

DECLARATION OF PROTECTIVE RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS the undersigned is the owner of the real estate situated in Pierce County, Washington, known as LAKE WHITMAN ADDITION to Benbow Lakes, Pierce County, Washington, and desires that all sales of property in said addition shall be made subject to certain reservations and covenants, the purposes of which are to inure to the desirability of the property for residential purposes,

NOW, THEREFORE, in consideration of the premises, the undersigned hereby certifies and declares that the protective restrictions and reservations hereinafter set forth shall inure to the benefit of and be binding upon each and every lot in said addition, and shall apply to and be binding upon the respective owners of such lots and upon their successors in interest, such reservations and restrictions being as follows:

1. All lots in the said tract shall be known and designated as residential lots. No structures shall be erected, altered, placed, or permitted to remain on any residential building lot other than detached single-family dwellings and outbuildings, including garages, incidental to residential use of the lot.

2. No part of said lot shall be used for the sale or dispensing of beer, wine, or intoxicating liquor, and 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 a nuisance to the neighborhood.

3. No dwelling costing less than \$2,000.00 shall be permitted on any lot in the tract.

4. No person 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 not to exceed two domestic servants of a different race domiciled with an owner or tenant.

5. Any dwelling or structure erected or placed on any lot shall be completed as to exterior appearance within nine months from date of commencement of construction.

These covenants and restrictions shall run with the land and be binding upon all parties owning lots in said addition or claiming any interest therein until June 1, 1967; and, thereafter, said covenants and restrictions shall be automatically extended for successive periods of ten years each unless, by written agreement of the owners of a majority of the lots in said addition, it is agreed to change or terminate said covenants and restrictions in whole or in part.

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

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed by its proper officers and its corporate seal to be affixed this 20<sup>th</sup> day of June, 1947.

WHITMAN REALTY CO.

By Fred Johnston  
President

By Carl E. Brown  
Secretary

STATE OF WASHINGTON)

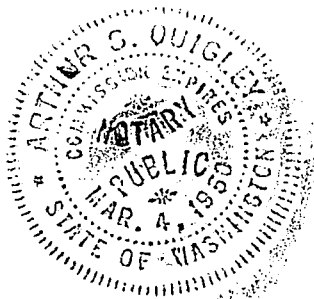
COUNTY OF KING)

ss.

On this 20<sup>th</sup> day of June, 1947, before me personally appeared Fred Johnston and

Carl E. Brown, to me known to be the President and Secretary, respectively, of WHITMAN REALTY CO., the corporation that executed the 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 are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

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



Arthur S. Quigley  
Notary Public in and for the State  
of Washington, residing at Seattle.

