

598226



WARRANTY DEED

VOL 303 PAGE 510

THIS INDENTURE WITNESSETH, That LARRABEE REAL ESTATE COMPANY, a Washington corporation, hereinafter called the "grantor," for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration to it in hand paid by H. A. BATCHELDER, and MARIE E. BATCHELDER, his wife, hereinafter called the "grantee," and the performance of the covenants and agreements hereinafter set forth to be performed by the grantee, his heirs and assigns, does by these presents convey and warrant to the grantee, his heirs and assigns, the following described premises situate in the County of Whatcom, State of Washington; to-wit:

Lot Fifty-One (51), Block One (1) of the "Chuckanut Addition to the City of Bellingham, Division No. 2" Whatcom County, Washington, as per the map thereof, recorded in Book 7 of Plats, page 57 in the Auditor's office of said county and state.

TO HAVE AND TO HOLD the said premises with all appurtenances unto the grantee, his heirs and assigns forever. The grantor for itself and its successors does hereby covenant to and with the grantee that it is the owner in fee simple of said premises, that they are free and clear of all incumbrances except claims, if any, arising from the acts of the grantee and that it will warrant and defend the title thereto against all lawful claims whatsoever not based upon such incumbrances. A part of the consideration for the execution of this deed by the grantor are the covenants and agreements hereinafter made and entered into by the grantee by his acceptance of this deed for himself, his heirs and assigns, to-wit:

1. Said lot shall be used only for suburban, residential or agricultural purposes as the private home of purchaser and there shall be at no time erected or placed on said premises more than one dwelling house except with the written consent of the grantor or assigns.

2. No noxious or offensive trade or activity shall be carried on upon said lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

3. No race or nationality other than the white race shall use or occupy any dwelling on said lot, except that this covenant shall not prevent occupancy by domestic servants of a different race or nationality employed by an owner or tenant.

4. No building shall be erected or placed on said lot until the design, plans, specifications and location thereof have been approved in writing by the grantor or assigns.

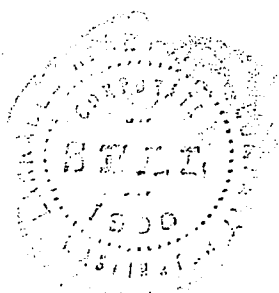
5. Any dwelling placed or erected upon said lot shall be completed as to external appearance within 9 months from the date of commencement of construction, and the ground floor area of such structure shall be not less than 500 square feet.

6. Until such time as a sewer system may be installed serving the premises herein described, the purchaser shall install a septic tank for the disposal of sewage, said septic tank to conform to all of the rules and regulations of the State Department of Health.

7. If the grantee or his heirs or assigns, violate or attempt to violate any of the covenants or restrictions herein, grantor shall be entitled to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or restriction, and either to prevent him or them from so doing or to recover damages for such violation.

8. These covenants and restrictions are to run with the land, and shall be binding upon all of the parties and all persons claiming under them until December 31, 1966, at which time said covenants and restrictions shall terminate.

IN WITNESS WHEREOF the said grantor has caused this instrument to be subscribed in its behalf by its president thereunto duly authorized and its corporate seal to be hereunto affixed and attested by its treasurer this 13th day of April, 1944.



LARRABEE REAL ESTATE COMPANY

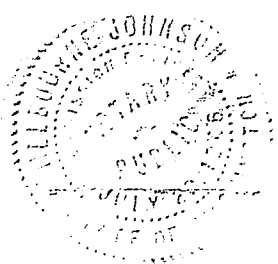
By Charles F. Larrabee  
President

By James Robertson  
Treasurer

STATE OF WASHINGTON )  
COUNTY OF WHATCOM } SS.

On this 21st day of April, 1944, before me personally appeared CHARLES F. LARRABEE and JAMES ROBERTSON, to me known to be the president and treasurer, respectively of LARRABEE REAL ESTATE 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 and year first above written.



Melbourne Johnson  
Notary Public in and for the State of Washington, residing at Bellingham.

Recorded at 9: A.M. DEC. 5 1944  
at request of BELLINGHAM ABSTRACT CO.  
Patty T. Sawyer, Auditor Whatcom Co., Wn.

