



200207250013

Skagit County Auditor

7/25/2002 Page

1 of 21

8:47AM

WHEN RECORDED RETURN TO:

JAMES E. ANDERSON P.S.  
P.O. BOX 727  
ANACORTES, WA 98221

DECLARATION OF RESTRICTIVE COVENANTS FOR  
TRACT D, THE POINTE OF VISTA SAN JUAN, DIVISION NO. 1

GRANTORS:

Delbert T. LaFace and Birgit M. LaFace, husband and wife;  
Nathaniel M. Nord and Ann W. Nord, husband and wife;  
Alvin Stensland and Ingeborg Stensland, husband and wife and  
as trustees of the Stensland Living Trust;  
Davenport Browne and Debora E. Gillespie, husband and wife;  
James F. Britten and Gyvonne A. Britten, husband and wife;  
Wallie V. Funk and Mary Ann Funk, husband and wife;  
Frank M. Hansen and Barbara A. Hansen, husband and wife;  
Daniel A. Meyer and Sherrie L. Meyer, husband and wife;  
Clifford F. Harris and Suzanne Haywood Harris, husband and wife;  
Paul J. Giles, Jr. and Holly Matchett Giles, husband and wife;  
James B. Casey, Jr. and Janet W. Casey, husband and wife;  
Jack Bollerud, as trustee of the Elma Dorothy Bollerud Credit Trust;  
Tract D -all of the above owners of Lots I through 12 who may  
have an interest in the said Tract D and also Pointe One  
Homeowners Association, a Washington non-profit corporation.

GRANTEE:

THE PUBLIC

LEGAL DESCRIPTION: Plat known as "The Pointe of Vista San  
Juan", Division No. 1, according to the plat thereof recorded  
in Volume 14 of Plats, pages 32, 33, and 34, records of Skagit  
County, Washington.

ASSESSOR'S TAX PARCEL NOS.:

- Parcel 1: 4489-000-999-0000; P83455, includes other property
- Parcel 2: 4489-000-011-0009; P83331, includes other property

COME NOW all of the owners of real property in a certain plat known as "The Pointe at Vista San Juan", Division No. 1, according to the plat thereof recorded in Volume 14 of plats, pages 32, 33 and 34, records of Skagit County, Washington being situated in Skagit County, Washington, the said real property hereinafter referred to as "the plat", who are identified as follows:

- Lot 1 - Delbert T. LaFace and Birgit M. LaFace, husband and wife
  - Lot 2 - Nathaniel M. Nord and Ann W. Nord, husband and wife
  - Lot 3 - Alvin Stensland and Ingeborg Stensland, husband and wife and trustees of the Stensland Living Trust
  - Lot 4 - Davenport Browne and Debora E. Gillespie, husband and wife
  - Lot 5 - James F. Britten and Gyvonne A. Britten, husband and wife
  - Lot 6 - Wallie V. Funk and Mary Ann Funk, husband and wife
  - Lot 7 - Frank M. Hansen and Barbara A. Hansen, husband and wife
  - Lot 8 - Daniel A. Meyer and Sherrie L. Meyer, husband and wife
  - Lot 9 - Clifford F. Harris and Suzanne Haywood Harris, husband and wife
  - Lot 10 - Paul J. Giles, Jr. and Holly Matchett Giles, husband and wife
  - Lot 11 - James B. Casey, Jr. and Janet W. Casey, husband and wife
  - Lot 12 - Jack Bollerud, as trustee of the Elma Dorothy Bollerud Credit Trust
- Tract D - all of the above owners of Lots 1 through 12 who may have an interest in the said Tract D and also Pointe one Homeowners Association, a Washington non-profit corporation.

