

Know all men by these presents that Henry Wischhoefer and Emma Wischhoefer, husband and wife, the owner in fee simple of all of the following described property, on their behalf and on behalf of all subsequent purchasers and owners of any part of said property, do hereby impose the following Protective Covenants on all of that property situated in the State of Washington and County of Kitsap described as follows:

- (a) Lots 1 to 37 inclusive, Wischhoefer Addition.
- (b) Beginning at a point which is 85 feet north of the southwest corner of the northwest quarter of the southeast quarter of the southeast quarter of section 12, township 24 north, range 1 east, W. M.; thence south $88^{\circ}11'00''$ east 160 feet to the true point of beginning; thence to the west line of Brashem Avenue; thence south $1^{\circ}50'46''$ east 130 feet, more or less, to the west line of Brashem Avenue 54.8 feet; thence north $88^{\circ}11'00''$ west 130 feet, more or less, to a point which is south $1^{\circ}50'46''$ west of the true point of beginning; thence north $1^{\circ}50'46''$ east 54.8 feet to the true point of beginning;
Subject to an easement over the west 6 feet thereof for alley.
- (c) Beginning at a point which is 85 feet north of the southwest corner of the northwest quarter of the southeast quarter of the southeast quarter of section 12, township 24 north, range 1 east, W. M.; thence south $88^{\circ}11'00''$ east 160 feet; thence south $1^{\circ}50'46''$ west 54.8 feet to the true point of beginning; thence south $88^{\circ}11'00''$ east 130 feet, more or less, to the west line of Brashem Avenue; thence south $1^{\circ}50'46''$ west 54.8 feet along the west line of Brashem Avenue; thence north $88^{\circ}11'00''$ west 130 feet, more or less, to a point which is south $1^{\circ}50'46''$ west of the true point of beginning; thence north $1^{\circ}50'46''$ east 54.8 feet to the true point of beginning;
Subject to an easement over the west 6 feet thereof for alley.
- (d) Beginning at a point which is 85 feet north of the southwest corner of the northwest quarter of the southeast quarter of the southeast quarter of section 12, township 24 north, range 1 east, W. M.; thence south $88^{\circ}11'00''$ east 160 feet; thence south $1^{\circ}50'46''$ west 109.6 feet to the true point of beginning; thence south $88^{\circ}11'00''$ east 130 feet, more or less, to the west line of Brashem Avenue; thence south $1^{\circ}50'46''$ west along the west line of Brashem Avenue; to a point which is north $1^{\circ}50'46''$ east 75 feet from the northeast corner of lot 6, as shown on the plat of Beverly Hills, as per plat, recorded in volume 6 of Plats, page 30, records of Kitsap County, Washington; thence north $88^{\circ}01'25''$ west to a point which is south $1^{\circ}50'46''$ west of the true point of beginning; thence north $1^{\circ}50'46''$ east to the true point of beginning;
Subject to an easement over the west 6 feet and the south 12 feet thereof for alley.

These covenants are to run with the land and shall be binding on all the parties and all persons claiming under them until January 1, 1972, at which time said covenants shall be automatically extended for successive periods of ten years unless by a vote of the majority of the then owners of the lots it is agreed to change the said covenants in whole or in part.

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.

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

(1) No structure shall be erected, altered, placed, or permitted to remain on any lot or building plat 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, it being understood that Lot 34 will be subdivided into smaller lots

(2) No dwelling costing less than \$5,000.00 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 864 square feet in the case of a one story structure, nor less than 720 square feet in the case of a one and one half, two, or two and one half story structure.

(3) No basement, garage, or temporary building erected on the tract shall at any time be used as a residence, temporarily or permanently.

(4) No fence or hedge shall be permitted to extend nearer to any street line than the minimum building setback line or the front line of any dwelling, and in no event shall any fence erected on the property exceed four (4') feet in height.

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

(6) No persons of any race other than the Caucasian 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.

(7) Any dwelling or structure erected or placed on any lot or plot shall be completed as to exterior appearance, including finished painting, within six (6) months from date of commencement of construction.

Ith WITNESS WHEREOF the said Henry Wischhoefer and Emma Wischhoefer have hereunto set their hands and seals this 14th day of November, 1946.

Henry Wischhoefer
Emma W. Wischhoefer

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STATE OF WASHINGTON)
) ss.
COUNTY OF KITSAP)

THIS IS TO CERTIFY, That on this 14th day of November A. D. 1946, before me, the undersigned, a notary public in and for the State of Washington, duly commissioned and sworn, personally came Henry Wischhoefer and Emma Wischhoefer to me known to be the individuals described in and who executed the within instrument, and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate first above written.

