

After recording return to:

Howard D. Pelky  
402 Laurel Lane  
Washougal, WA 98671

Grantor(s): Marilyn Cleland, Lot 1- Clackamas Surgical Associates S/P, recorded in  
AF#109282  
Howard and Deborah Pelky, Lot 1- Pelky Short Plat, recorded in  
AF# 2005159821  
Future Owner(s), Lot 2- Pelky Short Plat, AF# same as above

Grantee(s): Kingfisher Ln.  
Section 32 Township 2 North, Range 5 East  
Skamania County Tax Parcel No. 02-05-32-3-0-1102-00

#### DECLARATION OF COVENANT FOR PRIVATE MAINTENANCE OF APPROVED PRIVATE ROAD.

The undersigned owners covenant and agree that:

- 1) We, as owners of the aforescribed property, shall be responsible for the maintenance of the private road, legally known as Kingfisher Ln.. Each lot owner shall participate on an equal basis, as determined below.
- 2) Maintenance methods, standards and financing shall be in a manner determined by the owners of the three parcels, described above as Grantors. Maintenance needs shall be evaluated annually by the three owners of record at that time and mutually agree upon whom shall be designated to accept bids for any work needed and to collect and disperse funds for that purpose.
- 3) The private road easement is intended to be exclusive easements for ingress, egress and utilities. This easement, unless otherwise noted, may not be used to serve adjacent properties, now or in the future.
- 4) Skamania County has no responsibility to build, improve, maintain or otherwise service the private road contained within or provide service to the above referenced property.
- 5) This agreement shall be binding upon the heirs, successors, or assigns hereof, and shall be appurtenant to and run with the land described herein.
- 6) Owners of lots referenced above, who are served by such private road may sue and recover from the owner of the lot which is similarly served who refuses to

participate in the maintenance. Such owners who refuse to share the cost under the term set forth above shall be liable for any attorneys' fees.

- 7) All three landowners (including, but not limited to, his or her guests, sub-contractors) shall be entitled to reasonable private usage of the entire roadway. The private road shall be used for the common benefit of all landowners. If one of the landowners (including his or her guests, sub-contractors) inflicts damage to the road, i.e. personally, or through having deliveries made (such as a truck making a delivery in wet weather), it is the sole responsibility of that landowner to pay for the cost of repairing the road.

Landowner Howard D. Pelky

Landowner Deborah L. Pelky

Landowner Marilyn C. Cleland

Landowner \_\_\_\_\_

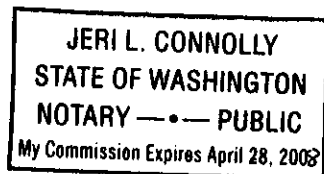
Landowner \_\_\_\_\_

Landowner \_\_\_\_\_

STATE OF WASHINGTON  
COUNTY OF SKAMANIA

On this day personally appeared before me Marilyn C. Cleland, Howard D. Pelky & Deborah L. Pelky to me known as the individual(s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein stated.

Given under my hand and official seal this 22<sup>nd</sup> day of November, 2005.



NOTARY PUBLIC in and for the  
State of Washington, residing at

Skamania County  
Jeri L. Connolly  
Jeri L. Connolly

DOC # 2005159822  
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