

199909010311

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



199909010311 199909010311
09/01/1999 11:39 AM Snohomish
P.0006 RECORDED County

**DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR SILVER FIRS PHASE II - SILVER FIRS
SECTOR 4, DIV. NO. 10C**

Reference Numbers

of Related Documents:	9206050329	9210150293	9411220350
	9311090247	9506280366	9510230501
	9506280367	9702050232	9710210510
	9804170002	9807090084	9812140765
	9901200316		

Grantor/Declarant: CENTEX INTERNATIONAL, INC., a Nevada corporation

Grantee: SILVER FIRS HOMEOWNERS ASSOCIATION PHASE II

Legal Description: Plat of Silver Firs Sector 4, Div. No. 10C recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 199909015002.

Assessor's Property Tax

Parcel Account Numbers: 042705-1-001-0007; 032705-2-004-0003

THIS DECLARATION is made this 18th day of August, 1999, by CENTEX INTERNATIONAL, INC., 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 Sector 4, Div. No. 10C ("Silver Firs Sector 4, Div. No. 10C"), as more specifically described in Exhibit A attached hereto.

B. Silver Firs Phase II, Divisions 6A-I, 6A-II, 6A-3, 6B, 7, 8A, 8B, 8C, 9A, 9B, 9C, 10A and 10B 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; (9) Silver Firs Division 9B dated October 14, 1997, recorded with the Snohomish County Division of Records and Elections under Recording No. 9710210510; (10) Silver Firs Division 9C dated April 17, 1998, recorded with the Snohomish County Division of Records and Elections under Recording No. 9804170002; (11) Silver Firs Div. No. 10A dated July 9, 1998, recorded with the Snohomish County Division of Records and Elections under Recording No. 9807090084; (12) Silver Firs Div. No. 6A-3 Alteration dated December 14, 1998, recorded with the Snohomish County Division of Records and Elections under Recording No. 9812140765; and (13) Silver Firs Div. No. 10B dated January 20, 1999, and recorded with the Snohomish County Division of Records and Elections under Recording No. 9901200316.

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 Sector 4, Div. No. 10C, and to make Silver Firs Sector 4, Div. No. 10C, 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 Sector 4, Div. No. 10C:

Plat of Silver Firs Sector 4, Div. No. 10B recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 199909015002

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** that the owners of Lots 1, 2, 3, 4 and 5 of Div. No. 10C must maintain the fence located along their north property lines in accordance with the specifications set forth in Exhibit B attached hereto, including paint color specifications.

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:

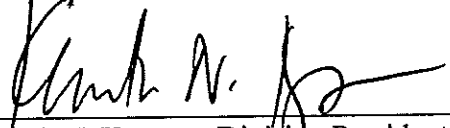
Tracts 1014 and 1015 of Silver Firs Sector 4, Div. No. 10C recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 199909015002;

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 Sector 4, Div. No. 10C recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 199909015002

DATED: August 18th, 1999.

CENTEX INTERNATIONAL, INC.,
a Nevada corporation

By: 
Kenneth N. Krueger, Division President

- 3 -

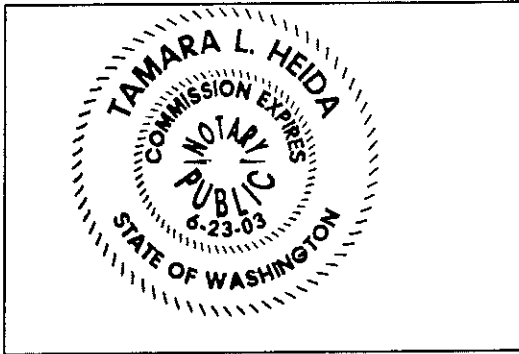
j:\c03876\m09211\04801

199909010311

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

On this day personally appeared before me KENNETH N. KRUEGER, who I know to be, or have satisfactory evidence that he is, the Division President of CENTEX INTERNATIONAL, INC., a Nevada corporation, and who, under oath, stated that he was authorized to sign on behalf of such corporation the within and foregoing DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SILVER FIRS PHASE II, SILVER FIRS SECTOR 4, DIV. NO. 10C, and acknowledged it to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this 18th day of August, 1999.



Tamara L. Heida
(Signature)

Tamara L. Heida
(Please print name legibly)

NOTARY PUBLIC in and for the State of
Washington, residing at BelleVue
My commission expires 06/23/03

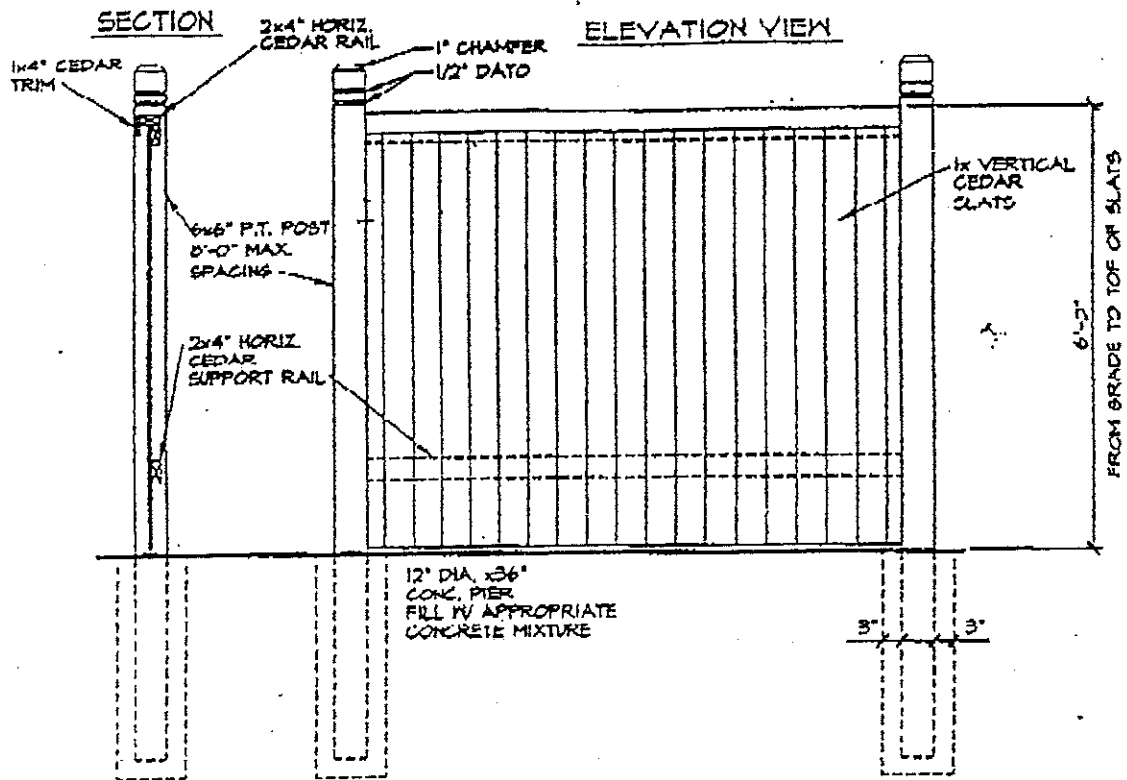
**EXHIBIT A
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SILVER FIRS PHASE II
SILVER FIRS
SECTOR 4, DIV. NO. 10C**

Legal Description of Silver Firs Sector 4, Div. No. 10C

Plat of Silver Firs Sector 4, Div. No. 10C recorded in Snohomish County,
Washington, under Snohomish County Auditor's File Number 199909015002.

