

servant actually employed by a white occupant of said building.

4. That said land shall only be used for dwelling house and agricultural purposes and shall not be used in any way as commercial property except the owner of a private dwelling may have the right to rent the property from time to time, but he shall not have right to engage in a hotel, lodging house or cabin for rent business on said property, and it is particularly provided that no platform, pavilion or structure of any kind to be used for dances, open to the public shall be erected or placed upon the above described premises nor shall said land nor any part thereof be used as a place for hiring boats. In case any residence hereafter to be erected or placed upon said premises shall be of a value less than Five Hundred Dollars (\$500.00), then the Grantee shall submit his plans and specifications to the Grantor and obtain its approval before commencing construction. Any residence hereafter constructed or placed on said premises shall be forthwith painted by the owner.

5. There is included in this conveyance of sale an undivided one one hundred sixtieth (1-160th) interest in and to that certain parcel of land shown upon the said plat of Beverly Beach, Division No. 2, described as "Private Beach and Playgrounds Reserve" (and tidelands adjoining and in front thereof), subject to such restrictions and regulations regarding the use of said land as hereinafter set forth:

The said undivided one one hundred sixtieth (1-160th) interest is not subject to transfer or alienation except only as the physical property hereinabove described as Lot 86 of the said plat of Beverly Beach, Division No. 2, is transferred. The said undivided interest is subject to division in proportion to the actual division of said Lot 86 of the said plat of Beverly Beach Division No. 2, and not otherwise.

No building, wharf or dock of any character shall be erected on any portion of this land "Private Beach and Playgrounds Reserve" (and tidelands adjoining and in front thereof), without the written consent of the Grantor being first obtained, and the use of said property or any portion thereof by the general public for picnic or playground purposes or any other purposes is hereby prohibited. This parcel of land may be used by the owners thereof for themselves and their invited guests as a playground and recreation center and for bathing and boating so long as such use is carried on in any orderly manner.

The Grantor reserves the right to sell and dispose of such amount of gravel and sand forming a portion of the beach in front of the parcel described as Private Beach and Playgrounds Reserve, from time to time, at such price as it may consider reasonable, to such extent as in its opinion will not materially damage the said beach for playground, recreational, boating and bathing purposes, on condition that the net proceeds from such sale or sales shall nevertheless be expended by the Grantor for the improvement of Private Beach and Playgrounds Reserve, and the Grantor reserves the right from time to time at its option to expend its own money for the improvement of the said parcel of land last above mentioned, but is not obligated so to do.

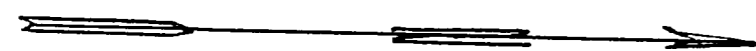
It is understood that the tide lands mentioned herein are subject to reservation by the State of Washington of oil, gas, coal and minerals therein, and the right to develop same.

The foregoing restrictions and regulations shall remain in full force and effect and shall run with the land until the 31st day of December, 1958. Wherever the words "Grantor" or "Grantee" are used the same shall be construed to include the successors, heirs and assigns of said parties.

IN WITNESS WHEREOF, the said TEE LAND COMPANY has caused these presents to be signed by its President and its corporate seal, attested by its Secretary, to be hereunto affixed, the 24th day of September, 1931.

PLAT OF BEVERLY BEACH.

DIVISION No 2.
SEC. 26 TWP. 30 N. R. 2. E.
ISLAND COUNTY, WASHINGTON.
Scale 1 inch = 100 feet.

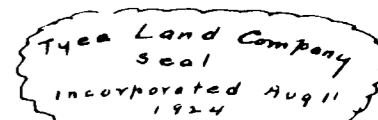


DEDICATION.

Know all men by these presents: That the Tye Land Company, a Washington Corporation, owner in fee simple, of the herein described tract of land as shown on the annexed plat of Beverly Beach Division No 2, hereby declares said plat and dedicates to the public use forever all streets as shown hereon.

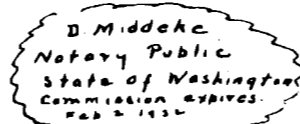
TYEE LAND COMPANY,

D. Duryee, president.
Steve Saunders, secretary.



ACKNOWLEDGEMENT.

State of Washington }
County of Snohomish } SS. On this 30th day of March 1929, before me personally appeared D. Duryee known to me to be the President and Steve Saunders, known to me to be the Secretary of the Tye Land Company, the Corporation that executed the within and 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 were authorized to execute said instrument and that the seal affixed is the Corporate Seal of said Corporation. In witness whereof, I have hereunto set my hand and affixed my official seal, the day year in this certificate first above written.



