



RECORDED AT THE REQUEST OF:

Summit Properties, Inc.  
12720 E. Nora Ave., Suite E  
Spokane Valley, WA 99216-1197

**DECLARATION OF ANNEXATION**

**BELLEAIRE 1ST ADDITION**

**SPOKANE COUNTY, WASHINGTON**

Parcel Number: 55302.9098  
Abbreviated Legal: 30 25 45 NE ¼ of NW ¼

**THIS DECLARATION OF ANNEXATION** is made, entered into and becomes effective on the date hereof as set forth below, by **SUMMIT PROPERTIES, INC.**, a Washington State Corporation (hereinafter referred to as "Grantor"), with reference to the following facts:

A) Grantor is the sub-divider and developer of a certain tract of land, which land is located in Spokane County, Washington, commonly known as **MORNINGSIDE HEIGHTS 5th ADDITION** and **BRIGADOON ADDITION**; developments of numerous residential lots, which development is governed by that certain "Declaration of Covenants, Conditions and Restrictions, recorded November 7, 2011 and bearing Spokane County Auditor's File No. 6042426

B) Grantor is also the owner of a certain additional tract of land near and/or adjoining the property described on Exhibit "A", which will be platted by Grantor as **BELLEAIRE 1ST ADDITION**, but which has not previously been subjected to said Declaration. Said other land is legally described on Exhibit "A" attached hereto and incorporated herein by this reference. Said other land consists of numerous residential lots, along with the dedicated roadways, (**BELLEAIRE 1ST ADDITION**).

C) Grantor desires to annex said other land known as **BELLEAIRE 1ST ADDITION** to the original **Morningside Heights 5th Addition/Brigadoon Addition** land and subject it to the Declaration as provided in this Declaration of Annexation.

**NOW THEREFORE**, Grantor hereby declares and covenants as follows:

1. That, in accordance with the rights reserved to Grantor in the Declaration, **BELLEAIRE 1ST ADDITION** is hereby made subject to the Declaration and shall for all purposes be part of the **Morningside Heights 5th Addition** and **Brigadoon Addition** Subdivisions, effective upon the date that this document is recorded. **BELLEAIRE 1ST ADDITION** shall be held, conveyed, mortgaged, encumbered, leased, rented, used, occupied, sold and improved, subject to and in accordance with all of the terms, covenants and provisions which have been set forth in the Declaration, all of which are for the purpose of enhancing and protecting the value and attractiveness of **BELLEAIRE 1ST ADDITION**, as well as **Morningside Heights 5th Addition** and **Brigadoon Addition**, and to facilitate management and control of the common areas located in said developments. All of the limitations, covenants, conditions, restrictions and easements set forth in this Declaration shall constitute limitations, covenants, conditions, restrictions and encumbrances which shall run with **BELLEAIRE 1ST ADDITION** and shall be perpetually binding upon Grantor and its respective successors-in-interest and assigns and all parties having or acquiring any right, title or interest in or to any part of **BELLEAIRE 1ST ADDITION**.

R. E. Excise Tax Exempt  
Date 9-26 2016  
Spokane County Treas.  
By *in*

2. Grantor hereby grants to all Owners of Lots in **BELLEAIRE 1ST ADDITION** all rights and easements which were granted to Owners of Lots in **Morningside Heights 5th Addition** and **Brigadoon Addition**, which rights and easements are reserved to Grantor in the Declaration for the benefit of all said Lot Owners. Grantor also hereby reserves from all Owners of Lots in **BELLEAIRE 1ST ADDITION**, and grants to the Owners of Lots in **Morningside Heights 5th Addition** and **Brigadoon Addition**, all rights and easements which were reserved to Grantor under the Declaration and the Plat.

3. Without limiting the generosity of the foregoing, Grantor, for each Lot owned within **BELLEAIRE 1ST ADDITION**, hereby covenants and each Owner of any Lot within **Morningside Heights 5th Addition** and **Brigadoon Addition** by acceptances of a deed therefore, is hereby deemed to covenant and agree to pay to the Association regularly assessments or charges and special assessments for capital improvements and unexpected expenses or reconstruction assessments, all according to the Declaration.

4. All property and Lots within **Morningside Heights 5th Addition** and **Brigadoon Addition**, **Morningside Heights 6<sup>th</sup>**, **Morningside Heights 7<sup>th</sup>**, **Belleaire** and **BELLEAIRE 1ST ADDITION** shall hereafter have reciprocal non-exclusive easements and rights of use as to any of the roadways or streets and common areas, as may be depicted on the plats of **Morningside Heights 5th Addition** and **Brigadoon Addition** and **BELLEAIRE 1ST ADDITION**.

