

DOCUMENT: DECLARATION OF COVENANTS
GRANTOR: RICK ANDERSON, Trustee for the LBR
Construction Inc. PSP
GRANTEE: HERITAGE COURT
LEGAL DESCRIPTION: SUB LOT 56 OF THE TOWNSITE OF PORT ANGELES
ASSESSOR'S PARCEL NO: 063000105615

DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS OF HERITAGE COURT

Rick Anderson, trustee for the L.B.R. Construction Inc. P.S.P., hereinafter referred to as Grantor, is the owner of that certain real property situated in Port Angeles, Clallam County Washington, legally described as per Exhibit A attached hereto and incorporated herein by this reference, hereinafter "the property."

For the purpose of enhancing and protecting the value, attractiveness and desirability of the property and each building site located thereon Grantor hereby declares that all of the property described herein and each part thereof shall be held, sold and conveyed subject to the following covenants, conditions and restrictions, which shall constitute covenants running with the land and shall be binding on all parties having any right, title or interest in the property or any part thereof, their heirs, successors, and assigns, and shall inure the benefit of each owner thereof.

1. DEFINITIONS.

1.1 Declarations. The term declarations shall mean and refer to this instrument.

1.2 The Property. The property shall mean the real property described herein. Lots 1-15, inclusive of Heritage Court Subdivision as per plat therefore recorded in Volume 15, Page 31, records of Clallam County Washington, being a portion of suburban lot 56 of the town site of Port Angeles, Clallam County, Washington.

1.3 Owner. The term owner shall mean the record owner, whether one or more persons or entities of a fee simple title to any parcel, including contract purchasers and grantors under a Deed of Trust, but excluding those having such interest merely as security for the performance of an obligation.

1.4 Parcel. As used herein. The term parcel shall mean and refer to any lot or parcel of land included within the property, whether denominated on the subdivision map as a parcel, lot or tract.

1.5 Transition Date. The "Transition Date" is the date after which Grantor may no longer exercise Grantor Control. The Transition Date shall be the earlier of (1) sixty days after the conveyance of one hundred percent (100%) of the lots in the development to Owners other than the Grantor; or (2) the date on which Grantor voluntarily surrenders Grantor Control before the Transition Date.

2. UNIFORM GENERAL REQUIREMENTS.

2.1 Architectural Control Responsibilities. The Grantor or his assigns shall serve as the Architectural Control Committee until the Transition Date. All construction related plans shall be submitted to the Grantor or his assigns for its review and written approval before any work may begin on any property in the Heritage Court Subdivision. The Grantor shall ensure that the proposed work is in compliance with the adopted rules, regulations, requirements, restrictions and policies before granting approval for the work to begin.

2.2 Application Checklist. The following items should be submitted to the Committee to initiate construction review process

- a. Cover letter describing the attached documents.
- b. A legal description of the Lot
- c. A site plan, to scale, that includes
- d. The proposed location of the structures on the site, including decks
- e. The exact location of the interface of the driveway with the road and the location of the off-road parking areas.
- f. Location and details of any fencing.
- g. Detailed plans and specifications showing size, roof material, finish and elevations that clearly shows footings for the structure. The plans should include a calculation of building height.

2.3 Procedure. The committee shall approve or disapprove plans within twenty one (21) days after it receives the plans from Owner. If the committee does not act within twenty one (21) days, the plans shall be deemed approved.

2.4 Dwelling Quality and Size. The ground floor area of the main residential structure on any lot, exclusive of open porches, decks, patios, garages and outbuildings shall not be less than 1,500 square feet for a single story structure, nor less than 1,000 square feet for a multi-story structure. No dwelling shall be erected, altered, placed or permitted to remain on any lot having a ground floor area in violation of this provision. Modular, mobile and factory built residences of any kind shall be prohibited on the property. Pre-cut homes assembled and built on site shall be allowed. Vinyl and plywood siding shall be prohibited on all structures. Thirty (30) year laminate shall be the minimum quality of allowed roofing material. Structures erected or placed on any lot must be in harmony with the existing residence in respect to workmanship, materials and external design. All construction and improvements to structures shall be completed in compliance with applicable City of Port Angeles building codes. Except lot 7, which is a duplex lot, total square footage of each unit of the duplex shall not be less than 900 square feet.

