

RESTRICTIONS RELATING TO USE OF LAND HEREINAFTER DESCRIBED

THE EVERETT IMPROVEMENT COMPANY, a Washington corporation, the owner of all the real estate hereinafter described, for the consideration of the mutual benefits to be derived by it and its successors in ownership of the said real property, hereby imposes upon and against said real estate the following restrictions, reservations and covenants hereinafter referred to as "Restrictions". Any use which the said Everett Improvement Company itself may make of any of said real estate shall be in conformity with these Restrictions, and all sales of any portion or portions of any or all said real estate during the life of these Restrictions shall be subject to such Restrictions. The real estate referred to above is situate in the County of Snohomish, State of Washington, and is further described as follows:

Lots One (1) to fourteen (14), inclusive, of the Replat of Block One Hundred Ten (110), Lots one (1) to eight (8) inclusive of the Replat of Block One Hundred eleven (111) in the Plat of Legion Park Addition to Everett; Lots Twenty-four (24) to forty-eight (48), inclusive of Block One Hundred thirty (130), Lots one (1) to twenty-eight (28) inclusive, of Block One Hundred twenty-nine (129), Lots One (1) to twenty-one (21) inclusive of Block One Hundred twenty-eight (128) Lots twenty-seven (27) to thirty-one (31) inclusive of Block One Hundred thirty-seven (137), Lots one (1) to five (5) inclusive, of Block One Hundred thirty-eight (138) and Lots twenty-four (24) to twenty-eight (28) inclusive of Block One Hundred thirty-eight (138) all in Legion Park Addition to Everett; Lots One (1) to four (4) inclusive of Block One Hundred thirty-seven (137), Lots One (1) to eight (8) inclusive of Block one hundred thirty-eight (138), Lots one (1) to nine (9) inclusive, of Block One Hundred sixty-six (166), Lots One (1) to eight (8) inclusive of Block One Hundred Sixty-seven (167), Lots One (1) to four (4) inclus-

ive, of Block One Hundred Sixty-eight (168), all in the First Addition to Legion Park, all as shown upon the plat thereof filed for record in the office of the County Auditor in and for said County.

#### R E S T R I C T I O N S

1. All of the lots above described shall be known as residential lots and no structures shall be erected or placed on any of the above described lots excepting one single detached residence and other small out-buildings appurtenant to said residence.

2. The ground floor area of any residence shall be not less than eight hundred (800) square feet exclusive of open porches and garages.

3. No wall of any residence shall be closer than five (5) feet to any side lot line of any lot.

4. No wall of any building shall be closer than ten (10) feet to any side street line.

5. The front lot line of Lots One (1) and Seven (7) in the Replat of Block One Hundred Ten (110) Legion Park Addition to Everett; Lots One (1) and Fourteen (14) in Block One Hundred twenty-nine (129) of Legion Park Addition to Everett; Lot One (1) of Block One Hundred thirty-eight (138) of Legion Park Addition to Everett; Lot Thirty-one (31) of Block One Hundred Thirty-seven (137) Legion Park Addition to Everett; Lots Twenty-four (24), forty-six (46), forty-seven (47) and forty-eight (48) of Block One Hundred thirty-eight (138) Legion Park Addition to Everett; Lot Four (4) of Block One Hundred thirty-eight (138), Lot One of Block One Hundred Sixty-seven (167) Lot One of Block One Hundred sixty-eight (168) and Lot four (4) of Block One Hundred thirty-seven (137), all in the First Addition to Legion Park, shall be construed as the Lot lines facing on Colby Avenue. The front lot lines of Lots eight (8) and fourteen (14) in the Replat of Block One Hundred Ten (110) of Legion Park Addition to Everett; Lot One (1) of the Replat of Block One Hundred Eleven (111) of Legion Park Addition to Everett; Lot Fifteen (15) and

and twenty-eight (28) in Block One Hundred twenty-nine (129), and Lot twenty-eight (28) in Block One Hundred thirty-eight (138) of Legion Park Addition to Everett; Lot five (5) in Block One Hundred thirty-eight (138) and Lot eight (8) in Block One Hundred sixty-seven (167) in the First Addition to Legion Park, shall be construed to mean the lot line facing on Wetmore Avenue.

6. Lots forty-six (46), forty-seven (47) and forty-eight (48) of Block One Hundred thirty- (130) of Legion Park Addition to Everett shall together be construed as one building site.

7. Each building site shall have a minimum width of sixty (60) feet.

8. No lot shall be sold, conveyed, rented or leased in whole or in part to any person not of the white race; nor shall any person not of the white race be permitted to occupy any portion of any lot, or any building thereon, excepting as non-paying guest of, or as a domestic servant actually employed by a white occupant or owner of the lot or dwelling.