57

# CHUCKANUT ADDITION

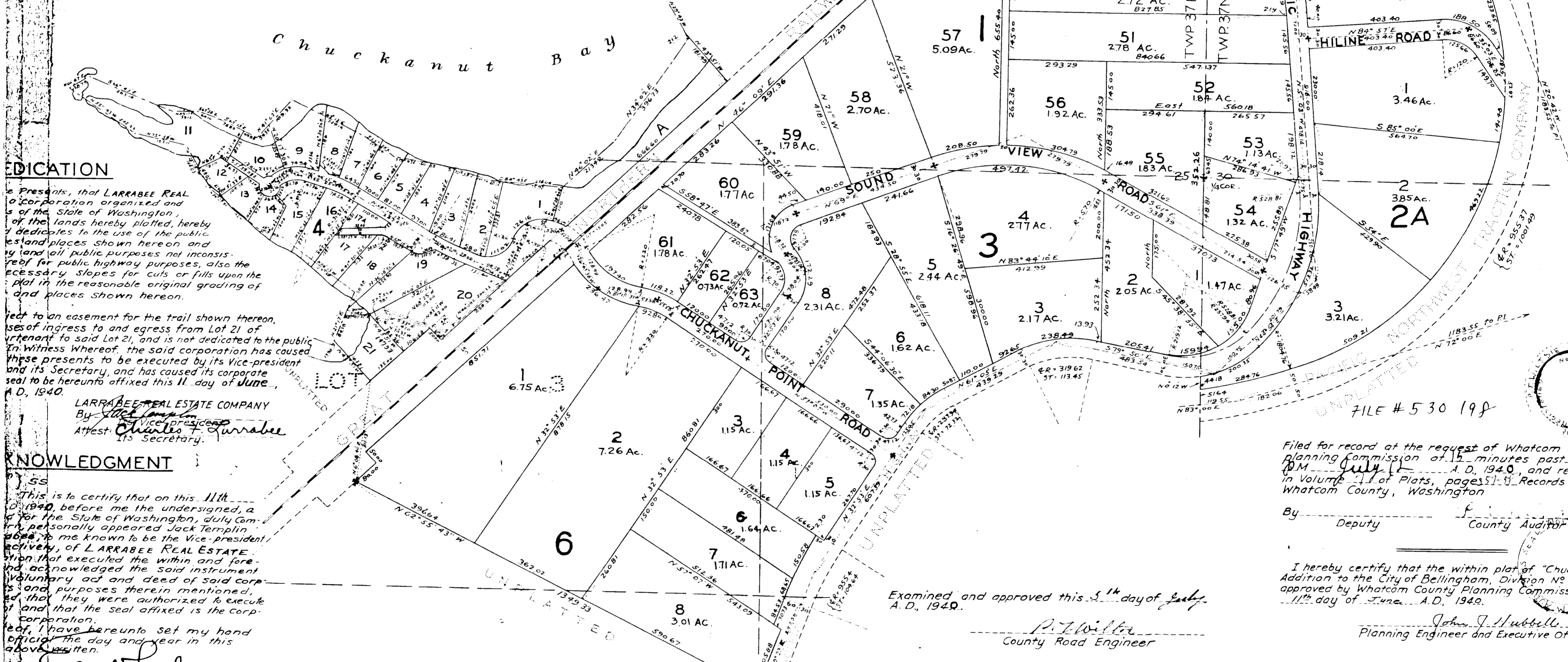
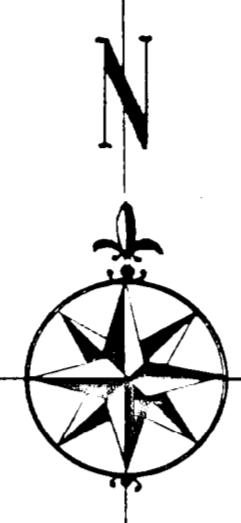
## TO THE CITY OF BELLINGHAM