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

Specifications for Maintenance of Fence



RESTRICTIONS

1. NO FURTHER SUBDIVISION OF ANY LOT WITHOUT SUBMITTING FOR FINAL PLAT PROCEDURE.
2. THE SALE OR LEASE OF LESS THAN A WHOLE LOT IN ANY SUBDIVISION PLATED AND FILED UNDER TITLE 18 OF THE SNOHOMISH COUNTY CODE IS EXPRESSLY PROHIBITED EXCEPT IN COMPLIANCE WITH TITLE 18 OF SNOHOMISH COUNTY CODE.
3. ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE DEVELOPER OR HIS SUCCESSORS AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO COUNTY ROAD PURPOSES.
4. THIS PLAT IS SUBJECT TO THAT RESUME CONTRACT AS FILED UNDER AUDITOR'S FILE NO. 79049035.
5. S.C.D. TITLE 244 REQUIRES THE FOR NEWLY DEVELOPED SINGLE FAMILY LOT FEE PAYMENT IN THE AMOUNT OF \$1000.00 FOR MITIGATION OF IMPACTS ON COUNTY PARKS DISTRICT 10. THE DEVELOPER OF THIS SUBDIVISION HAS ELECTED TO COVER THIS FEE PAYMENT OBLIGATION TO 4. THE PREVIOUS BUILDING PERMIT ISSUANCE. NOTICE OF THIS FEE PAYMENT OBLIGATION SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION ON THE LOTS HEREIN.
6. LOTS 1 THROUGH 6 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN WHICH RETAINED SURFACE GRADES AND DRAINS TO BE CONNECTED TO THE STORMWATER SYSTEM. SEE DRAINAGE PLAN ON FILE WITH SNOHOMISH COUNTY PUBLIC WORKS FOR DETAILS.
7. LOTS 14, 16, & 17 HAVE BEEN APPROVED BASED ON AN APPROVED SEWER PLAN WHICH REQUIRES MINIMUM FINISHED FLOOR ELEVATIONS. SEE SEWER PLAN FOR DETAILS.
8. PRIOR APPROVAL MUST BE OBTAINED FROM THE DIRECTOR OF PUBLIC WORKS BEFORE ANY STRUCTURES, FILL OR OBSTRUCTIONS, INCLUDING FENCES, ARE LOCATED WITHIN ANY DRAINAGE EASEMENT, DELINEATED FLOOD PLAN AREA OR DRAINAGE SWALE.
9. TERMS AND CONDITIONS OF EASEMENT AND RELEASE AGREEMENT, NOT WITHIN THIS PLAT, RECORDING NO. 880770278.
10. THIS PLAT IS SUBJECT TO CONDITIONS, COVENANTS AND RESTRICTIONS (CCARs) RECORDED UNDER A.F.N. 19990901037
11. PRIOR TO THE SIGNATURE OF A RESUME PROMISE FOR ANY LOT IN THIS PLAT, CONSTRUCTION OF 14TH STREET SE, BETWEEN THE PLAT OF SILVER FIRS SECTOR 4, DIV. NO. 10C AND SEATTLE HILL ROAD, SHALL HAVE BEEN COMPLETED OR UNDER CONTRACT, IN ACCORDANCE WITH THE VOLUNTARY ROAD IMPROVEMENT AGREEMENT FOR SILVER FIRS AND 14TH STREET SE EXTENSION REAL ESTATE CONTRACT 1065, AUDITOR'S FILE NO. 840770323, SUPPORTED BY DOOLAN/NEE RECORDED UNDER AUDITOR'S FILE NUMBER 860550254 AND 891215993, WHICH WERE INDEXED BY AUDITOR'S FILE NO. 1399603037.
12. PRIOR TO THE OCCUPANCY OF ANY DWELLING UNITS IN THIS PLAT, CONSTRUCTION OF 14TH STREET SE, BETWEEN THE PLAT OF SILVER FIRS SECTOR 4, DIV. NO. 10C AND SEATTLE HILL ROAD, SHALL HAVE BEEN COMPLETED AND ACCEPTED BY THE COUNTY AS A PUBLIC ROAD. (VOLUNTARY ROAD IMPROVEMENT AGREEMENT FOR SILVER FIRS AND 14TH ST. SE EXTENSION REAL ESTATE CONTRACT 1065, AUDITOR'S FILE NO. 840770323, SUPPORTED BY DOOLAN/NEE RECORDED UNDER AUDITOR'S FILE NUMBER 860550254 AND 891215993, WHICH WERE INDEXED BY AUDITOR'S FILE NO. 1399603037.)