WHEREAS, all of the above owners of lots 1 through 12 in the said plat as well as the Pointe One Homeowners Association may have an ownership interest in Tract D, The Pointe of Vista San Juan, Division 1, according to the plat thereof, recorded in Volume 14 of plats, in pages 32, 33 and 34, records of Skagit County, Washington, said parcel hereinafter referred to as "Tract D"; and

WHEREAS, all of the above owners as well as the Pointe One Homeowners Association desire to place restrictive covenants on Tract D for the mutual benefit of all of the owners of real property within the plat and also for the benefit of Pointe One Homeowners Association, now therefore:

DECLARATION OF RESTRICTIVE COVENANTS



200207250013

Skagit County Auditor

All of the above-described owners and the Pointe One Homeowners Association, for and in consideration of the mutual benefits achieved by the signing of this declaration, covenant and agree as follows:

(1) The restrictive covenants described herein shall operate as covenants running with the land for the benefit of any and all persons who may now own, or who may hereafter own, Tract D and any lot within the plat of "The Pointe at Vista San Juan", Division 1, according to the plat thereof recorded in Volume 14 of plats, pages 32, 33 and 34, records of Skagit County, Washington.

(2) All lot owners within the plat are specifically given the right to enforce these restrictions at any proceedings, at law, or in equity, against any person or persons violating or threatening to violate such restriction, and recover any damages suffered by them from any violation thereof. By acceptance of ownership of any lot within the plat, any owner of a lot within the plat agrees that in the event litigation is commenced to enforce these restrictive covenants, the prevailing party in such litigation shall be entitled to reasonable attorney's fees and court costs from the non-prevailing party.

(3) No waiver of a breach of any of the restrictive covenants contained herein shall be construed to be a waiver of any other breach of the same, nor shall failure to enforce any one of such restrictive covenants, either by forfeiture or otherwise, be construed as a waiver of any other restrictive covenant.

(4) The restrictive covenants contained herein are to be construed as separate and independent of one another.

(5) The restrictive covenants contained herein are to be perpetual in nature and cannot be changed except by the consent of all twelve lot owners within the plat.

(6) Since these restrictive covenants are covenants running with the land, they shall be binding upon all present and future lot owners, their heirs, successors and assigns, and all persons claiming under them, and for the benefit of all future owners in said plat.

(7) It is the intent of all parties hereto that Tract D shall forever be kept in a landscaped condition, and that in order to protect the views across Tract D, any trees, plants, shrubbery, and/or vegetation on the said property,

DECLARATION OF RESTRICTIVE CC



200207250013

Skagit County Auditor

7/25/2002 Page 3 of 21 8:47AM

and any excepted features as described in paragraph (8), including landscaping planted by humans, existing now or later, shall not be any higher than the height restriction referred to in Exhibit 1 attached. No additional soils or fills shall be brought into Tract D except topsoil needed for planting.

(8) No structure, or man made improvement or obstruction of any kind, whether it be permanent or temporary in nature; shall be permitted or erected, provided however, there is excepted from this condition the existing gazebo which is permitted to remain on Tract D, and provided further, that the gazebo will not exceed the height limitation as set forth in paragraph (7) herein. The replacement of the existing gazebo is permitted provided that it remains in the same location and does not exceed the height and width of the existing gazebo. The dimensions and location of the existing gazebo are attached hereto as Exhibit 1. Repairs, including access and/or replacement of the existing gazebo are permitted provided, that the gazebo remains in the same location and does not exceed the height and width of the existing gazebo. Temporary guest parking of motor vehicles, is granted to the owners of a lot within The Pointe at Vista San Juan, Division No. 1, at the street level of Tract D on the paved area of Pointe Place; otherwise, no parking of any type of motor vehicle, RV, boat or other movable object shall be allowed on Tract D.

(9) It is the intent of all of the signers of these restrictive covenants that Tract D shall be for the use and enjoyment of its owners and their guests, but Tract D shall not be altered or improved except as specified herein and that the height limitation of the vegetation and gazebo as specified in paragraph 8 shall be limited in order to protect the view corridors of Lots 7, 8 and/or 11 over and across Tract D. Any violation of this restrictive covenant in regard to view obstruction shall be subject to enforcement by direct action by any person entitled to protection under these covenants against the owners of Tract D.

(10) Tract D, in its existing configuration, shall not be subdivided or altered by boundary line adjustment, nor shall any portion of Tract D be incorporated into the existing lots 10 and 11 which are contiguous to Tract D. It is the intent of these restrictive covenants that Tract D shall remain a separate and distinctive parcel of real property, notwithstanding that Tract D may be owned in whole or in part by owners of the adjacent real property. Provided, however, that the right of partition is not prejudiced.

