

No. 420349. Dellinger Estate TO. Palmer Demeree et ux. War. Deed.

The grantor, DELINGER ESTATE, a corporation organized and existing under and by virtue of the laws of the State of Washington, for and in consideration of TEN DOLLARS and other good and valuable considerations in hand paid, CONVEYS AND WARRANTS to PALMER DEMEREE and ETHEL B. DEMEREE, his wife, the following described real estate, situate in the county of Whatcom, state of Washington:

A tract of land comprising the southeasterly one half, excepting shore lands, of lot 30 and all of lot 31, excepting shore lands, of a sub-division of a part of Government Lots No. 1 and No.2, Section 26, Township 38 North, Range 3 East, of an unrecorded plat known as Dellesta Park, That portion of said lots 30 and 31 hereby conveyed is more particularly described as follows, to-wit:

Commencing 328.264 feet north and 1594.148 feet west of the meander corner between sections 25 and 26, Township 38 North, Range 3 East, Willamette Meridian, State of Washington, which point of commencement is evidenced by a concrete monument and shown on the above mentioned unrecorded plat as locating a point on the northerly line of lot 23; thence South 42°14'45" East along the southerly line of Dellesta Drive of said plat, 366.432 feet to the place of beginning for this conveyance; thence south 47°45' 15" West, 150 feet more or less to the meander line of Lake Whatcom; thence southeasterly along said meander line to a point on said line 75 feet distant from last described course measured at right angles thereto; thence north 47° 45' 15" East 140 feet more or less to the southerly line of said Dellesta Drive of the said unrecorded plat, and thence North 42° 14' 45" West 75 feet to the place of beginning. The courses herein given refer to the Meridian of the Lake Whatcom Shore land Survey as surveyed, established and platted by the State of Washington Commissioner of Public Lands, 1928.

The within described property is sold on the express covenant that it shall never be sold to, or occupied by, a negro or any person of African, Chinese or Japenese descent and the following restrictions: Permanent structures for residence purposes shall contain at least three living rooms, cover not less than 400 square feet ground area, shall be of substantial construction, and exteriors of all buildings shall be completed and painted or otherwise suitably finished according to type of construction, within ninety days from date construction is started. No tar paper or corrugated iron finish buildings shall be permitted on said property, and no building of any sort shall be constructed closer thah 12 feet from the line of Dellesta Drive. All toilets, even for temporary use, must be connected with properly installed concrete septic tank. No commercial buildings, advertising signs or billboards shall be permitted on the premises.

Any violation of said covenants, or any of them, may be restrained by injuhction sought in any court of competent jurisdiction by any owner of any part of Dellesta Park.

The reservations by the DELLINGER ESTATE shall run till January 1,1955 and the restrictions as to use and occupancy shall be effective until January 1, 1945 after which they shall cease to be of no effect.

IN WITNESS WHEREOF, said corporation has caued this instrument to be executed by its President and Secretary and affixed the corporate seal hereto at Bellingham, Wash- ington, this 24th day of June, A D 1933.

" Dellinger Estate "
" Incorporated 1932, SEAL. "
" Bellingham, Wash. "

DELLINGER ESTATE
By Geo C. Dellinger,
President
By P. H. Browne,
Secretary

" \$1.00 R Stamp attached & canceled "

State of Washington;

County of Whatcom : ss.

On this 29th day of June, 1933, before me personally appeared Geo C. Dellinger and P.H.Browne, to me known to be the President and Secretary, respectively of Dellinger Estate, 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 were authorized to execute the said instrument and that the seal affixed is the corporate seal of said cor- poration.

Witness my hand and official seal hereto affixed the day and year in this certifi- cate above written.

" R A Miller, Notary Public "
" Commission expires May 8,1937 "
" State of Washington. "

R A Miller, Notary Public in and for the
State of Washington, residing at
Bellingham.

Received for Record at 9:20 A M Jul 1 A D 1933, and recorded at request of Bham. Abstr.Co.

G. P. Kincaid, County Auditor Whatcom Co, Wash.

COMPARED

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RB

GOVT. LOT III GOVT. LOT II

I, the undersigned a civil engineer hereby certify that I personally made the survey of this plat, and have carefully located or calculated each point shown thereon in their relationship to the base line and initial point. The principal points are perpetuated by concrete monuments with copper tack located exact point unless other wise noted.

H.W. Trounman  
Dec. 1937.

