

**WHEN RECORDED RETURN TO:**

R. WAGNER

481 SKAMANIA LAG. RD.

STEVENSON WA 98648

**DOCUMENT TITLE(S)**

RESTRICTIVE COVENANT

**REFERENCE NUMBER(S)** of Documents assigned or released:

A-114

☒ Additional numbers on page 2 of document.

**GRANTOR(S):**

DANNY FRANK & KATHA MURKIN

☐ Additional names on page \_\_\_\_\_ of document.

**GRANTEE(S):**

SKAMANIA LANDING OWNERS ASSOC. INC

☐ Additional names on page \_\_\_\_\_ of document.

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

LOT 6, BLOCK 2 WOODLAND CREEK ESTATES

☒ Complete legal on page 2 of document.

**TAX PARCEL NUMBER(S):**

02-06-35-23190100

☐ Additional parcel numbers on page \_\_\_\_\_ of document.

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

## RESTRICTIVE COVENANT

The grantor(s) herein is (are) the owner(s) in fee simple of the following described real estate situated in Skamania County, State of Washington:

Lot 6, Block 2, WOODARD MARINA ESTATES, according to the recorded plat thereof, recorded in Book 'A' of Plats, Page 114, in the County of Skamania, State of Washington, as shown on and described on Attachment "A".

The grantee(s) herein, Skamania Landing Owners Association, Inc., a Washington corporation, own(s) and operate(s) two wells and waterworks supplying water for public use, located upon the following described real estate situated in Skamania County State of Washington:

real estate conveyed by Statutory Warranty Deed to Skamania Landing Owners Association, Inc., on Pages 102-103, Book 71, Records of Skamania County, State of Washington (copy of which is Attachment "B"), a portion of which herein referred to as "Huston Community Park" is shown on Attachment "A",

on which the wells and waterworks are in close proximity to the land of the grantor(s), and said grantee is required to keep the water supplied from said wells free from impurities which might be injurious to the public health.

It is the purpose of these grants and covenants to prevent practices hereinafter enumerated in the use of the said grantor(s) land which might contaminate said water supply.

NOW, THEREFORE, the grantor(s) agree(s) and covenant(s) that said grantee(s), its successors and assigns, said covenants to run with the land for the benefit of the land of the grantee(s), that said grantor(s), his (her) (their) heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor(s) and within 100 (One Hundred) feet of each 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.

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

WITNESS my hand this 30th day of December, 2008

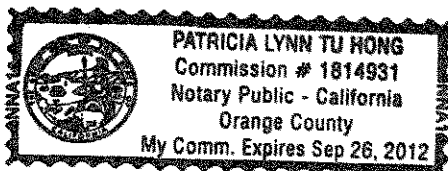
State of California  
County of Orange

Danny Frink  
KATRINA KIRK  
Grantor(s)

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this 30th day of December, 2008, personally appeared before me Patricia Lynn Tu Hong, to me known to be the individual described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

(Seal)

