

542994

## DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, That BLOEDEL DONOVAN LUMBER MILLS, a corporation, the owner of all of the following described real property situated in Whatcom County, Washington, to-wit:

Lots 1 to 59, inclusive, and Lot B, in Block 1; Lots 1 to 35, inclusive, and Lots A and D, in Block 2; and Lots 1 to 37, inclusive, in Block 3, as shown upon the "Plat of Cain's Lake", Whatcom County, Washington, as per the map thereof recorded in Book 4 of Plats, Page \_\_\_\_\_, in the Auditor's office of said County and State.

does hereby declare that the following restrictions shall apply to all of the above described property and shall apply to said property as though the said restrictions were placed in each and every deed or other instrument affecting title to said property or any part thereof:

1. No person of any race other than the white or Caucasian race shall use or occupy any lot or any building thereon erected or to be erected except that this covenant shall not prevent occupancy by domestic servants of a different race domiciled with an owner or tenant.
2. No beer, wines or other intoxicating beverages shall be sold from or upon any lot or any part thereof or building thereon erected or to be erected.
3. No noxious or offensive trade or activity shall be conducted or carried on from or upon any lot or any part thereof, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
4. These covenants are to run with the land and shall be binding on all parties owning or occupying any lot or part thereof or any building thereon erected or to be erected until March 1, 1950, at which time said covenants shall be automatically extended for successive periods of ten years each unless by a vote of the majority of the then owners of the lots above described it is agreed to change said covenants in whole or in part.

5. If the owner or occupant of any lot or part thereof or building thereon erected or to be erected shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any other lot or lots herein described to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and to prevent him or them from so doing or to recover damages for such violation.

6. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

Witness the hand and seal of this corporation the 21<sup>st</sup> day of March, 1941.



BLOEDEL DONOVAN LUMBER MILLS

J. N. Donovan.  
Vice-President

Attest:

F. E. Frost  
Secretary

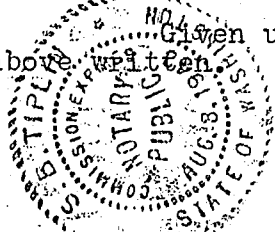
STATE OF WASHINGTON)

SS.

COUNTY OF WHATCOM )

On this 21<sup>st</sup> day of March, 1941, before me personally appeared J. N. DONOVAN and F. E. FROST, to me known to be the Vice-President and Secretary, respectively, of the corporation that executed the foregoing instrument, and acknowledged 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.