SCALE: 1 IN. 200 FT. DIVISION NO. 2

H.W. RUTHERFORD  
ENGINEER

### DESCRIPTION

Chuckanut Addition to the City of Bellingham, Division No. 2, covers and includes those portions of Section Twenty-five (25) North, Range Two (2) East, W.M., and of Section Thirty (30), Township Thirty-seven (37) North, Range Two (2) East, W.M., south of Chuckanut Addition to the City of Bellingham as said plat is recorded in Volume 1 of Plats, records of Whatcom County, Washington, and lying westerly and northerly of the Pacific Highway (Chuckanut Highway) and easterly of the following described lines: Beginning at a point on the northwesterly marginal line of said Section Twenty-five (25) North, Range Two (2) East, W.M., which point the southeast corner of Section Twenty-five (25), Township Thirty-seven (37) North, Range Two (2) East, W.M., is a distance of 1667.45 feet (the east boundary line of said section bears N 0° 12' 00" West from this section's north 62° 55' 43" west 1349.33 feet to the southeasterly marginal line of the Great Northern Railway Company's right of way, 0° 08' 40" East 311.13 feet to a point on the northwesterly marginal line of said railway right of way; thence, right angles to said railway right of way, 163.21 feet, more or less, to an intersection with the United States (severn together with all tide lands of the second class in front thereof or abutting thereon, excepting therefrom the right of way of the Northern Railway Company; also, those portions of the southwest quarter of the northwest quarter (SW 1/4 of NW 1/4) of the southwest quarter (SW 1/4 of SW 1/4) of Section Thirty (30), Township Thirty-seven (37) North, Range Three (3) East, of the Pacific Highway (Chuckanut Drive) and westerly and northerly of the Pacific Northwest Traction Company's right of way, easterly of the following described line: Beginning at a point on the easterly marginal line of the Pacific Highway and which point the northwest corner of the southwest quarter of the northwest quarter (SW 1/4 of NW 1/4) of said Section Thirty (30) North, Range Two (2) East, W.M., is a distance of 154.38 feet and North 0° 12' 00" West 272.64 feet, measured, respectively, at right angles to the boundary line of said southeasterly marginal line of the Pacific Highway, 413.37 feet, more or less, to an intersection with the line of the Pacific Northwest Traction Company's right of way, 413.37 feet, more or less, to an intersection with the center line of the trail ten (10) feet in width across Lot 20, Block 4, is as shown upon the plat. Bearings are as shown upon the face of the plat.



### EDICATION

Whereas, the LARRABEE REAL ESTATE COMPANY, a corporation organized and existing under the laws of the State of Washington, is the owner of the lands hereby platted, hereby dedicates to the use of the public the lands and places shown hereon and the easements and all public purposes not inconsistent therewith for public highway purposes, also the necessary slopes for cuts or fills upon the lands shown hereon, and the original grading of the lands and places shown hereon.

And whereas, the LARRABEE REAL ESTATE COMPANY, a corporation organized and existing under the laws of the State of Washington, is the owner of the lands hereby platted, hereby dedicates to the use of the public the lands and places shown hereon and the easements and all public purposes not inconsistent therewith for public highway purposes, also the necessary slopes for cuts or fills upon the lands shown hereon, and the original grading of the lands and places shown hereon.

LARRABEE REAL ESTATE COMPANY  
By *Charles F. Larrabee*  
Attest *Charles F. Larrabee*  
Secretary

### KNOWLEDGMENT

This is to certify that on this 11th day of July, 1940, before me the undersigned, a Notary Public in and for the State of Washington, duly sworn, personally appeared Jack Templin, known to me to be the Vice-president and Secretary of LARRABEE REAL ESTATE COMPANY, that executed the within and foregoing instrument and acknowledged the said instrument to be his voluntary act and deed of said corporation and purposes therein mentioned, and that they were authorized to execute the same and that the seal affixed is the corporate seal of said corporation.

*Charles F. Larrabee*  
Notary Public in and for the State of Washington, residing at Bellingham.

### CERTIFICATE

I hereby certify that the plat of "Chuckanut Addition to the City of Bellingham, Division No. 2" is based upon an actual survey of Section 25, Township 37 North, Range 2 East, W.M., shown upon this plat, that the monuments at the corners staked upon the ground, that I have fully complied with the provisions of the statute and platting regulations.

