

AFTER RECORDING RETURN TO:

Name: Law Office of Robert D. Weisfield
Address: P. O. Box 421
City/State: Bingen, WA 98605-0421

Document Title(s): (or transactions contained therein)

1. *Covenants for Road Maintenance*
- 2.
- 3.
- 4.

Reference Number(s) of Documents assigned or released:

☐ Additional numbers on page ____ of document

Grantor(s): (Last name first, then first name and initials)

1. *SDS Co., LLC*
- 2.
- 3.
- 4.
5. ☐ Additional names on page ____ of document

Grantee(s): (Last name first, then first name and initials)

1. *The Public*
- 2.
- 3.
- 4.
5. ☐ Additional names on page ____ of document

Abbreviated Legal Description as follows: (i.e. lot/block/plat or section/township/range/quarter/quarter

ptn. SEANWA & GOV't. LOT 2 Sec. 22, T3N, R10EWM

☐ Complete legal description is on pages *4-6* of document

Assessor's Property Tax Parcel/Account Number(s): *03 102200001000 (ptn.)*

After recording return to:
SDS Co, LLC
P.O. Box 266
Bingen, WA 98605

COVENANTS FOR ROAD MAINTENANCE

WHEREAS, SDS CO., A Washington LLC, being the owner of all the subject property legally described in Exhibits A, B and C, attached hereto and incorporated herein as though fully set forth, hereinafter referred to as the "Property", and further defined by the survey map attached hereto as Exhibit D showing the division of the Property into buildable parcels, hereinafter referred to as "Lot" or "Lots", does hereby declare that the following Covenants for Road Maintenance shall become and are hereby made a part of the Property and all conveyances which are hereafter made with any portion of the Property.

WHEREAS, there are roads serving the Property above described in their current condition for purposes of Ingress, Egress and Utilities as defined in Exhibit D and recorded and filed under Auditor Number 2008168904; and

WHEREAS, it is necessary and desirable that a declaration be made as to the responsibility for maintenance, repairs, and additional construction involving said road(s) to keep road(s) in good, usable condition and to maintain minimum drivable standards as required by use, necessity or local ordinance;

NOW THEREFORE, in consideration of the mutual covenants herein, it is stated and established:

1. The owners of any Lot created from the Property described above shall share in the responsibility, cost and expense for the maintenance, repairs, and additional construction of said road(s) and maintaining culverts free from obstruction, by evenly dividing the total road costs by the number of Lots that are then improved. For the purposes of this document an improved Lot shall be considered one with any structure, in any stage of construction, or any alteration of native ground profile in preparation for construction of a structure. It is further stated that maintenance shall include, but not be limited to, the removal of snow and other hazards or obstruction, road paving or surfacing, and the annual clearing of culvert entrances. IT IS FURTHER STATED, THAT THE ROAD SERVICING SAID PROPERTY IS NOT A COUNTY ROAD AND THAT NEITHER THE COUNTY OF, STATE OF WASHINGTON, NOR THE DEVELOPER HAS ANY RESPONSIBILITY OR OBLIGATION AS TO THE MAINTENANCE, CONSTRUCTION OR REPAIR OF SAID ROADS. Further, voluntary road upgrades, surfacing or improvements, the variety not required to maintain road(s) to minimum drivable standards as required by use, necessity or applicable local ordinance, shall

not be subject to this declaration of responsibility. In such case the sharing of responsibilities shall be voluntary and subject to individual agreement among Lot owners.

2. Costs accrued in maintaining or repairing those roads that are not common to all Lots on the Property, but are dedicated accesses to home sites on specific Lots, shall be the responsibility of the owner(s) of the Lot(s) whose homes are served.

3. The only exception to the shared responsibilities of Lot owners to maintain or repair common roads shall be in the case of excessive damage caused in the process of construction or improper use of common roads by an individual Lot owner. In this case the party responsible for the excessive damage shall be liable to repair roads to like-new condition. For the purposes of this document, excessive damage shall be considered anything beyond normal wear and tear.

4. Annually, on the first Monday in April, the owners of all Lots obligated to share in the maintenance of the roads, shall have a meeting to decide what maintenance is required to be performed on the roads for the upcoming year. At such meeting it shall be decided:

- a. The type and frequency of maintenance to be performed.
- b. The method of assessing costs as set forth above.
- c. The party who shall be responsible for collecting and disbursing of the road repair funds.
- d. Fifty-one percent or more of the parties need to approve routine repairs and maintenance to the roadway to keep it in its present condition.
- e. Non-payment of road assessments shall cause a lien in the amount of the assessments to be filed against the defaulting owner(s) of lands served by the road(s). The party to whom the assessment is owed shall be entitled to foreclose on the lien as permitted by Washington statute.

DATED Feb 22, 20 08.

