



200103090308

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03/09/2001 04:04P

PACIFIC NW TITLE

COVEN \$13.00 Kitsap Co, WA

**AFTER RECORDING RETURN TO:**

Samson Family Land Co., LLC  
149 Finch Place, Suite 4  
Bainbridge Island, WA 98110

PNW132056614

**DECLARATION OF COVENANT**

Grantor: Samson Family Land Co., LLC

Grantee: ~~Owners of Property described in Exhibits A and C~~

Legal Description: Lot O of West Blakely BLA  
Recording #3194250  
Sec. 3, T.24N, R.2E, W.M.

Assessor's Tax Number: 102402-1-008-2004

Reference Numbers of Documents Released or Assigned: N/A

This Declaration of Covenant ("Covenant") is executed and made effective this 7<sup>th</sup> day of March, 2001 by, SAMSON FAMILY LAND CO., LLC (Declarant), as the Owner of land situated within the City of Bainbridge Island, Kitsap County, Washington, legally described in Exhibit A ("Real Property"), to hereby impose the following covenant upon the Real Property.

**RECITALS**

- A. Declarant is the present owner of the Real Property, which consists of 1 parcel totaling 5.89 acres and is commonly described as Lot O of West Blakely BLA Recording # 3194250.

B. Declarant desires to subject the Real Property to the terms, provisions, limitations, restrictions, and conditions set forth in this Covenant for the benefit of the present and future owners of the Real Property, and their respective heirs, successors, assigns and grantees.

NOW, THEREFORE, Declarant hereby declares, acknowledges, covenants, and agrees that the following covenants, restrictions and conditions shall bind the Real Property.

1. Declaration of Covenant. Declarant, for itself and its heirs, successors, assigns, and grantees, and all persons and entities having or acquiring any interest in any portion of the Real Property, hereby declares, acknowledges, covenants, and agrees that the Real Property shall be held, sold, and conveyed subject to the terms, provisions, limitations, restrictions, and conditions of this Covenant. Declarant hereby covenants that said property shall not be divided or redivided. Therefore, Lot O is restricted from being divided or redivided.

2. Binding Effect. This Covenant and all of its terms, provisions, limitations, restrictions and conditions (1) shall run with the land and burden, bind, and benefit the Real Property, and (2) shall bind the owners of the Real Property, and their respective heirs, successors, and assigns.

3. Benefited Parcels. The "Benefited Parcels" are those parcels L and M of the enclosed drawings Exhibit B (032402-4-023-2008 and 102402-1-007-2005) and legally described in Exhibit C. This Covenant and all of its terms, provisions, limitations, restrictions and conditions shall run with the land and benefit and are enforceable by the Benefited Parcels and their respective heirs, successors, and assigns.

4. Attorneys' Fees. If any legal action is brought to enforce any part of this Declaration of Covenant and Agreement, then the prevailing party shall be entitled to reimbursement for reasonable attorneys' fees and costs incurred, including any fees and costs incurred on appeal.

5. Recording. This Covenant shall be recorded with the Kitsap County Auditor's office.



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DECLARANT

Kelly  
SAMSON FAMILY LAND CO. LLC

EXHIBITS

Exhibit A – Legal Description of Parcel O

Exhibit B – Map of Benefited Parcels

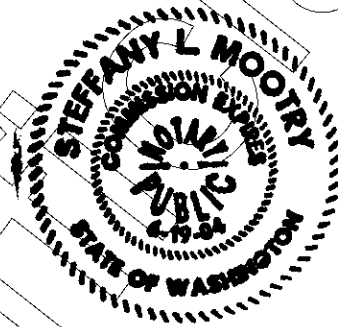
Exhibit C – Legal Descriptions of Parcels L and M

STATE OF WASHINGTON )

) ss:

COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Kelly Samson is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument on behalf of Samson Family Land Co., LLC, pursuant to the provisions of the limited liability corporation and acknowledged said instrument to be the free and voluntary act of said limited liability corporation for the uses and purposes mentioned in said instrument.



