

Agreement filed Oct 31, 1968 See Vol Pg
for Adaptation of Covenants See Vol 162 Page 269 4-6-72
" " " 168 " 132 6-19-72
" " " 168 " 133 - 6-19-72
7th Agreement to Amend Restrictive Covenant See Vol 169 Pages 442 to 471 - 7-5-72

VOL 270 PAGE 564

556845

A G R E E M E N T

This agreement, entered into this day by and between the under-
signed respective owners of those certain tracts of real property set opposite
their respective signatures, such real property being and constituting the
North Half of Block 2, all of Block 3, Lots 8 to 39 both inclusive in Block
5 and all of Block 6, according to Squaticum Park Plat in Bellingham,
Whatcom, County, Washington, WITNESSETH:

(1) That the parties hereto, being owners of tracts of land
situated in Bellingham, Washington, as more particularly hereinafter described,
are desirous of entering into protective covenants for the protection of their
property, for value received, and in consideration of the mutual covenants
herein contained and the mutual rights and benefits to be derived herefrom, do
hereby mutually covenant and agree as herein set out.

(2) All of said lots shall be known and described as residential
lots, except Lot 1, Block 3, which is reserved for 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 2 cars.

(3) No building shall be located on any residential building plot
nearer than 30 feet to the front lot line, nor nearer than 10 feet to any side
street line. No building, except a garage or other outbuilding located 70 feet
or more from the front lot line, shall be located nearer than 5 feet to any
side lot line.

(4) No residential structure shall be erected or placed on any
building plot, which plot has an area of less than 6,000 square feet nor a
width of less than 60 feet at the front building setback line.

(5) 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.

(6) 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.

(7) No trailer, basement, tent, shack, garage, barn or other outbuilding 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.

(8) No dwelling costing less than \$2000 shall be permitted on any lot in the tract. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 700 square feet in the case of a one-story structure nor less than 600 square feet in the case of a one and one-half, two, or two and one-half story structure.

(9) Any dwelling or structure erected or placed on any lot in this subdivision shall be completed as to external appearance, including finished painting within 8 months from date of commencement of construction and shall be connected to septic tank or public sewerage.

(10) These covenants are to run with the land and shall be binding on all the parties and all persons claiming under them until January 1, 1966, 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 said covenants in whole or in part.

(11) 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.

(12) Invalidity 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.

Dated this 1st day of December, 1941.

NAMES OF TITLE OWNERS

DESCRIPTION

N 60' Lot 18, ^{SW}
Lots 19 to 25 inclusive, 27, 74.5'

Lot 30, 33 and 34, Block 2.

Lots 9 and 10, 11 except Sly 200', 12 to
15 inclusive, 16 except NEly 20', 22 and

23, N 20' of 24, 25 to 28 inclusive,

29 to 35 inclusive (all less Sly 60'),

36 to 44 inclusive (all less S 60'),

45 to 49 inclusive, 51 to 55 inclusive,
Block 3.

Lots 15, 17 to 20 inclusive, 24 to 30

inclusive, 33 to 38 inclusive, and NE $\frac{1}{2}$
of 39, Block 5.

SW 132.5' Lot 1, Lots 7, 9 to 40 inclusive,

41 less NEly 81.69', Block 6. ^{all in Squalicum}
^{Park Plat}

BELLINGHAM SECURITIES SYNDICATE, Inc.

By *L. Russell Pres -*
William Parker
secretary



J.E. McGinnis
Harriett McGinnis

{ *for 9x10 + 200 20 ft of Bl 8 B 5*
Squalicum Park Plat, exc apt the
Exclus 60 ft Road

Arbury Bennett
Annie Bennett

{ *Exclus 60' of lots 9x10 and*
easterly 60' of the N.W. 20' of lot 9
Block 5 Squalicum Park plat

Fremma J. Koon
Mrs. E. J. Koon
Ruth N. Koon
W. Russell

{ *Lot 2, Block 6*
Squalicum Park Plat
Lots, Block 6, Squalicum Park Plat

Hans N. Schaffer
Maud Agnes Schaffer

{ *NEly 132.5' of Lot 1, Block 6,*
Squalicum Park Plat.

Emil A. Stimac
Loris Stimac

{ *Lot 6, Block 6,*
Squalicum Park Plat.

