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Skagit County Auditor

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Return to: Skagit Surveyors & Engineers  
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Sedro-Woolley, WA 98284  
Phone: (360) 855-2121

COVER SHEET  
COVENANTS, CONDITIONS AND RESTRICTIONS AND DECLARATIONS

GRANTOR: Ron Valiquette & V. Valiquette

GRANTEE: Skagit County

LEGAL DESCRIPTION

All of the SW  $\frac{1}{4}$  of Section 9, Township 35 N., Range 5 E., W.M. and a portion of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 16, Township 35 N., Range 5 E., W.M.

ASSESSOR'S PROPERTY TAX PARCEL NUMBER:

Parcel ID#: P38741	Assessor Tax #: 350509-3-002-0015
Parcel ID#: P38743	Assessor Tax #: 350509-3-003-0014
Parcel ID#: P38739	Assessor Tax #: 350509-3-001-0016
Parcel ID#: P38745	Assessor Tax #: 350509-3-004-0013
Parcel ID#: P39206	Assessor Tax #: 350516-2-003-0017

# ELK HAVEN ESTATES

## ELK HAVEN ESTATES COVENANTS, CONDITIONS AND RESTRICTIONS AND DECLARATIONS

(Hereinafter referred to as CC&Rs)

### LOCATION:

Legal Description: Elk Haven Estates-PL96-0298/PL02-0053 in Section: NW ¼(16), SW ¼(9) Township 35 North, Range 5 East, W.M., Skagit County, State of Washington.

It is the intention of the developer and declarant to provide, by these CC&Rs, a peaceful, uninterrupted, quality residence that shall remain non-offensive to each lot owner/resident of ELK HAVEN ESTATES. Use of the word "subdivision" in the following text refers to that area known as ELK HAVEN ESTATES.

1. RESIDENCE The minimum square footage for a residence is 1200 square feet with a two car garage and/or workshop, barn, storage building that could be used as a garage. All construction within the subdivision must be approved by the Architectural Committee.
2. MODULE HOMES Module Homes may be constructed with the approval of the Architectural Committee.
3. MOBILE HOMES Mobile homes of any type, also known as trailers, are prohibited.
4. FENCING Fencing shall not exceed forty- two inches in height. Barbed wire of any type is prohibited. Garden fencing is allowed with approval of Architectural Committee.
5. RECREATIONAL VEHICLES (RV's) and BOATS RV's that are not stored in a garage may not be inhabited for permanent living, but may be used for living while a residence is being built and said residence is properly permitted by Skagit County. RV's and boats may be stored on owner's lot with approval of the Architectural Committee.
6. TRUCKS Trucks owned by a lot owner will be allowed in the subdivision. They must be parked and stored on said lot owner's lot. Storage areas for the truck(s) shall be approved by the Architectural Committee. Trucks will not be allowed to park on the subdivision roads for any reason.
7. JUNK VEHICLES, TRASH Any vehicle not being used a minimum of twice weekly must be garaged. Junk vehicles, parts for vehicles, junk equipment, etc. must be garaged. Storage or dumping of trash on any lot, except in proper trash containers which are regularly emptied, is prohibited within the subdivision.
8. SIGNS All signs(other than developer's)shall be approved by Architectural Committee.
9. SPEED LIMIT The speed limit within the subdivision is 30 mph, not 33, not 35.
10. HUNTING, FIREARMS, EXPLOSIVES Hunting, the discharge of any type of firearm, fireworks of any kind and any explosive device causing an explosive sound are strictly prohibited. Reason: We are privileged to be the home of a large elk and deer herd. In the past the developer has provided a haven for these animals. This responsibility has been turned over to the Fish & Game. This is their requirements so that the herds may have a peaceful residency.



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**11. BURNING, OUTSIDE FIRES** Any type of outside fire shall be contained by a firepit approved by the Architectural Committee. Other than firepit fires, no burning is allowed within the subdivision without a DNR permit.

**12. ANIMALS, DOGS, DOMESTIC ANIMALS** All dogs and domestic animals are to be contained by their owners. Dogs will not be allowed to run loose in the subdivision. Dog kennels or dog kennel activities are prohibited within the subdivision. Nuisance or barking dogs, out of control, are prohibited. Lot owners will not maintain or keep an animal that is offensive to other lot owners. Animals, other than domestic dogs and cats, must have the approval of the Architectural Committee.