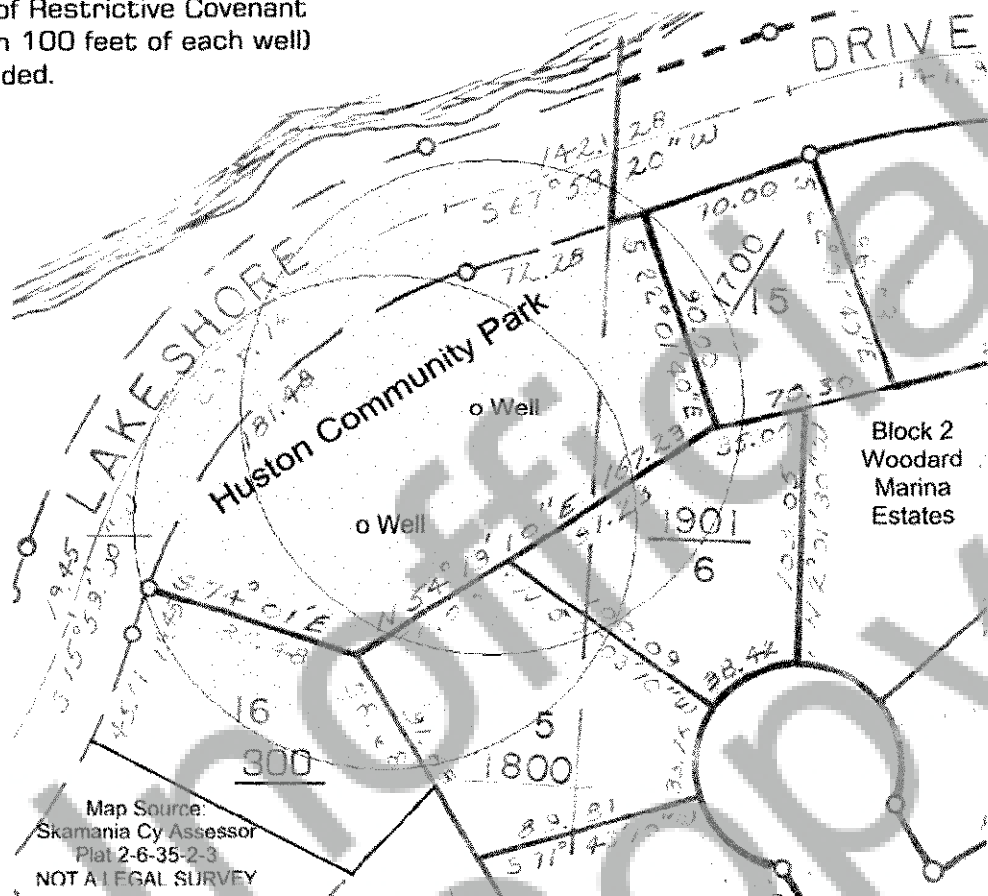


Patricia Lynn Tu Hong  
Notary Public in and for the State of California,  
residing at Walnut, California  
My Commission Expires: 9/26/2012

Attachment "A"  
to RESTRICTIVE COVENANT

Skamania Landing Owners Assoc., Inc.  
Water System Well Location

Area of Restrictive Covenant  
(within 100 feet of each well)  
is shaded.



**Legal Descriptions:**

- Lot 5, Block 2, WOODARD MARINA ESTATES, according to the recorded plat thereof, recorded in Book 'A' of Plats, Page 114, in the County of Skamania, State of Washington.
- Lot 15, Block 2, WOODARD MARINA ESTATES, according to the recorded plat thereof, recorded in Book 'A' of Plats, Pages 114-115, in the County of Skamania, State of Washington.
- Lot 16, Block 2, WOODARD MARINA ESTATES, according to the recorded plat thereof, recorded in Book 'A' of Plats, Pages 114-115, in the County of Skamania, State of Washington.
- Lot 6, Block 2, WOODARD MARINA ESTATES, according to the recorded plat thereof, recorded in Book 'A' of Plats, Page 114, in the County of Skamania, State of Washington.

BOOK 71 PAGE 102

82844

ATTACHMENT "B"

## STATUTORY WARRANTY DEED

THE GRANTOR WOODWARD MARINA ESTATES, INC. for and in consideration of One Thousand Dollars (\$1,000.00) in hand paid, conveys and warrants to GRANTEE SKAMANIA LANDING OWNERS ASSOCIATION, INC. the following described real estate, situated in the County of Skamania, State of Washington:

## PARCEL NO. 1

ALL that portion of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4), and of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4), and of Government Lot 1 of Section 34, Township 2 North, Range 6 E.W.M., lying southerly of the southerly right of way line of the Spokane, Portland and Seattle Railway Company; EXCEPT that portion of the NW 1/4 of the SE 1/4 of Section 34, Township 2 North, Range 6 E.W.M., described as follows: Beginning at a point south 39° east 650 feet from the center of the said Section 34; thence south 38° east 168 feet; thence south 13° 40' east 200 feet; thence south 29° 40' east 263 feet; thence south 23° east 268 feet to the north line of Government Lot 2 of the said Section 34; thence west 760 feet; thence north to the southerly line of the S. P. & S. Railway Company's right of way; thence northeasterly along said right of way line to the point of beginning; EXCEPT a tract of land conveyed to C.A. Sams and W.L. Sams by deed dated September 3, 1936, and recorded at page 204 of Book 2 of Deeds, Records of Skamania County, Washington, together with shore lands of the second class conveyed to the said C.A. Sams and W.L. Sams by deed dated March 3, 1947, and recorded at page 56 of Book 36 of Deeds, Records of Skamania County, Washington; EXCEPT a tract of land conveyed to Leonard Palmer Farnsworth, a bachelor, by deed dated May 29, 1945, and recorded at page 489 of Book 30 of Deeds, Records of Skamania County, Washington; EXCEPT a tract of land known as the Woodward Marina Estates according to the official plat thereof on file and of record at pages 114 and 115 of Book A of Plats, Records of Skamania County, Washington, BUT INCLUDING all parcels described areas noted as Community Park on said plat which are reserved for the exclusive use of the land owners within the boundaries of said plat; EXCEPT a tract of land conveyed by deed to Clarence O. Fritz and Katie L. (Delores) Fritz, husband and wife, December 20, 1965 and recorded at page 270 Book 55 of Deeds, Records of Skamania County, Washington; and EXCEPT a tract of land conveyed to George E. Carson and Helen F. Carson, husband and wife, by deed dated December 16, 1966 and recorded at page 444 Book 56 of Deeds, Records of Skamania County, Washington.

