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Statutory Warranty Deed



1656112
J. W. SONNTAG AUDITOR
PIERCE COUNTY, WASH.
DEPUTY

VOL 1040 PAGE 167

DEED
WASHINGTON TITLE COMPANY
WASHINGTON
JUN 12 1953
MAIL TO
125
Send Tax Statement to
Hamer

FORM L58

Statutory Warranty Deed

THE GRANTOR S, DR. JOHN R. CAMPBELL and LEONA CAMPBELL, husband and wife,

for and in consideration of TEN DOLLARS (\$10.00) and other valuable consideration,

in hand paid, convey and warrant to A. GORDON LUMM

the following described real estate, situated in the County of Pierce, State of Washington:

950
1105

Commencing at the southwest corner of Five Views Addition, according to plat recorded in Book 12 of Plats at page 28, in the northwest quarter of the southwest quarter of Section 23, Township 21 North, Range 2 East of the Willamette Meridian; thence on the west line of said northwest quarter of the southwest quarter, south 0°41'30" west 510 feet to the true point of beginning for this description; thence continuing south 0°41'30" west 180.00 feet; thence parallel with the south line of said Addition, south 88°50'30" east 331.91 feet; thence north 81°07'50" east 69.8 feet, more or less, to the westerly line of Lexington Street as laid out by the City of Tacoma; thence on said street line northwesterly to a line parallel with and 510 feet south of the south line of said Addition; thence on said parallel line north 88°50'30" west 319.61 feet to the true point of beginning. Subject however to the following restrictions and reservations which shall apply to any plot, portion or subdivision of the above described tract of land; Provided that no structure or building of any kind shall be erected on said property except a one-family dwelling house and garage; Provided further that the construction cost of said dwelling house shall not be less than \$4,000.00; Provided further, that no dwelling house shall be erected closer than 10 feet to the side lines of said property; Provided further that the property described herein shall not be sold to any person or persons other than members of the Caucasian race. In case the grantee, his heirs or assigns shall violate the restrictions and reservations hereon he shall forfeit and pay to the grantor, his heirs or assigns the sum of TEN THOUSAND DOLLARS (\$10,000) as liquidating damages therefor. The foregoing restrictions and reservations shall be binding on the grantee, his heirs and assigns until May 1, 1963.

Dated this 3rd day of June, 1953.

EXCISE TAX PAID \$ 9.25

REC. NO. 2923 DATE 6-17-53

L. R. JOHNSON, Pierce Co. Treas.

By *[Signature]* Deputy

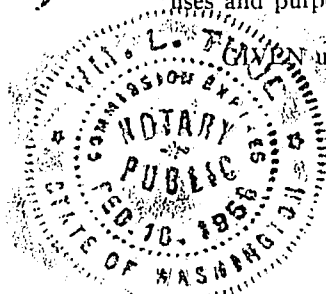
STATE OF WASHINGTON

County of King

[Signature] (SEAL)
[Signature] (SEAL)

On this day personally appeared before me Dr. John R. Campbell and Leona Campbell, husband and wife,