*H. W. Rutherford*  
Certificate No. 673

NOTE:  
\* Indicates concrete monument

Approved by order of the Board of Supervisors of Crescent Township, Whatcom County, Washington, this 2nd day of July, A.D. 1940.

*H. L. Griswold*  
Chairman of the Board of Supervisors of Crescent Township, Whatcom County, Washington

Examined and approved this 5th day of July, A.D. 1940.

*P. T. Wilton*  
County Road Engineer

Examined and approved this 7th day of July, A.D. 1940.

*Albert F. Anderson*  
Chairman of the Board of County Commissioners  
PLINY T. BRYDER  
Clerk of Board.

Attest: *J. E. Masterson*  
Deputy

By *J. E. Masterson*  
Deputy

Filed for record at the request of Whatcom County Planning Commission at 15 minutes past 3:00 P.M. July 11, 1940, and recorded in Volume 11 of Plats, pages 11-14 Records of Whatcom County, Washington

By *Deputy* County Auditor

I hereby certify that the within plat of "Chuckanut Addition to the City of Bellingham, Division No. 2" is approved by Whatcom County Planning Commission on the 11th day of June, A.D. 1940.

*John J. Hubbell*  
Planning Engineer and Executive Officer

I, R. C. Atwood, County Treasurer of Whatcom County, Washington, do hereby certify that all taxes required by law to be paid upon that portion of real estate embraced within this plat owned by the Larrabee Real Estate Company have been fully paid, as shown by records in my office.

Witness my official signature and seal this 1st day of July, A.D. 1940.

*R. C. Atwood*  
Treasurer of Whatcom County, Washington

For declaration as to Restrictions of Lots 1, 2, 3, 4 & 5 Block 4, Blk 3, Lots 61, 62, 63, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

D-RC # 1648911 R 115 P 1590 8.25-89

LLA 920719154 U.24 Pg 75 L45 62463 BIK 1

# CHUCKANUT ADDITION

## TO THE CITY OF BELLINGHAM

SCALE: 1 IN. = 200 FT. DIVISION NO. 2

H. W. RUTHERFORD  
ENGINEER

### DESCRIPTION

This plat of "Chuckanut Addition to the City of Bellingham Division No. 2," covers and includes those portions of Section Twenty-five (25), Township Thirty-seven (37) North, Range Two (2) East, W.M., and of Section Thirty (30), Township Thirty-seven (37) North, Range Three (3) East, W.M., lying South of Chuckanut Addition to the City of Bellingham as said plat is recorded in Volume 1 of Plats, pages 46 and 47, records of Whatcom County, Washington, and lying westerly and northerly of the Pacific Highway (Chuckanut Drive), and lying northerly and easterly of the following described lines: Beginning at a point on the northwesterly marginal line of said Pacific Highway from which point the southeast corner of Section Twenty-five (25), Township Thirty-seven (37) North, Range Two (2) East, W.M., bears South  $52^{\circ} 11' 46''$  East a distance of 1667.45 feet (the east boundary line of said section bears  $N 0^{\circ} 12' 00''$  West from this section corner) and running thence North  $62^{\circ} 55' 43''$  West 1349.33 feet to the southeasterly marginal line of the Great Northern Railway Company's right of way; thence North  $6^{\circ} 08' 40''$  East 311.13 feet to a point on the northwesterly marginal line of said railway right of way; thence North  $43^{\circ} 51'$  West, at right angles to said railway right of way, 163.21 feet, more or less, to an intersection with the United States Government Meander Line; together with all tide lands of the second class in front thereof or abutting thereon, excepting therefrom the right of way of said Great Northern Railway Company; Also, those portions of the southwest quarter of the northwest quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of said Section Thirty (30), Township Thirty-seven (37) North, Range Three (3) East, W.M., lying easterly of the Pacific Highway (Chuckanut Drive) and westerly and northerly of the Pacific Northwest Traction Company's right of way and lying southeasterly of the following described line: Beginning at a point on the easterly marginal line of the Pacific Highway (Chuckanut Drive) from which point the northwest corner of the southwest quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of said Section Thirty (30) bears South  $85^{\circ} 48' 00''$  West 154.38 feet and North  $0^{\circ} 12' 00''$  West 272.64 feet, measured, respectively, at right angles to and along the west boundary line of said southwest quarter of the northwest quarter (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of said section, running thence North  $72^{\circ} 06' 00''$  East, of right angles to said easterly marginal line of the Pacific Highway, 413.37 feet, more or less, to an intersection with the westerly marginal line of the Pacific Northwest Traction Company's right of way.