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



S. B. Tiplin  
Notary Public in and for the State of Washington, residing at Bellingham.

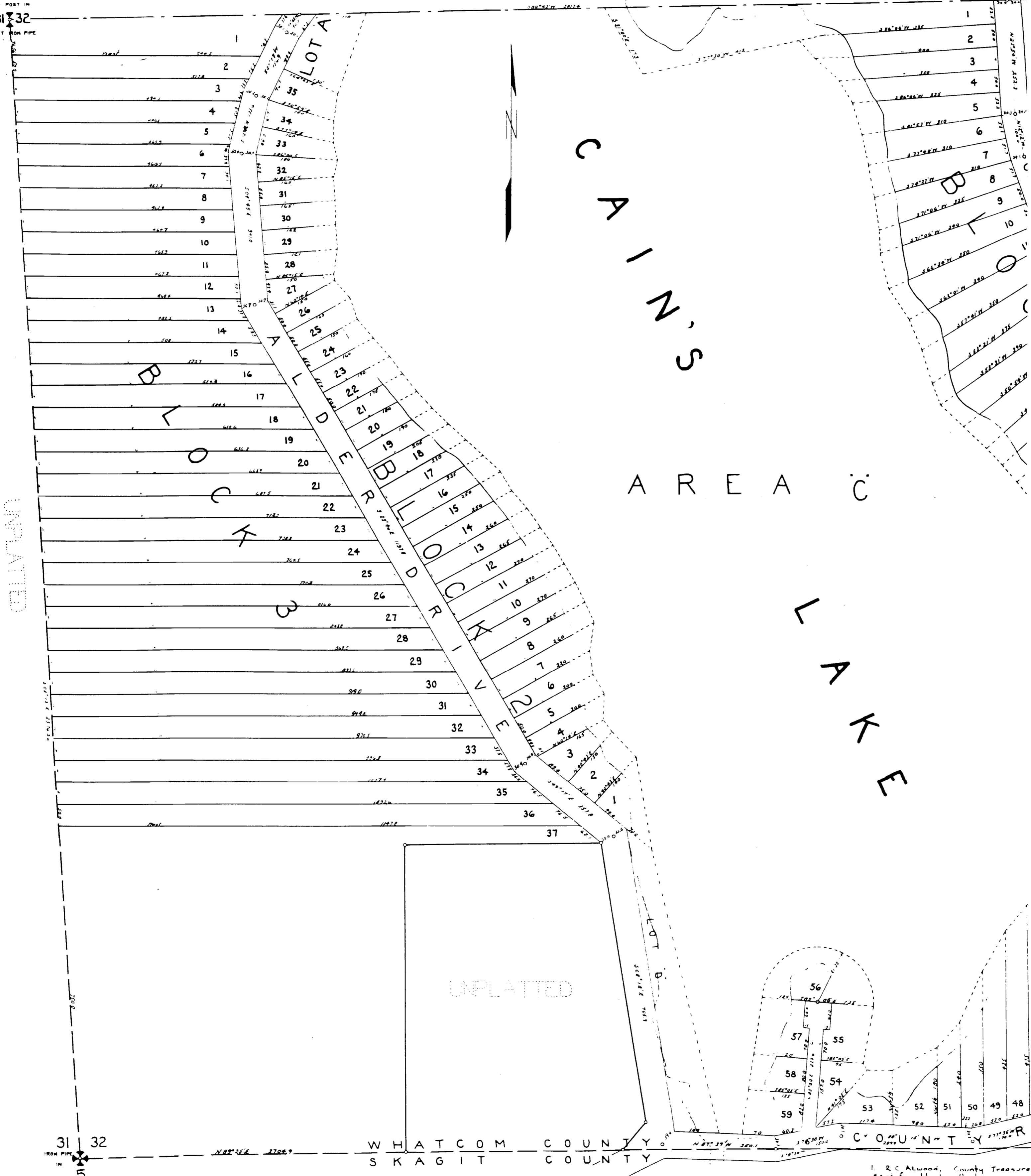
Received for record at 11:49 a M Mar 21 1941  
request of Bloedel Donovan Lumber Mills  
Auditor Whatcom Co., Wn.

# PLAT OF CAIN'S LAKE

IN SW 1/4 SEC. 32, TWP. 37N., RANGE 4E., W.M.

SCALE 1" = 100'  
O INDICATES IRON PIPE

OLD POST IN  
31 32  
SET IRON PIPE



31 32  
IRON PIPE

WHATCOM COUNTY  
SKAGIT COUNTY

I. R. C. Atwood, County Treasurer  
Certify that all taxes on  
real estate embraced in  
records in my office  
Witness my official  
March A. D. 1941