X X

Statutory Warranty Deed  
Woodward/Skamania Landing  
Page One of Two



4065  
TRANSACTION EXCISE TAX

JUN 11 1976  
Amount Paid \$10.00  
Kathleen W. Wright  
Skamania County Recorder  
By: [Signature] J. G. Sallie, Jr.



ATTACHMENT "B"

## PARCEL NO. 2

PAGE 10

A tract of land in Government Lot 4 Section 35, Township 2 North, Range 6 E.W.M., more particularly described as follows:

Beginning at the quarter corner between Sections 34 and 35, Township 2 North, Range 6 E.W.M.; thence south 10 chains 50 links to the right bank of the Columbia River; thence upstream following the meander line north 65° east 5 chains 64 links; thence north 40° east 1 chain 76 links; thence north 34° east 4 chains 75 links; thence north 04° east 2 chains 48 links; thence north 37° east 4 chains 35 links to the bank of Duncan Slough; thence north 36° west 2 chains 96 links; thence north 85° west 89 links; thence south 58 1/2° west 10 chains 56 links to the point of beginning together with related roads, docks, dam and appurtenances; EXCEPT a tract of land conveyed to Richard A. Krieg and Laura B. Krieg, husband and wife, by deed dated June 24, 1974 and recorded at page 968-9, Book 66 of Deeds, Records of Skamania County, Washington, BUT INCLUDING any reservations or easements contained in said deed; EXCEPT a tract of land known as the Woodward Marina Estates according to the official plat thereof on file and of record at pages 111 and 115 of Book A of Plats, records of Skamania County, Washington, BUT INCLUDING all parcels described areas noted as Community Park on said plat which are served for the exclusive use of the land owners within the boundaries of said plat.

## PARCEL NO. 3

ALL that portion of Government Lot 4 of Section 35, Township 2 North, Range 6 E.W.M., lying southerly of the line of the Spokane, Portland and Seattle Railway Company and westerly of the county road known as the Butler Dock Road as the same existed and was established on March 27, 1911; EXCEPT that portion thereof lying with Parcel No. 2 described above.

## PARCEL NO. 4

Shore lands of the second class conveyed by the State of Washington, fronting and abutting upon Government Lot 4 of Section 35, Township 2 North, Range 6 E.W.M., extending as far east as the outlet of Duncan Lake as more particularly described in deed dated July 26, 1905, and recorded at page 189 of Book I of Deeds, Records of Skamania County, Washington; EXCEPT Shore lands of the second class conveyed to Richard A. Krieg and Laura B. Krieg and recorded at page 968-9, Book 66 of Deeds, Records of Skamania County, Washington.

DATED this 1st day of June, 1976.

WOODARD MARINA ESTATES, INC.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF King )

On this day personally appeared before me David E. Kratter  
President and Joan E. Hawkinson, Secretary  
and \_\_\_\_\_, respectively of the Woodward Marina  
Estates, Inc., the corporation that executed the foregoing instru-  
ment, and acknowledged that they signed the same as the free and  
voluntary act and deed of said corporation, for the uses and purposes  
therein mentioned and on oath stated they were authorized to execute  
the said instrument and that the seal affixed is the corporate seal  
of said corporation.

GIVEN under my hand and official seal this 1st day of  
June, 1976.

David E. Kratter  
NOTARY PUBLIC in and for the State of  
Washington, residing at Mountlake Terrace

Statutory Warranty Deed  
Woodward/Skamania Landing  
Page Two of Two