EASEMENTS

1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (10) FEET, PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREAS, IN WHICH TO INSTALL, LAY, CONSTRUCT, REPAIR, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPES, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, TELEVISION CABLE AND OTHER UTILITY SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSE HEREIN STATED. DRAINAGE EASEMENTS DESCRIBED ON THE PLAT ARE HEREBY RESERVED FOR AND GRANTED TO SNOHOMISH COUNTY, EXCEPT THOSE DESIGNATED ON THE PLAT AS PRIVATE EASEMENTS, TOGETHER WITH THE RIGHT OF ingress AND egress AND THE RIGHT TO ENGRAVE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND/OR REBUILD AN ENCLOSED OR OPEN CHANNEL STORMWATER CONDUIT SYSTEM AND/OR OTHER DRAINAGE FACILITIES, UNDER, UPON OR THROUGH THE DRAINAGE EASEMENT.
2. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL PUBLIC AND PRIVATE UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (10) FEET, PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREAS, IN WHICH TO INSTALL, LAY, CONSTRUCT, REPAIR, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, PIPES, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH WATER AND SEWER, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED.
3. A PRIVATE DRAINAGE EASEMENT IS HEREBY RESERVED FOR ALL LOTS OVER, UNDER AND UPON THE EXTERIOR 10.00 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS AND COMMON AREAS.
4. ALL PRIVATE DRAINAGE EASEMENTS SHOWN ARE HEREBY GRANTED TO THE BENEFIT OF ALL HOMEOWNERS WHICH ARE SERVED BY THEM. IT IS AGREED THAT THE COST OF MAINTENANCE, REPAIR OR RECONSTRUCTION OF THAT PORTION OF THE SEWER USED IN COMMON SHALL BE BORNE IN EQUAL SHARES, EXCEPT THAT THE OWNERS OF ANY LOTS PARCELS SHALL NOT BE RESPONSIBLE FOR THE PART OF THE SEWER ABOVE THEIR CONNECTION, AND WHEN NECESSARY TO REPAIR, CLEAN OR RECONSTRUCT THE SEWER DRAIN, THE PARTIES TO THIS AGREEMENT SHALL HAVE A RIGHT OF ENTRY FOR THAT PURPOSE.
5. BY THE RECORDING OF THIS PLAT, SNOHOMISH COUNTY AND CENTER INTERNATIONAL, INC., A NEVADA CORPORATION AGREE TO THE ESTABLISHMENT OF CERTAIN EASEMENTS, THE PURPOSES OF WHICH ARE SUPERSEDED BY THE TERMS AND EASEMENTS OF THIS PLAT. THESE ESTABLISHED EASEMENTS ARE AS FOLLOWS:
 DRAINAGE EASEMENT, RECORDING NO. 890203343
 DRAINAGE EASEMENT, RECORDING NO. 890403283
 UTILITY EASEMENT, RECORDING NO. 980720281

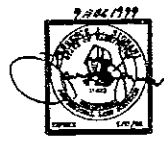
NOTES

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE PLAT OF SILVER FIRS DIV. NO. 7, RECORDED IN VOL. 53 OF PLATS, ON PAGES 182 THROUGH 198, SNOHOMISH COUNTY RECORDS, AS EVIDENCED BY CONCRETE SQUARES SHOWN THEREON AT THE NORTH-EAST CORNER, AND THE NORTH QUARTER CORNER OF SECTION 4, AND HAVING A BEARING BETWEEN OF N82°17'15"W.
2. FIELD MEASUREMENTS FOR THIS PLAT PERFORMED FROM SPRING 1998, TO SUMMER, 1999 USING TRIMBLE 4000SSZ GPS RECEIVERS, SODIPAL AND MILD TOTAL STATION INSTRUMENTS AND MEET OR EXCEED A LINEAR CLOSURE OF 0.15/100, AND THE LEAST SQUARES ADJUSTMENT YIELDS A POSITIVE TOLERANCE NO GREATER THAN 0.02, AT A 95% CERTAINTY, RELATIVE TO THE CONTROLLING MEASUREMENTS (SEE NOTE 1 ABOVE). ALL PRIMARY MEASUREMENT EQUIPMENT UTILIZED HAS BEEN COMPARED TO, AND ADJUSTED AGAINST A NATIONAL GEODESIC SURVEY CALIBRATED BASELINE WITHIN THE LAST YEAR.

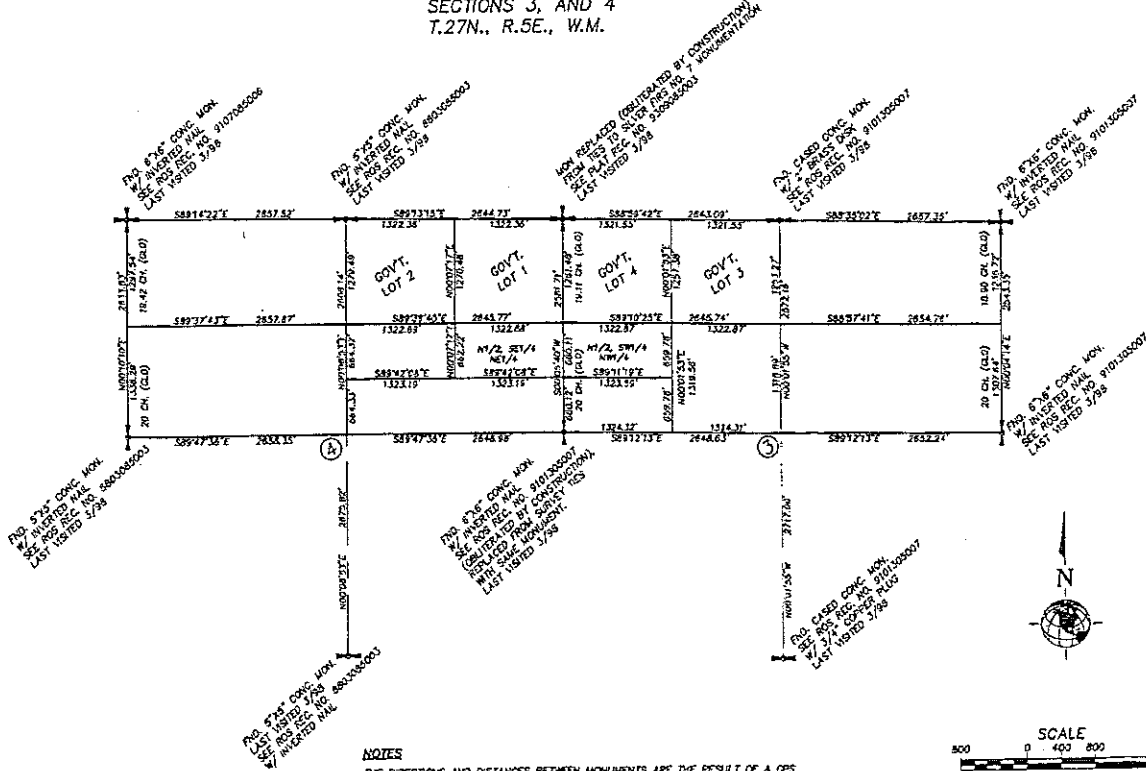
SILVER FIRS SECTOR 4, DIV. NO. 10C

SE1/4, NE1/4, SEC. 4, T.27N., R.5E., W.M.
 GOVT. LOT 1 (NE1/4, NE1/4), SEC. 4, T.27N., R.5E., W.M.
 SNOHOMISH COUNTY, WA.
 PFN 96-110766 SD
 A.F.N. 199909015002

W&HPACIFIC
 3850 MONTE VILLA PARKWAY
 BOTHELL, WASHINGTON 98021
 WWW.W&HPACIFIC.COM
 TEL: (425)651-4800 FAX: (425)751-4200
 Planning • Engineering • Surveying • Landscape Architecture
 3-128-889 FDC 6/26/99 518901



SECTION SUBDIVISION
SECTIONS 3, AND 4
T.27N., R.5E., W.M.