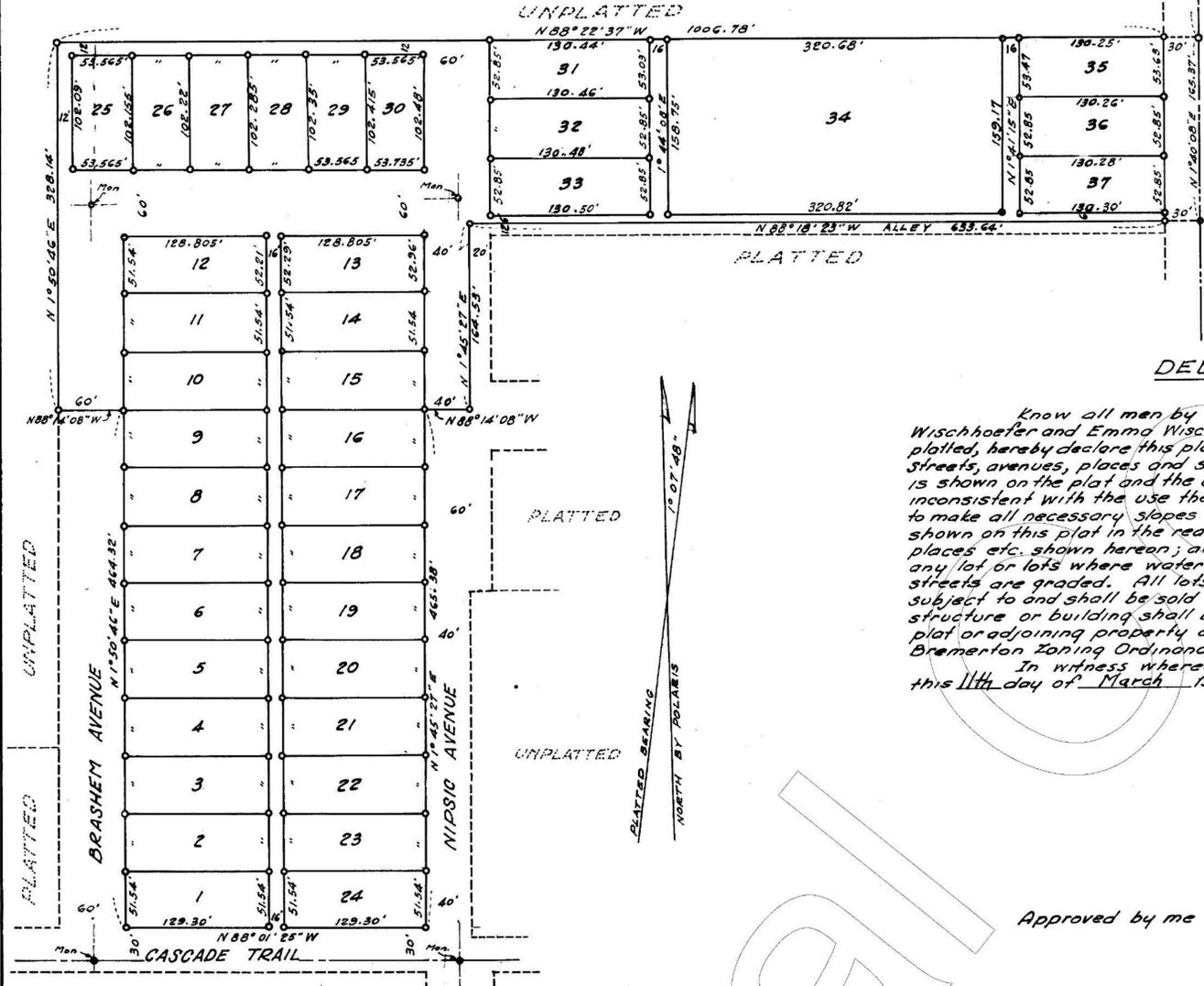


C. A. Fulmer
Notary Public in and for the State of Washington, residing at Bremerton.

Filed for Record Nov 15 1946 at 3:25 P. M Request of BREMERTON TITLE CO.
Edgar D. Smith, Kitsap County Auditor E. W.

