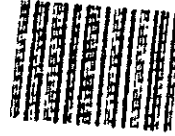


9804170002

Return Address:
CENTEX HOMES
2320 - 130th Avenue N.E., #200
Bellevue, Washington 98005



9804170002
04/17/98 09:12
p.0006 Recorded
Snohomish County

DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR SILVER FIRS PHASE II - SILVER FIRS
DIVISION 9C

Reference Numbers
of Related Documents:

Recording No. 9804015002

Additional reference numbers on pages 1 and 2 of
document

Grantor/Declarant:

CENTEX HOMES, WASHINGTON DIVISION,
a Nevada general partnership

Grantee:

[Not Applicable]

Legal Description:

Plat of Silver Firs Division 9C recorded in Snohomish
County, Washington, under Snohomish County
Auditor's File Number 9804015002

Assessor's Property Tax
Parcel Account Number(s):

332805-4-012-0002
0427705-1-001-007

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SILVER FIRS PHASE II
SILVER FIRS DIVISION 9C**

THIS DECLARATION is made this 10th day of April, 1998, by CENTEX HOMES, WASHINGTON DIVISION, a Nevada general partnership, successor-in-interest to CENTEX REAL ESTATE CORPORATION, a Nevada corporation (the "Declarant").

RECITALS

A. Declarant is developer of the development located in Snohomish County known as Silver Firs Phase II. Declarant is the owner of that certain property within Silver Firs Phase II known as Silver Firs Division 9C ("Silver Firs Division 9C"), as more specifically described in Exhibit A attached hereto.

B. Silver Firs Phase II, Divisions 6A-I, 6A-II, 6B, 7, 8A, 8B, 8C, 9A and 9B are subject to the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SILVER FIRS PHASE II ("Declaration of Covenants/Silver Firs Phase II") as follows: (1) Silver Firs Division 6A-I dated May 15, 1992, recorded with the Snohomish County Division of Records and Elections at Volume 2581, Page 2365, under Recording Number 9206050329, as subsequently amended; (2) Silver Firs Division 6A-II dated October 15, 1992, recorded with the Snohomish County Division of Records and Elections at Volume 2636, Page 0336, under Recording Number 9210150293, as subsequently amended; (3) Silver Firs Division 6B dated November 21, 1994, recorded with the Snohomish County Division of Records and Elections at Volume 2980, Page 0804, under Recording Number 9411220350; (4) Silver Firs Division 7 dated October 5, 1993, recorded with the Snohomish County Division of Records and Elections at Volume 2820, Page 2159, under Recording Number 9311090247, as subsequently amended; (5) Silver Firs Division 8A dated June 28, 1995, recorded with the Snohomish County Division of Records and Elections at Volume 3043, Page 1682, under Recording Number 9506280366; (6) Silver Firs Division 8B dated October 20, 1995, recorded with the Snohomish County Division of Records and Elections at Volume 3085, Page 2094, under Recording Number 9510230501; (7) Silver Firs Division 8C dated June 28, 1995, recorded with the Snohomish County Division of Records and Elections at Volume 3043, Page 1685, under Recording Number 9506280367; (8) Silver Firs Division 9A dated January 5, 1997, recorded with the Snohomish County Division of Records and Elections at Volume 3263, Page 2953, under Recording Number 9702050232; and (9) Silver Firs Division 9B dated October 14, 1997, recorded with the Snohomish County Division of Records and Elections under Recording No. 9710210510.

C. Declarant now desires, pursuant to Article X, Section 6 of the Declaration of Covenants/Silver Firs Phase II, to annex the property known as Silver Firs Division 9c, and to make Silver Firs Division 9C subject to the provisions of the Declaration of Covenants/Silver Firs Phase II.

NOW, THEREFORE, pursuant to Article X, Section 6 of the Declaration of Covenants/Silver Firs Phase II, Declarant hereby annexes and declares that all of the following described Silver Firs Division 9C:

Plat of Silver Firs Division 9C recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 9804015002

shall be held, sold and conveyed subject to the easements, restrictions, covenants, and conditions set forth in the Declaration of Covenants/Silver Firs Phase II, established to protect the value and desirability of the said plat and for the benefit of the owners of lots in said plat.

and **DECLARANT FURTHER DECLARES** as follows:

- (1) that a pedestrian trail will be located on Tracts 913 and 915. Following completion of the pedestrian trail by Declarant and acceptance of the pedestrian trail by Silver Firs Homeowners Association Phase II, all responsibility with respect to the pedestrian trail will be borne by Silver Firs Homeowners Association Phase II.
- (2) if any of the Owners of Lots 26, 27, 28 and 36 of Silver Firs Division 9C wish to construct a fence along the lot line of their Lot that is closest to and parallels 148th Street Southeast, then they must construct, paint and maintain the fence in accordance with the specifications set forth on Exhibit B attached to this Declaration.

