

3314630

DECLARATION OF BUILDING RESTRICTIONS

STATE OF WASHINGTON)
) ss.
 COUNTY OF KING)

March 1, 1943

Elmer L. Jellum, a single man, being first duly sworn on oath deposes and says: That he is the owner of that certain tract of ground located in King County known as Jellum's Hillcrest Addition and hereby declares the following building restrictions in relation thereto:

All lots in the tract shall be known and described as residential lots. No structures shall be erected, altered, placed, or permitted to remain on any residential building plot other than one detached single family dwelling not to exceed two and one-half stories in height and private garage for not more than two cars.

No building shall be erected, placed, or altered on any building plot in this addition until the building plans, specifications and plot plan showing the location of such building have been approved in writing as to conformity and harmony of external design with existing structures in the addition and as to location of the building with respect to topography and finished ground elevation by K. E. Jellum or by his designated representative as such in writing. In the event said K. E. Jellum or his designated representative fails to approve or disapprove such design and location within 30 days after said plans and specifications have been submitted to him or in any event if no suit to enjoin the erection of such building or the making of such alterations has been commenced prior to the completion thereof such approval will not be required and this covenant will be deemed to have been fully complied with. Neither K. E. Jellum nor his designated representative shall be entitled to any compensation for services performed pursuant to this covenant. Powers and duties of said K. E. Jellum and/or his designated representative shall cease on and after March 1, 1953. Thereafter, the approval described in this covenant shall not be required unless prior to said date and effective thereon a written instrument shall be executed by the then record owners of a majority of the lots in this addition and duly recorded appointing a representative or representatives who shall thereafter exercise the same powers previously exercised by said K. E. Jellum or his designated representative.

No building shall be located nearer to the front line or nearer to the side street line than the building set back line shown on the recorded plat. In any event no building shall be located on any residential building plot nearer than 20 feet to the front line nor nearer than 5 feet to any side street line. No building except a detached garage or other out-building located 70 feet or more from the front lot line shall be located nearer than 5 feet to any side lot line.

No residential structure shall be erected or placed on any building plot having an area less than 5,000 square feet or a width of less than 50 feet at the front building set back line.

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 nuisance to the neighborhood.

No dwelling costing less than \$3,000 shall be permitted on any lot in this addition. The ground floor area of the main structure, exclusive of one story open porches and garages shall be no less than 700 square feet in the case of a one and one-half, two or two and one-half story structure.

Any dwelling or structure erected or placed on any lot in this addition shall be completed as to external appearance, including finished painting, within six months from date of commencement of construction and shall be connected to septic tank or public sewer.

Until public sewers are available all sewage disposal shall be by means of septic tanks and tiled disposal fields in accordance with the regulations of the State of Washington Department of Public Health and the local authorities.

No person of any race other than the White or 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.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until March 1, 1968, at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of a majority of the then owners of the lots it is agreed to change 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.

The covenants and instructions herein set forth are in substitution and take the place of and annul those provisions set forth in "Declaration of Building Restrictions" under Auditor's File No. 3290596, Volume 2107 of Deeds, Page 537, Records of King County, Washington.

Elmer L. Jellum

On this first day of March, 1943, personally appeared before me, the undersigned, a notary public in and for the State of Washington, ELMER L. JELLUM, to me known to be the individual described herein and who signed and sealed the foregoing instrument as his free and voluntary act and deed and for the purposes therein mentioned.

Kenneth Sweet
Notary Public in and for
the State of Washington
Residing in Seattle.

Filed for Record
Request of

June 8, 1943, 10:39 A.M.

Spackman & McLean Co.
ROBERT A. MORRIS, County Auditor

JELLUM'S HILLCREST

SCALE 1" = 50'

DESCRIPTION

THIS PLAT "JELLUM'S HILLCREST" COVERS AND EMBRACES THE WEST-TWO THIRDS OF TRACT 48, STATE OF WASH. PUBLIC LAND COMMISSION, SUBDIVISION OF SW 1/4 AND NW 1/4 CORSE OF SEC. 3, TWP. 25 N., R. 4E W.M. KING COUNTY RECORDER'S VOL 19 OF PLATS PG 433 EXCEPT THAT PORTION THEREOF CONVEYED TO WM H. BOTZER AS RECORDED IN VOL 1920 PG 283 SAID RECORDS WHICH EXCEPTION IS HEREON MARKED "A"

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED OWNER IN FEE SIMPLE AND ASSIGNEE OF MORTGAGE OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS AND AVENUES SHOWN HEREON, AND THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR HIGHWAY PURPOSES; ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS OR FILLS UPON THE LOTS, AND BLOCKS SHOWN HEREON AND IN THE ORIGINAL REASONABLE GRADING OF ALL STREETS AND AVENUES SHOWN HEREON

IN WITNESS THEREOF WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS 24TH DAY OF SEPT. A.D. 1940