2.5 Completion of Structures. Each structure shall be completed as to external appearance, including finished painting within twelve (12) months from the date the building permit is issued by the City of Port Angeles. No outbuilding, basement, tent, shack, garage, trailer, shed or temporary building of any kind shall be used as a residence on the property either temporarily or permanently.

2.6 Outbuildings. No outbuildings shall be erected or placed upon any lot except garages and garden houses. Any such outbuildings shall comply with all applicable setback requirements. Outbuilding shall have an external style, color and appearance compatible with that of the house. The roof shall match the roof of the house or be a lightweight cedar shingle. The building shall not have a metal, plastic, fiberglass or otherwise prefabricated or manufactured appearance. The exterior shall be painted or finished the same color as the house.

2.61 Radio and TV antenna. No radio or television antenna shall be allowed. Not satellite dishes larger than 24 inches in diameter shall be allowed.

2.62 High Intensity Lights. No outdoor mercury-vapor, sodium or other similar high intensity "cobra style" lights are permitted. Lighting shall be pedestrian oriented and scaled.

2.7 Signs and Billboards. No signs or billboards of any kind shall be erected, placed or displayed upon any lot, street or road in Heritage Court except public notices required by law and usual and ordinary name and address signs. And further provided, that one "For Sale" sign or "For Rent" sign of not more than (5) square feet in area provided, may be displayed on a lot. And additionally provided, that the Grantor herein reserves the right to erect and display signs of any size or shape on the property during the period of initial sales of lots.

2.8 Animals. No animals, livestock or poultry of any kind shall be raised, bred or kept on any parcel or in any building on the property except that dogs, cats and household pets may be raised, bred or kept on a lot, provided that they are not under such conditions as would be reasonably objectionable in a residential neighborhood and further provide that they are not kept, bred or maintained for any commercial purpose. Household pets must be kept within the confines of the owner's property or on a leash at all times. Frequent barking or howling of dogs and excessive offensive noise from other animals are prohibited and shall constitute a noise nuisance

2.9 Nuisance. 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.

2.91 Propane Tanks. Propane tanks shall be located in the side or back yard so not to be an eyesore to the other houses and shall be maintained by and be the sole responsibility of the owner.

2.92 Driveways. Driveways shall be constructed of a fixed hard impervious durable surface such as asphalt, concrete, stone or brick.

2.10 Trash Disposal. No rubbish, trash or garbage shall be kept or permitted on any lot except in conventional containers located in appropriate areas, which are not visible from the common roadways except on trash collection days. The removal and disposal of all such material shall be the sole responsibility of the individual lot owner.

HERITAGE COURT

BEING A SUBDIVISION OF A PORTION OF
SUBURBAN LOT 56 OF THE
TOWNSHIP OF PORT ANGELES
CITY OF PORT ANGELES,
CLALLAM COUNTY, WASHINGTON
PREPARED FOR
LBR CONSTRUCTION INC.
PARCEL NO. 063000105615

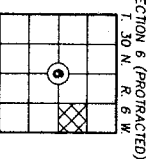
CURVE	RADIUS	LENGTH	DELTA
C1	100.00'	67.10'	38.76°45"
C2	200.00'	31.42'	90.00°16"
C3	150.00'	48.59'	104.44°08"
C4	150.00'	48.59'	29.43°54"
C5	50.00'	28.85'	89.43°54"
C6	50.00'	46.60'	33.73°43"
C7	50.00'	50.00'	64.32°42"
C8	50.00'	20.43'	104.44°08"
C9	50.00'	14.47'	16.54°57"
C10	20.00'	22.56'	64.37°23"
C11	20.00'	46.97'	38.76°45"
C12	20.00'	46.97'	38.76°45"
C13	20.00'	31.41'	69.59°44"

LEGEND: (UNLESS OTHERWISE INDICATED)