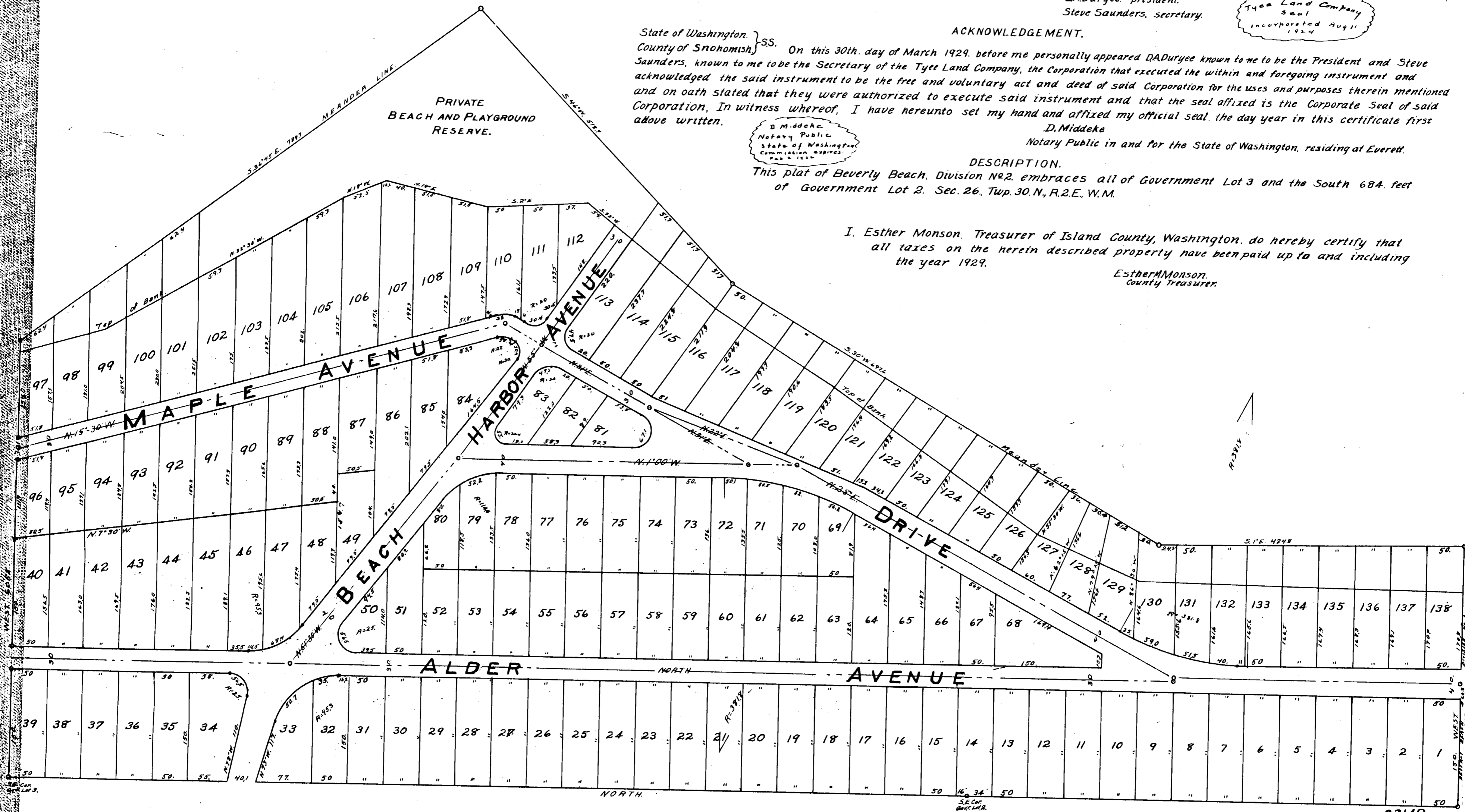
D. Middeke
Notary Public in and for the State of Washington, residing at Everett.

DESCRIPTION.

This plat of Beverly Beach, Division No 2, embraces all of Government Lot 3 and the South 684 feet of Government Lot 2, Sec. 26, Twp. 30, N., R. 2, E., W. M.

I, Esther Monson, Treasurer of Island County, Washington, do hereby certify that all taxes on the herein described property have been paid up to and including the year 1929.

Esther Monson,
County Treasurer.



I, L.A. Wanamaker, certify that this Plat of Beverly Beach, Division No 2, is based upon an actual survey, and that courses and distances are as shown and that distances are given in feet and decimals of feet; that iron pipe monuments and lot stakes have been set on the ground as shown on said plat.

L.A. Wanamaker

Approved by the Board of County Commissioners this
First day of April 1929.

M.T. Brown,
Albert Hoffman,
H.T. Wanamaker,
County Commissioners

Examined and approved this First day of April 1929.
L.A. Wanamaker
Co. Engineer.

Filed for Record at the request of Steve Saunders at 11:57 o'clock AM,
April 16, 1929, and Recorded in Vol. 3 of Plats, Page 22, 33148,
Records of Island County, Wash.

R.L. Maylor,
Clerk.
By Anna Hesselgrave,
Deputy.