The location of the center line of the trail ten (10) feet in width across Lot 20, Block 4, is as shown upon the plat.

All dimensions and bearings are as shown upon the face of the plat.

### DEDICATION

Know All Men By These Presents, that LARRABEE REAL ESTATE COMPANY, a corporation organized and existing under the laws of the State of Washington, owner in fee simple of the lands hereby plotted, hereby declares this plat and dedicates to the use of the public forever all roads, lanes and places shown hereon and the use thereof for any and all public purposes not inconsistent with the use thereof for public highway purposes, also the right to make all necessary slopes for cuts or fills upon the lots shown upon this plat in the reasonable original grading of all the roads, lanes and places shown hereon.

Lot 20, Block 4, is subject to an easement for the trail shown thereon, which trail is for purposes of ingress to and egress from Lot 21 of said block and is appurtenant to said Lot 21, and is not dedicated to the public.

In Witness Whereof, the said corporation has caused these presents to be executed by its Vice-president and its Secretary, and has caused its corporate seal to be hereunto affixed this 11th day of June, A.D. 1940.

LARRABEE REAL ESTATE COMPANY  
By *Charles F. Larrabee*  
Attest: *Charles F. Larrabee*  
Its Secretary.

### ACKNOWLEDGMENT

State of Washington }  
County of Whatcom } SS

This is to certify that on this 11th day of June, A.D. 1940, before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Jack Templin and Charles F. Larrabee, to me known to be the Vice-president and Secretary, respectively, of LARRABEE REAL ESTATE 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 each stated that they were authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

In Witness Whereof, I have hereunto set my hand and official seal this 11th day of June, 1940.

*Charles F. Larrabee*  
Notary Public in and for the State of Washington,  
residing at Bellingham.

### CERTIFICATE

I hereby certify that the plat of "Chuckanut Addition, to the City of Bellingham, Division No. 2," is based upon an actual survey of and subdivision of Section 25, Township 37 North, Range 2 East, W.M., and a survey of that portion of Section 30, Township 37 North, Range 3 East, W.M., shown upon this plat, that the monuments have been set and lot corners staked upon the ground, that I have fully complied with the provisions of the statute and platting regulations.

*H. W. Rutherford*  
Certificate No. 673

NOTE:  
\* Indicates concrete monument

Approved by order of the Board of Supervisors of Crescent Township, Whatcom County, Washington, this 2nd day of July, A.D. 1940.

*H. L. Grindell*  
Chairman of the Board of Supervisors of Crescent Township, Whatcom County, Washington

Examined and approved this 5th day of July, A.D. 1940.

*P. T. Miller*  
County Road Engineer

Examined and approved this 5th day of July, A.D. 1940.

*Albert F. Anderson*  
Chairman of the Board of County Commissioners

Attest: *J. E. Masterson*  
Clerk of Board.  
By *J. E. Masterson*  
Deputy

Filed for record at the recording commission at Bellingham, Washington, in Volume 1 of Plats, Whatcom County, Washington, July 11, 1940.

By \_\_\_\_\_  
Deputy

I hereby certify that the Addition to the City of Bellingham, approved by Whatcom County, Washington, on the 11th day of June, A.D. 1940.

*P. T. Miller*  
Planning Engineer

I, R. C. Atwood, County Clerk, Whatcom County, Washington, do hereby certify that the real estate embraced in the Larrabee Real Estate plat, as shown by record, is paid, as shown by record.

Witness my official seal this 11th day of July, 1940.

*R. C. Atwood*  
Treas.

for Declaration of Restrictive covenants Lots 1, 2, 3, 4, 5 Block 4 Lots 11, 12, 13, 14, 15 Block 3 Lots 16, 17, 18, 19, 20 Block 4 see vol 761 of records 487 page 20 7/14/40  
Boundary line agmt, see vol 852 page 749 9-9-45