DECLARATION OF RESTRICTIVE COV



200207250013

Skagit County Auditor

(11) In the event that the growth of any vegetation exceeds the height limitation herein, any person having a right of enforcement under this covenant may give written notice to the owners of such violation. If, within fourteen (14) days of actual receipt of such notice, the vegetation is not trimmed or pruned to bring it within the height limitation, anyone having the right to enforce the covenant may come on to Tract D to trim or prune the vegetation down to the level of the height limitation, but any such person must remove prunings and trimmings and leave the property in at least as good condition as existed before such pruning or trimming occurred.

(12) In the event these restrictive covenants are inconsistent or in conflict with any previous recorded restrictive covenants pertaining to Tract D, it is the intent of all parties hereto that these restrictive covenants shall supersede any previous existing conditions, limitations and/or uses on Tract D.

Executed the dates set forth below.

DATE: 6-17-02 Delbert J. LaFace  
DELBERT T. LaFACE

DATE: 6/17/02 Birgit LaFace  
BIRGIT M. LaFACE

DATE: 6/17/02 Nathaniel M. Nord  
NATHANIEL M. NORD

DATE: 6/17/02 Ann W. Nord  
ANN W. NORD

DATE: 6/18/02 Alvin Stensland  
ALVIN STENSLAND

DATE: 6/18-02 Ingeborg Stensland  
INGEBORG STENSLAND

DECLARATION OF RESTRICTIVE COVENANT



200207250013  
Skagit County Auditor



DATE: 6-20-02 Davenport Browne  
DAVENPORT BROWNE

DATE: 6/20/02 Debora E. Gillespie  
DEBORA E. GILLESPIE

DATE: 6-17-02 James F. Britten  
JAMES F. BRITTEN

DATE: 6/17/02 Gyvonne A. Britten  
GYVONNE A. BRITTEN

DATE: 17 June 02 Wallie V. Funk  
WALLIE V. FUNK

DATE: 6/17/02 Mary Ann Funk  
MARY ANN FUNK

DATE: 7/24/02 Frank M. Hansen  
FRANK M. HANSEN

DATE: 7/24/02 Barbara A. Hansen  
BARBARA A. HANSEN

DATE: 7/8/02 Daniel Meyer  
DANIEL A. MEYER

DATE: 7/8/02 Sherrie L. Meyer  
SHERRIE L. MEYER

DATE: 6-14-02 Clifford Harris  
CLIFFORD HARRIS

DATE: 6-17-02 Suzanne Haywood Harris  
SUZANNE HAYWOOD HARRIS

DECLARATION OF RESTRICTIVE COVENANTS



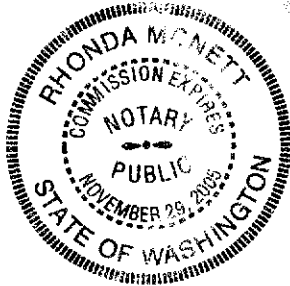
200207250013  
Skagit County Auditor



STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me BIRGIT M. LaFACE, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 17<sup>th</sup> day of June, 2002.



Rhonda McNett  
Notary Public in and for the State  
of Washington, residing at  
Anacortes, Wa.  
My appointment expires: 11/29/05.  
Rhonda McNett  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me NATHANIEL M. NORD, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 17 day of June, 2002.



Mary Mansfield  
Notary Public in and for the State  
of Washington, residing at  
Anacortes  
My appointment expires: 10-28-05  
MARY Mansfield  
(Printed Name)

DECLARATION OF RESTRICTIVE COVEN



200207250013  
Skagit County Auditor

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me ANN W. NORD, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 17<sup>th</sup> day of JUNE, 2002.

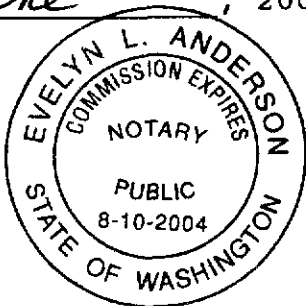


Jennifer A. Hawkins  
Notary Public in and for the State  
of Washington, residing at  
BOW  
My appointment expires: 11-10-02.  
Jennifer A. Hawkins  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me ALVIN STENSLAND, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18<sup>th</sup> day of June, 2002.