- EXTENSION OF SUBJECT PARCEL
- CENTERLINE OF STREET RIGHT OF WAY
- INTERIOR LOT BOUNDARY LINE
- STREET RIGHT OF WAY
- SHIRAZI STREET RIGHT OF WAY
- EASEMENT LINE
- BUILDING SETBACK LINE
- AREA DEDICATED TO CITY FOR PUBLIC STREET RIGHT OF WAY
- STREET CENTERLINE MONUMENT, AS INDICATED
- SET 1/2" REBAR WITH PLASTIC CAP STAMPED
- ZENOVIC & ASSOC. PLS 28071, SET ON 1/2" REBAR
- ZENOVIC & ASSOC. PLS 28071, SET ON 1/2" REBAR
- STREET ADDRESS
- NOTE: ALL CONTROLLING MONUMENTS FOUND 10/04, UNLESS OTHERWISE INDICATED.

SURVEYOR'S CERTIFICATE:
I, BRADLEY R LYANNGROVER, REGISTERED AS A LAND SURVEYOR BY THE STATE OF WASHINGTON, CERTIFY THAT THIS LAND SUBDIVISION IS BASED ON AN ACTUAL SURVEY OF MY SUPERVISION, AND I DECLARE THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN HEREON CORRECTLY, AND THAT MONUMENTS HAVE BEEN SET AS DEPICTED ON THE PLAT.

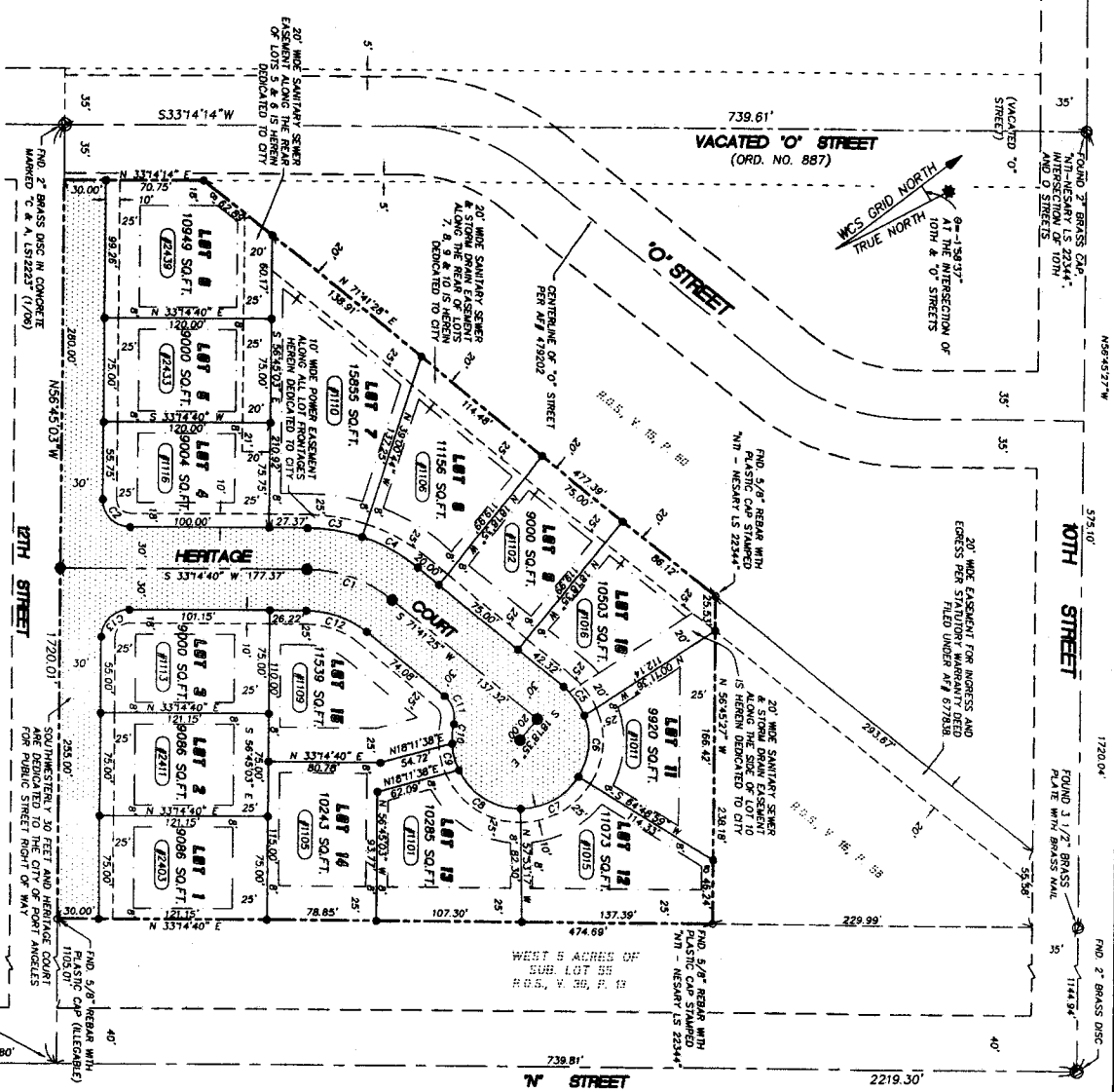
BRADLEY R LYANNGROVER, PLS 28071
DATE: 6/13/07