NOTES

THE DIRECTIONS AND DISTANCES BETWEEN MONUMENTS ARE THE RESULT OF A GPS SURVEY IN MARCH 1998, ROTATED TO THE BASIS OF BEARINGS FOR THIS SURVEY, AND SCALED FROM THE GRID BASIS OF NAD 83/91, BY A CORRECTION FACTOR OF 1.00007128, MAKING ALL DISTANCES SHOWN HEREON GROUND LEVEL DISTANCES.

THE BASIS OF BEARINGS FOR THIS PLAT IS THE PLAT OF SILVER FIRS DIV. NO. 10C, RECORDED IN VOL. 35 OF PLATS, ON PAGES 192 THROUGH 195, SNOHOMISH COUNTY RECORDS, AS EVIDENCED BY CONCRETE MONUMENTS AT THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SECTION 4 AND HAVING A BEARING BETWEEN OF N89°13'15\"

SILVER FIRS SECTOR 4, DIV. NO. 10C

SE 1/4, NE 1/4, SEC. 4, T.27N., R.5E., W.M.
GOVT. LOT 1 (NE 1/4, NE 1/4), SEC. 4, T.27N., R.5E., W.M.

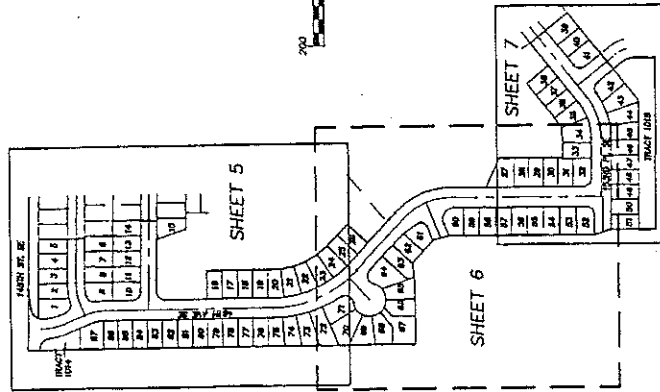
SNOHOMISH COUNTY, WA.
PFN 96-110766 SD

A.F.N. 199909015002

W&HPACIFIC
3380 MONTE VILLA PARKWAY
BOZZEAL, WASHINGTON 98021
WWW.W&HPACIFIC.COM
TEL: (425) 491-4890 FAX: (425) 491-4898
Planning • Engineering • Surveying • Landscape Architecture



199909015002



**SILVER FIRS
SECTOR 4,
DIV. NO. 10C**

SE 1/4, NE 1/4, SEC. 4, T. 27N., R. 5E., W.M.
GOVT. LOT 1 (NE 1/4, NE 1/4), SEC. 4, T. 27N., R. 5E., W.M.
SNOHOMISH COUNTY, WA.
PFN 96-110766 50

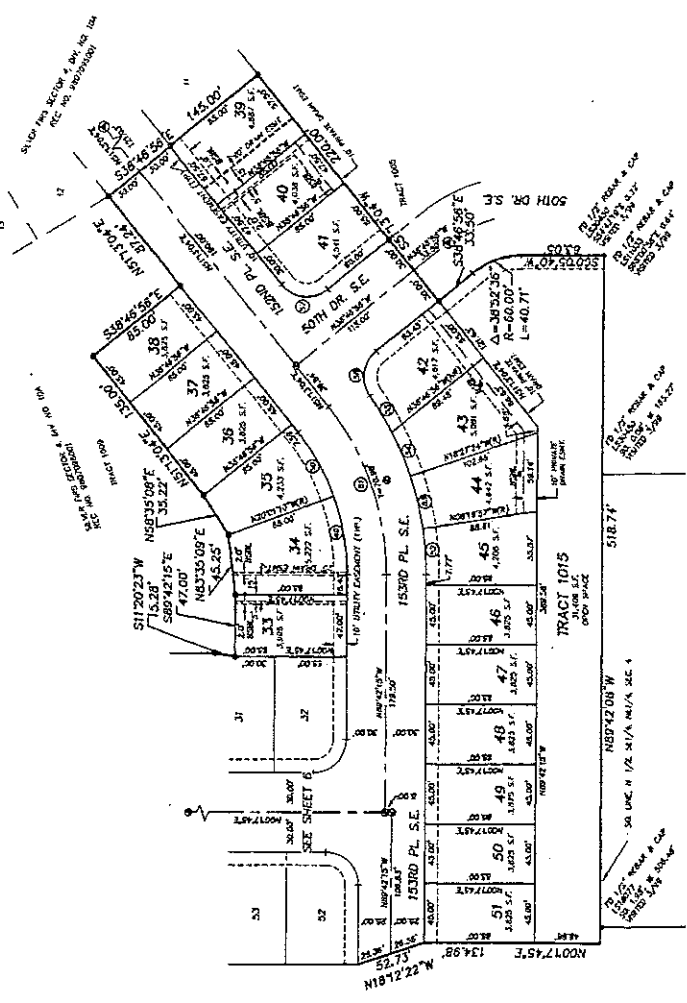
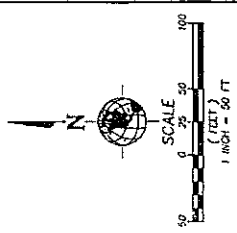
A.F.N. 1991021502

SHEET 4 OF 7



WHPACIFIC
3230 MONTE VILLA PARADISE
SEASIDE, WA 98148
TEL: (206) 940-1100 FAX: (206) 940-1101
Planning • Engineering • Surveying • Landscape Architecture

WHPACIFIC INC. 5/2/96 11:00AM



LEGEND

- ⊙ INDICATES EXISTING PLAT INFORMATION IN CASE
- ⊙ INDICATES STANDARD SURCHARGE COUNTY CONCRETE SUBMITTAL WITH WAIVER OF IN CASE WITH PATCH AND CUP 11/12/22 TO BE SET FOR THE PLAT
- INDICATES SURVEY POINT FOUND AS SHOWN
- INDICATES POINT FROM A.C.E. OR OTHER W.C.P. AS SHOWN AT LOT CORNERS
- ALL SURVEY PLAT CORNERS WITH LOT CORNERS FOR TYPICAL ADJACENT PLATS AND LOT CORNERS OF WAY INTERSECTION POINTS ARE HEREBY ESTABLISHED WITH SURVEY BEARING W/C.P., L.S. 11/22
- (M) INDICATES HIGH-WATER TO THE DUNE
- (M) INDICATES HIGH-WATER TO THE DUNE

