

# **MARINE HILLS RESERVATIONS, COVENANTS AND RESTRICTIONS**

## **MARINE HILLS WEST NO. 18**

Notwithstanding that this transaction constitutes the sale of unplatted raw land and the Buyer become the Developer thereof, it is the intention of the Seller to maintain the integrity of Marine Hills in the historical aesthetic quality environment so established. Therefore the following covenants and restrictions will continue to prevail:

### **DEFINITIONS**

Architectural Control Committee, also known as ACC shall be composed of the following:

1. Herbert E. Mull, 1830 130<sup>th</sup> Ave., NE, Bellevue
2. Norval H. Latimer, 1529 W. Valley Highway N., Auburn
3. Phyllis Danforth, 30640 Pacific Highway S., Federal Way

When 18 of the lots in said division have been built on, the Architectural Control Committee, as known above, will be dissolved and the division of Marine Hills West will come under the jurisdiction of the Marine Hills Architectural Control Committee as in existence for the rest of Marine Hills at that time.

The word "lot" as used herein refers to the single pieces or parcels of land intended for building site. Only one single family residence shall be constructed or permitted on any lot.

A corner lot is one which abuts on more than one street, and in the absence of any other designation shall be deemed to front on the street on which it has its larger dimension, but the ACC reserves the right to designate the street on which any corner lot shall be deemed to front.

All of the lots in said addition shall be designated as First Residence Dist – Area Dist "A" as set forth in the Zoning Code of the City of Seattle as amended to September 30, 1954, under Ordinance No. 45382, approved June 18, 1923. Additionally a building site shall consist of at least: One such residence lot or more as shown on said plat herein; a Parcel composed of such residence lots or portions thereof, the depth and frontage of which parcel shall equal the depth and frontage of the lots in the immediate vicinity in the same block.

### **GENERAL RESTRICTIONS**

No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

No trash, ashes or other refuse may be thrown or dumped on any lot of said addition.

Garbage, trash or ash cans or receptacles shall be screened from view or sunk in the ground. Clothes lines shall be of clothes-tree variety or circular whirl variety.

All permanent utility systems shall be underground exclusively.

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose or do not become a nuisance.

No sign of any kind shall be displayed to the public view on any lot or building except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs by a builder to advertise the property during the construction and sales period.

No individual water supply system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of King County Health Department or other state or local public health authority. Approval of such system as installed shall be obtained from such authority.

No individual sewage disposal system shall be permitted on any lot unless such system is designed, located and constructed in accordance with requirements, standards and recommendations of the King County Sanitation Department. Approval of such system as installed shall be obtained from such authority. Builders are permitted to

erect temporary or portable sheds as tool houses and for other uses common to residence construction and to maintain them until each structure is finished.

Lots purchased on which construction is not contemplated for an extended periods, i.e. more than one (1) year, the such lot must be maintained in an orderly manner as set forth above and includes control of growth of shrubs, trees and brush.

### **USE OF LAND**

No building or structure shall be erected, constructed, maintained or permitted upon the property of said addition except upon a building site as hereinabove defined, and no building or structure shall be erected, constructed, maintained or permitted on a building site other than a single detached dwelling house, except that appurtenances to any dwelling house, such as private garages, garden houses, pergolas, conservatories or similar structures, architecturally in harmony therewith and of permanent construction, may be erected within the building limits hereinafter set forth. No decks closer than five feet to any side lines.

The work of construction of all buildings shall be prosecuted diligently and continuously until such building and structure are fully completed and painted or otherwise finished.

All structures shall be completed as to external appearance, including finished painting, within six months from the date of commencement of construction, unless prevented by causes beyond the control of the owner and/or builder.

### **DRIVEWAYS**

Purchasers of lots shall install, at their cost, asphalt or concrete driveways from the edge of the finished surface of the County road to connect with the paved surface of the floor of the carport or the garage.

No house may be constructed within this plat having a sales value and price together with land of less than \$65,000.00

Height restrictions will be predetermined by Seller and made a part of this sale. Maximum roof elevations for each individual lot have been predetermined by the ACC, and are now on file with members of the ACC. Maximum roof elevation for any given lot will be provided in advance on consumation of sale of said lot.