Carl F. Anderson
Helen W. Anderson

{ *Lot 31, Block 2*
Squalicum Park Plat

H.W. Poyser
Eva Poyser

{ *Lot 4, Block 6 ✓*
Squalicum Park Plat

556845

~~Wm H. Hulet~~

Pete Semoff
Hazel Semoff

{ Lots 21, 22, 31 + 32,
Block 5, Squalicum Park Plat.

Edward H. McCollum
Dorothea J. McCollum

{ Lot 15 and the South 20'
of Lot 16 + 19, Blk 2 - Squalicum
Park Plat

x Emil Nilson
Petra Nilson

{ Lot 28, Block 2
Squalicum Park Plat

x Annette Brooks -

Lot 16, Block 5, Squalicum Park Plat

~~Barry C. Heston~~

O. Ebeling
Louise A. Ebeling

{ N 40' Lot 17, & the S 20' Lot 18
Block 2, Squalicum Park Plat

Ethel A. Corey
H. C. Corey

{ Lot 20, Block 3,
Squalicum Park Plat

Alfred
Julia J. James.

{ Lot 18 + Ely 20' of Lot 17, Block 3
Squalicum Park Plat.

Fred C. Simonsen.
Eva B. Simonsen

{ Lot 3, Block 6,
Squalicum Park Plat.

The Ely 80' of Lot 41, Block 6, Squalicum Park Plat a part of the consolidated City of Bellingham, Whatcom County, Wash., as per the map thereof, recorded in Book 7 of Plats, pages 1 and 2, in the Auditor's office of said county and state, more fully describe as follows, to-wit:- Beginning at the SE corner of the said Lot 41: Thence South 64 Degrees 10 Min. West, along the SEly line of the said Lot 41, 81.69' thence North 37 Degrees 30 Minutes West, 102.34' to the Nly line of the said Lot 41; thence North 83 Degrees 55 Minutes East, along the Nly line of the said Lot 41, 93.74' to the NEly corner of the said Lot 41; thence South 37 Degrees 30 Minutes East, along the Ely line of the said Lot 41, 70.0' to the point of beginning.

Harry H. Schaper
Maud Agnes Schaper

Wm H. Hulst
Laura V. Hulst
Arthur O. Nelson
Ida O. Nelson

Lot 8, Block 6, Squalicum Park Plat.
Lot 26, Block 2, Squalicum Park Plat

L. E. Whitehead
Marguerite Whitehead

Lot 1, Block 3, Squalicum Park Plat

Karl Peterson
Olga Peterson

NEly 20' of Lot 16, & SWly 60' of Lot 17, Block 3, Squalicum Park Plat.

STATE OF WASHINGTON

County of Whatcom

ss.

On this 1st day of December before me
personally appeared L. R. Russell

and R. Quinn White to me known to be the

President and Secretary

of the corporation that executed the foregoing instrument, and

acknowledged 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 authorized to execute said

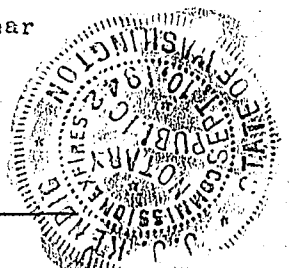
instrument and that the seal affixed is the corporate seal of said

corporation.

Given under my hand and official seal the day and year
last above written.

J. H. Kende
Notary Public in and for the State of

Washington, residing at Bellingham



STATE OF WASHINGTON

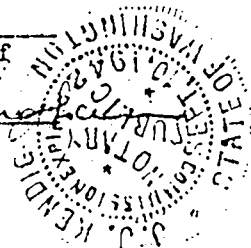
County of Whatcom

ss.