LOT NO.	AREA (SQ. FT.)	AREA (SQ. YD.)
31	1,234.56	28.12
32	1,345.67	30.89
33	1,456.78	33.45
34	1,567.89	35.90
35	1,678.90	38.21
36	1,789.01	40.42
37	1,890.12	42.53
38	1,901.23	43.56
39	2,012.34	46.04
40	2,123.45	48.52
41	2,234.56	51.00
42	2,345.67	53.48
43	2,456.78	55.96
44	2,567.89	58.44
45	2,678.90	60.92
46	2,789.01	63.40
47	2,890.12	65.88
48	2,901.23	66.91
49	3,012.34	69.39
50	3,123.45	71.87

**SILVER FIRS
SECTOR 4,
DIV. NO. 10C**

SE 1/4, NE 1/4, SEC. 4, T.27N., R.5E., W.M.
 COVT. LOT 1 (NE 1/4, NE 1/4), SEC. 4, T.27N., R.5E., W.M.
 SNOHOMISH COUNTY, WA.
 PFN 96-110765 SD

A.F.N. 1999 05015002



WHIPACIFIC
 3000 15TH AVENUE S.W.
 SUITE 1000
 SEASIDE, WASHINGTON 98148
 TEL: (206) 465-6666 FAX: (206) 465-6667
 WWW.WHIPACIFIC.COM

20005150328

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



200005150328
05/15/2000 11:54 AM Snohomish
P.0005 RECORDED County

**DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR SILVER FIRS PHASE II - SILVER FIRS
SECTOR 4, DIV. NO. 10D**

**Reference Numbers
of Related Documents:**

9206050329	9210150293	9411220350
9311090247	9506280366	9510230501
9506280367	9702050232	9710210510
9804170002	9807090084	9812140765
9901200316	199909015002	199909010311

Grantor/Declarant: CENTEX INTERNATIONAL, INC., a Nevada corporation

Grantee: SILVER FIRS HOMEOWNERS ASSOCIATION PHASE II

Legal Description: Plat of Silver Firs Sector 4, Div. No. 10D recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 200005150328.

**Assessor's Property Tax
Parcel Account Numbers:** 042705-1-001-0007; 032705-2-004-0003

THIS DECLARATION is made this ____ day of May, 2000 by CENTEX INTERNATIONAL, INC, 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 Sector 4, Div. No 10D ("Silver Firs Sector 4, Div No 10D"), as more specifically described in Exhibit A attached hereto

B Silver Firs Phase II, Divisions 6A-I, 6A-II, 6A-3, 6B, 7, 8A, 8B, 8C, 9A, 9B, 9C, 10A, 10B and 10C 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, (9) Silver Firs Division 9B dated October 14, 1997, recorded with the Snohomish County Division of Records and Elections under Recording No. 9710210510, (10) Silver Firs Division 9C dated April 17, 1998, recorded with the Snohomish County Division of Records and Elections under Recording No 9804170002, (11) Silver Firs Div No 10A dated July 9, 1998, recorded with the Snohomish County Division of Records and Elections under Recording No 9807090084; (12) Silver Firs Div. No. 6A-3 Alteration dated December 14, 1998, recorded with the Snohomish County Division of Records and Elections under Recording No 9812140765, (13) Silver Firs Div No 10B dated January 20, 1999, and recorded with the Snohomish County Division of Records and Elections under Recording No 9901200316, and (14) Silver Firs Div No 10C dated September 1, 1999, and recorded with the Snohomish County Division of Records and Elections under Recording No 199909010311

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 Sector 4, Div No 10D, and to make Silver Firs Sector 4, Div No 10D, 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 Sector 4, Div No 10D

Plat of Silver Firs Sector 4, Div No 10D recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 20000515001

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

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.

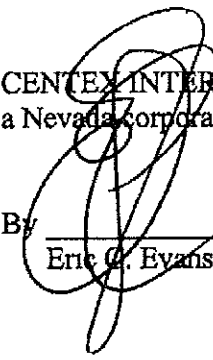
Tracts 1016 and 1017 of Silver Firs Sector 4, Div No 10D recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 20000515001,

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 Sector 4, Div No 10D recorded in Snohomish County, Washington, under Snohomish County Auditor's File Number 20000515001

DATED May ____, 2000

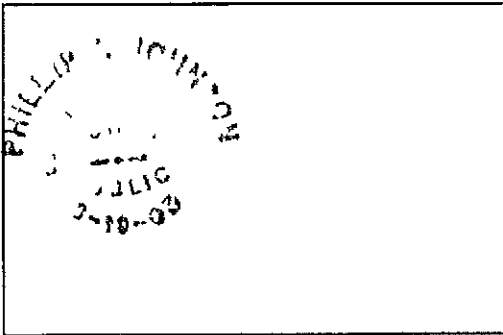
CENTEX INTERNATIONAL, INC.,
a Nevada Corporation

By  _____
Eric G. Evans, Land Acquisition Manager

STATE OF WASHINGTON)
) ss
COUNTY OF SNOHOMISH)

On this day personally appeared before me ERIC C. EVANS, who I know to be, or have satisfactory evidence that he is, the Land Acquisition Manager of CENTEX INTERNATIONAL, INC , a Nevada corporation, and who, under oath, stated that he was authorized to sign on behalf of such corporation the within and foregoing DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SILVER FIRS PHASE II, SILVER FIRS SECTOR 4, DIV NO 10D, and acknowledged it to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this 15 day of May, 2000



Phillip I. Johnson
(Signature)

Phillip I. Johnson
(Please print name legibly)

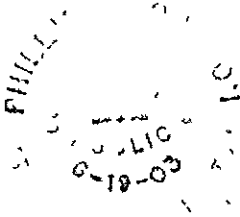
NOTARY PUBLIC in and for the State of
Washington, residing at Bumstead
My commission expires 6/19/02

**EXHIBIT A
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SILVER FIRS PHASE II
SILVER FIRS
SECTOR 4, DIV. NO. 10D**

Legal Description of Silver Firs Sector 4, Div. No. 10D

Plat of Silver Firs Sector 4, Div. No. 10D recorded in Snohomish County,
Washington, under Snohomish County Auditor's File Number *

