

MAY 9, 2019

KITTITAS COUNTY BUILDING DEPT

REF: SHADOW WING RANCH  
LAND USE ACTION PROPOSAL  
# CU-19-00001

SUBJ: LETTER

ATTN: PROTECTIVE COVENANTS  
MAP TO LOT OWNERS  
KITTITAS COUNTY ASSESSOR  
REPORT ON OWNERS

EX43

April 29, 2019

Kittitas County Building Department  
411-North Ruby Street, Suite 2  
Ellensburg, WA 98926

Ref: Shadow Wing Ranch land use action proposal #CU-19-00001

Subj; Protective Covenants for 12 Parcel / 20 Lots, By David Duncan & Son,  
Filed; Kittitas County Auditor--N.W. Title Co. LTD. #200602080030  
Notory 02-08-2006

To Whom it May Concern,

The applicant seeks a Conditional Use Permit to operate Shadow Wing Ranch as a riding academy on the Property 6B Duncan Plat.

Attachment;

- A) Protetive Covenants
- B) Map---20 Lot owners
- C) Kittitas County Assessor Report on Owners

Please read Protetive Covenants on page 7 of 8, ITEM 3 ENFORCEMENT:MISCELLANEOUS

3.1—In the event there is a violation-----cont.

3.2—In the event any suit brought to enforce the terms and conditions of these Covenants results  
In a monetary judgment against a lot owner-----cont.

3.3---Venue for any proceeding shall be in Kittitas County, Wa.

3.4---Amendment to these covenants shall be by unanimous consent of the lot owners.

Amendments shall be in writing, executed by the then lot owners, and recorded in the same  
Manner as these Covenants. A purchaser under a real estate contract or other similar  
Document shall be considered to be an owner for this purpose.

3.5---Should and mortgage, deed of trust, -----cont.

3.6---The provisions hereof shall be deemed independent and severable and-----cont.

NONE OF ABOVE HAS BEEN DONE OR APROVED BY THE OWNERS

Lot Owners Names;

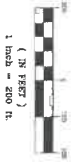
- |                          |                        |
|--------------------------|------------------------|
| 1)---Calhoun             | 7)---Duncan David Jr.  |
| 2)---Briggs              | 8)---Micallef          |
| 3)---Church Inc.         | 9)---Bugni PJ & Tammie |
| 4)---Duncan Todd         | 10)---Fox Tony         |
| 5)---Duncan Holly        | 11)---Wallace Jeff     |
| 6)---Duncan David & Sons | 12)---Radich Mike      |

