

3140100

RESTRICTIVE AGREEMENT.

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THIS AGREEMENT Made and entered into this *7th* day of *January*, 1941,  
by South Seattle Land Company, a Washington corporation, hereinafter called  
"first party",

WITNESSETH:

WHEREAS, South Seattle Land Company is a duly organized and existing  
corporation under the laws of the State of Washington, and is now the owner  
in fee simple of the following described real property situated in the County  
of King, State of Washington, described as Lots 1, 2, 9, 10, 11, 12, 13, 14, 15, 16, 17,  
18, 21, 22, 23, 24, 25, 26, 27, 28, in Block 16; Lots 1, 2, 10, 11, 12, 13, 14, 16, 17, 18, 19,  
22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44 in  
Block 18; and Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24,  
25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 39 in Block 19 in McMillen Heights #2, ~~Block 19~~

Beginning at a point on the North line of Section 27, Township 27  
North, Range 4 East, W.M., distant North 89°59'10" West, 2156.10 feet from  
the northeast corner of said Section 27, and running thence South 0°15'50"  
East, 1892.40 feet to the true point of beginning of this description;  
thence continuing South 0°15'50" East, 68.75 feet; thence North 89°59'10"  
West, 291.18 feet to the northeasterly margin of the Military Road; thence  
along the said northeasterly margin, North 12°52'01" West, 79.52 feet;  
thence South 89°59'10" East, 308.57 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 27  
North, Range 4 East, W.M., distant North 89°59'10" West, 2156.10 feet from  
the northeast corner of said Section 27, and running thence South 0°15'50"  
East, 1961.15 feet to the true point of beginning of this description;  
thence continuing South 0°15'50" East, 68.75 feet; thence North 89°59'10"  
East, 275.79 feet to the northeasterly margin of the Military Road; thence  
along the said northeasterly margin, North 12°52'01" West, 79.52 feet;  
thence South 89°59'10" East, 291.18 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 27  
North, Range 4 East, W.M., distant North 89°59'10" West, 1956.10 feet from  
the northeast corner of said Section 27, and running thence South 0°15'50"  
East, 2167.40 feet to the true point of beginning of this description;  
thence continuing South 0°15'50" East, 275.00 feet; thence North 89°59'10"  
West, 100.00 feet; thence North 0°15'50" West, 275.00 feet; thence South  
89°59'10" East, 100.00 feet to the true place of beginning.

Beginning at a point on the North line of Section 27, Township 27  
North, Range 4 East, W.M., distant North 89°59'10" West, 1856.10 feet from  
the northeast corner of said Section 27, and running thence South 0°15'50"  
East, 2167.40 feet to the true point of beginning of this description;  
thence continuing South 0°15'50" East, 275.00 feet; thence North 89°59'10"  
West, 100.00 feet; thence North 0°15'50" West, 275.00 feet; thence South  
89°59'10" East, 100.00 feet to the true point of beginning.













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275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 450.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 2502.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 650.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 2502.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 850.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 2502.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 1150.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 2502.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 1250.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 2502.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 1650.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 2210.00 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 68.75 feet; thence North  $89^{\circ}59'10''$  West, 245.70 feet to the easterly margin of the Military Road; thence along the said easterly margin, North  $25^{\circ}10'50''$  West, 75.98 feet; thence South  $89^{\circ}59'10''$  East, 245.70 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 1850.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3218.65 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 68.75 feet; thence North  $89^{\circ}59'10''$  West, 245.70 feet to the easterly margin of the Military Road; thence along the said easterly margin, North  $25^{\circ}10'50''$  West, 75.98 feet; thence South  $89^{\circ}59'10''$  East, 245.70 feet to the true point of beginning.