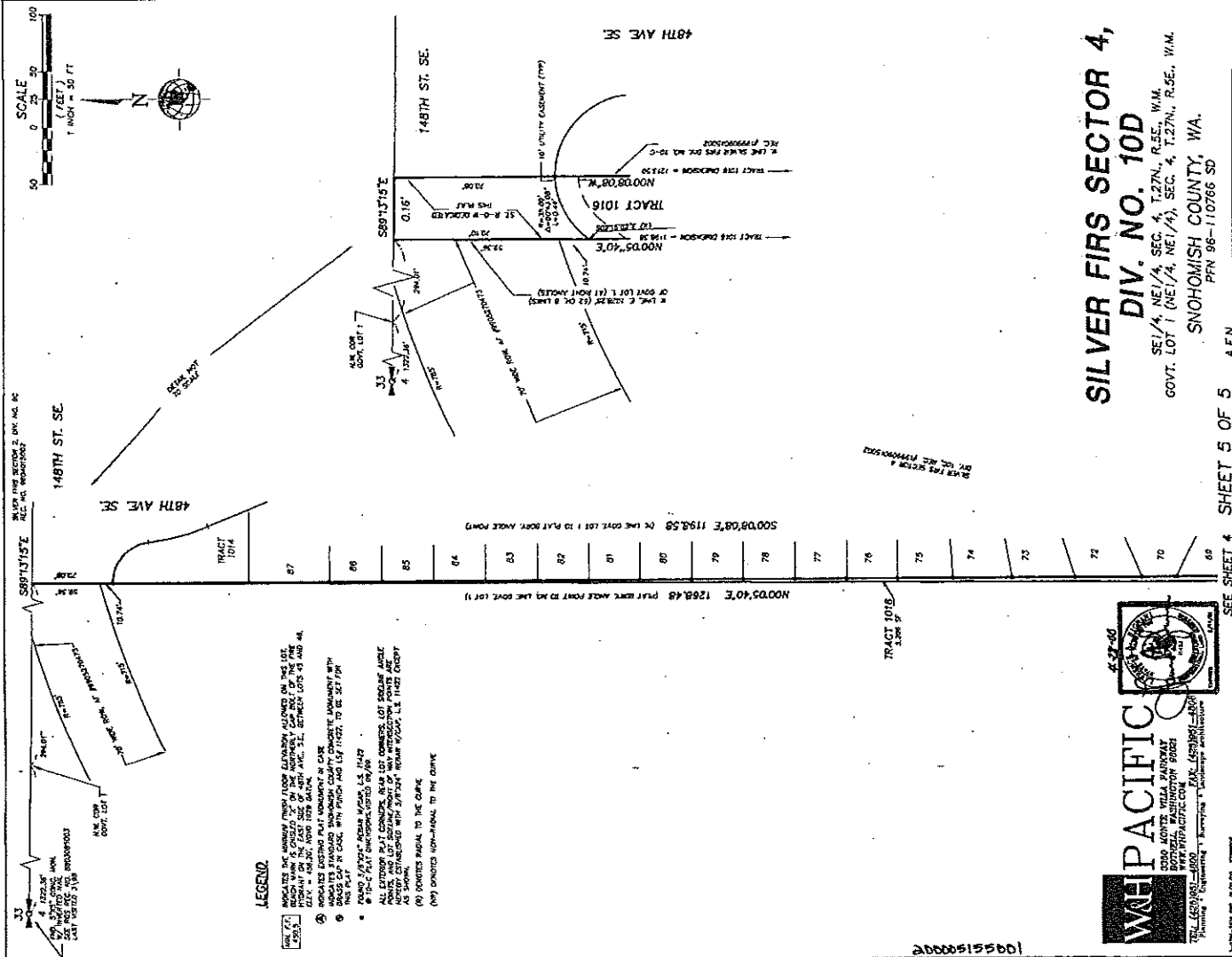
* 200005155001



A - 1

J:\c03876\m0921\105402

200005150328



**SILVER FIRS SECTOR 4,
DIV. NO. 10D**

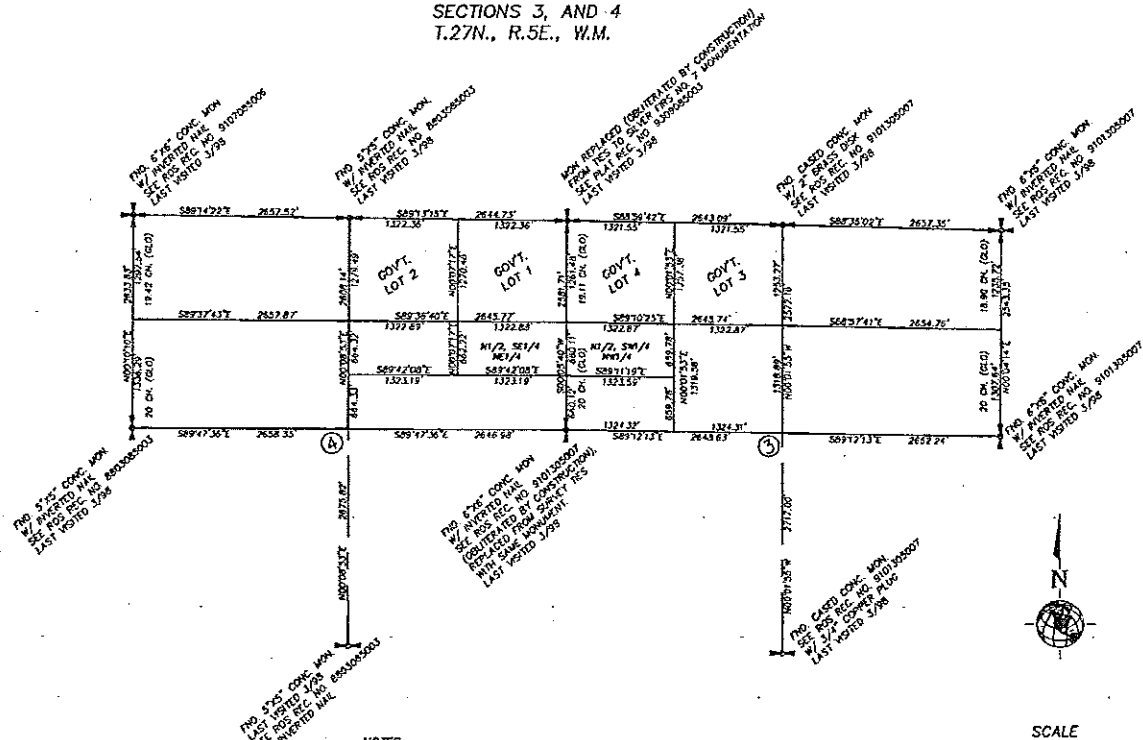
SE 1/4, NE 1/4, SEC. 4, T.27N., R.5E., W.4M.
GOVT. LOT 1 (NE 1/4, NE 1/4), SEC. 4, T.27N., R.5E., W.4M.
SNOHOMISH COUNTY, WA.
PFN 96-110766 SD

WHPACIFIC

3330 MONTE VILLA PARKWAY
BRYAN, TEXAS 77803
TEL: 626-6800 FAX: 626-6801
Engineering • Surveying • Land Development

200005155601

SECTION SUBDIVISION
SECTIONS 3, AND 4
T.27N., R.5E., W.M.