PLAT OF WISCHHOEFER ADDITION

Scale 1" = 100'



DEDICATION

Know all men by these presents that we the undersigned Henry Wischhoefer and Emma Wischhoefer, his wife, owners in fee simple of land hereby platted, hereby declare this plat and dedicate to the use of the public forever all streets, avenues, places and sewer easements or whatever public property there is shown on the plat 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 and fills upon the lots, blocks, tracts, etc. shown on this plat in the reasonable original grading of all the streets, avenues, places etc. shown hereon; also the right to drain all streets over and across any lot or lots where water might take a natural course after the street or streets are graded. All lots, tracts, or parcels of land embraced in this plat are subject to and shall be sold under the following restrictions: No permanent structure or building shall be constructed on any lot, tract or parcel of this plat or adjoining property as designated which does not conform to City of Bremerton Zoning Ordinance.

In witness whereof we have hereunto set our hands and seals this 14th day of March 1946.

Henry Wischhoefer
Emma Wischhoefer

Approved by me this 14th day of MARCH A.D. 1946

E. J. Seemann
 City Engineer

Approved this 27th day of APRIL A.D. 1946

C. A. Zulmer
 Chairman City Planning Commission
John Oberhel
 Secretary - City Planning Commission

I, REINA M. OSBURN Treasurer of Kitsap County Washington hereby certify that all taxes on the above property are fully paid up to and including the year 1944.

Reina M. Osburn

Approved by the board of City Commissioners this 27th day of APRIL A.D. 1946

ATTEST:
[Signature]
 Auditor and Clerk of the Board of City Commissioners

J. H. Neun
 Chairman of the Board of City Commissioners

Filed for record at the request of Henry Wischhoefer on April 29, 1946 at 31 minutes past 3 P.M. and recorded in volume 7 of Plats page 29 records of Kitsap County, Washington.

County Auditor Edgar D. Smith
 By: Deputy Margaret McPherson

DESCRIPTION

This plat comprises that part of the S², N², N², S.E.⁴, S.E.⁴ lying East of the West line of Brasham Ave. produced, and that part of the N², W², S², N², S.E.⁴, S.E.⁴ lying East of the West line of Brasham Ave. produced, also that part of the Original Plat of Beverly Hills lying East of Brasham Ave., all located in Section 12 Twp. 24 North Range 1 East W.M. and more particularly described as follows: Beginning at a point which is S 1°40'08" W 1488.59 ft. from the East Quarter Corner of Section 12, Twp. 24 N., Range 1 East W.M., running thence N 88°22'37" W a distance of 1036.78 ft. to intersect the West line of Brasham Ave. produced, thence S 88°14'08" E a distance of 328.14 ft. along the said West line of Brasham Ave. produced, thence S 88°14'08" E a distance of 60.00 ft. thence S 1°50'46" W a distance of 464.32 ft. along the East line of Brasham as platted in Beverly Hills Add., thence S 88°01'25" E a distance of 274.60 ft. along the North line of Cascade Trail, thence N 1°45'27" E a distance of 465.38 ft., thence S 88°14'08" E a distance of 40.00 ft., thence N 1°45'27" E a distance of 164.53 ft., thence S 88°18'23" E a distance of 663.64 ft. to the East line of Section 12, T. 24 N., R. 1 E. W.M., also the center line of Trenton Ave., thence N 1°40'08" E a distance of 165.37 ft. along the said center line of Trenton Ave. to the point of beginning. Except the East 30.00 ft. of the S², N², N², S.E.⁴, S.E.⁴ Section 12, T. 24 N., R. 1 E. W.M.

ENGINEER'S CERTIFICATE

I hereby certify that the plat of Wischhoefer Addition is based upon an actual survey and subdivision of Section 12 Twp. 24 N., Range 1 East W.M. that the distances and courses of angles are shown thereon correctly, the monuments have been set and all lot & block corners have been staked on the ground.

[Signature]
 Registered Professional Engineer and Land Surveyor

ACKNOWLEDGEMENT

STATE OF WASHINGTON) s.s.
 COUNTY OF KITSAP)

This is to certify that on the 14th day of March A.D. 1946 before me, the undersigned, a notary public in and for the State of Washington duly commissioned and sworn, personally appeared Henry Wischhoefer and Emma Wischhoefer, his wife to me known to be the individuals described in and who executed the foregoing instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes mentioned therein.

In witness whereof I have hereunto set my hand and seal the day and year first above written.

C. A. Zulmer
 Notary Public in and for the State of Washington
 Residing at Bremerton.