Evelyn L. Anderson  
Notary Public in and for the State  
of Washington, residing at  
BOW  
My appointment expires: 8-10-2004.  
Evelyn L. Anderson  
(Printed Name)

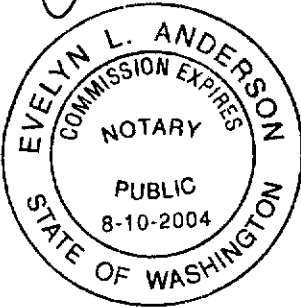
DECLARATION OF RESTRICTIVE COVEN



STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me INGEBORG STENSLAND, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18<sup>th</sup> day of June, 2002.

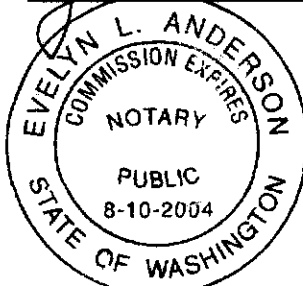


Evelyn L. Anderson  
Notary Public in and for the State  
of Washington, residing at  
Bow  
My appointment expires: 8-10-2004.  
Evelyn L. Anderson  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me DAVENPORT BROWNE, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 20<sup>th</sup> day of June, 2002.



Evelyn L. Anderson  
Notary Public in and for the State  
of Washington, residing at  
Bow  
My appointment expires: 8-10-2004.  
Evelyn L. Anderson  
(Printed Name)

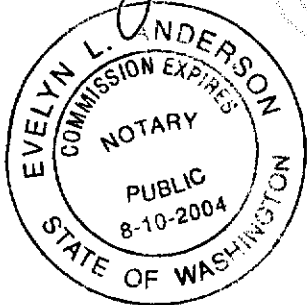
DECLARATION OF RESTRICTIVE COVENANT



STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me DEBORA E. GILLESPIE, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 20<sup>th</sup> day of June, 2002.



Evelyn L. Anderson  
Notary Public in and for the State  
of Washington, residing at  
Bow  
My appointment expires: 8-10-2004.  
Evelyn L. Anderson  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me JAMES F. BRITTEN, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 17<sup>th</sup> day of June, 2002.



Jennifer A. Hawkins  
Notary Public in and for the State  
of Washington, residing at  
Bow  
My appointment expires: 11-10-2002.  
Jennifer A. HAWKINS  
(Printed Name)

DECLARATION OF RESTRICTIVE COVER



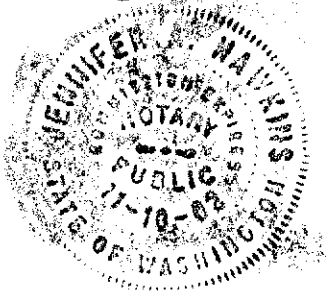
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Skagit County Auditor

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me GYVONNE A. BRITTEN, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 17<sup>th</sup> day of June, 2002.



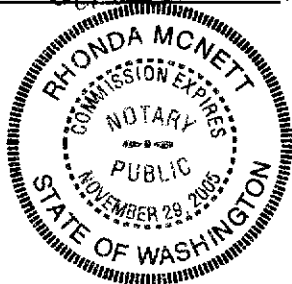
Jennifer A. Hawkins  
Notary Public in and for the State of Washington, residing at BOW

My appointment expires: 11-10-02.  
Jennifer A. Hawkins  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me WALLIE V. FUNK, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 17<sup>th</sup> day of June, 2002.



Rhonda McNett  
Notary Public in and for the State of Washington, residing at Anacortes, WA.

My appointment expires: 11/29/06.  
Rhonda McNett  
(Printed Name)

DECLARATION OF RESTRICTIVE COVENANTS

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me MARY ANN FUNK, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 17<sup>th</sup> day of June, 2002.



Jennifer A. Hawkins  
Notary Public in and for the State  
of Washington, residing at  
BOW  
My appointment expires: 11-10-2002  
Jennifer A. Hawkins  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me FRANK M. HANSEN, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 24<sup>th</sup> day of July, 2002.



