCORDING TO THE DULY RECORDED PLAT THEREOF RECORDS OF THE OFFICE OF THE AUDITOR OF SAID COUNTY AND STATE, HEREAFTER THE "SUBJECT PROPERTY" BEING TAX PARCEL NUMBERS 04-07-23-3-4-0609 AND 04-07-23-3-4-0608 RESPECTIVELY.

WHEREAS, THE UNDERSIGNED OWNERS OF THE SUBJECT PROPERTY ARE DESIROUS OF ESTABLISHING AN AGREEMENT BETWEEN THEMSELVES, FOR THEIR MUTUAL AND EQUAL BENEFIT AND FOR THE BENEFIT OF SKAMANIA COUNTY RESPECTING THE UPKEEP, MAINTENANCE AND REPAIR OF SEWAGE TRANSMISSION LINES AND ENCASEMENT AS WELL AS THE LICENSE THROUGH, UNDER AND ACROSS A COUNTY RIGHT-OF-WAY WHERE THE SAME SHALL BE PLACED: AND

WHEREAS, THE OWNERS HAVE APPLIED FOR A LICENSE FROM SKAMANIA COUNTY TO CROSS OVER AND OR UNDER COUNTY'S RIGHT-OF-WAY WITH A DRAINFIELD LINE. THE OWNERS WISH TO ENTER INTO THIS AGREEMENT TO COMPLY WITH THE TERMS AND THE COUNTY'S LICENSE AGREEMENT, INCLUDING BUT NOT LIMITED TO AN EQUITABLE MANNER IN WHICH TO SHARE COST OF MAINTENANCE, REPAIR, RELOCATE AND REMOVE SAID DRAINFIELD LINE AND RELATED MATERIALS.

WHEREAS, OWNERS DESIRE THAT THIS DEDICATION OF COVENANTS AND RESTRICTIONS SHALL BE EMPLOYED TO IMPLEMENT SUCH PURPOSE AND TO INSURE COMPLIANCE WITH SKAMANIA COUNTY'S ORDINANCES AND LICENSE

AGREEMENT APPLICABLE TO THE GRANT OF A LICENSE FOR THE PLACEMENT OF SUCH DRAINFIELD LINE:

NOW THEREFORE, OWNERS HEREBY GRANT, CONVEY, DEDICATE AND IMPOSE UPON THE SUBJECT PARCELS THE FOLLOWING BURDENS, OBLIGATIONS, RIGHTS AND RESTRICTIONS WHICH SHALL RUN WITH AND REMAIN INSEVERABLE FROM THE SUBJECT PARCELS ALL UPON THE FOLLOWING TERMS AND CONDITIONS.

1. EACH PARCEL (7 & 8) IS HEREBY GRANTED AN EQUAL SHARE IN COMMON WITH THE OTHER OF THE BENEFITS AND RESPONSIBILITY FOR THE USE OF SAID DRAINFIELD LINE. THE LICENCE AGREEMENT FROM SKAMANIA COUNTY, SHALL HEREAFTER BE ASSESSED AN EQUAL SHARE OF THE COSTS OF UPKEEP, MAINTENANCE AND REPAIR OF THE DRAINFIELD LINE AND MATERIAL ABOVE DESCRIBED.

2. IT SHALL BE THE OBLIGATION OF THE OWNERS OF EACH LOT OF THE SUBJECT PROPERTY TO ADHERE TO THE TERMS OF THE LICENSE AS RECORDED IN BOOK 187, PAGE(S) 660, RECORDS OF THE AUDITOR'S OFFICE OF SKAMANIA COUNTY. WHICH IS ATTACHED TO THIS AGREEMENT AS EXHIBIT A" WHICH SHALL INCLUDE, BUT NOT LIMITED TO THE FOLLOWING

A. MAINTAIN THE DRAINFIELD LINE AND ENCASEMENT RUNNING UNDER AND OR ACROSS EDGEWATER DRIVE;

B. REGULARLY INSPECT AND CLEAN OUT OF THE DRAINFIELD LINE;

C. UPGRADE AND OR REPLACE THE LINE WHEN SUCH UPGRADE AND OR ? REPLACEMENT IS WARRANTED;

D. IMMEDIATELY REPAIR THE LINE WHEN NECESSARY;

E. RELOCATE THE LINE WHEN AND IF EDGEWATER DRIVE IS EVER RECONSTRUCTED;

F. ERECT AND MAINTAIN SUCH SIGN AND SIGNING DEPICTING THE LOCATION OF THE DRAIN FIELD LINE WITHIN THE AREA WHERE IT TRAVERSES THE COUNTY RIGHT-OF-WAY IN THE MANNER AS IS NOW SET FORTH AT PARAGRAPH 7 OF THE LICENSING AGREEMENT TO BE HEREAFTER GRANTED BY SKAMANIA COUNTY.