5. From the effective date hereof, **Morningside Heights 5th Addition** and **Brigadoon Addition**, **Morningside Heights 6<sup>th</sup>**, **Morningside Heights 7<sup>th</sup>**, **BELLEAIRE**, and **BELLEAIRE 1ST ADDITION** shall be considered as one development of property in all respects as to application of the Declaration.

The undersigned has executed this Declaration of Annexation as of September, 2016.

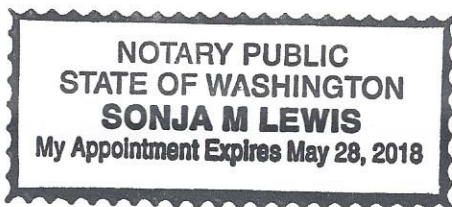
**SUMMIT PROPERTIES, INC. (Declarant)**

Terri Dahm  
**Terri Dahm, President**

STATE OF WASHINGTON    )  
  ) ss.  
COUNTY OF SPOKANE    )

On this 26<sup>th</sup> of September, 2016, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared RICHARD T. DAHM, to me known to be the President of SUMMIT PROPERTIES, INC., the Washington State Corporation that executed the foregoing instrument, and acknowledged the said instrument to be his free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Sonja M Lewis  
Notary Public Sonja M Lewis  
In and for the State of Washington,  
Residing in Spokane  
My Commission Expires: May 28, 2018

DecAnnexBELLEAIRE 1ST ADDITION



**EXHIBIT "A"**

**LEGAL DESCRIPTION  
BELLEAIRE 1ST ADDITION**

A parcel of land being a portion of Section 30, Township 25 North, Range 44 East, WM, County of Spokane, State of Washington, more particularly described as follows:

**COMMENCING AT** the North Quarter corner of said Section 30, from which a 1/2" iron pipe marking the Center-Section corner of said Section bears South 00°33'01" West;

Thence South 00°33'01" West along said Center-Section line a distance of 582.53 feet to the Northeast corner of Lot 6, Block 4, of the Final Plat of BELLEAIRE, recorded in Book 38 of Plats, Pages 34 and 35, being the **TRUE POINT OF BEGINNING**;

Thence South 59°23'01" West along the North line of said Lot 6, a distance of 245.46 feet to the East right of way line of Incline Drive;

Thence South 63°34'16" West a distance of 38.00 feet to the West right of way line of said Incline Drive;

Thence South 26°25'44" East along the West line of said Incline Drive, a distance of 38.00 feet to the most Northerly corner of Lot 11, Block 3 of said Final Plat;

Thence South 63°34'16" West along the North line of said Lot 11, a distance of 130.00 feet;

Thence North 26°25'44" West a distance of 141.92 feet;

Thence North 31°01'56" West a distance of 70.48 feet;

Thence North 33°54'55" West a distance of 62.82 feet;

Thence North 39°52'41" West a distance of 70.38 feet;

Thence North 46°04'43" West a distance of 68.51 feet;

Thence North 51°08'16" West a distance of 64.76 feet;

Thence North 51°21'21" West a distance of 74.18 feet;

Thence North 34°44'05" East a distance of 125.80 feet;

Thence North 55°15'55" West a distance of 3.65 feet;

Thence North 34°44'05" East a distance of 38.00 feet;

Thence along a non-tangent curve to the right having a radius of 20.00 feet, through a central angle of 96°32'04" (the long chord of which bears North 06°59'53" West a distance of 29.85 feet) with a radial line in of North 34°44'05" East and a radial line out of North 48°43'52" West for an arc length of 33.70 feet;

Thence along a compound curve to the right with a radius of 136.00 feet, through a central angle of 50°53'06" (the long chord of which bears North 66°42'41" East a distance of 116.85 feet), for an arc length of 120.78 feet;

Thence South 87°50'46" East a distance of 102.52 feet;

Thence along a tangent curve to the right with a radius of 281.00 feet, through a central angle of 10°37'46" (the long chord of which bears South 82°31'53" East a distance of 52.06 feet), for an arc length of 52.13 feet;

Thence South 39°49'16" East a distance of 243.79 feet;

Thence South 00°32'35" West a distance of 105.07 feet;

Thence South 44°24'44" East a distance of 93.22 feet;

Thence South 86°20'43" East a distance of 114.23 feet to a point on the Center-Section line;

Thence South 00°33'01" West along said Center-Section line a distance of 30.00 feet to the **TRUE POINT OF BEGINNING.**

**CONTAINING:** approximately 213,523 square feet or 4.90 acres of land, more or less.