These easements, restrictions, covenants and conditions shall run with the land and shall inure to the benefit of and be binding upon all parties, their heirs, successors and assigns, having any right, title or interest in the described plat or any part thereof;

and **DECLARANT FURTHER DECLARES** that all of the following described property shall be included within the definition of Common Area as set forth in Article I, Definition 4 ("Common Area") of the Declaration of Covenants/Silver Firs Phase II:

Tracts 913, 914 and 915 of Silver Firs Division 9C recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 9804015002;

and **DECLARANT FURTHER DECLARES** that all of the following described property shall be included within the definition of Properties as set forth in Article I, Definition 11 ("Properties") of the Declaration of Covenants/Silver Firs Phase II:

Plat of Silver Firs Division 9C recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 9804015002.

DATED: April __, 1998.

CENTEX HOMES, WASHINGTON DIVISION,
a Nevada general partnership

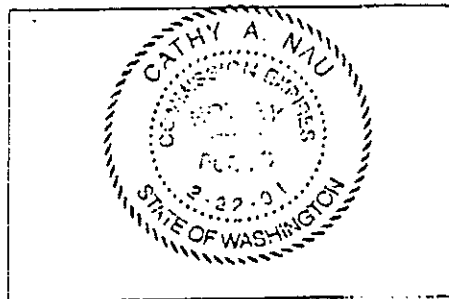
By: CENTEX REAL ESTATE CORPORATION,
WASHINGTON DIVISION, a Nevada
corporation, its managing general partner

By: Robert J. Fogarty
Robert J. Fogarty, Division President

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

On this day personally appeared before me Robert J. Fogarty, who I know to be, or have satisfactory evidence that he is, the Division President of CENTEX REAL ESTATE CORPORATION, WASHINGTON DIVISION, a Nevada corporation, which corporation is the managing general partner of CENTEX HOMES, WASHINGTON DIVISION, a Nevada general partnership, and who, under oath, stated that he was authorized to sign on behalf of such corporation and partnership the within and foregoing DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SILVER FIRS PHASE II, SILVER FIRS DIVISION 9B, and acknowledged it to be the free and voluntary act and deed of said corporation and partnership for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this 14 day of ^{April 1998} ~~October~~, 1997.



Cathy A. Nau
(Signature)
Cathy A. Nau
(Please print name legibly)

NOTARY PUBLIC in and for the State of
Washington, residing at Everett
My commission expires 2/27/01

EXHIBIT A
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SILVER FIRS PHASE II
SILVER FIRS DIVISION 9C

Legal Description of Silver Firs Division 9C

Plat of Silver Firs Division 9C recorded in Snohomish County, Washington, under
Snohomish County Auditor's File Number 9804015002.

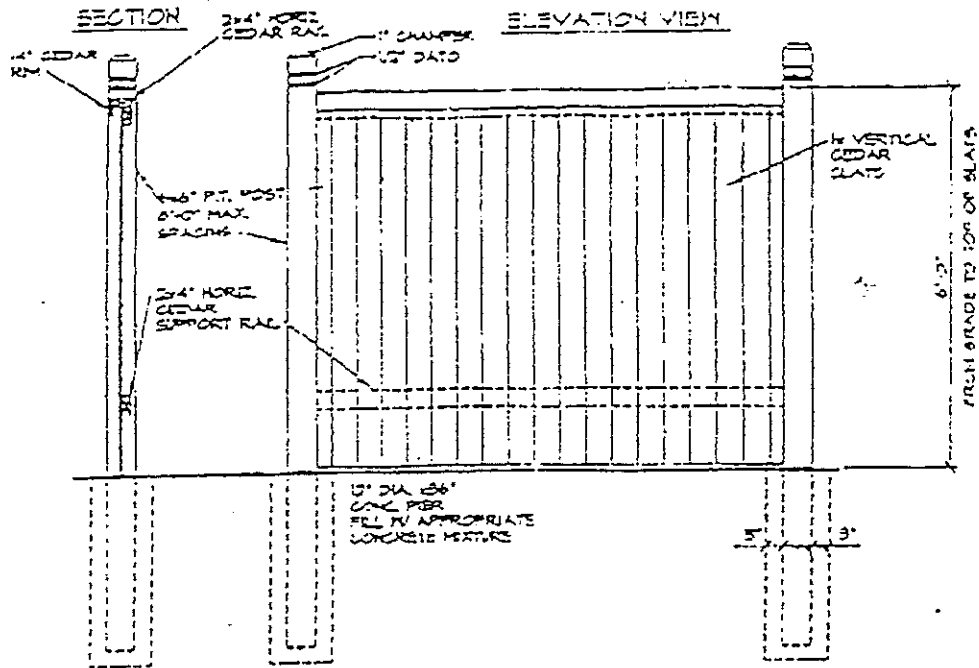
A - 1

10018:6m0921 103101

9804170002

EXHIBIT B
 TO
 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
 FOR SILVER FIRS PHASE II
 SILVER FIRS DIVISION 9C

Specifications for Maintenance of Fence



PAINT SPECIFICATION

THE OUTWARD-FACING SIDE OF THE FENCE SHALL BE PAINTED WITH COLUMBIA PAINT, IN THE COLOR COMMONLY KNOWN AS "BOB'S BLUE", AVAILABLE AT THE COLUMBIA PAINT STORE LOCATED IN EVERETT, WASHINGTON.