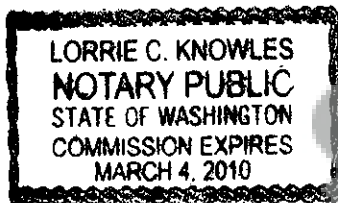


JASON SPADARO, President
SDS COMPANY, LLC

STATE OF WASHINGTON) SS
COUNTY OF KLIKITAT)

On this 22nd day of February, 20 08, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Jason Spadaro to me known to be President of SDS Company, LLC, the entity that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Lorie C. Krumm
 Notary Public for Washington
 Residing at White Salmon
 Commission expires 3/4/10

EXHIBIT "A"

LOT 1

A TRACT OF LAND BEING IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN AND THAT PORTION OF GOVERNMENT LOT 2 OF SAID SECTION 22, LYING NORTHERLY OF THE SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY RIGHT-OF-WAY, EXCEPTING FROM SAID GOVERNMENT LOT 2 THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 8 (NOW STATE HIGHWAY NO. 14), BY INSTRUMENT DATED FEBRUARY 26, 1934, RECORDED MAY 15, 1934, IN BOOK "X" OF DEEDS AT PAGE 516, UNDER AUDITOR'S FILE NO. 19446, RECORDS OF SKAMANIA COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE SOUTH $01^{\circ}07'18''$ WEST 2216.96 FEET TO THE NORTH LINE OF THE TRACT OF LAND CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 14; THENCE FOLLOWING THE NORTHERLY LINE OF SAID STATE HIGHWAY NO. 14 OVER THE NEXT NINE (9) COURSES; 1.) SOUTH $83^{\circ}40'58''$ WEST, 88.49 FEET; 2.) NORTH $06^{\circ}19'02''$ WEST, 100.00 FEET; 3.) SOUTH $83^{\circ}40'58''$ WEST, 400.00 FEET; 4.) SOUTH $06^{\circ}19'02''$ EAST, 150.00 FEET; 5.) SOUTH $83^{\circ}40'58''$ WEST, 200.00 FEET; 6.) NORTH $06^{\circ}19'02''$ WEST, 50.00 FEET; 7.) SOUTH $83^{\circ}40'58''$ WEST, 300.00 FEET; 8.) SOUTH $06^{\circ}19'02''$ EAST, 50.00 FEET; 9.) SOUTH $83^{\circ}40'58''$ WEST, 357.67 FEET TO A POINT ON THE WEST LINE OF GOVERNMENT LOT 2; THENCE NORTH $00^{\circ}58'40''$ EAST, 384.91 FEET TO THE TOP OF A BLUFF; THENCE FOLLOWING THE TOP OF SAID BLUFF OVER THE NEXT ELEVEN (11) COURSES; 1.) THENCE SOUTH $64^{\circ}03'02''$ EAST, 78.25 FEET; 2.) THENCE NORTH $70^{\circ}52'02''$ EAST, 95.05 FEET; 3.) THENCE NORTH $67^{\circ}59'14''$ EAST, 74.00 FEET; 4.) THENCE SOUTH $72^{\circ}28'32''$ EAST, 80.86 FEET; 5.) THENCE SOUTH $53^{\circ}16'21''$ EAST, 53.24 FEET; 6.) THENCE SOUTH $81^{\circ}06'20''$ EAST, 93.29 FEET; 7.) THENCE SOUTH $77^{\circ}17'57''$ EAST, 129.17 FEET; 8.) THENCE NORTH $59^{\circ}08'32''$ EAST, 57.93 FEET; 9.) THENCE SOUTH $80^{\circ}00'19''$ EAST, 64.47 FEET; 10.) THENCE NORTH $81^{\circ}34'25''$ EAST, 109.70 FEET; 11.) THENCE SOUTH $60^{\circ}25'27''$ EAST, 87.78 FEET; THENCE NORTH $00^{\circ}27'45''$ EAST, 382.41 FEET; THENCE NORTH $70^{\circ}43'30''$ EAST, 24.74 FEET; THENCE NORTH $00^{\circ}27'45''$ EAST, 1730.00 FEET TO A POINT ON THE NORTH OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE SOUTH $89^{\circ}01'17''$ EAST, 464.20 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 AND THE POINT OF BEGINNING.

AREA OF LOT 1 (CONTAINS 28.30 ACRES MORE OR LESS).

EXHIBIT "B"

LOT 2

A TRACT OF BEING IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN AND THAT PORTION OF GOVERNMENT LOT 2 OF SAID SECTION 22, LYING NORTHERLY OF THE SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY RIGHT-OF-WAY, EXCEPTING FROM SAID GOVERNMENT LOT 2 THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 8 (NOW STATE HIGHWAY NO. 14), BY INSTRUMENT DATED FEBRUARY 26, 1934, RECORDED MAY 15, 1934, IN BOOK "X" OF DEEDS AT PAGE 516, UNDER AUDITOR'S FILE NO. 19446, RECORDS OF SKAMANIA COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE NORTH 89°01'17" WEST, 464.20 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 TO THE POINT OF BEGINNING OF SAID LOT 2; THENCE SOUTH 00°27'45" WEST, 1730.00 FEET; THENCE SOUTH 70°43'30" WEST, 24.74 FEET; THENCE SOUTH 00°27'45" WEST, 382.41 FEET TO THE TOP OF A BLUFF; THENCE FOLLOWING THE TOP OF SAID BLUFF OVER THE NEXT FIVE (5) COURSES; 1.) THENCE NORTH 60°25'27" WEST, 87.78 FEET; 2.) THENCE SOUTH 81°34'25" WEST, 109.70 FEET; 3.) THENCE NORTH 80°00'19" WEST, 64.47 FEET; 4.) THENCE SOUTH 59°08'32" WEST, 57.93 FEET; 5.) THENCE NORTH 77°17'57" WEST, 82.19 FEET; THENCE NORTH 00°55'04" EAST, 324.78 FEET; THENCE NORTH 76°51'38" WEST, 53.05 FEET; THENCE NORTH 00°55'04" EAST, 1764.60 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE SOUTH 89°01'17" EAST, 436.91 FEET ALONG LAST SAID NORTH LINE BACK TO THE POINT OF BEGINNING.

