



199909240074

Kathy Hill, Skagit County Auditor

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AFTER RECORDING MAIL TO:

A.L.R.T. Corporation
P.O. Box 31400
Bellingham, Wa 98228-3400

RESTRICTIVE COVENANT

GRANTOR John H. Wepler and Dianna M. Wepler, husband and wife
GRANTEE: Jerry Hammer, as his separate estate and A.L.R.T. CORPORATION
LEGAL DESCR: S1/2 W1/2 NE1/4 NW1/4, S17 TWN33N R5E
TAX PARCEL ID#: P18108
ACCT. NO.: 330517-2-03-0000

ADDITIONAL LEGAL DESCRIPTION ON PAGE 2 OF THIS DOCUMENT

P18100 P102600

RESTRICTIVE COVENANT

JW 8-30-99
DW 8-30-99

THE GRANTOR(s) herein, JOHN H. WEPPLER and DIANA M. WEPPLER are the owner(s) of (an interest) in the following described real estate situated in SKAGIT County, State of Washington:

Parcel P18108 - The $\frac{5}{2}$ of $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 17, T2N33N, R5E W.M.
 That portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ lying east of State Route 9
 In Section 17, T2N33N, R5E W.M. Together with that portion of
 The 100 ft. wide Railroad right of way commonly known as the Northern Pacific Railway running North and South through the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 17, T2N33N, R5E which lies West of centerline of said right of way.
 Know as Parcel P102600

Together with that portion of
 JW

JW 8-30-99
DW 8-30-99

THE GRANTEE(s) herein, JERRY HAMMER and A.L.R.T. CORPORATION, own(s) and operate(s) a well and waterworks supplying water for the public use, located upon the following described real estate situated in SKAGIT County, State of Washington:

Lots 1 thru 4 of the A.L.R.T. Corporation and Whispering Winds Starrys, Inc. Short Plat situated in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, T2N33N, R5E W.M. Together with that portion of the 100 ft. wide Railroad right of way commonly known as the Northern Pacific Railway, running North and South through the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 17, T2N33N, R5E which lies East of centerline of said right of way.

Which well and waterworks is in close proximity to the land of the grantor(s) and said grantee(s) is (are) required to keep the water supplied from said well free from impurities which might be injurious to the public health.

It is the purpose of these grants and covenants to prevent certain practices hereinafter enumerated in the use of the said grantor(s) land which might contaminate said water supply.

NOW, THEREFORE, the grantor(s) agree(s) and covenant(s) that said grantee(s), its successors and assigns said covenants to run with the land for the benefit of the land of the grantee(s) that said his (her) grantor(s), (their) heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor(s) and within 100 (One Hundred) feet of the well herein described, so long as the same is operated to furnish water for public consumption, any potential source of contamination, such as septic tanks and drainfields, sewerlines, underground storage tanks, roads, railroad tracks, vehicles, structures, barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste, or garbage of any kind or description.

These covenants shall run with the land and shall ^{be} binding to all parties having or acquiring any right, title, or interest in the land described herein or any part thereof, and shall inure to the benefit of each owner thereof.



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WITNESS my hand this 30th day of August, 1999.

John H. Weppler
Grantor - John H. Weppler

Diana M. Weppler
Grantor - Diana M. Weppler

STATE OF WASHINGTON)
COUNTY OF WHATCOM)

I, the undersigned, Notary Public in and for the above named County and State, do hereby certify that on this 30th day of August, 1999, personally appeared Before me Diana M. Weppler & John H. Weppler to me known to be the individual(s) described in and who executed the within instrument, and acknowledged that he (they) signed and sealed the same as 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.

Yerline J. Adams
Notary Public in and for the State of Washington, residing
at Bellingham

My Commission Expires: June 15, 2002

[Faint, illegible text, possibly a stamp or bleed-through]



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DESCRIPTION OF WELL LOCATION

The well described within said Restrictive Covenant between John H. Wepler and Diana M. Wepper, Grantors and Jerry Hammer, Grantee is described as follows:

Lying adjacent to Lot 1 of the A.L.R.T. Corporation and Whispering Winds Starrys, Inc. Short Plat and approximately 30 feet South of the lot line running east & west between Lots 1 & 2 of said short plat and in the West 25 feet of the East 50 feet of the 100 foot abandoned railroad right of way, commonly known as the Northern Pacific Railway, running North and South through the NE1/4 of the NW ¼ of Section 17, TWN 33N, R5#, W.M., which lies East of the centerline of said right of way and within said subdivision, Situate in the County of Skagit, State of Washington.



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