

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

## **MARINE HILLS NO. 5**

### **DEFINITIONS**

The word "lot as used herein refers to the single pieces or parcels of land intended for building sites.

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 dimensions, but Marine Hills Co., Inc. reserves the right, through its Architectural Control Committee, 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 28, 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.

The word "residence" as used herein with reference to building lines shall include galleries, porches, portcocheres, steps, projections, and every other permanent part of the improvements, except roofs.

Only one single family residence shall be constructed or permitted on any lot.

### **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.

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.

### **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 A.C.C. (Architectural Control Committee) by use of either ground covers or similar plantings or lawn.

### **ARCHITECTURAL CONTROL**

All plans for buildings to be erected in said addition shall be approved by the Marine Hills Co., Inc. As to all improvements, construction and alterations in said addition, the said company or its successors shall have the right to refuse to approve the design, finishing or painting of any construction or alterations which are not suitable or desirable in said addition for any reason, aesthetic or otherwise, and in so passing upon such design the Marine Hills Co. shall have the right to take into consideration, among other things, the suitability of the proposed structure and of the material of which it is to be built, to the site upon which it is proposed to erect the same, the harmony with other dwellings therein, with the surroundings and the effect on the outlook of the adjacent or neighboring property and any and all other factors which in their opinion shall affect the desirability or suitability of such proposed structure, improvements or alterations. The said company, or its successors, assume no responsibility by virtue of approving any plan for the improvements, construction or alteration of any structure hereunder.

It shall be the desire and intent of the owners of said plat to prevent adjacent houses from being constructed alike or such that from exterior style, floor plan, etc., the plat will not acquire a "tract" appearance.

#### **ARCHITECTURAL CONTROL COMMITTEE**

It is provided, however, before seven (7) lots in said addition have been sold, and plans approved for dwellings on each of these lots, by the present owners thereof, Marine Hills Co., Inc. shall have the right to appoint a committee of three (3) of the owners of the said lots of said addition, and this committee shall succeed to all the powers and provisions herein and shall sit in the place and stead of Marine Hills Co., Inc., with respect thereto. This committee hereafter will be called the Architectural Control Committee or ACC. Said committee shall serve for a period of one year from the date of such appointment and thereupon the then owners of the lots in said addition shall elect or appoint another committee to perform the duties set out herein. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor.

#### **ARCHITECTURAL CONTROL PROCEDURE**

The Marine Hills Co., Inc., or the committee of owners subsequently appointed to take its place, shall approve or disapprove, as required in these covenants, in writing. In the event the Marine Hills Co., Inc., or its designated representative, fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted or in any event, if no suit to enjoin construction has been commenced prior to the completion thereof, approval will 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 1600 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 may contain less than 1400 square feet on the main floor, exclusive of garages and other appurtenances above mentioned.

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 any 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.

#### **SHRUBS AND TREES**

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

#### **FENCES**

Fences, if any, shall no exceed 36 inches in height on the street side and shall be subject to approval of the A.C.C. as to height and style for each individual site.

#### **LOCATION OF LOT**

Only one-story, daylight basement and tri-level dwellings shall be permitted, but in no case shall any ridge or peak be more that twenty (20) feet above a point measured at the lowest elevation of the finished grade adjacent to the house. 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 street line of the building site on which it is located, measured at the closest point of said structure to the said front or street line, nor shall any building or structure be placed closer than seven and one-half (7-1/2) feet to any lot side line. Garages shall be attached to the houses whenever possible. No dwelling shall be located on any interior lot nearer than twenty-five (25) feet to the rear lot line. No building shall be located on any lot nearer than twenty (20) feet to the front line or nearer than twenty (20) feet to any side street line.

The following lots may have either one story, daylight basement, or tri-level dwellings: Lots 1, 2, 3 and 5 through 10 in Block 23; Lot 1 in Block 21; Lots 5, 6, and 7 in Block 22.

Lots 1 through 4 in Block 22 and Lot 4 in Block 23 must be of a ramble type and must not exceed 13 feet in height, measured from the lowest finished grade of the lot at a point adjacent to the house.

## 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.

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 and 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 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.

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

## DURATION

These restrictive covenants shall run with the land and shall be binding upon all parties hereto and all persons claiming under them until January 1, 1980, at which time said covenants shall be automatically extended for subsequent periods of ten years unless the owners of said lots, by a 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.

## 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 judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

## PLAT RESTRICTIONS

No lot or portion of a lot in this plat shall be divided and sold or resold, or ownership changed or transferred whereby the ownership of any portion of this plat shall be less than the area required for use district in which located.

### **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.**