**13. NUISANCES** No noxious or offensive activity shall be carried on upon any property in the subdivision, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the other lot owners. The Architectural Committee reserves the right to access an owner's property if such nuisance activities are suspected and the Committee's determination shall be conclusive.

**14. TANKS** Tanks of any kind must have the approval of the Architectural Committee.

**15. DRILLING, QUARRYING, MINING** Drilling for water must be done by a qualified State licensed contractor. All quarrying and mining activities are prohibited in the subdivision.

**16. DETENTION PONDS/STORM WATER CONVEYANCE SYSTEM** (hereinafter called "detention ponds") Detention ponds are a necessary, integral part of the subdivision. Children and adults should not enter these detention ponds as structural damage could occur. Lot owners will be held liable for any damage to the detention ponds caused by lot owners, family or guests.

**17. HOMEOWNERS ASSOCIATION** The declarant shall establish Elk Haven Homeowner's Association (hereafter referred to as EH-HOA) as soon as five (5) lots are sold. The lot owners shall elect a President, Secretary and Treasurer plus five Board members.

The sole purposes of EH-HOA are::

- 1- to enforce the Covenants, Conditions and Restrictions (CC&Rs)
- 2- to administer the Detention Ponds/Storm Water Conveyance System Fund (hereinafter to be called "the Fund") as follows:

Each lot owner shall deposit Fifty (\$50.00) Dollars initially into the Fund which will be placed in a trust account. The Fund is not to exceed Eighteen Hundred Fifty (\$1850.00) Dollars. Each lot owner shall receive 1/37 of the interest the Fund earns from the bank, once every three years.

This Fund of \$1850.00 is to be used exclusively for the periodic maintenance expenses, including labor, for the detention ponds, specifically the detention ponds bordering and adjacent to Lot 1, Lots 13 and 14, Lots 20 and 21, Lots 23 and 24 and Lots 30 and 31, and all ingress and egress waterflow to and from the conveyance system, and shall be shared equally by the lot owners of Lots one through thirty-seven. This Fund shall remain in effect indefinitely.



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The County requires a Home Owners Association be established and maintain a Fund sufficient enough to make repairs and maintenance of the Detention Ponds/Storm Water Conveyance System.

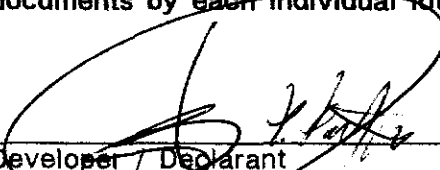
**18. MAINTENANCE DECLARATION.** "MAINTENANCE" as used herein shall mean the equal requirement of said Lot owners and their successors in ownership to share the labor and cost to maintain the detention ponds/storm water conveyance system and detention outside of County road right-of-way within the subdivision in a good and workmanlike manner, and, so long as the Declarants own one or more of the Lots, to the pleasure of the Declarants herein. The detention ponds Maintenance Fund, including labor and expenses, shall be shared equally among the owners of Lots 1 through 37.

The County Road Maintenance will come into effect upon receipt of final subdivision approval. County right-of-way covers thirty(30) feet each side from centerline of the road, which covers gutter drainage, road, berm maintenance.

The developer has placed a surety bond to warrantee the Detention Ponds/Storm Water Conveyance System. By virtue of this bond, the developer is warranteeing the entire subdivision, roads and Detention Ponds/Storm Water Conveyance System expiring June 2004. The Elk Haven Homeowners Association shall assume all responsibility for the Detention Ponds/Storm Water Conveyance System in June of 2004.

**19. SKAGIT COUNTY PARKS DEPARTMENT ASSESSMENT FEE.** A one time assessment fee of One Hundred (\$100.) Dollars is to be paid to the Skagit County Parks Department upon the sale of each lot of the subdivision. This fee shall be added to the buyer's escrow cost and be dispersed by the escrow company. These funds are designated for the Northern State Recreation Area Ball Field Complex.

**Declarants:** The above declarations and CC&Rs shall be binding and enforceable to each and every lot owner purchasing a lot in Elk Haven Estates. These herein declarations and CC&Rs shall be disclosed at time of purchase and shall be agreed to at signing of escrow documents by each individual lot owner, his or her heirs and/or assignees.

  
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Developer / Declarant

June 11, 2002  
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Date

Revision: June 11, 2002/ 3pm



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