Sincerely,



Nancy & Mike Radich  
4401-Cove Road  
Ellensburg, WA 98926

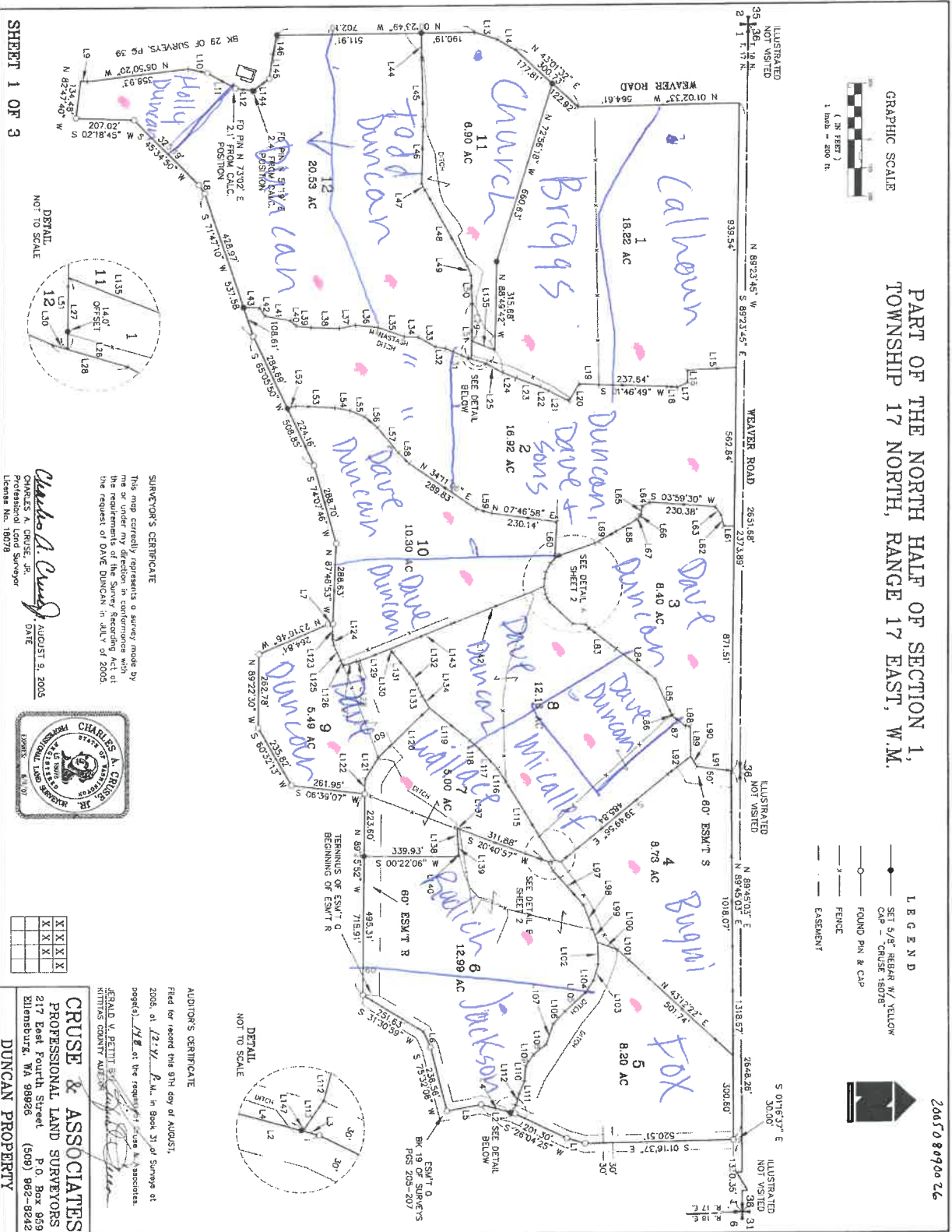
GRAPHIC SCALE



PART OF THE NORTH HALF OF SECTION 1,  
TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M.

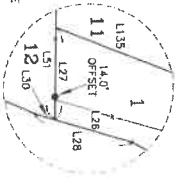
20017080900 26

31-148



SHEET 1 OF 3

DETAIL  
NOT TO SCALE



**SURVEYOR'S CERTIFICATE**  
This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of DAVE DUNCAN in JULY of 2005.

*Charles A. Cruse, Jr.*  
Professional Land Surveyor  
License No. 10878

DATE: AUGUST 9, 2005



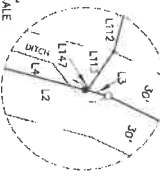
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X

**CRUSE & ASSOCIATES**  
PROFESSIONAL LAND SURVEYORS  
217 East Fourth Street  
Blensburg, VA 98826 (509) 962-8242  
DUNCAN PROPERTY

**AUDITOR'S CERTIFICATE**  
Filed for record this 9th day of AUGUST, 2006, at 12:11 P.M., in Book 37 of Surveys of page 178, at the request of Cruse & Associates.

*KEALD V. PETTI*  
INITIALS COUNTY AUDITOR

DETAIL  
NOT TO SCALE



20 lots



Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

Assessor Treasurer Appraisal MapSifter

LOT #1A

Parcel

Parcel#: 951955 Owner Name: CALHOUN, RYAN C & ASHLEY R  
 DOR Code: 83 - Resource - Agriculture Current Use Address1:  
 Situs: 4930 WEAVER RD ELLENSBURG Address2: 4930 WEAVER RD  
 Map Number: 17-17-01052-0001 City, State: ELLENSBURG WA  
 Status: Zip: 98926  
 Description: ACRES 9.86; BRIGGS SHORT PLAT 06-55, PTNS OF LOTS 1A & 1B; SEC 01, TWP 17, RGE 17  
 Comment: BLA WITH 17-17-01052-0002, 09 FOR 10

