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ISLAND COUNTY AUDITOR

DCL

**DECLARATION
NATIVE VEGETATION PROTECTION AREA AND NOTICE OF SHORELINE ARMORING
RESTRICTIONS**

The undersigned, (print names) HARRY & CANDIDA SLUSHER

being the record owners and parties in interest of all of the real property described as Parcel # 6080-00-00010-0, located in Island County, covering the above described real property, specifying that this Declaration shall constitute covenants to run with all of the land, and shall be binding on all persons claiming under them, and that these restrictions shall be for the benefit of and limitation upon all future owners of said real property.

Legal Description: Plat of Bayview Beach Addition, Block 10; 1/4 Section SE of 1/4 Section 23 of Section(s) 23; Township 29; Range 2.

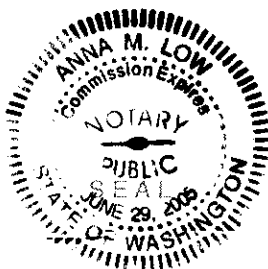
Full Legal Description found on Page(s) .

1. With the issuance of Building Permit # 03 11364 by Island County Community Development a reduction of the 75' buffer required by ICC 17.02.110.C.4 has been granted. The buffer has been reduced to 55.2 feet.
2. As a condition of buffer reduction approval, native vegetation shall be retained within the remaining buffer. No alteration to the native vegetation within this buffer shall occur, except as follows:
 - a. Hazardous, diseased, or damaged trees may be removed; and
 - b. Views may be enhanced, provided vegetation removal is limited to the minimum amount necessary for view enhancement; and
 - c. A path to the shoreline of a maximum 5' in width may be established.
3. The native vegetation within the remaining buffer shall be protected. The portion of the property subject to the native vegetation protection requirement is described as follows:

That portion of the herein described property lying 55.2 feet landward of the ordinary high water mark as it exists at the time of building permit issuance.
4. Any bulkheads, seawalls or other shoreline protection measures shall be limited to low intensity, non-structural shore defense work. This limitation runs with the land.

Island County, a political subdivision of the State, shall be considered a party to this declaration for the sole purpose of maintaining this declaration within the real property record pursuant to ICC 17.02. This declaration shall not be modified, restricted or terminated without express consent, in writing, from Island County Community Development.

Dated this 9th day of Jan., 2004. Harry R. Slusher
Record Owner
Candida R. Slusher
Record Owner



State of Washington)
County of Island) ss

Personally appeared the above named Harry R and Candida Slusher
and acknowledged the foregoing instrument to be his/her voluntary act and deed
before me this 9 day of January, 2004

Anna M. Low
Notary Public residing at Marigwa 9872
My commission expires 6/29/05