I, the undersigned, a notary public in and for the state of Washington, hereby certify that on this 1st day of December personally appeared before me J. E. McGinnis, Harriett McGinnis, Aubrey Bennett, Ann Bennett, Francis J. Koons, Ruth N. Koons, L. K. Purcell, Harry H. Schafer, Laud Agnes Schafer, Emil A. Stimac, Doris Stimac, Carl F. Anderson, Helen V. Anderson, H. M. Poyser, Eva Poyser, Pete Semoff, Hazel Semoff, Edward H. McCollum, Dorothea J. McCollum, Emil Nelsen, Petra Nelsen, Annette Brooks, D. Ebeling, Louise A. Ebeling, Ethel A. Corey, H. O. Corey, A. J. James, Julia I. James, Fred C. Siemons, Eva B. Siemons, Wm. H. Hulst, Laura V. Hulst, Arthur O. Nelson, Ida O. Nelson, L. E. Whitehead, Marguerite Whitehead, Karl Peterson, Olga Peterson to me known to be the individual s described in and who executed the foregoing instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal the day and year last above written.

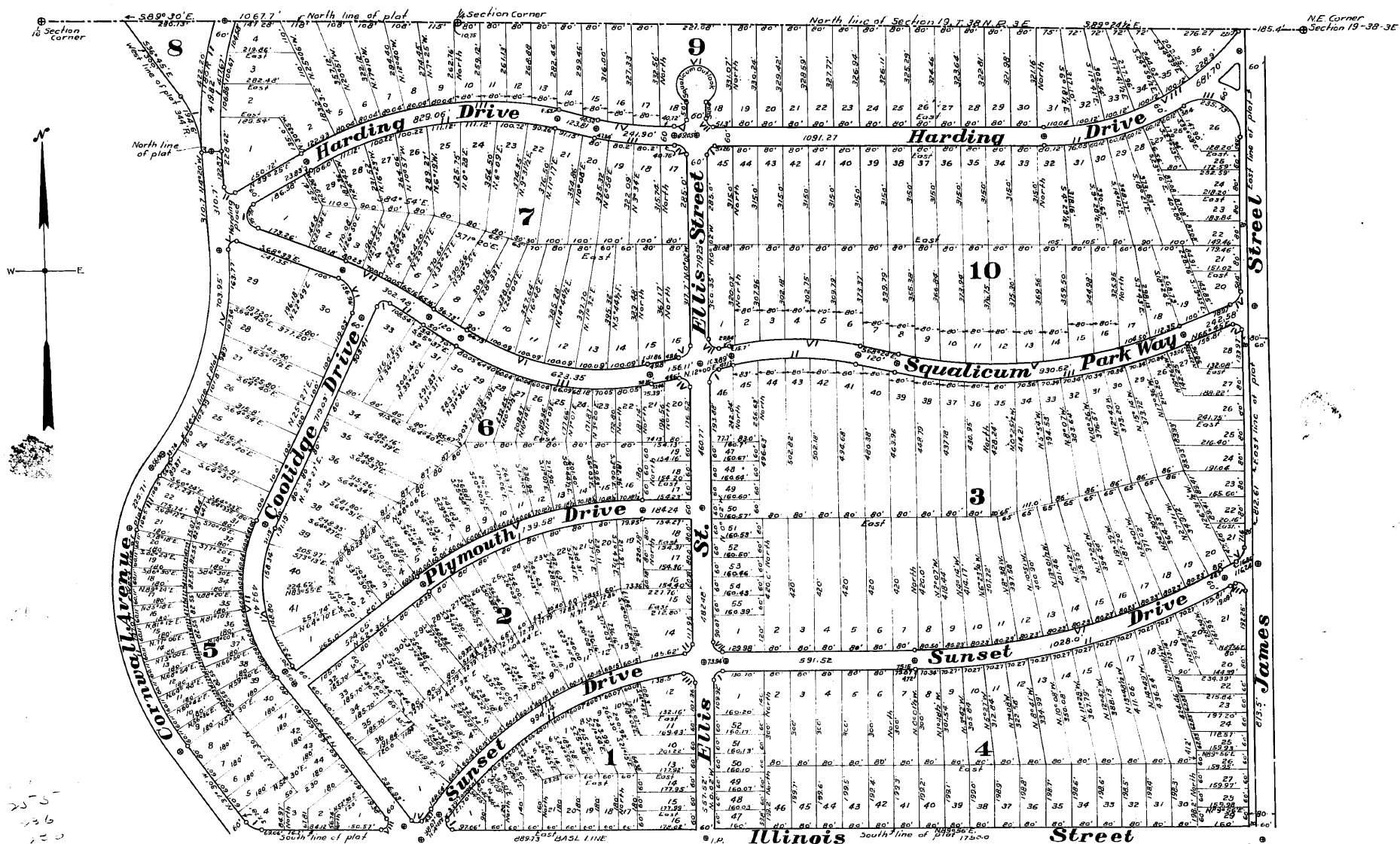
J. P. Kendig
Notary Public in and for the State of
Washington, residing at Bellingham



Received for record at 11:30 A.M. Dec. 1, 1945
at request of Bellingham Securities Syndicate
Pliny T. Snyder, Auditor Whatcom Co., Wn.