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Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North 89°59'10" West, 1556.10 feet from the northeast corner of said Section 27, and running thence South 0°15'50" East, 3397.40 feet to the true point of beginning of this description; thence continuing South 0°15'50" East, 68.75 feet; thence North 89°59'10" West, 281.66 feet to the easterly margin of the Military road; thence along the said easterly margin, North 25°10'50" West, 75.98 feet; thence South 89°59'10" East, 213.69 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North 89°59'10" West, 1556.10 feet from the northeast corner of said Section 27, and running thence South 0°15'50" East, 3436.15 feet to the true point of beginning of this description; thence continuing South 0°15'50" East, 68.75 feet; thence North 89°59'10" West, 249.67 feet to the easterly margin of the Military Road; thence along the said easterly margin, North 25°10'50" West, 75.98 feet; thence South 89°59'10" East, 291.68 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North 89°59'10" West, 1556.10 feet from the northeast corner of said Section 27, and running thence South 0°15'50" East, 3594.90 feet to the true point of beginning of this description; thence continuing South 0°15'50" East, 68.75 feet; thence North 89°59'10" West, 217.66 feet to the easterly margin of the Military Road; thence along the said easterly margin, North 25°10'50" West, 75.98 feet; thence South 89°59'10" East, 249.67 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North 89°59'10" West, 1556.10 feet from the northeast corner of said Section 27, and running thence South 0°15'50" East, 3892.65 feet to the true point of beginning of this description; thence continuing South 0°15'50" East, 68.75 feet; thence North 89°59'10" West, 188.66 feet to the easterly margin of the Military Road; thence along the said easterly margin, North 25°10'50" West, 75.98 feet; thence South 89°59'10" East, 217.68 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North 89°59'10" West, 1556.10 feet from the northeast corner of said Section 27, and running thence South 0°15'50" East, 4290.40 feet to the true point of beginning of this description; thence continuing South 0°15'50" East, 68.75 feet; thence North 89°59'10" West, 158.66 feet to the easterly margin of the Military Road; thence along the said easterly margin, North 25°10'50" West, 75.98 feet; thence South 89°59'10" East, 217.68 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North 89°59'10" West, 1556.10 feet from the northeast corner of said Section 27, and running thence South 0°15'50" East, 3397.40 feet to the true point of beginning of this description; thence continuing South 0°15'50" East, 275.00 feet; thence North 89°59'10" West, 100.00 feet; thence North 0°15'50" East, 275.00 feet; thence East 89°59'10" East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North 89°59'10" West, 1556.10 feet from the northeast corner of said Section 27, and running thence South 0°15'50" East, 3397.40 feet to the true point of beginning of this description; thence continuing South 0°15'50" East, 275.00 feet; thence North 89°59'10" West, 100.00 feet; thence North 0°15'50" East, 275.00 feet; thence South 89°59'10" West, 100.00 feet to the true point of beginning.





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Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 356.10 feet from the north-east corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3387.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 356.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3387.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 156.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3387.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 156.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3387.40 feet to the true point of beginning of this description; thence South  $89^{\circ}59'10''$  East, 131.99 feet to a line 30 feet wide and parallel to the East line of said Section 27; thence along the said parallel line, South  $0^{\circ}22'30''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 131.99 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 556.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3112.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 356.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3387.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 756.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3112.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.

Beginning at a point on the North line of Section 27, Township 23 North, Range 4 East, W.M. distant North  $89^{\circ}59'10''$  West, 856.10 feet from the northeast corner of said Section 27, and running thence South  $0^{\circ}15'50''$  East, 3112.40 feet to the true point of beginning of this description; thence continuing South  $0^{\circ}15'50''$  East, 275.00 feet; thence North  $89^{\circ}59'10''$  West, 100.00 feet; thence North  $0^{\circ}15'50''$  West, 275.00 feet; thence South  $89^{\circ}59'10''$  East, 100.00 feet to the true point of beginning.







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Beginning at a point on the North line of Section 27, Township 22 North, Range 4 East, W.M. distant North 89°50'10" West, 1556.10 feet from the northeast corner of said Section 27, and running thence South 0°15'50" East, 8112.40 feet to the true point of beginning of this description; thence continuing South 0°15'50" East, 275.00 feet; thence North 89°50'10" West, 100.00 feet; thence North 0°15'50" West, 275.00 feet; thence South 89°50'10" East, 100.00 feet to the true point of beginning.

AND WHEREAS, First Party intends to sell said portions of said described real property from time to time to others for residential purposes, except as hereinafter set forth, and

WHEREAS, it is to the substantial advantage to First Party in making said sales that the restrictive covenants hereinafter set forth be applicable to each and all of the foregoing described portions of said described real property with the exceptions hereinafter set forth.

NOW, THEREFORE, in consideration of the advantage to be derived by First Party from the making of this agreement and in consideration of the purchase of any or all of said described portions of said described real property from time to time by others, First Party does hereby covenant and agree as follows:

I.

