

777676

Deeds  
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WHEREAS, C.X. Nicoulin and L.E. Nicoulin, husband and wife, hereinafter called "The Owners" are the owners of the following described real estate situated in Snohomish County, Washington:

All the lots in the plat of Beverly Viewlands Division No. 1, as per Plat recorded in Volume 12 of Plats at page 3, records of Snohomish County, State of Washington.

and whereas, the undersigned, "The Owners" of the aforesaid real estate, are desirous that all sales of all real property herein described be made subject to certain reservations and covenants, the purpose of which will be to insure the desirability of the property for residential purposes.

NOW, THEREFORE, in consideration of the premises, the undersigned do hereby certify and declare that the protective restrictions and reservations hereinafter set forth shall inure to the benefit of and be binding upon each and every lot above described, 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. Duration of Covenants and Amendments:

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1960, at which time said covenants shall be automatically extended for successive periods of ten years, unless by vote of the then owners of a majority of the lots above described, it is agreed to change the covenants in whole or in part.

#### 2. Violation:

If the parties hereto, or any of them, or their heirs, legal representatives 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 of the real property above described to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate such covenant for the purpose of either preventing him or them from so doing, or to recover damages and other dues for such violation or attempt at same.

#### 3. Building Restrictions:

All the lots above described shall be designated as "Residence Lots" and no structure shall be erected thereon other than one detached single family dwelling not to exceed two and one-half (2½) stories in height and a garage and other outbuildings appurtenant to and suitable for the use and enjoyment of a private residence. Not more than one single detached family dwelling may be constructed on any one lot with out the written consent of the then owners of a majority of the lots above described. No dwelling hereafter erected, constructed or maintained on any lot in above described real estate shall have an area of less than eight hundred fifty (850) square feet on the ground.

#### 4. Building Limits:

No building wall shall be erected on any of said lots above described nearer than 25 feet from the front lot line, nor nearer than 3 feet to any side lot line, except on corner lots no building wall shall be permitted nearer than 8 feet from the side street line.

#### 5. Moving of Buildings--Construction of Out-Buildings:

No buildings or structure shall be moved onto any land or lot on lots first above described from any land outside said Plat. No building of any kind shall be erected or maintained on a building site prior to the erection of the dwelling house thereon.

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#### 6. Prosecution of Construction Work:

The work of construction of all buildings and structure shall be prosecuted diligently and continuously from commencement of Construction until the exteriors thereof are completed and painted.

#### 7. Noxious Use of Property:

No noxious, illegal or offensive trade or use of land shall be carried on upon any lot, nor shall anything be done thereon which may be or become any annoyance or nuisance to the neighborhood.

#### 8. Racial Restrictions:

No race or nationality other than White or Caucasian race shall use or occupy any buildings or building on any lot, except that this covenant shall not prevent use or occupancy by domestic servants employed by an owner or tenant of such lot or the temporary use and occupancy by invited guests of such owner or tenant.

#### 9. Invalidation:

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

#### 10. Office Building:

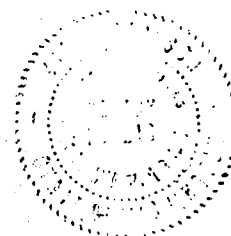
"The Owners", their successors or assigns, reserve the privilege of building, maintaining and operating on Lot 12, Block 2 of first above described plat, an office building to be used solely for the development and sale of the first above described lots and the Northwest quarter of the Northeast quarter of Section Eighteen, Township Twenty-eight North, Range Five East Willamette Meridian, which "The Owners" intend to sub-divide into building lots and offer for sale.

Dated this 8th. day of January, 1945.

C.X. Nicoulin  
L.E. Nicoulin

STATE OF WASHINGTON ( ) ss.  
Snohomish County ( )

On this 9th day of January, 1945, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared C.X. Nicoulin and L.E. Nicoulin, husband and wife, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned. Witness my hand and official seal hereto affixed the day and year in this certificate above written.



Ruth J. Carlson  
Notary Public in and for the the  
State of Washington. Residing at  
Everett.

Filed for Record JAN 10 1945 1:49 P.M. Request of C.X. Nicoulin  
GEO. P. DUBUQUE, County Auditor, Snohomish Co. Wash.  
By W.S. Meluskey Deputy