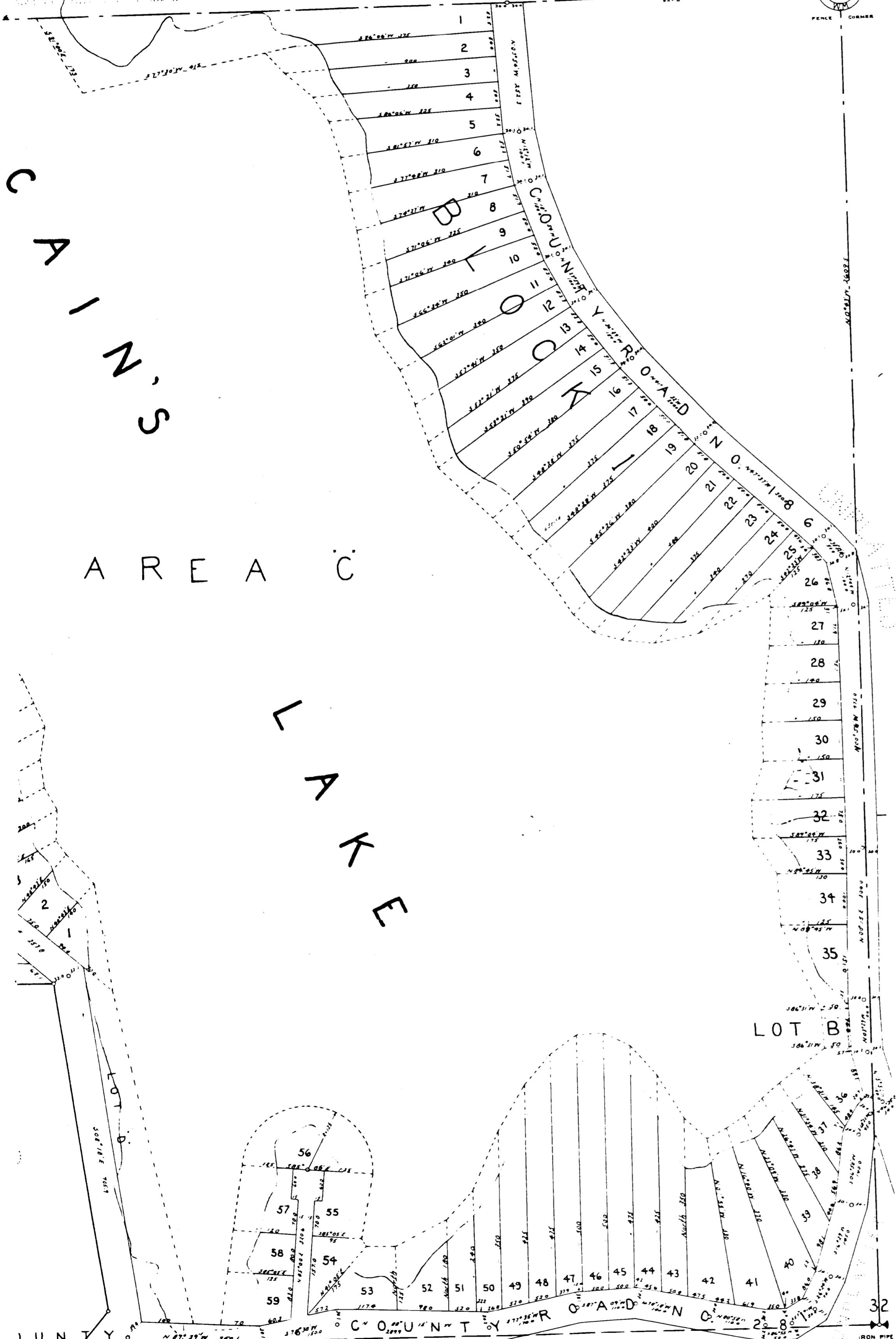
Covenant to Prop see vol 236 page 456  
736 - 457

# CAIN'S LAKE

TWP. 37N., RANGE 4E., W.M.

SCALE 1" = 100'  
O INDICATES IRON PIPE

UNPLATTED



**DESCRIPTION**

That portion of the Southwest 1/4 of Sec. 32, Twp. 37 N., Range 4E., W.M. lying north and west of the county road, except that portion described as follows, to-wit:

commencing at a stake 730 ft. east of the SW corner of Section 32, Twp. 37 N., R. 4E. W.M.; thence North 700 ft.; thence East 432 ft.; thence South 8 degrees East 641.9 ft.; to County Road; thence South 39 degrees and 37 minutes West 78.7 ft.; thence West 478.8 ft. to point of beginning, containing 7.32 acres more or less.