AUDITOR'S NOTE:  
Corporate Seal Omitted

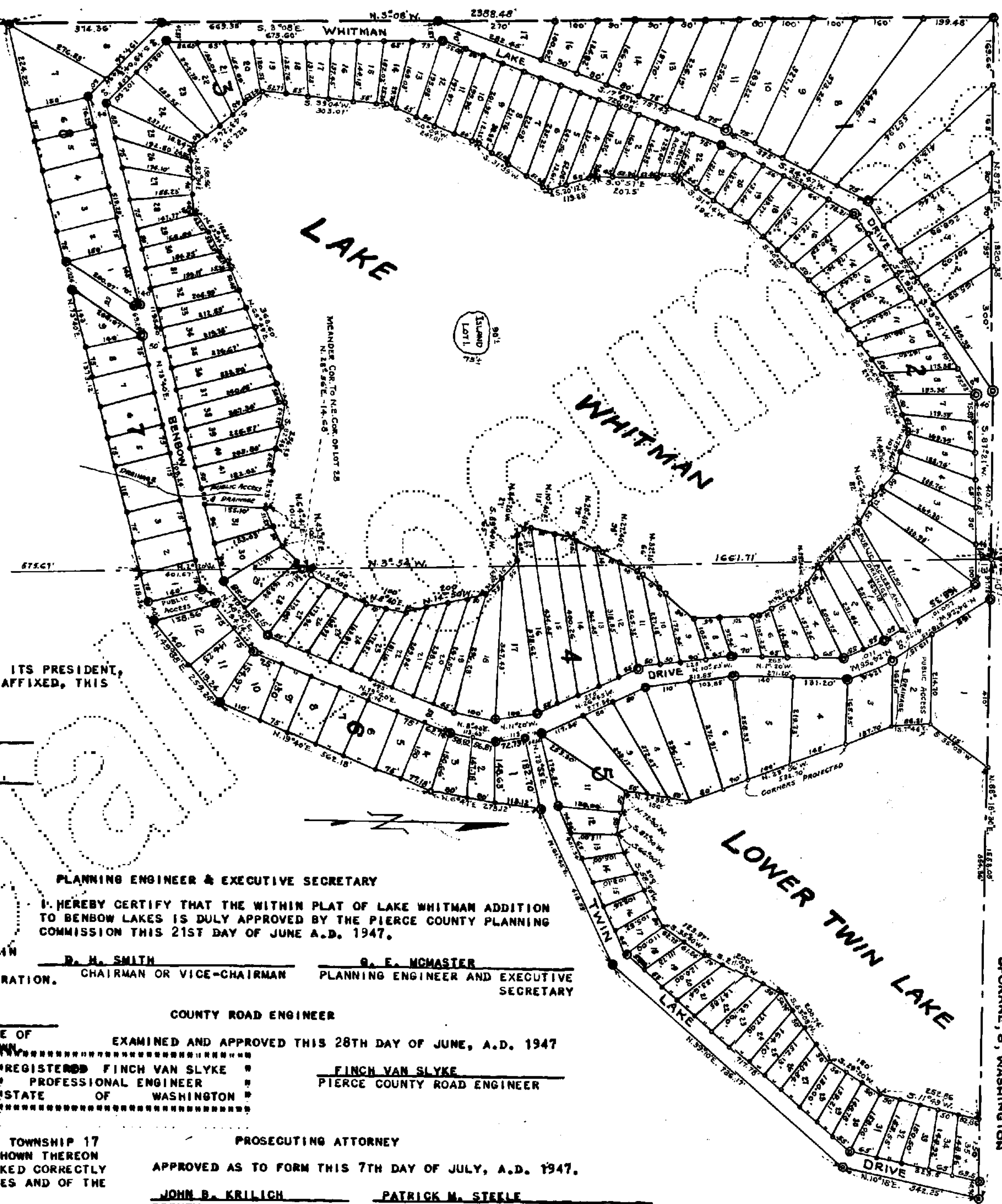
Filed for Record Jul. 8, 1947 2:36 pm  
Request of Whitman Realty Co  
J. E. FORD, County Auditor