ELMER L. JELLUM
HENRY V. BORIES

ACKNOWLEDGMENT

STATE OF WASHINGTON
COUNTY OF KING

THIS IS TO CERTIFY, THAT ON THIS 24 DAY OF SEPT. A.D. 1940 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED ELMER L. JELLUM AND HENRY V. BORIES, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING DEDICATION AND WHO ACKNOWLEDGED TO ME THAT THEY SIGNED AND SEALED THE SAME AS THEIR FREE AND VOLUNTARY ACTS AND DEEDS FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

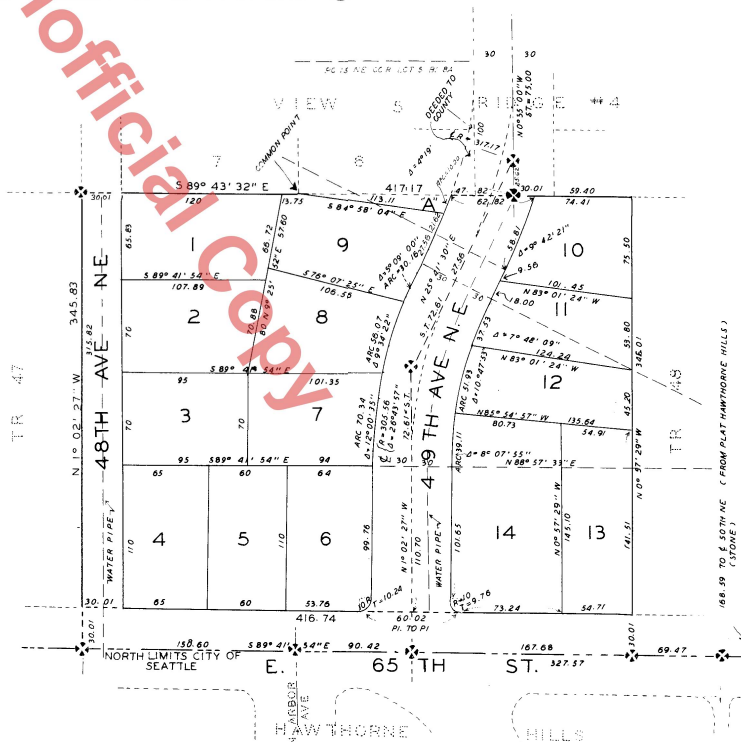
WM H. FULKS
NOTARY PUBLIC IN AND FOR THE STATE
OF WASHINGTON RESIDING AT SEATTLE



RESTRICTIONS

ALL LOTS OR PARCELS ARE RESTRICTED TO RESIDENCE USE (R-1 AS DEFINED BY KING COUNTY PLANNING COMM.) AND NO LOT SHALL BE DIVIDED IN ANY MANNER WHEREBY THE OWNERSHIP OF ANY PORTION OF THIS PLAT SHALL BE LESS THAN 6000 SQ. FT. AND LESS THAN 50' W/DTH.

2107 Deeds 537
2511021 - 10/11/40



EXAMINED AND APPROVED THIS 22 DAY OF OCT. A.D. 1940

H. H. SISLER
KING COUNTY ROAD ENGINEER
BY DEPUTY



EXAMINED AND APPROVED THIS 21ST DAY OF OCTOBER A.D. 1940

JACK TAYLOR
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS
EARL MILLIKIN
CLERK, BOARD OF COUNTY COMMISSIONERS
BY MARION KEELZ DEPUTY



WE HEREBY CERTIFY THAT THIS PLAT "JELLUM'S HILLCREST" IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF TRACT 48 ABOVE DESCRIBED; THAT COURSES AND DISTANCES ARE CORRECTLY SHOWN; THAT MONUMENTS AND LOT CORNER STAKES HAVE BEEN CORRECTLY SET; AND THAT THIS PLAT CONFORMS TO ALL THE REGULATIONS AND STATUTES GOVERNING PLATTING; TO THE BEST OF OUR KNOWLEDGE AND ABILITY.

GARDNER, GARDNER & HITCHINGS
BY ALLEN HITCHINGS

STATE LICENSE # 199 RENEWAL # 247 821

SEPT 7 1940



R. G. TYLER
CHAIRMAN OR VICE CHAIRMAN
OTWAY PARDEE
SECRETARY
JOSHUA H. VOGEL
PLANNING ENGINEER

FILED FOR RECORD AT THE REQUEST OF THE KING COUNTY PLANNING COMMISSION THIS 30 DAY OF OCT. A.D. 1940 AT 35 MIN. PAST 10 A.M. AND RECORDED IN VOL 36 PAGE 41 RECORDS OF KING COUNTY, WASHINGTON

BY DEPUTY AUDITOR
EARL MILLIKIN
COUNTY AUDITOR