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$107,440	Land:	\$56,140	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$120,750	Improvements:	\$120,750	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
Total	\$228,190	Total	\$176,890	Total Acres:	9.86000



Ownership

Owner's Name	Ownership %
CALHOUN, RYAN C & ASHLEY R	100 %

Sales History

Sale Date	Sales Document #	Parcels	Excise #	Grantor	Grantee	Price
03/24/14	2014-0442	1	2014-0442	DUNCAN, CLINTON M ETUX ETAL	CALHOUN, RYAN C & ASHLEY R	\$145,000
01/16/14	2014-0075	1	2014-0075	STEWART, RANDALL M & GRETA S	DUNCAN, CLINTON M ETUX ETAL	\$145,000
06/22/13	2013-1001	1	2013-1001	BRIGGS, ROXANNE D	STEWART, RANDALL M & GRETA S	\$110,000

Building Permits

Permit No.	Date	Description	Amount
2018-00910	11/20/2018	SOLAR	
2014-00129	4/29/2014	100%-SFR 900 SQFT, GARAGE 900 SQFT	\$114,219.00

Historical Valuation Info

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	CALHOUN, RYAN C & ASHLEY R	\$107,440	\$120,750	\$0	\$228,190	\$0	\$176,890
2018	CALHOUN, RYAN C & ASHLEY R	\$107,440	\$105,900	\$0	\$213,340	\$0	\$162,040
2017	CALHOUN, RYAN C & ASHLEY R	\$107,440	\$105,900	\$0	\$213,340	\$0	\$162,040
2016	CALHOUN, RYAN C & ASHLEY R	\$107,440	\$105,900	\$0	\$213,340	\$0	\$162,040
2015	CALHOUN, RYAN C & ASHLEY R	\$107,440	\$850	\$0	\$108,290	\$0	\$10,130

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Parcel Comments

Date	Comment
04/20/10	BLA WITH 17-17-01052-0002, 09 FOR 10
11/29/06	CREATE BRIGGS SHORT PLAT 06-55 FROM 17-17-01000-0003 & 17-17-01000- 0040; 06 FOR 07

Property Images



Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

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*LOT#1 B*

### Parcel

Parcel#: 951956 Owner Name: BRIGGS, ROXANNE D  
 DOR Code: 83 - Resource - Agriculture Current Use Address1:  
 Situs: WEAVER RD ELLENSBURG Address2: 1705 N OHIO ST  
 Map Number: 17-17-01052-0002 City, State: ELLENSBURG WA  
 Status: Zip: 98926-2591  
 Description: ACRES 8.36; BRIGGS SHORT PLAT 06-55, PTNS OF LOTS 1A & 1B; SEC 01, TWP 17, RGE 17  
 Comment: BLA WITH 17-17-01052-0001, 09 FOR 10

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$101,440	Land:	\$10,600	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$0	Improvements:	\$0	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
<b>Total</b>	<b>\$101,440</b>	<b>Total</b>	<b>\$10,600</b>	<b>Total Acres:</b>	<b>8.36000</b>

### Ownership

Owner's Name	Ownership %
BRIGGS, ROXANNE D	100 %

### Sales History

~~No Sales History~~

### Building Permits

No Building Permits Available

### Historical Valuation Info

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	BRIGGS, ROXANNE D	\$101,440	\$0	\$0	\$101,440	\$0	\$10,600
2018	BRIGGS, ROXANNE D	\$101,440	\$0	\$0	\$101,440	\$0	\$10,600
2017	BRIGGS, ROXANNE D	\$101,440	\$0	\$0	\$101,440	\$0	\$10,600
2016	BRIGGS, ROXANNE D	\$101,440	\$0	\$0	\$101,440	\$0	\$10,600
2015	BRIGGS, ROXANNE D	\$101,440	\$0	\$0	\$101,440	\$0	\$10,600

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### Parcel Comments

Date	Comment
04/20/10	BLA WITH 17-17-01052-0001, 09 FOR 10
11/29/06	CREATE BRIGGS SHORT PLAT 06-55 FROM 17-17-01000-0003 & 17-17-01000- 0040; 06 FOR 07

### Property Images

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Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