## DELLESTA PARK

### DECLARATION

KNOW ALL MEN BY THESE PRESENTS: That DELLENGER ESTATE, a corporation organized and existing under the laws of the State of Washington, owner in fee simple of the tract of land platted herein as DELLESTA PARK hereby declare this to be the Plat of DELLESTA PARK, Whatcom County, Washington, and further certify as follows: The lands included in said plat are described as: All that portion of Government Lots No. 1 and 2, Section 26, Township 38 North, Range 3 East, W.M. lying south of the South line of the Northern Pacific Railway, right of way line through said lots and including the Lake Whatcom Shore Lands adjacent and belonging thereto.

The Initial Point is a copper tack in the top of a concrete monument on the east line of said Section 26, located 72.66 feet, No. 64° 19' 18" W. from the Meander Corner. The Base Line is the base of the Lake Whatcom Shore Land Survey, more particularly the triangulation points DELLINGER located by a cross cut in the solid rock in Lot No. 110, and Echo located by a cross and tack in the solid rock on the South Shore of Lake Whatcom northwest from E.B. Demings residence of what is commonly known as Echo Point.

The streets, drives, footpath and park shown upon this plat shall be private and deemed to exist for the use and benefit of owners of property within the boundaries of this plat, their heirs, successors, and assigns, and no dedication thereof for the use of the public is made or intended to be made hereby, or any public interest therein created, but that they shall, under the supervision and control at all times by the owners of the lots within said plat.

Title to any lot will include the undivided 10th interest in all such streets, drives, footpath, and park, but such title will not entitle any owner to encroach upon such street, drive, footpath or park with any building, fence or other wise, and they shall always remain open for the free and unobstructed use of the entire community within the limits of the plat. Providing, nothing is intended hereby to prevent any owner of lots abutting on the park from landscaping or otherwise beautifying the park grounds lying adjacent thereto, or from constructing walks or improving the streets, drives and footpath in a manner consistent with the above.

All lots extend to the outer boundary of the Shore Lands with the exception of Lots 73 to 95 inclusive, and lots 108 and 109 which are as shown.

That part of the Shore Lands lying SW of Lot 96, NW of Lot 72, NE of Lots 73, 74, 75, 76, and 77 is intended, and is hereby made a part of the park.

The said corporation has caused its corporate name to be hereunto subscribed and its seal hereunto affixed this 12th day of Sept. 1934.

Attest  
P.H. Browne  
Secretary

DELLENGER ESTATE  
By George C. Dellinger  
President

State of Washington, ss.  
County of Whatcom

On this 12th day of Sept. 1934 before me personally appeared, Geo. C. Dellinger and P.H. Browne, to me known to be the President and Secretary respectively of DELLENGER ESTATE. The corporation that executed the foregoing declaration, and acknowledged the same to be the free and voluntary act and deed of said corporation for the use and purpose therein mentioned, and on oath stated they were authorized to execute said declaration, 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 in this certificate first above written.

Francis N. Call  
Notary Public in and for the State of Washington  
residing at Bellingham in said State

Approved by the Board of  
Supervisors of Van Wyck Township,  
Whatcom County, State of  
Washington, this 18th day of  
Sept. 1934.

B.J. Linton  
Chairman of Board

### COUNTY ENGINEER'S CERTIFICATE

This is to certify that I have this 12 day of Sept. 1934, checked the above plat as to computations and descriptions and find the same to be correct, so far as can be determined from an examination of the face of the plat.

John M. Adams  
County Engineer of  
Whatcom County, Washington.

I, Pliny T. Snyder, County Treasurer of Whatcom County, Washington, do hereby certify that all taxes which have been levied and become chargeable against the property embraced within this plat, including the year 1934, have been fully paid, and that I am the officer in charge of the collection of special assessments levied by said County of Whatcom, on all the land embraced in this plat, and that all delinquent special assessments for which the property embraced in this plat may be liable, to this date, have been paid.

September 19th 1934 Pliny T. Snyder  
County Treasurer  
Whatcom County, Washington

STATE OF WASHINGTON, ss. I hereby certify that this plat was filed for record in the office of the Auditor of Whatcom County, Washington at the request of DELLENGER ESTATE on the 19th day of Sept. A.D. 1934, at 4 O'clock P.M., and that it is recorded in Volume 7 of Plats of pages 34. The records of said County.

File No. 435720

G.P. Kincaid  
Auditor and Recorder of  
Whatcom County, Washington

Approved by the Board of County Commissioners, Whatcom County,  
Washington on this 12th day of Sept. 1934.

Fred E. Laube  
Chairman of Board