# PLAT OF LAKE WHITMAN ADDITION

TO BENBOW LAKES PIERCE COUNTY, WASHINGTON JUNE 3, 1947

SCALE: 1 INCH = 200 FEET

C.F. GRIGGS  
CIVIL ENGINEER  
815 PAULSEN BUILDING  
SPOKANE, 8, WASHINGTON



## DESCRIPTION

A TRACT OF LAND LOCATED IN:- THE EAST HALF OF THE N.E. 1/4 OF SECTION 14 AND THE N.W. 1/4 OF SECTION 13, T.17 N., R.4 E., W.M., PIERCE COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:-  
SECTION 14:- BEGINNING AT THE N.E. CORNER OF SAID SECTION 14; THENCE S. 87° 21' W. ALONG THE NORTH LINE OF SAID SECTION 14 A DISTANCE OF 1320.38 FEET TO A POINT; THENCE S. 308° E. ALONG THE EAST LINE OF THE WEST 1/2 OF THE NE 1/4 OF SAID SECTION 14 A DISTANCE OF 2388.48 FEET TO A POINT; THENCE N. 73° 40' E. A DISTANCE OF 1373.12 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 14; THENCE N. 2° 20' W. ALONG SAID EAST LINE A DISTANCE OF 401.57 FEET TO A POINT; THENCE N. 3° 54' W. ALONG SAID EAST LINE OF SECTION 14 A DISTANCE OF 1661.71 FEET TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING.  
SECTION 13:- BEGINNING AT THE N.W. CORNER OF SECTION 13, THENCE S. 3° 54' E. ALONG THE WEST LINE OF SAID SECTION 13 A DISTANCE OF 1661.71 FEET TO A POINT; THENCE S. 2° 20' E. ALONG THE WEST LINE OF SECTION 13 A DISTANCE OF 401.57 FEET TO A POINT; THENCE N. 73° 40' E. A DISTANCE OF 118.34 FEET; THENCE N. 49° 38' E. A DISTANCE OF 159.14 FEET; THENCE N. 19° 40' E. A DISTANCE OF 562.18 FEET; THENCE N. 6° 47' E. A DISTANCE OF 273.12 FEET; THENCE N. 61° 45' E. A DISTANCE OF 413.59 FEET; THENCE N. 39° 10' E. A DISTANCE OF 736.17 FEET; THENCE N. 10° 18' E. A DISTANCE OF 342.25 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 13; THENCE S. 88° 18' 30" W. ALONG SAID NORTH LINE OF SECTION 13 A DISTANCE OF 1553.05 FEET TO THE TRUE POINT OF BEGINNING.

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE WHITMAN REALTY CO. A CORPORATION EXISTING UNDER THE LAWS OF THE STATE OF WASHINGTON, OWNER IN FEE SIMPLE OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT, TO BE KNOWN AS LAKE WHITMAN ADDITION TO BENBOW LAKES, AND DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, AVENUES, ROADS, 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 PROPERTY OR PLACES THERE ARE SHOWN ON THE PLAT FOR THE PURPOSE THEREON INDICATED; 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 REASONABLE GRADING OF ALL STREETS AVENUES, ROADS, ALLEYS, AND PLACES SHOWN HEREON.  
IN WITNESS WHEREOF, THE WHITMAN REALTY CO., A CORPORATION, PURSUANT TO RESOLUTIONS OF ITS BOARD OF DIRECTORS, DULY AND LEGALLY ADOPTED, HAS CAUSED THESE PRESENTS TO BE SIGNED BY FRED JOHNSTON, ITS PRESIDENT, AND CARL E. CROSON, ITS SECRETARY, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED, THIS 20TH DAY OF JUNE A.D. 1947.

WHITMAN REALTY CO. BY

FRED JOHNSTON  
PRESIDENT  
CARL E. CROSON  
SECRETARY

WHITMAN REALTY CO. - WASHINGTON  
CORPORATE SEAL 1947

## ACKNOWLEDGMENT

STATE OF WASHINGTON SS  
COUNTY OF KING  
THIS IS TO CERTIFY THAT ON THIS 20TH DAY OF JUNE A.D. 1947, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED FRED JOHNSTON AND CARL E. CROSON, TO ME KNOWN TO BE PRESIDENT AND SECRETARY OF THE WHITMAN REALTY CO., THE CORPORATION WHICH 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 OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

OFELL M. JOHNSON  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT SEATTLE, WA.

## PLANNING ENGINEER & EXECUTIVE SECRETARY

I HEREBY CERTIFY THAT THE WITHIN PLAT OF LAKE WHITMAN ADDITION TO BENBOW LAKES IS DULY APPROVED BY THE PIERCE COUNTY PLANNING COMMISSION THIS 21ST DAY OF JUNE A.D. 1947.

D. H. SMITH  
CHAIRMAN OR VICE-CHAIRMAN  
G. E. MCMASTER  
PLANNING ENGINEER AND EXECUTIVE SECRETARY

## COUNTY ROAD ENGINEER

EXAMINED AND APPROVED THIS 28TH DAY OF JUNE, A.D. 1947

REGISTERED FINCH VAN SLYKE  
PROFESSIONAL ENGINEER  
STATE OF WASHINGTON

FINCH VAN SLYKE  
PIERCE COUNTY ROAD ENGINEER

## PROSECUTING ATTORNEY

APPROVED AS TO FORM THIS 7TH DAY OF JULY, A.D. 1947.