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LOT # 11

**Parcel**

Parcel#: 21962 Owner Name: GREAT ROUND-UP COVENANT  
 DOR Code: 83 - Resource - Agriculture Current Use Address1: CHURCH INC  
 Situs: 5270 WEAVER RD ELLENSBURG Address2: 5270 WEAVER RD  
 Map Number: 17-17-01000-0039 City, State: ELLENSBURG WA  
 Status: Zip: 98926-6711  
 Description: ACRES 6.90; PTN NE1/4; SEC 1, TWP 17, RGE 17 (LOT 11, B31/P148-150)  
 Comment:

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$95,600	Land:	\$54,650	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$148,070	Improvements:	\$148,070	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
Total	\$243,670	Total	\$202,720	Total Acres:	6.90000

**Ownership**

Owner's Name	Ownership %
GREAT ROUND-UP COVENANT	100 %

**Sales History**

Sale Date	Sales Document	# Parcel	Excise #	Grantor	Grantee	Price
03/24/06	2006-657	1	2006-657	POSADA, MICHAEL J	GREAT ROUND-UP COVENANT	\$162,000
02/16/06	2006-361	1	2006-361	DUNCAN, DAVE & SONS LTD &	POSADA, MICHAEL J	\$125,000

**Building Permits**

Permit No.	Date	Description	Amount
2016-00727	11/7/2016	REROOF	
2006-8304	3/20/2007	EXP-3100 SQ FT BARN	\$53,940.00
2006-8328	3/20/2007	CK19 - 40% CMPLT-6072 SQ FT SFR	\$434,940.00
2006-7994	8/15/2006	100%-1200 SQ FT HAY STORAGE	\$8,280.00

**Historical Valuation Info**

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	GREAT ROUND-UP COVENANT	\$95,600	\$148,070	\$0	\$243,670	\$0	\$202,720
2018	GREAT ROUND-UP COVENANT	\$95,600	\$128,760	\$0	\$224,360	\$0	\$183,410
2017	GREAT ROUND-UP COVENANT	\$95,600	\$100,710	\$0	\$196,310	\$0	\$155,360
2016	GREAT ROUND-UP COVENANT	\$95,600	\$100,710	\$0	\$196,310	\$0	\$155,360
2015	GREAT ROUND-UP COVENANT	\$95,600	\$100,710	\$0	\$196,310	\$0	\$155,360

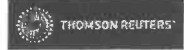
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**Parcel Comments**

No Comments Available

**Property Images**

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Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

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LOT# 12A

### Parcel

Parcel#: 951957 Owner Name: DUNCAN, TODD R  
 DOR Code: 83 - Resource - Agriculture Current Use Address1:  
 Situs: WEAVER RD ELLENSBURG Address2: PO BOX 39  
 Map Number: 17-17-01052-0003 City, State: ELLENSBURG WA  
 Status: Zip: 98926-1909  
 Description: ACRES 8.62; BRIGGS SHORT PLAT 06-55, LOT 12A; SEC 01; TWP 17; RGE 1 17  
 Comment: CREATE BRIGGS SHORT PLAT 06-55 FROM 17-17-01000-0003 & 17-17-01000- 0040; 06 FOR 07

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$102,480	Land:	\$58,870	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$224,520	Improvements:	\$224,520	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
Total	\$327,000	Total	\$283,390	Total Acres:	8.62000

### Ownership

Owner's Name	Ownership %
DUNCAN, TODD R	100 %

### Sales History

No Sales History

### Building Permits

Permit No.	Date	Description	Amount
2015-00263	6/2/2015	100% CMPLT-MAIN FLOOR 1785 SQFT, GARAGE/SHOP 1671 SQFT, OPEN CVRD WALKWAY 768 SQFT	\$235,538.00

### Historical Valuation Info

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	DUNCAN, TODD R	\$102,480	\$224,520	\$0	\$327,000	\$0	\$283,390
2018	DUNCAN, TODD R	\$102,480	\$194,620	\$0	\$297,100	\$0	\$253,490
2017	DUNCAN, TODD R	\$102,480	\$141,330	\$0	\$243,810	\$0	\$200,200
2016	DUNCAN, TODD R	\$102,480	\$0	\$0	\$102,480	\$0	\$12,290
2015	DUNCAN, TODD R	\$102,480	\$0	\$0	\$102,480	\$0	\$12,290

