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FILED FOR RECORD
SKAMANIA COVES LLC
BY *Leelyn Thompson*

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J. MICHAEL DIVISON

WHEN RECORDED RETURN TO:

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

GRANTOR: SKAMANIA COVES LLC.
GRANTEE: DEPARTMENT OF HEALTH
TAX LOT NUMBER: 03-08-31-0-0-1200-00

DECLARATION OF COVENANT

I, STEVE KONELL, Member of SKAMANIA COVES LLC., owner in fee simple of the land described herein, hereby declare this covenant and place same on record.

SKAMANIA COVES LLC., the owner in fee simple of the following described real estate situated in Skamania County, State of Washington; to wit:

Those portions of Government Lots 2, 3 and 4 in Section 31, Township 3 North, Range 8 E.W.M., lying southerly of the Evergreen Highway, also known as State Road Number 8 as the same is now constructed and established; EXCEPTING; (1) a strip of land 100 feet in width conveyed to the Portland and Seattle Railway Company by deed dated February 2, 1906, and recorded at Page 450 of Book 1 of Deeds, Records of Skamania County, Washington; (2) the easterly 75 feet of Government Lot 4 of said Section 31, lying southerly of State Highway Number 8 as presented located and constructed (June 10, 1958) and northerly of the right of way of the Spokane, Portland and Seattle Railway Company acquired by deed dated February 2, 1906, and recorded at Page 430 of Book 1 of Deeds, Records of Skamania County, Washington. Assessor's Parcel No. 03-08-31-0-0-1200-00.

On which the Grantor owns and operates a small water system supplying water for public use located on said real estate at:

Those portions of Government Lots 2, 3 and 4 in Section 31, Township 3 North, Range 8 E.W.M., lying southerly of the Evergreen Highway, also known as State Road Number 8 as the same is now constructed and established; EXCEPTING; (1) a strip

of land 100 feet in width conveyed to the Portland and Seattle Railway Company by deed dated February 2, 1906, and recorded at Page 450 of Book 1 of Deeds, Records of Skamania County, Washington; (2) the easterly 75 feet of Government Lot 4 of said Section 31, lying southerly of State Highway Number 8 as presented located and constructed (June 10, 1958) and northerly of the right of way of the Spokane, Portland and Seattle Railway Company acquired by deed dated February 2, 1906, and recorded at Page 430 of Book 1 of Deeds, Records of Skamania County, Washington. Assessor's Parcel No. 03-08-31-0-0-1200-00.

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

Grantor is required to keep the water supplied from said well free from impurities which might be injurious to the public health.

It is the purpose of these grants and covenants to prevent certain practices hereinafter enumerated in the use of said Grantor'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 sketch 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 water system.

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 25th day of November, 2002

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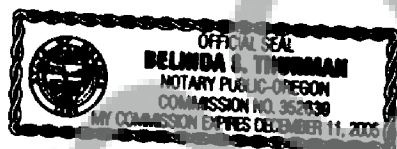
Steve Konell member
By: STEVE KONEILL, Member
SKAMANIA COVES LLC.

STATE OF OREGON

County of Clackamas

)
) ss.
)

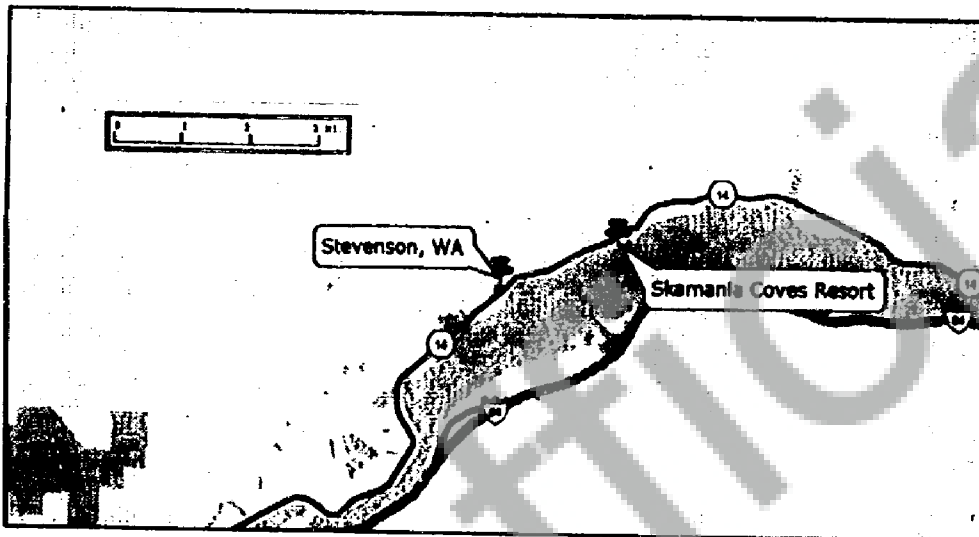
I, the undersigned, a notary public in and for the State of Oregon hereby certify that on this 25th day of November, personally appeared before me Steve Konell, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he was authorized to sign the document and signed and sealed the same as his 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.



Belinda S. Thurman
NOTARY PUBLIC, in and for the State of
Oregon
My commission expires Dec. 11, 2005

Exhibit A

Location of Skamania Coves Resort
Mile Post 45.93 Hwy 14



RECORDER'S NOTE: PORTIONS OF
THIS DOCUMENT POOR QUALITY
FOR FILMING

Exhibit B

Existing Roadway marked in grey

