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02/17/2004 09:35A
Spokane Co, WA

STACY A. BJORDAHL
Witherspoon, Kelley, Davenport
& Toole, P.S.
1100 U.S. Bank Building
422 W. Riverside
Spokane, WA 99201
509/624-5265

Reference No. 4895752

Tax Parcel Number(s): 35344.0034; 35344.0706; 35344.0021

Abbreviated Legal Description: Ptn. of SE ¼ 34, Twn 25 N, Rge 43 East W.M.

Additional Legal Description on Page: See Exhibit "A" attached hereto

DECLARATION OF ANNEXATION
FOR
SUMMERCREST 1ST ADDITION



DECLARATION OF ANNEXATION
TO SUMMERCREST 1st ADDITION

WHEREAS, Declararation of Covenants, Conditions and Restrictions for Summercrest Estates were recorded under Spokane County Auditor Number 4895752, entitled "Declaration of Covenants, Conditions and Restrictions for Summercrest 1st Addition" ("Declaration");

WHEREAS, Declarants are in the process of amending the Declaration to correct the name to "Summercrest Estates," which will be recorded with the Spokane County Auditor;

WHEREAS, paragraphs 1.14,2.1 provide for the annexation of additional property pursuant to the recordation of an appropriate Declaration of Annexation;

NOW THEREFORE, in conformance with paragraphs 1.14 and 2.1 of the Declaration, the property legally described in Exhibit "A," to be known as "Summercrest Estates 1st Addition," is hereby annexed to Summercrest Estates, and is subject to the Declaration and any amendments thereto, and is further subject to the following provisions and amendments:

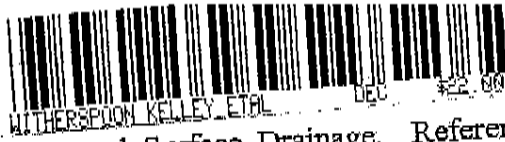
"2.2 Common Property. The Common Property shall consist of the property described in the Declaration, together with the property described as follows:

Tracts "A" and "B" of Summercrest Estates 1st Addition.

A twenty (20) foot wide drainage easement across Lot 1, Block 4 of Summercrest 1st Addition.

The developer shall convey to the Association the aforesaid tracts and drainage easement. Thereafter, said tracts and easement shall be maintained by the Association as provided in paragraph 2.2 of the Declaration."

"6.2 Sewer. A thirty (30) foot wide sewer easement is located over Lots 8 and 9, Block 2, Summercrest Estates 1st Addition. The City of Spokane is the maintainer of this sanitary sewer easement, however, the owners of Lots 8 and 9, Block 2 shall maintain the surface open space of the easement area."



“9.10 Requirement for Subsurface and Surface Drainage. Referenced drainage easements include, among other easements, the ten (10) foot wide drainage easement across Lot 2, Block 3 of Summercrest 1st Addition.”

In witness whereof, the Association has executed this Declaration of Annexation on this 16th day of August, 2004.

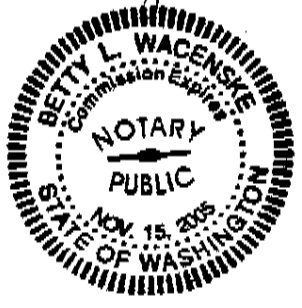
DECLARANT OF SUMMERCREST ESTATES 1ST ADDITION

DJP, L.L.C
By: George Paras
Its: Manager

STATE OF WASHINGTON)
) ss.
County of Spokane)

I certify that I know or have satisfactory evidence that George Paras is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it, as the Manager of DJP, L.L.C., to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

DATED: Aug 16, 2004.



Betty L. Wacenske
NOTARY PUBLIC in and for the State
of Washington, residing at Spokane
My appointment expires: 11-15-05



08/17/2004 09:35R
Spokane Co. WA

SUMMERCREST ESTATES 1ST ADDITION

EXHIBIT "A"

PARCEL 1:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 25 NORTH, RANGE 43 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, 523 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 412.5 FEET; THENCE WEST ALONG A LINE PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 585 FEET, MORE OR LESS, TO THE EAST LINE OF THE SPOKANE & INLAND RAILWAY COMPANY'S RIGHT OF WAY; THENCE NORTHERLY ALONG THE EAST LINE OF SAID RIGHT OF WAY TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE EAST ALONG SAID NORTH LINE, A DISTANCE OF 461 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING;

SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.

PARCEL 2:

THE SOUTH HALF OF LOT 1 AND THE SOUTH HALF OF LOT 2 IN BLOCK 135 OF LINCOLN HEIGHTS SECOND ADDITION AS PER PLAT THEREOF RECORDED IN VOLUME "O" OF PLATS, PAGE 47;

SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.

PARCEL 3:

THAT PORTION OF ABANDONED RAILROAD RIGHT OF WAY IN SECTION 34, TOWNSHIP 25 NORTH, RANGE 43 EAST, W.M., LYING WITHIN BLOCK 135, LINCOLN HEIGHTS SECOND ADDITION, AND BOUNDED BY THE EXTENDED NORTH AND SOUTH LINES OF SAID BLOCK, AS PER PLAT THEREOF RECORDED IN VOLUME "O" OF PLATS, PAGE 47;

SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.