JOHN B. KRILICH  
DEPUTY

PATRICK M. STEELE  
PROSECUTING ATTORNEY, PIERCE COUNTY

TREASURER  
OFFICIAL SEAL  
PIERCE COUNTY, WASHINGTON

## ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT OF LAKE WHITMAN ADDITION TO BENBOW LAKES IS BASED UPON ACTUAL SURVEY AND SUBDIVISION OF SECTIONS 13, AND 14, TOWNSHIP 17 NORTH, RANGE 4 EAST, W.M.; THAT THE DISTANCES, COURSES, AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT THE MONUMENTS HAVE BEEN SET AND LOT AND BLOCK CORNERS STAKED CORRECTLY ON THE GROUND; THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE STATUTES AND OF THE REGULATIONS GOVERNING PLATTING.  
CERTIFICATE NO. 402  
RENEWAL NO. 455  
DATE: JUNE 3, 1947.

C. F. GRIGGS  
REGISTERED PROFESSIONAL ENGINEER

C.F. GRIGGS PROFESSIONAL ENGINEER  
REGISTERED NO. 402  
STATE OF WASHINGTON

## COUNTY TREASURER

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREON, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE HAVE BEEN FULLY PAID AND DISCHARGED, DATED THIS 21ST DAY OF JUNE A.D., 1947

L.R. JOHNSON  
TREASURER PIERCE COUNTY WASHINGTON

NOTE - LOT CORNERS ALONG WHITMAN AND LOWER TWIN LAKE SHORE ARE 2" X 2" WOOD HUBS.  
O LOT CORNERS ALONG STREET LINES ARE 1" IRON PIPES - 24" LONG.  
O INDICATES MONUMENT CORNERS - IRON PIPES - 24" LONG  
ALL LOT CORNERS MARKED WITH 2" X 2" WHITE GUARD STAKES  
SHOWING LOT NUMBERS.

B.L. REVISION - AF# 9006120398

For reference only, not for re-sale.

COUNTY COMMISSIONERS

COUNTY AUDITOR

EXAMINED AND APPROVED THIS 8TH DAY OF JULY, A.D., 1947.

FILED FOR RECORD AT THE REQUEST OF WHITMAN REALTY CO. THIS 8TH DAY OF JULY A.D., 1947 AT 35 MINUTES PAST 2 P.M. AND RECORDED IN VOLUME 14 OF PLATS, PAGE 19 & 20 RECORDS OF PIERCE COUNTY, WASHINGTON.

ATTEST: L.A. HUDSON  
CLERK, BOARD OF PIERCE  
COUNTY COMMISSIONERS  
HARVEY O. SCOFIELD  
PAUL NEWMAN  
CHAIRMAN, BOARD OF PIERCE  
COUNTY COMMISSIONERS

COUNTY AUDITOR  
SEAL  
PIERCE COUNTY WASHINGTON  
1454457  
J. E. FORD, PIERCE CO. AUDITOR  
PIERCE COUNTY AUDITOR  
BY CLARE BADES  
DEPUTY

DECLARATION OF PROTECTIVE RESTRICTIONS

1454458 VOL. 869 PAGE 747-748-749

KNOW ALL MEN BY THESE PRESENTS, THAT WHEREAS THE UNDERSIGNED IS THE OWNER OF THE REAL ESTATE SITUATED IN PIERCE COUNTY, WASHINGTON, KNOWN AS LAKE WHITMAN ADDITION TO BENSOW LAKES, PIERCE COUNTY, WASHINGTON, AND DESIRES THAT ALL SALES OF PROPERTY IN SAID ADDITION SHALL BE MADE SUBJECT TO CERTAIN RESERVATIONS AND COVENANTS, THE PURPOSES OF WHICH ARE TO INURE TO THE DESIRABILITY OF THE PROPERTY FOR RESIDENTIAL PURPOSES, NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, THE UNDERSIGNED HEREBY CERTIFIES AND DECLARES THAT THE PROTECTIVE RESTRICTIONS AND RESERVATIONS HEREINAFTER SET FORTH SHALL INURE TO THE BENEFIT OF AND BE BINDING UPON EACH AND EVERY LOT IN SAID ADDITION, AND SHALL APPLY TO AND BE BINDING UPON THE RESPECTIVE OWNERS OF SUCH LOTS AND UPON THEIR SUCCESSORS IN INTEREST, SUCH RESERVATIONS AND RESTRICTIONS BEING AS FOLLOWS.