NOTES

THE DIRECTIONS AND DISTANCES BETWEEN MONUMENTS ARE THE RESULT OF A GPS SURVEY IN MARCH 1998, ROTATED TO THE BASIS OF BEARINGS FOR THIS SURVEY, AND SCALED FROM THE GRID BASIS OF NAD 83/91, BY A CORRECTION FACTOR OF 1.00007129, MAKING ALL DISTANCES SHOWN HEREON GROUND LEVEL DISTANCES.

THE BASIS OF BEARINGS FOR THIS PLAT IS THE PLAT OF SILVER FIRS DIV. NO. 7, RECORDED IN VOL. 53 OF PLATS, ON PAGES 192 THROUGH 199, SNOHOMISH COUNTY RECORDS, AS EVIDENCED BY CONCRETE MONUMENTS AT THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SECTION 4 AND HAVING A BEARING BETWEEN OF N89°13'15" E.

SILVER FIRS SECTOR 4, DIV. NO. 10D

SE 1/4, NE 1/4, SEC. 4, T.27N., R.5E., W.M.
GOVT. LOT 1 (NE 1/4, NE 1/4), SEC. 4, T.27N., R.5E., W.M.

SNOHOMISH COUNTY, WA.
PFN 96--110766 SD

A.F.N. 200005155001

WHPACIFIC

3350 MONTE VILLA PARKWAY
BOOTHILL, WASHINGTON 98021
TEL: (425)251-4800 FAX: (425)251-4800
PLANNING * ENGINEERING * SURVEYING * LANDMARK ARCHITECTURE



RESTRICTIONS

- NO FURTHER SUBDIVISION OF ANY LOT WITHOUT SUBMITTING FOR FORMAL PLAT PROCEDURE
- THE SALE OR LEASE OF LESS THAN A WHOLE LOT IN ANY SUBDIVISION PLATTED AND FILED UNDER A TITLE 19 OF THE SNOHOMISH COUNTY CODE IS EXPRESSLY PROHIBITED EXCEPT IN COMPLIANCE WITH TITLE 19 OF SNOHOMISH COUNTY CODE.
- ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE DEVELOPER OR HIS SUCCESSORS AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DEPENDANT TO COUNTY ROAD PURPOSES.
- THIS PLAT IS SUBJECT TO THAT RECORD CONTRACT AS FILED UNDER AUDITOR'S FILE NO. 700600333
- S.C.C. RULE 25A REQUIRES THE PER NEWLY DEVELOPED SINGLE FAMILY LOT FEE PAYMENT IN THE AMOUNT OF \$200.00 FOR MITIGATION OF IMPACTS ON COUNTY PARKS DISTRICT 02. THE DEVELOPER OF THIS SUBDIVISION HAS ELECTED TO DEFER THIS FEE PAYMENT OBLIGATION TO A TIME PRECEDING BUILDING PERMIT ISSUANCE. NOTICE OF THIS FEE PAYMENT OBLIGATION SHALL BE CONTAINED IN ANY DEEDS INVOLVING THIS SUBDIVISION OF THE LOTS HEREIN.
- LOTS 1 THROUGH 32 HAVE BEEN APPROVED BASED ON AN APPROVED DRAINAGE PLAN WHICH REQUIRED INTERIORS SURFACES AND DRAINS TO BE CONNECTED TO THE SEWERSHOWER SYSTEM. SEE DRAINAGE PLAN ON FILE WITH SNOHOMISH COUNTY PUBLIC WORKS FOR DETAILS.
- LOT 30 HAS BEEN APPROVED BASED ON AN APPROVED SEWER PLAN WHICH REQUIRED MINIMUM FINISHED FLOOR ELEVATIONS. SEE SEWER PLAN FOR DETAILS.
- PROOF APPROVAL MUST BE OBTAINED FROM THE DIRECTOR OF PUBLIC WORKS BEFORE ANY STRUCTURES, FILL OR OBSTRUCTIONS, INCLUDING FENCES, ARE LOCATED WITHIN ANY DRAINAGE EASEMENT, DEDICATED FLOOD PLAN AREA OR DRAINAGE SWALE.
- TERMS AND CONDITIONS OF EASEMENT AND RELEASE AGREEMENT, NOT WITHIN THIS PLAT, RECORDING NO. 8302202578.
- THIS PLAT IS SUBJECT TO CONDITIONS, COVENANTS AND RESTRICTIONS (C.C.A.R.'S) RECORDED UNDER A.F.N. 80000151201
- PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT IN THIS PLAT, CONSTRUCTION OF 14TH STREET SE, BETWEEN THE PLAT OF SILVER FIRS SECTOR 4, DIV. NO. 10B, AND SEATTLE HILL ROAD, SHALL HAVE BEEN COMPLETED UNDER CONTRACT, IN ACCORDANCE WITH THE VOLUNTARY ROAD IMPROVEMENT AGREEMENT FOR SILVER FIRS AND 14TH STREET SE EXTENSION REAL ESTATE CONTRACT 1988, A.P.N. 197353771, ADDENDUM BY A.F.N. 800002314, AND SUPPLEMENTED BY A.F.N. 815787018, ADDENDUM BY A.F.N. 1973535317.
- PRIOR TO THE OCCUPANCY OF ANY DWELLING UNITS IN THIS PLAT, CONSTRUCTION OF 14TH STREET SE, BETWEEN THE PLAT OF SILVER FIRS SECTOR 4, DIV. NO. 10B AND SEATTLE HILL ROAD, SHALL HAVE BEEN COMPLETED AND ACCEPTED BY THE COUNTY AS A PUBLIC ROAD.
- THE COST OF CONSTRUCTION AND MAINTAINING ALL ROADS NOT HEREBY DEDICATED AS PUBLIC ROADS SHALL BE THE OBLIGATION OF ALL OF THE OWNERS AND THE OBLIGATION OF ANY CORPORATION IN WHICH TITLE OF THE ROADS AND STREETS MAY BE HELD, IN THE EVENT THAT THE OWNERS OF ANY LOTS SERVED BY THE ROADS OR STREETS OF THIS PLAT SHALL PETITION THE COUNTY TO INCLUDE THESE ROADS OR STREETS IN THE PUBLIC ROAD SYSTEM, THE PETITIONERS SHALL BE OBLIGATED TO BRING THE SAME TO COUNTY ROAD DEPARTMENT APPLICABLE AT THE TIME OF PETITION IN ALL RESPECTS, INCLUDING DEDICATION OF RIGHTS-OF-WAY, PRIOR TO ACCEPTANCE BY THE COUNTY.
- THIS PLAT SUBJECT TO A 12' WIDE PUEBT POWER EASEMENT, A.F.N. 453272, IN TRACT 107, OPEN SPACE, AND IN 15240 ST. SE.
- THIS PLAT SUBJECT TO A 22' WIDE OLYMPIC PIPELINE EASEMENT, A.F.N. 1622411, IN TRACT 107, OPEN SPACE, AND IN 15240 ST. SE.
- THIS PLAT SUBJECT TO A 30' WIDE OLYMPIC PIPELINE EASEMENT, A.F.N. 2275577, IN TRACT 107, OPEN SPACE, AND IN 15240 ST. SE.
- PRIOR TO ISSUANCE OF BUILDING PERMITS EVIDENCE SHALL BE PROVIDED TO THE COUNTY OF PAYMENT OF \$150.00 ANNUAL TO THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION FOR MITIGATION OF THE DEVELOPMENT'S TRAFFIC IMPACTS TO THE STATE HIGHWAY SYSTEM, IN ACCORDANCE WITH THE SETTLEMENT AGREEMENT SIGNED BY THE DEVELOPER'S REPRESENTATIVE ON JANUARY 24, 1997.
- THIS PLAT IS SUBJECT TO AN INDEMNIFICATION AGREEMENT AS RECORDED UNDER AUDITOR'S FILE NO. 800002300042110.