9. No trailer, basement, garage or other out-building erected or placed on any lot shall at any time be used as a temporary residence; nor shall any temporary structure of any character be erected or placed on any lot for use as a residence.

10. From the time that the construction of any dwelling is commenced, the exterior finish and appearance of same must be complete within a period of nine (9) months.

11. The above covenants are to run with the land and shall be binding upon all parties and persons owning, leasing or using said lots until January 1, 1970, at which time said covenants shall be automatically extended for successive periods of ten (10) years each unless a by a vote of the then owners of a majority of the lots it is agreed to change or cancel said covenants in whole or in part.

12. If any owner of any lot or any other person shall violate or attempt to violate any of the covenants above mentioned, it shall be lawful for any other person or persons owning any lot described to prosecute any proceeding or proceedings at law or in equity against the

the person or persons violating or attempting to violate any such covenant and either to prevent him or them from doing so or to recover damages or other dues for such violation.

13. Invalidation of any of the above Restrictions or covenants by judgement or court order shall in no way affect any of the other restrictions or covenants, but they shall remain in full force and effect.

Dated this 23rd day of May, 1949.

EVERETT IMPROVEMENT COMPANY

BY

Dan A. Duryee Jr.  
President

ATTEST

Stephen C. Saunders  
Secretary

STATE OF WASHINGTON)

ss

COUNTY OF SNOHOMISH)

On this 24<sup>th</sup> day of May, 1949, before me, Personally appeared Dan A. Duryee, to me known to be the President and Stephen C. Saunders, to me known to be the Secretary of the EVERETT IMPROVEMENT 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.

John J. Evans  
Notary Public in and for the  
State of Washington, residing  
at Everett, Snohomish County.

Filed for Record MAY 24 1949 1:23 P M. Request of Everett Abstract & Title Co.  
GEO. P. DUBUQUE, County Auditor, Snohomish Co. Wash  
S. W. [Signature] Deputy