That the covenants as hereinafter set forth in this agreement be, and the same hereby are, declared to be impressed upon each and all of said described portions of said described real property as covenants running with the said land and for the period hereinafter specified, to-wit, until January 1, 1967, at which time said covenants shall be automatically extended for successive periods of ten years unless by a vote of the then owners of the portions of said described real property it is agreed to change the said covenants in whole or in part.

(a) That all lots in the tract shall be known and described as residential lots, and no structures shall be erected, altered, placed, or permitted to remain on a residential building plot other than one detached single-family dwelling not to exceed two and one-half stories in height and a private garage for not more than two cars.

(b) No building shall be erected, placed, or altered on any building plot in this subdivision until the building plans, specifications and plot plan showing the location of such building have been approved in writing by a majority of a committee composed of John A. Baillergon, and U. R. Linde and M. P. McConaughy, or their authorized representative, for conformity and harmony of the external design with existing structures in the subdivision; and as to location of the building with respect to property and building setback lines. In the case of the death of any member or members of said



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committee, the surviving member or members shall have authority to approve or disapprove such design or location. If the aforesaid committee or their authorized representative fails to approve or disapprove such design and location within 30 days after plans have been submitted to it, or if no suit to enjoin the erection of such building, or the making of such alterations have been commenced prior to the completion thereof, such approval will not be required. Said committee or their authorized representative shall not be without compensation. Said committee shall not end and serve until 1967, at which time the then record owners of a majority of the lots which are subject to the covenants herein set forth may designate in writing duly recorded among the land records their authorized representative who thereafter shall have all the powers, subject to the same limitations, as were previously delegated herein to the aforesaid committee.

(c) No building shall be located on any residential building plot nearer than thirty (30) feet to the front lot line nor nearer than ten (10) feet to any side street line. No building except a garage or other outbuilding located sixty (60) feet or more from the front lot line shall be located nearer than five (5) feet to any side lot line. No residence or attached apartmentage shall be erected on any lot farther than 20 feet from the front lot line.

(d) No residential structure shall be erected or placed on any building plot which plot has an area of less than 8000 square feet or a width of less than sixty-five (65) feet at the front building setback line.

(e) No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

(f) No persons of any race other than the white race shall use or occupy any building or any lot, except that this covenant shall not prevent occupancy by domestic servants of a different race domiciled with an owner or tenant.

(g) No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

(h) No dwelling costing less than \$1,800.00 shall be permitted on any lot in the tract. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 800 square feet in the case of a one-story structure nor less than 400 square feet in the case of a one and one-half, two, or two and one-half story structure.

(i) An easement is reserved over the rear five (5) feet of each lot for utility installation and maintenance.

(j) That any dwelling or structure erected or placed on any lot in this subdivision shall be completed as to external appearance including finished painting within nine (9) months from date of commencement of construction and shall be connected to sanitary sewer or septic tank.

(k) If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation; provided however; the making of this agreement by First Party shall not obligate it to enforce the terms of

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this agreement other than to see that any and all contracts and instruments of conveyance executed by First Party with respect to said described real property or any portion thereof shall be subject to the covenants as heretofore set forth and First Party shall not become or be liable for breach of said covenants by any other than itself.

(1) The invalidation of any one of these covenants by judgment or Court order shall in no wise affect any of the other provisions herein, which shall remain in full force and effect.

II.

That nothing contained in this agreement shall prohibit First Party from executing any further restrictive covenants with respect to said described property or any part thereof, provided that said further restrictive covenants shall not conflict or impair the force of the restrictive covenants set forth in Paragraph I of this agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 7th day of January, 1941.



SOUTH SEATTLE LAND COMPANY

By John A. Baillargeon  
Its President

By R. Linde  
Its Secretary

STATE OF WASHINGTON )  
                                  )SS.  
County of King )

On this 7th day of January, 1941, before me personally appeared John A. Baillargeon and R. Linde, known to be the President and the Secretary of the corporation that executed the within and foregoing instrument, and acknowledge 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 were authorized to execute said instrument and that the seal affixed thereto is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Marie E. McConaughy  
Notary Public in and for the State of Washington,  
residing at Seattle.

Filed for Record Jan. 9, 1941, 1:46 P.M.  
Request of Seattle Title Company  
EARL MILLIKIN, County Auditor