AREA OF LOT 2 (CONTAINS 20.85 ACRES MORE OR LESS).

EXHIBIT "C"

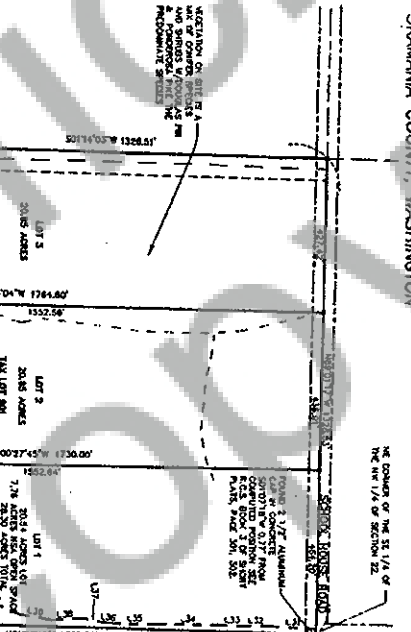
LOT 3

A TRACT OF LAND BEING IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN AND THAT PORTION OF GOVERNMENT LOT 2 OF SAID SECTION 22, LYING NORTHERLY OF THE SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY RIGHT-OF-WAY, EXCEPTING FROM SAID GOVERNMENT LOT 2 THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR STATE HIGHWAY NO. 8 (NOW STATE HIGHWAY NO. 14), BY INSTRUMENT DATED FEBRUARY 26, 1934, RECORDED MAY 15, 1934, IN BOOK "X" OF DEEDS AT PAGE 516, UNDER AUDITOR'S FILE NO. 19446, RECORDS OF SKAMANIA COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22; THENCE NORTH 89°01'17" WEST, 901.11 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 TO THE POINT OF BEGINNING OF SAID LOT 3; THENCE SOUTH 00°55'04" WEST, 1764.60 FEET; THENCE SOUTH 76°51'38" EAST, 53.05 FEET; THENCE SOUTH 00°55'04" WEST, 324.78 FEET TO THE TOP OF A BLUFF; THENCE FOLLOWING THE TOP OF SAID BLUFF OVER THE NEXT SEVEN (7) COURSES; 1.) THENCE NORTH 77°17'57" WEST, 46.98 FEET; 2.) THENCE NORTH 81°06'20" WEST, 93.29 FEET; 3.) THENCE NORTH 53°16'21" WEST, 53.24 FEET; 4.) THENCE NORTH 72°28'32" WEST, 80.86 FEET; 5.) THENCE SOUTH 67°59'14" WEST, 74.00 FEET; 6.) THENCE SOUTH 70°52'02" WEST, 95.05 FEET; 7.) THENCE NORTH 64°03'02" WEST, 78.25 FEET TO A POINT ON THE WEST LINE OF GOVERNMENT LOT 2; THENCE NORTH 00°58'40" EAST, 724.10 FEET ALONG THE WEST LINE OF SAID GOVERNMENT LOT 2 TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 01°14'03" EAST, 1328.51 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22 TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 89°01'17" EAST, 427.42 FEET TO THE POINT OF BEGINNING

AREA OF LOT 3 (CONTAINS 20.85 ACRES MORE OR LESS).

LOCATED IN SE 1/4, NW 1/4 & GOVERNMENT LOT 2
SECTION 22, T. 3N., R. 10E., W.M.
SKAMANIA COUNTY, WASHINGTON



SHEET 1 OF 2
 SOUTHERN COAST VISIONS
 1/4 SEC T. N
 80 22 24 100

7420 THE AVENUE NW, DAY OF DECEMBER
 2008 IN BOOK OF SHERIFF AT PAGE
 10081860901. THIS SHERRIFF
 NO. 10081860901. THIS SHERRIFF
 1/5/08
 DATE

SURVEYOR'S CERTIFICATE:
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME
 IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY
 ACT, 1907. I AM THE HOLDER OF SAID SURVEY.
 OCTOBER, 2007.

Signed on 11 11
 JAMES L. GIBB
 REGISTERED PROFESSIONAL LAND SURVEY AGENT
 8-1-08
 DATE

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