SQUALICUM PARK

SCALE; 1 INCH = 200 FEET.



Table, showing latitude and departure of the beginning, end and center, and also the central angle of each curve of this Plat.

CURVE	BLOCK	RADIUS	Beginning of Curve			End of Curve			Center of Curve			Central Angle
			N.	E.	W.	N.	E.	W.	N.	E.	W.	
I	1	20	1380.00			795.88	1411.29		812.39	1400.00		124° 22'
II	"	1070	1414.01			810.39	1871.09		64.33	810.01	72.83	55° 38'
III	"	30	1271.09			64.93	1841.36		31.07	1841.36		9° 22'
I	2	1100	1232.69			855.26	2360.00		145.43	1260.00		37° 30'
II	"	30	1262.27			31.14	1932.45		194.62	1932.45		8° 24'
III	"	1130	1932.45			57.67	1447.88		859.92	810.01	72.83	49° 00'
IV	"	20	1405.84			887.98	1405.96		920.36	1418.13		904.49
I	3	40	2793.09			2833.03	6006		2782.90	68.39		180° 02'
II	"	340	2833.03			2833.03	499.65		2833.03	201.64		23° 36'
III	"	1560	2833.03			2833.03	1531.68		4348.19	951.88		30° 51'
IV	"	20	2276.39			2358.01	109.74		2358.01	1688.14		118° 14'
V	"	60	2276.39			2276.39	1709.44		2276.39	1694.54		60° 34'
VI	"	1920	2276.39			2276.39	1694.54		2276.39	1694.54		20° 27'
VII	"	30	1939.93			1939.93	28.66		1939.93	32.66		90° 39'
I	4	30	1848.90			1848.90	28.66		1848.90	32.66		89° 18'
II	"	2030	1848.90			1848.90	32.66		1848.90	32.66		20° 27'
III	"	20	2161.70			2161.70	126.98		2161.70	126.98		118° 56'
I	5	60	1380.00			1400.25	1400.47		1400.25	1400.00		50° 30'
II	"	840	1400.25			1400.25	1400.47		1400.25	1400.00		45° 12'
III	"	2032	1400.25			1400.25	1400.47		1400.25	1400.00		20° 27'
IV	"	1000	2560.31			1666.76	3223.66		1666.76	3148.09		40° 20'
V	"	2124	3223.66			1478.61	3245.03		1478.61	3245.03		145° 47'
VI	"	8348	3245.03			1131.97	3006.60		1087.15	3042.47		94° 00'
VII	"	480	3006.60			1326.13	1458.89		1326.13	1458.89		60° 34'
VIII	"	40	1412.18			1004.43	1380.00		1004.43	1380.00		127° 30'
I	6	20	3038.94			1005.32	3047.89		977.42	3030.35		98° 17'
II	"	1340	3047.89			977.42	2978.45		865.26	1872.84		162° 00'
III	"	800	2978.45			766.23	2788.38		148.72	3571.30		314° 45'
IV	"	1160	2788.38			671.84	2788.38		2788.38	3148.09		118° 14'
V	"	1160	2788.38			145.63	2184.20		891.40	1860.00		37° 30'
VI	"	420	1860.00			1296.92	2331.55		1341.95	2151.04		62° 57'