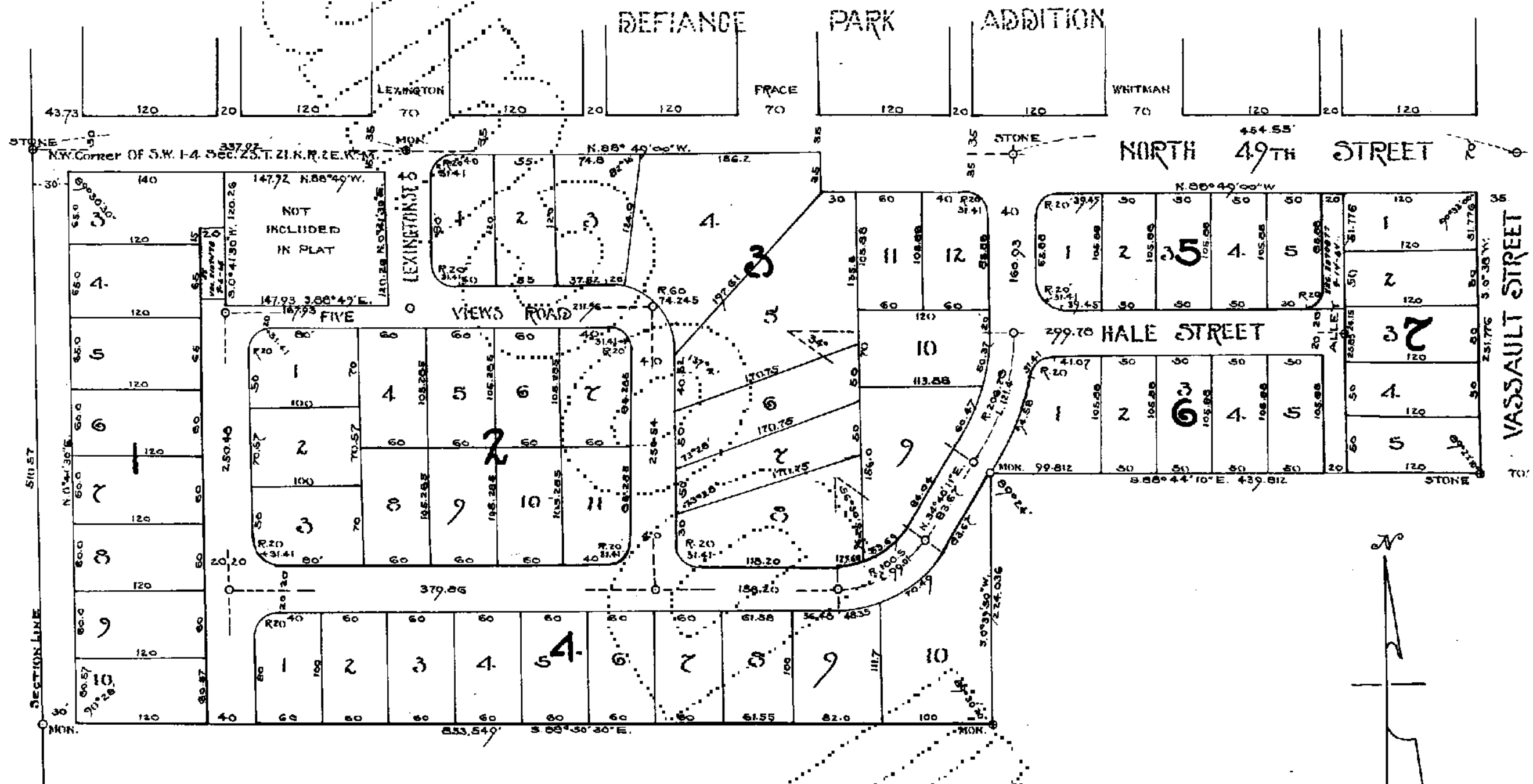
to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.



under my hand and official seal this 3rd day of June, 1953.

[Signature]
Notary Public in and for the State of Washington,
residing at Seattle.

FIVE VIEWS ADDITION TO TACOMA, WASHINGTON



THIS IS TO CERTIFY- THAT THE FIVE VIEWS LAND COMPANY A CORPORATION OWNER OF THE FOLLOWING TRACT- BEGINNING AT THE NORTHWEST CORNER OF THE S.W. 1/4 OF SECTION 23, T.21 N. R.2 E. W. 4. THENCE S. 88° 49' 00" E. ON THE CENTER LINE OF NORTH 49TH ST. 1293.00' TO A POINT OF INTERSECTION OF SAID CENTER LINE OF N. 49TH AND THE WEST BOUNDARY OF VASSAULT STREET. THENCE ON SAID WEST BOUNDARY S. 0° 30' W. 206.77' THENCE N. 88° 49' 00" E. 439.812' THENCE S. 0° 30' W. 224.036' THENCE N. 88° 50' 30" W. 853.540' TO A POINT 310.57' S. 0° 41' 30" W. OF THE POINT OF BEGINNING THENCE N. 0° 41' 30" E. 510.57' TO PLACE OF BEGINNING. EXCEPT STARTING AT A POINT 170.00 FEET EAST AND 15 FEET SOUTH OF THE NORTHWEST CORNER OF THE S.W. 1/4 OF SEC. 23, T.21 N. R.2 E. W. 4. THENCE S. 0° 41' 30" W. 120.26' THENCE S. 88° 49' 00" E. 147.93' THENCE N. 0° 41' 30" E. 120.26' THENCE N. 88° 49' 00" E. 147.93' TO PLACE OF BEGINNING. - AND THAT THE ABOVE NAMED OWNER OF SAID DESCRIBED PROPERTY HAS CAUSED THE SAME TO BE PLATTED INTO LOTS, STREETS, ROADS AND ALLEYS AND DOES RECORD THE SAME UNDER THE TITLE OF "FIVE VIEWS ADDITION" TO TACOMA, WASHINGTON, AND DOES HEREBY DONATE AND DEDICATE TO THE USE OF THE PUBLIC FOR EVER THE STREETS, ROADS AND ALLEYS SHOWN HEREON AND FOR ITSELF, ITS SUCCESSORS AND GRANTEES, WAIVES ALL CLAIM FOR DAMAGES TO THE PROPERTY INCLUDED IN THE PLAT BY REASON OF ANY CUTS OR FILLS MADE IN THE ORIGINAL GRADING OF SUCH STREETS, ROADS OR ALLEYS- AND DOES FURTHER CERTIFY THAT IT IS THE SOLE OWNER OF THE LAND ABOVE DESCRIBED AND THAT THE WHOLE TRACT IS FREE FROM ALL ENCUMBRANCES INCLUDING TAXES.