Jennifer A. Hawkins  
Notary Public in and for the State  
of Washington, residing at  
BOW  
My appointment expires: 11-10-2002  
Jennifer A. HAWKINS  
(Printed Name)

DECLARATION OF RESTRICTIVE COVENA



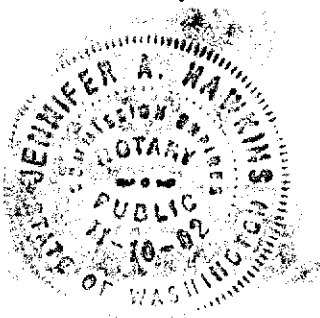
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Skagit County Auditor

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me BARBARA A. HANSEN, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 24<sup>th</sup> day of July, 2002.



Jennifer A. Hawkins  
Notary Public in and for the State of Washington, residing at BOW  
My appointment expires: 11-10-2002  
JENNIFER A. HAWKINS  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me DANIEL A. MEYER, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 27<sup>th</sup> day of July, 2002.



Jennifer A. Hawkins  
Notary Public in and for the State of Washington, residing at BOW  
My appointment expires: 11-10-2002  
JENNIFER A. HAWKINS  
(Printed Name)

DECLARATION OF RESTRICTIVE COVENANT



200207250013

Skagit County Auditor

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me SHERRIE L. MEYER, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 8th day of July, 2002.

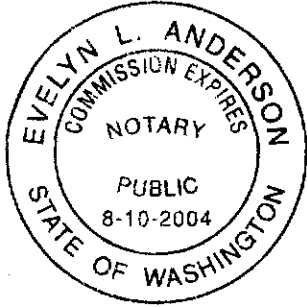


Jennifer A. Hawkins  
Notary Public in and for the State of Washington, residing at POW  
My appointment expires: 11-10-2002  
Jennifer A. Hawkins  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me CLIFFORD F. HARRIS, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 21st day of June, 2002.



Evelyn L. Anderson  
Notary Public in and for the State of Washington, residing at POW  
My appointment expires: 8-10-2004  
8-10-2004 Evelyn L. Anderson  
(Printed Name)

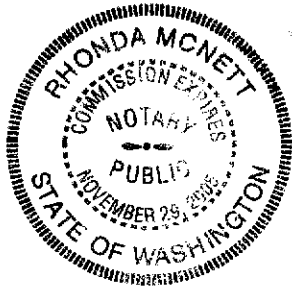
DECLARATION OF RESTRICTIVE COVENA



STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me SUZANNE HAYWOOD HARRIS, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 17<sup>th</sup> day of June, 2002.

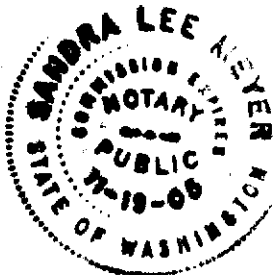


Rhonda McNett  
Notary Public in and for the State  
of Washington, residing at  
Anacortes, Wa.  
My appointment expires: 11/29/05.  
Rhonda McNett  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me PAUL J. GILES, JR., to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 14<sup>th</sup> day of June, 2002.



Sandra Lee Meyer  
Notary Public in and for the State  
of Washington, residing at  
Sedro-Woolley  
My appointment expires: 11-19-05.  
Sandra Lee Meyer  
(Printed Name)

DECLARATION OF RESTRICTIVE COVENANT



200207250013  
Skagit County Auditor

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me HOLLY MATCHETT GILES, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 14<sup>th</sup> day of June, 2002.

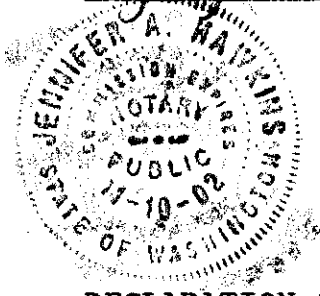


Sandra Lee Meyer  
Notary Public in and for the State of Washington, residing at Sedro-Woolley  
My appointment expires: 11-19-05  
Sandra Lee Meyer  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )


On this day personally appeared before me JAMES B. CASEY, JR., to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 22<sup>nd</sup> day of July, 2002.