CURVE	BLOCK	RADIUS	Beginning of Curve			End of Curve			Center of Curve			Central Angle
			N.	E.	W.	N.	E.	W.	N.	E.	W.	
I	"	40	3293.65			1394.11	3364.20		1397.27	3329.77		126° 32'
II	"	1070	3364.20			1216.31	3594.22		438.44	2530.00		67° 10'
III	"	1130	3594.22			317.62	3540.00		71.12	4670.00		71° 12'
IV	"	30	3540.00			32.06	3510.02		32.06	3510.02		60° 00'
V	"	40	2907.27			31.69	2968.13		6.37	2907.27		71° 10'
VI	"	740	2907.27			160.59	2960.59		732.35	3571.30		314° 45'
VII	"	1400	3028.36			231.38	3176.01		1110.03	1872.58		162° 00'
I	8	344	3176.01			162.49	3528.94		126.17	3502.85		190° 18'
II	"	1160	3528.94			164.91	3566.67		149.16	3618.10		30° 30'
III	"	1160	3566.67			1502.09	3946.07		1456.16	3618.10		36° 26'
IV	"	20	3910.87			1492.80	3995.16		1462.68	2412.38		141° 26'
V	"	1130	3995.16			1246.84	3656.79		485.49	3540.00		61° 50'
VI	"	1070	3656.79			304.53	3600.00		71.12	4520.00		12° 36'
VII	"	30	3600.00			62.12	3630.02		32.12	3630.00		62° 12'
VIII	"	60	3630.02			32.14	3630.04		32.14	3630.00		21° 17'
IX	"	170	3630.04			302.35	3706.47		4370.00	1089.20		63° 32'
I	10	30	3630.47			3640.00	57.95		3510.00	57.95		90° 00'
II	"	830	3528.94			1028.25	3528.94		3528.94	1028.25		30° 30'
III	"	110	3528.94			3510.00	1706.56		3579.07	1528.56		122° 47'
IV	"	30	3086.60			1706.56	3040.68		1678.44	3026.38		165° 20'
V	"	1500	2970.00			1514.00	2878.83		600.26	4349.19		321° 28'
VI	"	1000	2878.83			302.71	2878.83		302.71	2878.83		30° 30'
VII	"	30	2878.83			2878.83	2878.83		2878.83	2878.83		101° 58'

Initial Point of Plat	1350.0	0.0
Initial Point of Broadway Park Plat	0.0	0.0

PLAT

For vacation of Kirsling St from W boundary of Ellis to
 E 5th see City of Birmingham Ordinance 7947 Oct 5 1970
 City of Birmingham
 Ordinance 7973 vacating same St 1597447 3-16-88

KNOW ALL MEN BY THESE PRESENTS: That Bellingham Bay Improvement Company, a private Corporation, organized and existing under and by virtue of the laws of the State of Washington and being the fee simple owner of all the real-estate embraced in this plat, hereby executes and files this Plat, the same to be known as "SQUALICUM PARK PLAT."

The real-estate embraced within this plot is situated in the City of Bellingham, County of Whatcom, State of Washington, Township Thirty-eight (38) North, Range Three (3) East, Willamette Meridian, and is bounded on the North by the Eastern line of Illinois Street (31), On the East by the West line of James Street as the same is now located and deeded to the City of Bellingham by a deed from Bellingham Bay Improvement Company, Morgan Wheeler and Dereck E. Wheeler, husband and wife, and G.C. Hyatt, a bachelor, dated March 7, 1905, and recorded in Volume 89, page 186 of Deed records of Whatcom County; On the South by North line of Illinois Street as shown upon "Broadway Park Plot" filed for record in the office of the Auditor of Whatcom County, Washington, September 18, 1906, and by the North line of Illinois Street as shown upon the Plot of "Sunnyland" filed for record in the office of the Auditor of Whatcom County, Washington, September 30, 1906; On the West by the Easterly line of Cornwall Avenue, as deeded to the City of Bellingham by Bellingham Bay Improvement Company, and recorded in Volume 140, page 542 of Deed records of Whatcom County, and by the Easterly line of Cornwall Memorial Park.

Any lines or notations made, written, printed or delineated upon this plat, which involve or refer to any real-estate not included within the boundary lines of this plat, as above described, are explanatory only and not intended to have any legal significance.

The size of each lot, the course of each side line thereof, the width of each street, and the number of each lot and block in this plot is indicated by figures thereon. The initial point of the survey of this plot is the point of intersection of the center line of Illinois Street with the center line of Ellis Street, as shown upon the Map of Broadway Park Plat aforesaid, and is marked by a cross cut in a round copper pin set in the top surface of a concrete monument at that point.