IN WITNESS WHEREOF SAID CORPORATION HAS CAUSED ITS NAME TO BE HEREUNTO SUBSCRIBED AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED THIS 22 DAY OF May 1940.



FIVE VIEWS LAND COMPANY

J. Frank Libby PRESIDENT
Lester R. Wilken SECRETARY

STATE OF WASHINGTON, ss.
COUNTY OF PIERCE)

I, A. M. ARGOVE, a duly qualified Notary Public in and for said County and State do hereby certify that on this 22 day of May 1940 before me personally appeared J. Frank Libby President and Lester R. Wilken Secretary of the FIVE VIEWS LAND COMPANY, a corporation and on oath state that they were authorized to execute the within and foregoing instrument as the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned and that the seal affixed is the seal of said corporation.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND CAUSED MY OFFICIAL SEAL TO BE AFFIXED THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



A. M. Argove
NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON, RESIDING IN TACOMA.

Indexed by *[initials]*
Compared by *[initials]* and *[initials]*

ACCEPTED BY THE CITY COUNCIL
OF THE CITY OF TACOMA, WASHINGTON.

SCALE 1"=60'
AUDITOR'S NOTE:-
REDUCED IN RECORDING-
1 INCH = 100 FEET.



Edna Melnea
CLERK

APPROVED MAY 22 1940.
J. Frank Libby MAYOR.

APPROVED THIS 22 DAY OF MAY 1940.

C. D. Fursbeck
CITY ENGINEER.

APPROVED THIS 22 DAY OF MAY 1940.

A. M. Argove
COMMISSIONER OF PUBLIC WORKS.

APPROVED THIS 22 DAY OF MAY 1940.

TACOMA CITY PLANNING COMMISSION.

A. M. Argove CHAIRMAN

C. D. Fursbeck SECRETARY

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED UPON THE PROPERTY DESCRIBED WITHIN ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE HAVE BEEN FULLY PAID AND DISCHARGED.

DATED THIS 9th of August 1940.

Paul Newman
TREASURER PIERCE COUNTY,
BY *A. M. Argove* CHIEF DEPUTY.

For reference only, not for re-sale.

PROTECTIVE COVENANTS AND RESTRICTIONS FOR FIVE VIEWS ADDITION TO TACOMA, WASHINGTON

A- All lots in this subdivision shall be known and described as residential lots, except lots 2 in Block 7 and lots 2 in Block 7 can be used for retail business.

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 a private garage for not more than three cars and appurtenant buildings.

B- No buildings shall be erected, altered, placed, or permitted to remain on any building plot in this subdivision until the external design and location thereof have been approved in writing by the neighborhood committee which shall be appointed or elected by the owner or owners of a majority of the lots which are subject to the covenants herein set forth. (Note each owner has votes equal to number of lots owned.) Provided, however, that if such committee fails to approve or disapprove such design and location within thirty days after such plans have been submitted to it or if an 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.

C- No building shall be located on any residential building plot nearer than ten feet to the front line, and nearer than five feet to any side street line; no building except a garage or other outbuilding located ten feet or more from the front lot line, shall be located nearer than five feet to any side lot line.