Dated March 7, 2001

NAME: Steffany Mootry

Notary Public in and for the State of Washington. Bremerton, WA

Commission Expires: 06/19/04



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EXHIBIT "A"

**RESULTANT PARCEL O (Port Blakely Tree Farms, L.P.)**

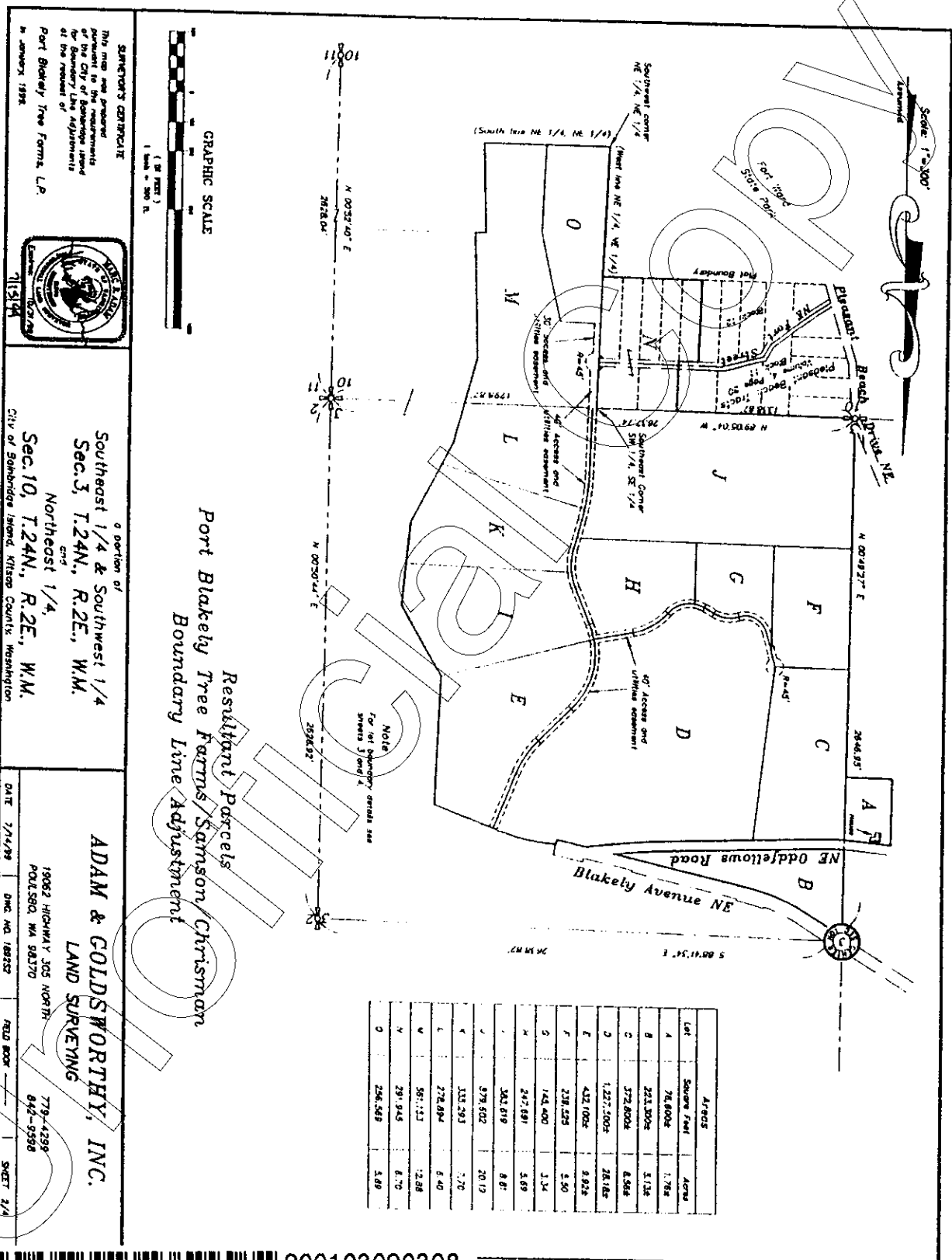
That portion of the Northeast quarter of the Northeast quarter of Section 10, Township 24 North, Range 2 East, W.M., City of Bainbridge Island, Kitsap County, Washington, described as follows:

Beginning at the North quarter corner of said Section 10;  
Thence along the North line of said Section 10, South  $89^{\circ}05'04''$  East 1318.87 feet to the Northwest corner of said Northeast quarter of the Northeast quarter of Section 10, also being the Northeast corner of Block 11 of the plat of Pleasant Beach Tracts as recorded in Volume 4, Page 20 of plats, records of Kitsap County;  
Thence along the East line of said Block 11 and Block 12 of said plat, South  $01^{\circ}53'24''$  West 425.40 feet to the True Point of Beginning;  
Thence continuing South  $01^{\circ}53'24''$  West 237.97 feet to a concrete monument at the Southeast corner of said Block 12;  
Thence South  $02^{\circ}15'26''$  West 662.03 feet to a concrete monument at the Southwest corner of said Northeast quarter of the Northeast quarter of said Section 10;  
Thence along the South line of said subdivision, South  $89^{\circ}33'25''$  East 315.00 feet;  
Thence North  $02^{\circ}15'26''$  East 450.00 feet;  
Thence North  $12^{\circ}30'55''$  West 456.39 feet;  
Thence North  $88^{\circ}06'36''$  West 200.00 feet to the True Point of Beginning.

Subject to and Together with easements, restrictions and reservations of record



# EXHIBIT "B"



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Kitsap Co, WA

PACIFIC NW TITLE

COVER \$13.00

EXHIBIT "C"

**RESULTANT PARCEL L (Port Blakely Tree Farms, L.P.)**

That portion of the Southeast quarter of the Southeast quarter of Section 3, Township 24 North, Range 2 East, W.M., City of Bainbridge Island, Kitsap County, Washington, described as follows;

Beginning at the South quarter corner of said Section 3;  
Thence along the South line of said Section 3, South 89°05'04" East 1338.87 feet to the True Point of Beginning;  
Thence continuing, South 89°05'04" East 634.16 feet;  
Thence North 14°32'30" East 201.82 feet;  
Thence North 27°22'26" East 122.00 feet;  
Thence North 73°29'14" West 738.55 feet;  
Thence Southerly on a 1000.00 foot radius curve to the left, the center of which bears South 77°48'07" East through a central angle of 10°18'29", an arc distance of 179.91 feet;  
Thence South 01°53'24" West 325.34 feet to the South line of said Section 3 and the True Point of Beginning.

**RESULTANT PARCEL M (Port Blakely Tree Farms, L.P.)**

That portion of the Northeast quarter of the Northeast quarter of Section 10, Township 24 North, Range 2 East, W.M., City of Bainbridge Island, Kitsap County, Washington, described as follows:

Beginning at the North quarter corner of said Section 10;  
Thence along the North line of said Section 10, South 89°05'04" East 1318.87 feet to the Northwest corner of said Northeast quarter of the Northeast quarter of Section 10, also being the Northeast corner of Block 11 of the plat of Pleasant Beach Tracts as recorded in Volume 4, Page 20 of plats, records of Kitsap County and the True Point of Beginning;  
Thence along the East line of said Block 11 and Block 12 of said plat, South 01°53'24" West 425.40 feet;  
Thence leaving said East line, South 88°06'36" East 200.00 feet;  
Thence South 12°30'55" East 456.39 feet;  
Thence South 02°15'26" West 450.00 feet to the South line of the Northeast quarter of the Northeast quarter of said Section 10;  
Thence along said South line, South 89°33'25" East 308.91 feet;  
Thence North 01°38'14" West 460.30 feet;  
Thence South 89°33'25" East 50.03 feet;  
Thence North 01°38'14" West 630.84 feet;  
Thence North 14°32'30" East 236.15 feet to the North line of said Section 10;  
Thence along said North line, North 89°05'04" West 654.17 feet to the True Point of Beginning.