The base line of the survey of this plat is an East and West line extending from the initial point of the survey of this plat West along the center line of Illinois Street aforesaid to a similar point set in the top surface of a concrete monument at the point of intersection of said center line with the center line of Sunset Drive, as shown upon this plat, extended in a straight line Southwesterly to intersect the center line of Illinois Street aforesaid. Said base line is eight hundred eighty nine and seventy three hundredths (889.73) feet long.

The southeast corner of Block One (1) of this Plat is thirty (30) feet North and thirty and two hundredths (30.02) feet west of the initial point of the survey of this plat. The courses of the street and lot lines upon this plat are similar to said courses as shown upon Broadway Park Plat aforesaid and the base line of this plat is parallel to the base line of said Broadway Park Plat.

All streets, avenues, drives, places, parkways and overlooks upon this plot are hereby dedicated to the public as public highways.

RESERVATIONS: There is expressly excepted and reserved from the terms of this plat and shall be excepted and reserved to the City of Chicago and to any Deed which may be hereafter executed and delivered for any property embraced within this plat, the following titles, rights, and easements to-wit:

(1) The title to all coal deposits located at a greater depth than two hundred (200) feet beneath the surface of the real estate embraced within this plat.

(2) Bellingham Bay Improvement Company, its successors, grantees and assigns, in the title to such coal deposits, shall have the perpetual right to mine the same and shall also have the perpetual easement to transport through the lands embraced within this plot and all coal deposits, whether located within or without this plot, or in lands other than those embraced within this plot. Provided, however, that such mining operations shall not be carried on or such transportation conducted within the limits of the lands embraced within this plot at a place above two hundred (200) feet beneath the surface of such lands, nor in such manner as to interfere with the surface rights to the same.

IN TESTIMONY WHEREOF the said Bellingham Bay Improvement Company has caused this plat to be executed in its name by its President and attested by its Secretary under its Corporate Seal this 22d day of October, 1923.

BELLINGHAM BAY IMPROVEMENT CO.

By E. W. Purdy
President

ATTEST

E. G. Saxon
Secretary




STATE OF WASHINGTON }
COUNTY OF WHATCOM } ss.

2. On this 22d day of October, 1923 before me a Notary Public in and for the State of Washington, residing at Bellingham, personally appeared E. W. P. Saxon, to me known to be President, and E. G. Saxon, to me known to be the Secretary of Bellingham Bay 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 each stated that he was 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 official Seal, the day and year in this certificate
first above written



G. H. Bacon
Notary Public in and for
the State of Washington residing
at Bellingham.

I, E.C. Lyle a practicing Civil Engineer, hereby certify that I have personally made the survey of this Plat; that concrete monuments have been set at all points marked thus  upon said plat; that the Tabeshowing the latitude and departure of the beginning and center of each curve in this plat has been carefully prepared by me; that said latitudes and departures are extended from the latitudes and departures shown upon Broadway Park Plat, and that the distances, angles and other data shown upon this plat are correct.

E. C. Lyle.

APPROVED by order of the City Council of the City of Bellingham, Washington, by an order made and entered on this 29th day of October, 1923.

WITNESS our official signatures
and the seal of the City of Bellingham,
Washington, this 30th day of
October, 1923

Chas. A. McLennan
By C. J. Canfield

By C. J. Canfield
Deputy
Comptroller of the City of
Bellingham, Washington

E. J. Mathes
Mayor of the City of
Bellingham, Washing-
ton.



I, EDITH M. THORNTON, County Treasurer of Whatcom County, Washington, do hereby certify that all taxes due upon the real estate embraced in this plat have been fully paid as shown by the records in my office.

Edith M. Thornton
County Treasurer of Whatcom
County, Washington.
By Frank Wilson
Deputy



269968

STATE OF WASHINGTON } ss.
COUNTY OF WHATCOM}

I hereby certify that this plat was
filed for record in the office of the Auditor
of Whatcom County, Washington at the
request of Bellingham Bay Improve-
ment Company on the 30th day of
October, 1923 at 9:30 o'clock A.M.
and that it is recorded in Volume 7
of plats, at page 1-2 of the records
of said County.

fy *San Barrett*
Auditor and Recorder
of Whatcom County
Washington.

Recording fee \$104.90

[illegible]