

144812

BOOK 224 PAGE 743

RETURN ADDRESS:

Grant C. Bruer
8704 NE Hazel Dell Avenue
Vancouver, Washington 98665

FILED FOR RECORD
SPRINGFIELD WASH
BY *Peggy Jo Bradford*

MAY 29 11 28 AM '02

P. Lawry

J. MICHAEL GARVISON

Please Print or Type Information.

Document Title(s) or transactions contained therein:

1. Amended Restrictive Covenant
2. _____
3. _____
4. _____

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

1. Bradford, Peggy Jo
2. _____
3. _____
4. _____

☐ Additional Names on Page _____ of Document.

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

1. Public Utility District No. 1
2. _____
3. _____
4. _____

☐ Additional Names on Page _____ of Document.

LEGAL DESCRIPTION (Abbreviated: i.e., Lot, Block, Plat or Section Township, Range, Quarter/Quarter)

Northwest quarter of Section 30, Township 3 North, Range 10

☐ Complete Legal on Page _____ of Document.

REFERENCE NUMBER(S) Of Document assigned or released:

AE 141174 Book 210 Page 148

☐ Additional Numbers on Page _____ of Document.

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

☐ Property Tax parcel ID is not yet assigned.

☐ Additional Parcel Numbers on Page _____ of Document.

03 10 300 00302 00

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.

WHEN RECORDED RETURN TO:

Kielpinski & Woodrich
40 Cascade Avenue, Suite 110
P.O. Box 510
Stevenson, WA. 98648

GRANTOR: PEGGY JO BRADFORD
GRANTEE: PUBLIC UTILITY DISTRICT NO. 1
TAX LOT #: 03 10 30 0 0 0302 00

5/29/02

AMENDED RESTRICTIVE COVENANT

The Grantor herein is the owner of the following described real estate situated in Skamania County, State of Washington:

That portion of the Northwest quarter of Section 30, Township 3 North, Range 10 East described as follows;

Beginning at the Northeast corner of the Northwest quarter of said Section 30 and running thence North $84^{\circ}29'13''$ West along the North line of said Northwest quarter, 678.84 to the Northwest corner of that tract conveyed to Skamania P.U.D. under Auditors File 37538 and the true point of beginning of the tract herein described; Thence South $1^{\circ}23'45''$ West along the West Line of said tract, 1100.00 feet; Thence South $0^{\circ}33'22''$ West, 631.41 feet more or less to the line of mean high water of the Columbia River; Thence North $80^{\circ}25'18''$ West along said line 257.50 feet; Thence North $0^{\circ}33'22''$ East parallel with the East line of said Northwest quarter 664.52 feet; Thence North $38^{\circ}57'21''$ West, 1468.41 feet to the North line of said Northwest quarter; Thence South $84^{\circ}29'13''$ East along said North line, 1184.65 feet to the point of beginning.

EXCEPT that portion lying within State Highway 14

EXCEPT that portion lying within the Burlington Northern R/W

The above described tract contains 20.58 acres.

SUBJECT to a judicial lien in favor of Mary Morrow in the amount of \$4,728.00 pursuant to Skamania County Superior Court Case 97-2-00127-9.

SUBJECT to a common easement created by and pursuant to Skamania County Superior Court Case 97-2-00127-9.

The Grantee herein, Skamania County Public Utility District No. 1, owns and operates a well and waterworks supplying water for public use, located upon the following described real estate situated in Skamania County, State of Washington:

That portion of the Northwest quarter of Section 30, Township 3 North, Range 10 East, and more particularly described as follows:

Commencing at the Northeast corner of the Northwest quarter of said Section 30, thence North $84^{\circ}29'13''$ West along the North line of said Northwest quarter, 378.84 feet to the true point of beginning; Thence South $1^{\circ}23'45''$ West 1,100 feet; Thence North $84^{\circ}29'13''$ West parallel with the North line of said Northwest quarter, 300.00 feet; Thence North $1^{\circ}23'45''$ East 1,100 feet to the North line of said Northwest quarter; Thence South $84^{\circ}29'13''$ East 300.00 along the North line of said Northwest quarter, to the true point of beginning.

Contains 7.56 acres, more or less;

AND ALSO together with an easement over and across the following described property, at the location or locations as now surveyed and staked thereupon, for the installation and maintenance of water pipe line and electric distribution line: Lots 1, 2 and 3, and the Northeast Quarter of the Northwest Quarter of Section 30, Township 3, North of Range 10 East of the Willamette Meridian, containing 154 acres of land, more or less excepting any rights of way upon, through, or under said premises as the same now exist.

Said well located approximately as designated in Exhibit "A", attached hereto and incorporated herein.

Said well and waterworks are in close proximity to the land of the Grantor and said Grantee is required to keep the water supplied from said well free from impurities which might be injurious to the public health.

Grantor previously recorded a Restrictive Covenant on May 22, 2001, Auditor's File No. 141174, Book 210 Page 148, Records of Skamania County. This Amended Restrictive Covenant is recorded to clarify the permissible use of a road located within the buffer zones affected pursuant to the Declaration of Covenant and Restrictive Covenant previously recorded herewith.

It is the purpose of these grants and covenants to prevent certain practices hereinafter enumerated in the use of said Grantee's water supply.

NOW THEREFORE, the Grantor agrees and covenants that said Grantor, its heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the Grantor and within 100 (One Hundred) feet of the well herein described, so long as the same is operated to furnish water for public consumption, any potential source of contamination, such as septic tanks and drainfields, sewerlines, underground storage tanks, roads, railroad tracks, vehicles, structures, barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste, or garbage of any kind or description.

PROVIDED THAT, the Department of Health recognizes that the continued use of the existing roadway identified in the survey prepared by Michael S. Wellman and attached as Exhibit "B" is a permissible use, within the intent of the recorded covenant. Department of Health further recognizes that said roadway may be maintained to its existing level without harm to the well and springs. Said authorization is stated in the letter attached hereto as Exhibit "C" and incorporated herein as if fully set forth.

Skamania County Public Utility District No. 1, owner of Parcel No. 03 10 30 0 0 0400 00, its successors or assigns, and the owners of Tax Parcel No. 03 10 30 0 0 0302 00, their successors or assigns, shall be permitted to continue to use the existing roadway identified above for access to their respective lots.

These covenants shall run with the land and shall be binding to all parties having or acquiring any right, title, or interest to the land described herein or any part thereof, and shall inure to the benefit of each owner thereof.


WITNESS my hand this 29 day of ^{May} December, 2001.


By: PEGGY JO BRADFORD, GRANTOR

STATE OF WASHINGTON)
) ss.
County of Skamania)

I, the undersigned, a notary public in and for the State of Washington hereby certify that on this _____ day of December, personally appeared before me Peggy Jo Bradford, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she signed and sealed the same as her free and voluntary act and deed for the purposes therein mentioned. Given under my hand and official seal the day and year last above written.

GRANT C. BROER
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
APRIL 6, 2005


NOTARY PUBLIC, in and for the State of
Washington
My commission expires 5/29/02