AUDITOR'S CERTIFICATE:
FILED FOR RECORD THIS 12th DAY OF July 2007,
AT 12 P.M. IN VOLUME 15 OF PLATS, AT PAGE 31
AT THE REQUEST OF ZENOVIC & ASSOCIATES, INC.

Karen Miller
AUDITOR'S FILE NUMBER: 2807-1204999
COUNTY AUDITOR
DNWS: 05383/SURVEY/20/05383 PLAT/DWC/05383RN.DWG

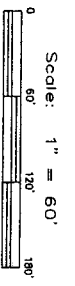
ZENOVIC & ASSOCIATES
301 E. SIXTH ST., STE. 1
PORT ANGELES, WA 98342
PHONE: (360) 917-0510
FAX: (360) 917-0514
DATE: 6/13/07
JOB# 02363



BASIS OF BEARINGS:
WASHINGTON STATE COORDINATE SYSTEM, NORTH ZONE, (NAD 83) HAS DETERMINED FROM FIELD MEASUREMENTS (MAGNETIC MONUMENTS OBSOLETE) AND ELECTRONIC CONTROL MONUMENTS OBSOLETE AND MONUMENTS BEING SHOWN ON RECORD OF SURVEY IN VOLUME 34 OF SURVEYS, PAGE 22 UNDER A.F. 730242.

PROCEDURES:
THIS RECORD OF SURVEY IS BASED ON A GROUND SURVEY UTILIZING CONVENTIONAL TRAVERSE METHODS. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS CONTAINED IN WAC 52A-150-090.

EQUIPMENT:
TOPCON® MODEL GTS 605 5" TOTAL STATION, TRIMBLE® MODEL S6 3" ROBOTIC TOTAL STATION, DATE OF SURVEY: MAY, 2007



Scale: 1" = 60'

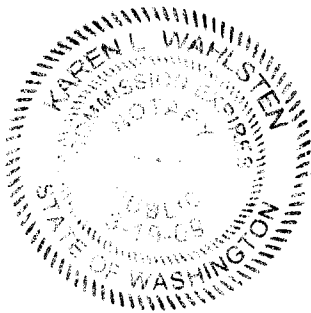
DATE OF SURVEY: MAY, 2007

STATE OF WASHINGTON
County of CLALLAM

On this 7TH day of AUGUST, 2007, personally appeared RICK ANDERSON to me known to be the individual described in and who executed the within and foregoing instrument, and on oath stated that he was authorized to execute the instrument and acknowledged it as the TRUSTEE of L.B.R. CONSTRUCTION PSP PLAN to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal the day and year last above written.

Karen Wahlsten



KAREN L. WAHLSTEN, NOTARY PUBLIC
In and for the State of WASHINGTON
Residing at PORT ANGELES
My appointment expires: 8/19/09