3. EACH ASSESSMENT ARISING HEREUNDER IS HEREBY DECLARED TO BE A MORTGAGE LIEN UPON EACH OF THE SUBJECT PARCELS WHICH MAY BE ENFORCED AS ANY STATUTORY MORGAGE IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR SKAMANIA COUNTY TO THE FULL VALUE OF THE ASSESSMENT PLUS INTEREST AS HEREAFTER PROVIDED.

4. IN THE EVENT THAT THE PAYMENTS CALLED FOR TO BE MADE ARE NOT MADE IN A TIMELY MANNER, AND REMAIN UNPAID 10 DAYS AFTER THE GIVING OF NOTICE BY PERSONAL SERVICE, IN THE MANNER REQUIRED FOR SERVICE OF PROCESS TO THE OWNERS OF RECORD OF SUCH LAND WHOSE ASSESSMENTS ARE IN DEFAULT, THEN ANY OWNER OR THE COUNTY MAY ENFORCE THE OBLIGATION(S) AND FORECLOSE THE MORTGAGE(S) FOR THE FULL AMOUNT OF THE UNPAID BALANCE OF THE ASSESSMENT(S), PLUS ACCRUED INTEREST, AND IN ADDITION TO SUCH RELIEF SHALL BE ENTITLED TO HAVE AND RECOVER ACTUAL ATTORNEYS FEES AS REASONABLY INCURRED IN SUCH PROCEEDINGS AS PART OF ANY SUCH MONEY JUDGMENT.

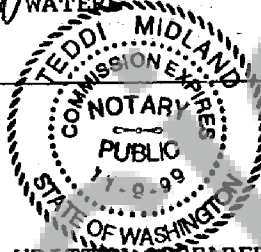
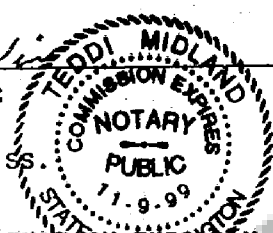
5. OWNERS OF SAID LOTS 7&8 TO BE SOLELY RESPONSIBLE FOR THE UPKEEP, MAINTENANCE AND REPAIR OF THEIR SEPARATE DRAINFIELDS LOCATED ON LOT 4 OF THE PLAT OF EDGEWATER PROPERTIES.

DATED THIS 4th DAY OF March, 1999.

Gary C. Lavine
GARY C. LAVINE

Carl Henry Waters
CARL HENRY WATERS

Lynda J. Olson-Lavine
LYNDA J. OLSON-LAVINE
STATE OF WASHINGTON)
COUNTY OF Skamania)



THIS IS TO CERTIFY THAT ON THIS DAY BELOW WRITTEN APPEARED BEFORE ME GARY C. LAVINE AND LYNDA J. OLSON-LAVINE, HIS WIFE, PERSONS WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND DID ACKNOWLEDGE TO ME THAT THEY SIGNED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED ON FOR THE USES AND PURPOSES ABOVE MENTIONED.

GIVEN UNDER MY HAND THIS 4th DAY OF March, 1999.

Teddi Midland
NOTARY PUBLIC IN AND FOR THE STATE OF
Washington, RESIDING AT Stevenson

STATE OF Washington) ss.
COUNTY OF Skamania)

THIS IS TO CERTIFY THAT ON THIS DAY BELOW WRITTEN APPEARED BEFORE ME CARL HENRY WATERS PERSON WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND DID ACKNOWLEDGE TO ME THAT THEY SIGNED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED ON FOR THE USES AND PURPOSES ABOVE MENTIONED.

GIVEN UNDER MY HAND THIS 5th DAY OF March, 1999.

Teddi Midland
NOTARY PUBLIC IN AND FOR THE STATE OF
Washington, RESIDING AT Stevenson