Jennifer A. Hawkins  
Notary Public in and for the State of Washington, residing at BOW, WA  
My appointment expires: 11-10-2002  
Jennifer A HAWKINS  
(Printed Name)

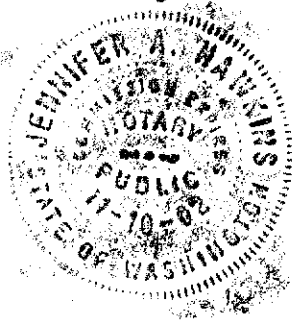
DECLARATION OF RESTRICTIVE COVENANT

  
200207250013  
Skagit County Auditor  
7/25/2002 Page 18 of 21 8:47AM

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me JANET W. CASEY, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 22<sup>nd</sup> day of July, 2002.

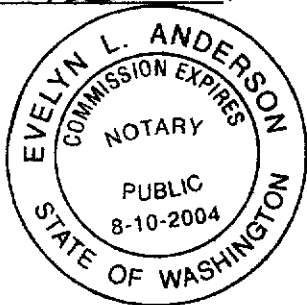


Jennifer A. Hawkins  
Notary Public in and for the State  
of Washington, residing at  
BOW, WA  
My appointment expires: 11-10-2002  
Jennifer A. HAWKINS  
(Printed Name)

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me JACK BOLLERUD, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 18<sup>th</sup> day of June, 2002.



Evelyn L. Anderson  
Notary Public in and for the State  
of Washington, residing at  
BOW  
My appointment expires: 8-10-2004  
Evelyn L. Anderson  
(Printed Name)

DECLARATION OF RESTRICTIVE COVENANTS



200207250013  
Skagit County Auditor

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that CLIFFORD F. HARRIS signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the President of Pointe One Homeowners Association, to be the free and voluntary act of such parties for the uses and purposes mentioned in the instrument.

DATED: 6-14-02

*Mary Mansfield*

Notary Public in and for the State of Washington, residing at Arden

My commission expires: 10-28-05

*Mary Mansfield*

(Printed Name)



DECLARATION OF RESTRICTIVE COVENANTS



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Skagit County Auditor

7/25/2002 Page 20 of 21 8:47AM

**EXHIBIT 1**

**BUILDING RESTRICTION**

**TRACT "D"**

A building height and building location restriction upon that parcel of land described as Tract "D" according to the plat entitled "The Pointe at Vista San Juan Division Number One," recorded in Volume 14 of Plats, Pages 32, 33 and 34, records of Skagit County, Washington more particularly described as follows;

The vertical limit of this restriction is defined by reference to the following described points:

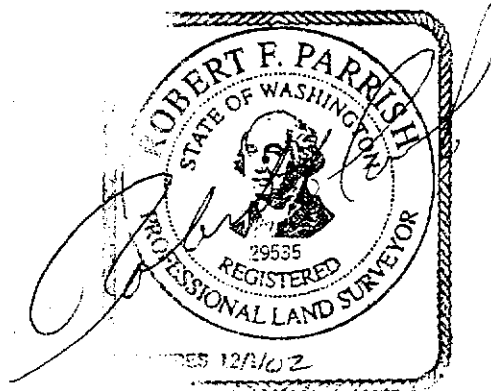
- 1.) 15.05 feet, measured vertically below the top of the hydrant located in the cul-de-sac adjoining said Tract D
- 2.) 12.50 feet, measured vertically below the top of the rebar with cap marking the northwest corner of Lot 7, said plat
- 3.) 6.34 feet, measured vertically below the top of the rebar with cap marking the northeast corner of said Tract D

ALSO, building upon said Tract D shall be limited to the footprint of the existing eight sided gazebo having an inside diameter of approximately 10.4 feet and an attached walkway 9.2 feet in length the center point of said gazebo is described as follows; Commencing at said rebar and cap marking the northeast corner of said Tract D, the north boundary of said tract for reference purposes bears North 66°25'54" West, thence proceeding South 80°40'18" West, 59.57 feet to the center of said gazebo.

Parrish Land Surveying

June 5, 2002

Project No. 203-043



**DECLARATION OF RESTRICTIVE COVENANTS - 20**



200207250013

Skagit County Auditor