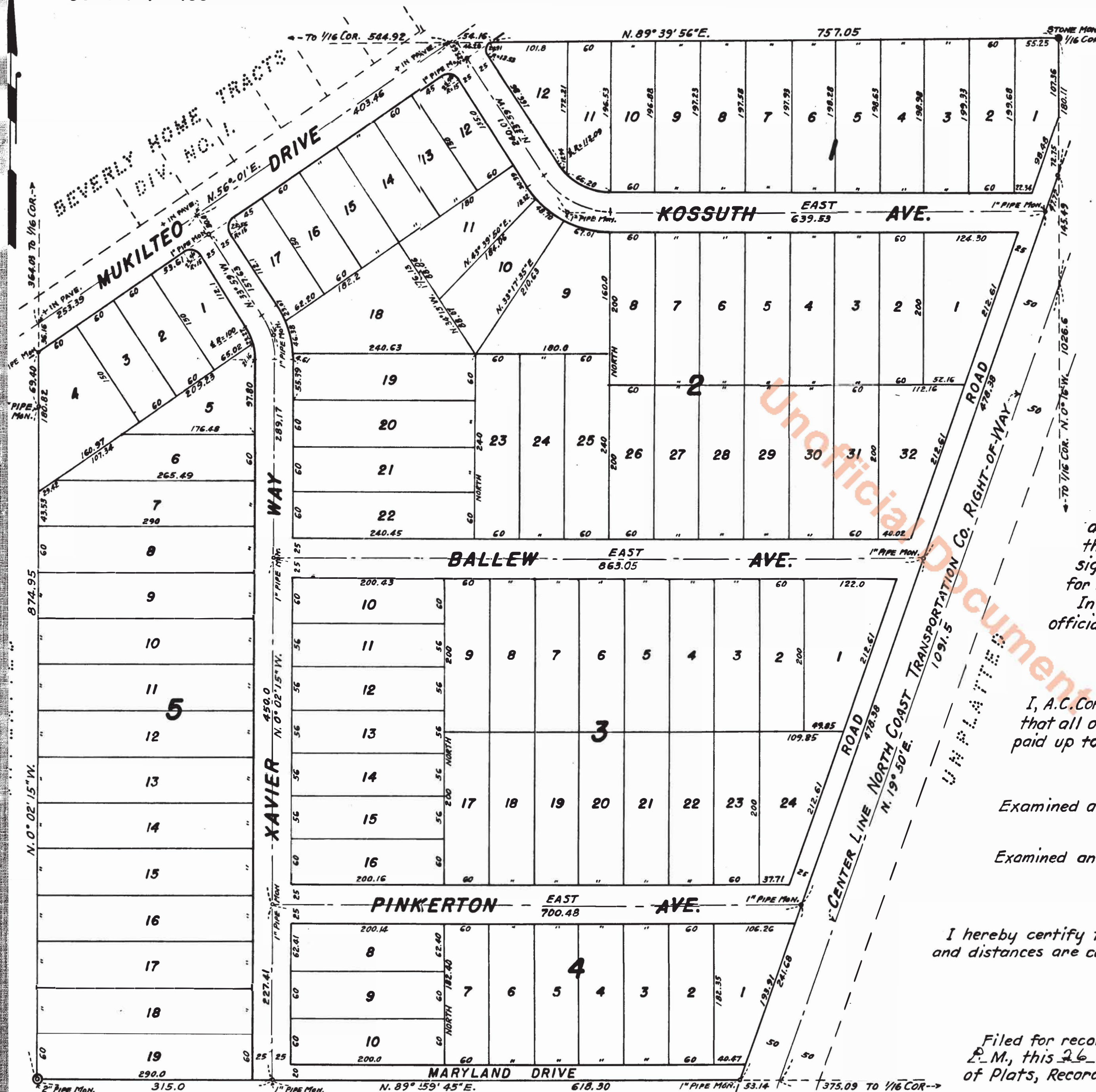


# PLAT OF

# BEVERLY VIEWLANDS DIVISION NO. 1.

SNOHOMISH COUNTY WASHINGTON.

SCALE:- 1"=100'



## DESCRIPTION

This Plat embraces all that portion of the Southwest quarter (SW 1/4) of the Southeast quarter (SE 1/4) of Section Seven (7), Township Twenty-eight (28) North, Range Five (5) East, W.M., lying West of the westerly right of way line of the NORTH COAST TRANSPORTATION Co. RIGHT OF WAY and Southeasterly of the southeast right of way line of Mukilteo Drive as established by deed recorded in Vol. 158, page 259, Records of Snohomish County, Washington.

## DEDICATION

Know All Men By These PRESENTS that C.X. Nicoulin and L.E. Nicoulin, husband and wife, owners in fee simple of the above described tract of land as shown on the annexed Plat of Beverly Viewlands Division No. 1, hereby declare said plat and dedicate to the public for the public use forever all roads, avenues, ways and drives shown thereon.

*C. X. Nicoulin*  
*L. E. Nicoulin*

## ACKNOWLEDGEMENT

STATE OF WASHINGTON } S.S.  
COUNTY OF SNOHOMISH }

This is to certify that on this 26 day of December, A.D. 1944, personally appeared before me C.X. Nicoulin and L.E. Nicoulin, husband and wife, to me known to be the persons described in and who executed the within and foregoing 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 herein mentioned.  
In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written.

*Frederic L. Saluk*  
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON  
RESIDING AT EVERETT.

## TREASURERS CERTIFICATE

I, A.C. Conn, Treasurer of SNOHOMISH COUNTY, WASHINGTON, do hereby certify that all of the taxes on the above described tract of land have been fully paid up to and including the year 1945.

*A.C. Conn*  
TREASURER SNOHOMISH COUNTY

## APPROVALS

Examined and approved this 26 day of December 1944.

*Charles Hickey*  
COUNTY ENGINEER

Examined and approved this 26 day of December 1944.

*Frank Ashe*  
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

## ENGINEERS CERTIFICATE

I hereby certify that the annexed Plat is based on an actual survey, that courses and distances are correct and that lots have been staked and monuments set as shown.

*Roy Crave*  
REGISTERED ENGINEER

## FILING RECORD 777119

Filed for record at the request of C.X. Nicoulin at 15 minutes past 3 o'clock P.M., this 26 day of December A.D. 1944 and recorded on page 3 - Vol. 12 - of Plats, Records of Snohomish County.

*Geo. P. Dubuque*  
SNOHOMISH COUNTY AUDITOR

*By Harry J. Falk*