EASEMENTS

- AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (10) FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREAS, IN WHICH TO INSTALL, LAY, CONSTRUCT, REPAIR, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPES, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, SEWERSHOWER CABLE AND OTHER UTILITY SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSES HEREIN STATED. DRAINAGE EASEMENTS RECORDED ON THE PLAT ARE HEREBY RESERVED FOR AND GRANTED TO SNOHOMISH COUNTY, EXCEPT THOSE RECORDED ON THE PLAT AS PRIVATE EASEMENTS, TOGETHER WITH THE RIGHT OF ACCESS AND EGRESS AND THE RIGHT TO EXCAVATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND/OR REBUILD AN ENCLOSED OR OPEN CHANNEL STORMWATER CONVEYANCE SYSTEM AND/OR OTHER DRAINAGE FACILITIES, UNDER, UPON OR THROUGH THE DRAINAGE EASEMENT.
- AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL PUBLIC AND PRIVATE UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (10) FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREAS, IN WHICH TO INSTALL, LAY, CONSTRUCT, REPAIR, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, PIPES, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH WATER AND SEWER, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.
- A PRIVATE DRAINAGE EASEMENT IS HEREBY RESERVED FOR ALL LOTS OVER, UNDER AND UPON THE EXTERIOR 10.00 FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS AND COMMON AREAS.
- ALL PRIVATE DRAINAGE EASEMENTS SHOWN ARE HEREBY GRANTED TO THE BENEFIT OF ALL HOMEOWNERS WHICH ARE SERVED BY THEM. IT IS AGREED THAT THE COST OF MAINTENANCE, REPAIR OR RECONSTRUCTION OF THAT PORTION OF THE SEWER USED IN COMMON SHALL BE BORNE IN EQUAL SHARES, EXCEPT THAT THE OWNERS OF ANY LOT OR PLOT SHALL NOT BE RESPONSIBLE FOR THE PART OF THE SEWER ABOVE THEIR CONNECTION, AND WHEN NECESSARY TO REPAIR, CLEAN OR RECONSTRUCT THE SEWER DRAIN, THE PARTIES TO THIS AGREEMENT SHALL HAVE A RIGHT OF ENTRY FOR THAT PURPOSE.
- AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL PUBLIC AND PRIVATE UTILITIES SERVING SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE 30 FOOT WIDE PRIVATE ROADWAY, TRACT 108, IN WHICH TO INSTALL, LAY, CONSTRUCT, REPAIR, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, PIPES, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH WATER, SEWER, ELECTRIC, TELEPHONE, GAS, TELEPHONE CABLE AND OTHER UTILITY SERVICE TOGETHER WITH THE RIGHT TO ENTER UPON THE TRACT AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

NOTES

- THE BASIS OF BEARINGS FOR THIS SURVEY IS THE PLAT OF SILVER FIRS DIV. NO. 7, RECORDED IN VOL. 53 OF PLATS ON PAGES 112 THROUGH 116, SNOHOMISH COUNTY RECORDS, AS ENCLOSED BY CONCRETE MONUMENTS SHOWN THEREON, AT THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SECTION 4, AND HAVING A BEARING BETWEEN OF 102°13'18".
- FIELD MEASUREMENTS FOR THIS PLAT PERFORMED FROM SPRING 1996, TO SUMMER, 1998 USING TRIMBLE ADJUSTED OPS RECEIVERS, SOFMA AND WILD TOTAL STATION INSTRUMENTS AND MET OR EXISTO A LINEAR CLOSURE OF 1:15,000, AND THE LEAST SQUARES ADJUSTMENT YIELDS A POSITIONAL TOLERANCE NO GREATER THAN ONE, AT A 95% CERTAINTY, RELATIVE TO THE CONTROLLING MONUMENTS (SEE NOTE 1 ABOVE). ALL PRIMARY MEASUREMENT EQUIPMENT UTILIZED HAS BEEN COMPARED TO, AND ADJUSTED AGAINST A NATIONAL GEODETIC SURVEY CALIBRATED BASELINE WITHIN THE LAST YEAR.
- THE 12' PUEBT POWER EASEMENT IN TRACT 107, A.F.N. 453272, IS DESCRIBED THEREIN AS BEING ON EITHER SIDE OF THE PRINCIPAL CENTER LINE. A SURVEYED LOCATION OF THE PUELT WAS USED TO ESTABLISH THE POSITION OF THIS EASEMENT. THE 30' OLYMPIC PIPELINE EASEMENT, A.F.N. 1622411 IS DESCRIBED AS HAVING ITS WESTERLY BOUNDARY COINCIDE WITH THE WESTERLY BOUNDARY OF THE PUEBT POWER EASEMENT A.F.N. 453272, AND THE 30' OLYMPIC PIPELINE EASEMENT, A.F.N. 2275577, IS TO EXTEND 25' WEST OF THE WEST LINE OF THE PUEBT POWER EASEMENT, AND IS SHOWN AS SUCH HEREON.

WHPACIFIC
 3350 MONTE VILLA PARKWAY
 BOTHELL, WASHINGTON 98021
 WWW.WHPACIFIC.COM
 TEL: (425)201-4800 FAX: (425)201-1808
 SURVEYING * ENGINEERING * ARCHITECTURE * LANDMARK ADMINISTRATION
 A-028-204 INC 07/07/08 520012

SILVER FIRS SECTOR 4, DIV. NO. 10D
 SE1/4, NE1/4, SEC. 4, T.27N., R.5E., W.M.
 GOVT. LOT 1 (NE1/4, NE1/4), SEC. 4, T.27N., R.5E., W.M.
 SNOHOMISH COUNTY, WA.
 PFN 96-110766 SD
 A.F.N. 80000151201