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned **BLOEDEL DONOVAN LUMBER MILLS**, a Corporation owners in fee simple of the land hereby platted, hereby declare this plat and dedicate to the use of the public forever, all streets, avenues and alleys shown hereon and the use thereof for all public purposes not inconsistent with the use thereof for public highway purposes, also all parks, easements or whatever public purpose thereon indicated, also Lot B; also Area C which is that portion of Cain's Lake within the plat boundaries, inclusive of that portion which is included within the lot boundaries; also, the right to make all necessary slopes for cuts or fills upon the lots, blocks, tracts, or parcels of land shown on this plat in the original grading of all the streets, avenues, alleys and places, shown hereon.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 5th day of March A.D., 1941.

**BLOEDEL DONOVAN LUMBER MILLS**  
*E. J. Donovan* Vice President  
*J. E. ...* Secretary

**ACKNOWLEDGMENT**

STATE OF WASHINGTON }  
 COUNTY OF WHATCOM } ss

THIS IS TO CERTIFY that on this 5th day of March A.D., 1941 before me, the undersigned, a Notary Public, personally appeared *E. J. Donovan* and *J. E. ...* to me known to be the Vice President and Secretary respectively of **Bloedel Donovan Lumber Mills**, 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 herein mentioned, and on oath stated that they were authorized to execute said instrument, and that the seal affixed to the corporate seal of said corporation.

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

*J. B. ...*  
 Notary Public in and for the State of Washington, residing at Bell...

**COVENANT**

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned **BLOEDEL DONOVAN LUMBER MILLS**, owners in fee simple of the land hereby platted, hereby covenant and agree that in consideration of the acceptance and approval by the platting authority of this plat with certain streets, avenues, boulevards and highways unimproved, we will improve in the manner required by the Whatcom County Planning Commission any such streets, avenue, boulevard or highway before the sale of any piece or parcel of land abutting on any such street, avenue, boulevard or highway, or deposit a bond to insure its improvement within one year from such sale. This covenant to run with the land in this plat and to be binding on the plattees for the benefit of all such purchasers.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 5th day of March A.D., 1941.

**BLOEDEL DONOVAN LUMBER MILLS**  
*E. J. Donovan* Vice President  
*J. E. ...* Secretary

**CERTIFICATE FROM ENGINEER**

I hereby certify that the plat of **CAIN'S LAKE** is based upon an actual survey and subdivision of section 32, Twp. 37 N., Range 4 E. W.M. that the distances, courses and angles are shown thereon correctly, that the monuments have been set and lot and block corners spaced correctly on the ground; that I have fully complied with the provisions of the statutes and the platting regulations.

*Ray C. ...*  
 Certificate No. 1568 (Seal)  
 Renewal No. E883 Jan 1, 1941

Examined and approved this 21 day of Feb.uary A.D., 1941

*W. A. Castello*  
 County Road Engineer

By *Carl McCoy*  
 Deputy County Road Engineer

I hereby certify that the within plat of **CAIN'S LAKE** is duly approved by the Whatcom County Planning Commission this 21 day of February A.D., 1941.

*J. S. ...*  
 Chairman, Board of County Commissioners

*James D. ...*  
 Secretary

Planning Engineer and Executive Officer

Examined and approved this 14th day of MARCH A.D., 1941

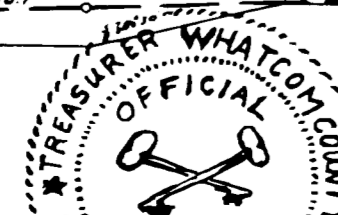
Attest:  
*Henry J. Snyder* Clerk, Board of County Commissioners  
*Frank ...* Chairman, Board of County Commissioners

Filed for record at the request of the Whatcom County Planning Commission this 14th day of March A.D. 1941 at ... minutes past ... M., and recorded in Volume ... of Plats, page ... Records of Whatcom County, Washington.

By *Deputy County Auditor* County Auditor

I, R. C. Atwood, County Treasurer of Whatcom County, Washington, do hereby certify that all taxes required by law have been paid upon the real estate embraced in this plat of "Cain's Lake" as shown by records in my office. Witness my official signature and seal this 13 day of March A.D. 1941.

*R. C. Atwood*  
 COUNTY TREASURER



Restrictive see vol 264 of Deeds page 5-2 Mar 24, 1941.