1. ALL LOTS IN THE SAID TRACT SHALL BE KNOWN AND DESIGNATED AS RESIDENTIAL LOTS. NO STRUCTURES SHALL BE ERECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING LOT OTHER THAN DETACHED SINGLE-FAMILY DWELLINGS AND OUTBUILDINGS, INCLUDING GARAGES, INCIDENTAL TO RESIDENTIAL USE OF THE LOT.
2. NO PART OF SAID LOT SHALL BE USED FOR THE SALE OR DISPENSING OF BEER, WINE, OR INTOXICATING LIQUOR, AND 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 A NUISANCE TO THE NEIGHBORHOOD.
3. NO DWELLING COSTING LESS THAN \$2,000.00 SHALL BE PERMITTED ON ANY LOT IN THE TRACT.
4. NO PERSON 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 NOT TO EXCEED TWO DOMESTIC SERVANTS OF A DIFFERENT RACE DOMICLED WITH AN OWNER OR TENANT.
5. ANY DWELLING OR STRUCTURE ERECTED OR PLACED ON ANY LOT SHALL BE COMPLETED AS TO EXTERIOR APPEARANCE WITHIN NINE MONTHS FROM DATE OF COMMENCEMENT OF CONSTRUCTION.

THESE COVENANTS AND RESTRICTIONS SHALL RUN WITH THE LAND AND BE BINDING UPON ALL PARTIES OWNING LOTS IN SAID ADDITION OR CLAIMING ANY INTEREST THEREIN UNTIL JUNE 1, 1967; AND, THEREAFTER, SAID COVENANTS AND RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS EACH UNLESS, BY WRITTEN AGREEMENT OF THE OWNERS OF A MAJORITY OF THE LOTS IN SAID ADDITION, IT IS AGREED TO CHANGE OR TERMINATE SAID COVENANTS AND RESTRICTIONS IN WHOLE OR IN PART.

INVALIDATION OF ANY ONE OF THESE COVENANTS OR RESTRICTIONS, BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS PROPER OFFICERS AND ITS CORPORATE SEAL TO BE AFFIXED THIS 20TH DAY OF JUNE, 1947.

WHITMAN REALTY CO.  
BY FRED JOHNSTON  
PRESIDENT  
BY CARL E. CROSON  
SECRETARY

STATE OF WASHINGTON SS.  
COUNTY OF KING

ON THIS 20TH DAY OF JUNE, 1947, BEFORE ME PERSONALLY APPEARED FRED JOHNSTON AND CARL E. CROSON, TO ME KNOWN TO BE THE PRESIDENT AND SECRETARY, RESPECTIVELY, OF WHITMAN REALTY CO., THE CORPORATION THAT EXECUTED THE 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 ARE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR IN THIS CERTIFICATE ABOVE WRITTEN.

ARTHUR S. QUIGLEY NOTARY PUBLIC  
COMMISSION EXPIRES MAR. 4, 1950.  
STATE OF WASHINGTON  
ARTHUR S. QUIGLEY  
NOTARY PUBLIC IN AND FOR THE STATE  
OF WASHINGTON, RESIDING AT SEATTLE.

AUDITOR'S NOTE.  
CORPORATE SEAL OMITTED

FILED FOR RECORD JUL. 8, 1947 236 P.M.  
REQUEST OF WHITMAN REALTY CO.  
J. E. FORD, COUNTY AUDITOR

For reference only, not for re-sale.