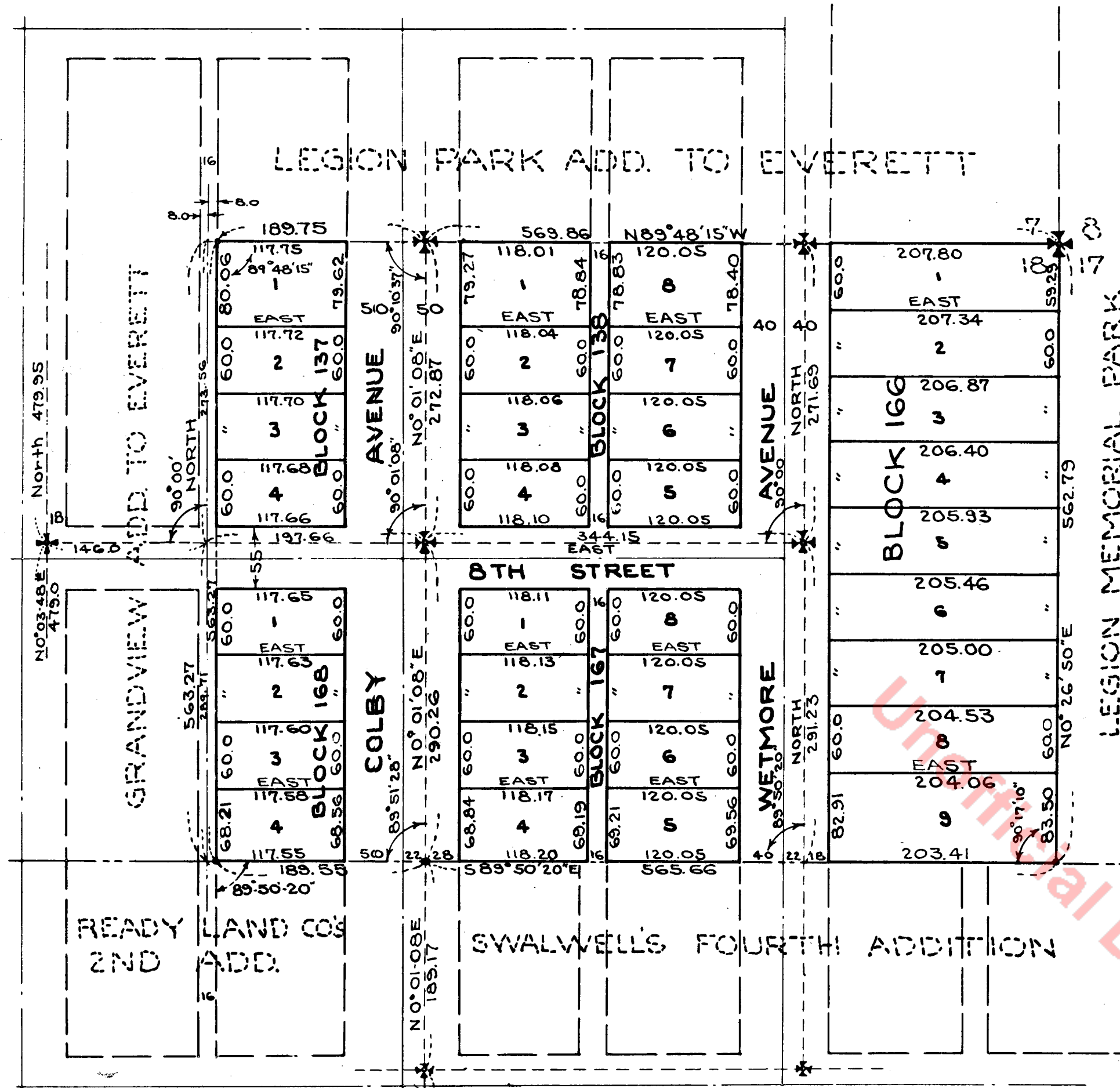


# FIRST ADDITION TO LEGION PARK

PLAT OF

123

For restrictions relating to use of land see Vol 434 of Deeds, page 245.



## DESCRIPTION

The Plat of First Addition to Legion Park embraces the following described tract of land; Commencing at the Northeast Corner of Section 18, T29N, R5E, the true point of beginning; thence N89°48'15"W along the North line of said section 18 and the South line of the Plat of Legion Park Addition to Everett for 759.61 ft. to an intersection with the East boundary of the Plat of Grandview Addition to Everett; thence angle to the left 90°11'45" for 563.27 ft. to an intersection with the North line of the Plat of Ready Land Company's 2nd Addition; thence angle to the left 89°50'20" for 755.21 ft. to an intersection with the East line of said Section 18; thence angle to the left 89°42'50" for 562.79 ft. to the true point of beginning.

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that the Everett Improvement Company, a corporation existing under the laws of the State of Washington, owner in fee simple of the above described tract of land as shown on the annexed Plat of First Addition to Legion Park, hereby declares said Plat and dedicates to the public for the use of the public forever, all roads, streets, and alleys as shown thereon.

EVERETT IMPROVEMENT COMPANY  
BY Dan A. Durfee, Jr. PRESIDENT  
ATTEST Stephen C. Saunders SECRETARY

## ACKNOWLEDGMENT

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

This is to certify, that on this 35th day of January, 1949, personally appeared before me Dan A. Durfee, Jr. and Stephen C. Saunders, to me known to be the President and Secretary, respectively of the Everett Improvement Company, the corporation that executed the within and foregoing instrument and acknowledged to me that they signed and sealed the same as a free and voluntary act and deed of the 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.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT EVERETT

## ENGINEER'S CERTIFICATE

I, Howard F. Sievers, partner of Sievers and Duecy, Civil Engineer, do hereby certify that the annexed Plat of First Addition to Legion Park is based on an actual survey and that block corners have been staked.

Howard F. Sievers  
PROFESSIONAL ENGINEER

## TREASURER'S CERTIFICATE

I, Verne Sievers, Treasurer of Snohomish County, Washington, do hereby certify that all taxes on the above described tract of land have been fully paid up to and including the year 1949--.

Verne Sievers  
TREASURER, SNOHOMISH COUNTY

I, Charles R. Dobler, Treasurer of the City of Everett, do hereby certify that all local improvement Assessments on the above described property, up to the date of this certificate have been fully paid.

Charles R. Dobler  
TREASURER, CITY OF EVERETT

## APPROVALS

Examined and approved this 1st day of February, 1949  
H. Arends  
CITY OF EVERETT

John L. Sugars CITY CLERK Leslie R. Cooper CITY ATTORNEY

Examined and approved this 1st day of February, 1949  
MUNICIPAL PLANNING COMMISSION

BY John L. Sugars SECRETARY

BY John L. Sugars SECRETARY

BY John L. Sugars SECRETARY

BY John L. Sugars SECRETARY

BY John L. Sugars SECRETARY

BY John L. Sugars SECRETARY

BY John L. Sugars SECRETARY

BY John L. Sugars SECRETARY

BY John L. Sugars SECRETARY

# 907369

## RECORDING

Filed for record at the request of STEPHEN C. SAUNDERS at 27 minutes past 9 o'clock A.M. on this 25 day of FEBRUARY, A.D. 1949 and recorded on page 123, Volume 12 of Plats, records of Snohomish County, Washington.

Geo. P. Dubuque  
AUDITOR SNOHOMISH COUNTY  
By Victor Larson  
Dep. Co. Auditor 1325

SIEVERS & DUECY  
CIVIL ENGR.

SCALE 1"=100'

✕ = STANDARD CITY MON.  
(EXCEPT AS NOTED)

• = IRON PIPE MON.