Quality of materials, construction applications and installations shall be the responsibility of the Buyer but the ACC retains the right to approve and/or disapprove style, material, application, or construction technique in any instance deemed by the ACC to be in obvious conflict with the overall interests of Marine Hills. No other restrictions are in effect in respect to this property other than established King County Code.

All houses constructed in Marine Hills West must be aesthetically and technically different to the extend only that a stranger unfamiliar with Marine Hills would not readily recognize an exact similarity or duplication of existing homes within the immediate area.

### **DURATION**

These restrictive covenants shall run with the land and shall be binding upon all parties hereto and all persons claiming under them until July 1, 1995 at which time said covenants shall be automatically extended for subsequent periods of ten years unless the owners of said lots, by majority vote, agree to change said covenants in whole or in part. Otherwise these covenants may be amended within one year from the date of record hereof by the grantors, subject to the approval of the district office of the Federal Housing Administration situated in King County, Washington.

### **SHRUBS AND TREES**

No shrubs, trees or bushes shall be planted and allowed to grow to a height which unduly restricts the view from adjoining property and the ACC, at its discretion after an investigation, may require any such offending shrub, tree or bush to be pruned, trimmed or removed.

### **FENCES**

Fences, if any, shall not exceed 36 inches in height on the street side and shall be subject to approval of the ACC as to height and style for each individual site.

## LOCATION ON LOT

No dwelling house or any part thereof or any other structure, except as herein specified, exclusive of fences and similar structures, shall be placed nearer than twenty (20) feet to or from the property line of the building site on which it is located, measured at the closest point of said structure so the said front or street line, nor shall any building or structure be placed closer than five (5) feet from the foundation to any side line, and maintain a minimum of ten (10) feet between roof lines. No dwelling shall be located on any interior lot nearer than fifteen (15) feet average to the rear lot lines, measured within the width of the building. No building shall be located on any lot nearer than ten (10) feet from any side street line to the building line. The drive to the house determines the "front" as applied herein, relative to setback on a corner lot.

## ROOFS

Composition shingle roofs, as we know them, are not acceptable. Shake roofs are preferred and shingle or built up roofs or marble chips are acceptable. Composition roofs may be acceptable depending upon technological adaptations.

## UNPAVED STREET AREAS

The areas between paved streets and property lines shall be landscaped and maintained in a manner that shall be satisfactory to the ACC by use of either ground covers or similar plantings or lawn.

## ARCHITECTURAL CONTROL COMMITTEE PROCEDURE

Approval or disapproval of plans shall be in writing. In the event of rejection of plans as submitted, the ACC shall in writing detail the exact basis upon which rejection was predicated and when possible include in said communication those recommendations which is fairness can help the submitter of said plans comply more readily with the intent of the ACC and the restrictions they are enforcing. In the event the ACC fails to approve or disapprove within thirty (30) days after the plans and specifications have been submitted to it, or in any event if no suit to enjoin construction has been commenced prior to completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

## MINIMUM AREA OF RESIDENCES

No building may be erected on any of the said building sites unless it contains a minimum of 1800 square feet of floor area on one level, exclusive of garages, garden houses and other appurtenances above mentioned and designed to be a basementless house. No building having a daylight basement or a tri-level, may contain less than 1500 square feet on the main floor (living and bedroom levels), exclusive of garages and other appurtenances above mentioned. Two story houses to have a minimum of 2800 square feet on both levels exclusive of garage.

No building or structure shall be moved onto any land embraced in said plat from any land outside of said plat, except a new prefabricated structure of a kind and type approved as stipulated. No building of any kind shall be erected or maintained on a building site prior to the erection of the dwelling house thereon. No trailers shall be kept upon said property except inside garages or in enclosure satisfactory to ACC.

## RIGHT TO ENFORCE

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

Invalidation of any one of these covenants by judge or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

## Disclaimer:

**These Covenants were typed from the originals in 2000. Every effort has been made to ensure accuracy. However, users are urged to check against certified originals in case of any and all concerns. Certified copies can be obtained by contacting the King County Auditors Office. 206-296-1570.**