D- No residential structure shall be erected or placed on any building plot which has an area of less than 4700 square feet.

E- No noxious or offensive trade or activity shall be carried on upon any lot nor shall any anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

F- No persons 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.

G- No trailer, basement, tent, shack, garage barn or other out building erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

H- No swine, goats, cattle, or horses shall be kept on any of said property; Poultry or rabbits shall not be kept for commercial purpose on any lot.

I-1 No dwelling costing less than \$4000.00 shall be permitted on Lots 3 to 10 inclusive in Block 1, 1 to 11 inclusive in Block 2, 1 to 10 inclusive in Block 3, and 1 to 10 inclusive in Block 4.

I-2 No dwelling costing less than \$2500.00 shall be permitted on Lots 1 to 5 inclusive, Block 5, Block 6, and Block 7, and Lots 9, 10, 11 and 12 inclusive, Block 3.

J- The ground floor area of the main structure exclusive of one-story open porches and garages, shall be not less than 800 square feet, in Group 1, in the case of a one story structure, and in Group 2, not less than 620 square feet in the case of a one story structure, nor less than 600 square feet in Group 1, nor less than 520 square feet in Group 2 in the case of a one and one-half, two, or two and one-half story structure.

K- The right to construct, maintain and operate a tunnel through and under the surface granted to Northern Pacific Railway Company by deed recorded under Auditor's fee No. 290577, Records of Pierce County.

L- These covenants are to run with the land and shall be binding on all the parties and all persons claiming under them until July 1, 1965, 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.

M- 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.

N- Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect. (Auditor's Note: About 40 words deleted.)

This is to certify that the Five Views Land Company, a corporation, is the owner of Lots 3 to 10 inclusive, Block 1; Lots 1 to 11 inclusive, Block 2; Lots 1 to 12 inclusive, Block 3; Lots 1 to 10 inclusive, Block 4; Lots 1 to 5 inclusive, Block 5; Lots 1 to 5 inclusive, Block 6; and Lots 1 to 5 inclusive, Block 7, Five Views Addition To Tacoma, Washington.

IN WITNESS WHEREOF, said corporation has caused its names to be hereunto subscribed and its corporate seal to be hereunto affixed this 7th day of August 1940.



Five Views Land Company

Frank L. Catherall President.
Lester R. Wilken Secretary.

STATE OF WASHINGTON
County of Pierce } ss.

I, Frank L. Catherall, a duly qualified notary public in and for said county and state, do hereby certify that on this 7th day of August, 1940, before me personally appeared J. FRANK LIGBY, President and LESTER R. WILKEN, Secretary, to me known to be the president and secretary of the FIVE VIEWS LAND COMPANY, a corporation, and on oath state that they were authorized to execute the within and foregoing instrument as their free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and that the seals affixed are seals of said corporation. IN WITNESS WHEREOF, I have hereunto set my hand and caused my official seal to be affixed the day and year in this certificate first above mentioned.



Frank L. Catherall
Notary Public in and for the State of Washington, residing at Tacoma.



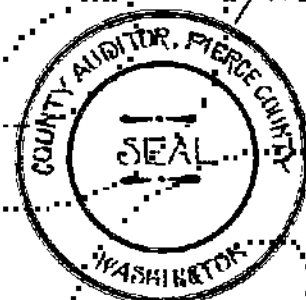
I HEREBY CERTIFY THAT I HAVE SURVEYED THE ACCOMPANYING PLAT, THAT MEASUREMENTS SHOWN THEREON ARE CORRECT AND STONE MONUMENTS ARE PLACED AT POINTS MARKED WITH A SMALL CIRCLE.

L.E. McMaster
CIVIL ENGINEER

Auditors Note -
Signatures of *H.D. Forsbeck* & *Chas. H. Bergerson* Duplicated.

1264976 m.

FILED AND RECORDED AT THE REQUEST OF Five Views Land Co THIS 9th DAY OF August 1940 AT 10 MINS. PAST 10 O'CLOCK A.M. ON PAGES 28 AND 29 VOLUME 12 OF RECORD OF PLATS.



S. Clifford Davis
AUDITOR, PIERCE COUNTY, WASHINGTON.
Wm. J. ... DEPUTY.

L.E. McMASTER
CIVIL ENGINEER
TACOMA.

For reference only, not for re-sale.