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### Parcel Comments

Date	Comment
11/29/06	CREATE BRIGGS SHORT PLAT 06-55 FROM 17-17-01000-0003 & 17-17-01000- 0040; 06 FOR 07

### Property Images

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Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

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LOT # 12 B

### Parcel

Parcel#: 959276 Owner Name: DUNCAN, HOLLY LYNNE  
 DOR Code: 83 - Resource - Agriculture Current Use Address1:  
 Situs: WEAVER RD ELLENSBURG Address2: 5590 WEAVER RD  
 Map Number: 17-17-01052-0005 City, State: ELLENSBURG WA  
 Status: Zip: 98926-7911  
 Description: ACRES 2.06; BRIGGS SHORT PLAT 06-55, PTN LOT 12B; SEC 01, TWP 17, RGE 17  
 Comment: SEG PER COURT CASE 13-3-00017-9 FROM 17-17-01052-0004 (P#951958), 14 FOR 15

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$48,600	Land:	\$2,350	District:	22 - COR SD401 F02: F02B H01 CO COF ST
Improvements:	\$0	Improvements:	\$0	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
Total	\$48,600	Total	\$2,350	Total Acres:	2.06000

### Ownership

Owner's Name	Ownership %
DUNCAN, HOLLY LYNNE	100 %

### Sales History

Sale Date	Sales Document	# Parcels	Excise #	Grantor	Grantee	Price
12/05/14	2014-2172	1	2014-2172	DUNCAN, TODD R	DUNCAN, HOLLY LYNNE	\$0

### Building Permits

No Building Permits Available

### Historical Valuation Info

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	DUNCAN, HOLLY LYNNE	\$48,600	\$0	\$0	\$48,600	\$0	\$2,350
2018	DUNCAN, HOLLY LYNNE	\$48,600	\$0	\$0	\$48,600	\$0	\$2,350
2017	DUNCAN, HOLLY LYNNE	\$48,600	\$0	\$0	\$48,600	\$0	\$2,350
2016	DUNCAN, HOLLY LYNNE	\$48,600	\$0	\$0	\$48,600	\$0	\$2,350
2015	DUNCAN, HOLLY LYNNE	\$8,240	\$0	\$0	\$8,240	\$0	\$2,350

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### Parcel Comments

Date	Comment
12/23/14	SEG PER COURT CASE 13-3-00017-9 FROM 17-17-01052-0004 (P#951958), 14 FOR 15

### Property Images

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Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

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LOT 2<sup>A</sup>

### Parcel

Parcel#: 954065 Owner Name: ~~DUNCAN, DAVE & SONS LTD~~  
 DOR Code: 83 - Resource - Agriculture Current Use Address1:  
 Situs: WEAVER RD ELLENSBURG Address2: 4630 WEAVER RD  
 Map Number: 17-17-01053-0001 City, State: ELLENSBURG WA  
 Status: Zip: 98926  
 Description: ACRES 11.92; WEST VALLEY SHORT PLAT 07-75, LOT 2A; SEC 01, TWP 17, RGE 17  
 Comment: CREATED NEW SHORT PLAT FROM PARENT PARCEL 17-17-01000- 0004, 07 FOR 08

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$115,680	Land:	\$13,610	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$507,500	Improvements:	\$507,500	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
Total	\$623,180	Total	\$521,110	Total Acres:	11.92000

### Ownership

Owner's Name	Ownership %
DUNCAN, DAVE & SONS LTD	100 %

### Sales History

Sale Date	Sales Document	# Parcels	Excise #	Grantor	Grantee	Price
09/09/09	2009-1212	11	2009-1212	DUNCAN, KAREN LEE	DAVE DUNCAN & SONS LTD	\$0
07/09/09	07-3-00209-6	15	07-3-00209-6	DUNCAN, KAREN LEE	DUNCAN, DAVID JOHN	\$0

### Building Permits

Permit No.	Date	Description	Amount
2015-00526	8/3/2015	CKRV SPLIT SYSTEM	
2008-00062	4/4/2008	100%-UTILITY RM 144 SQFT, CVRD PORCH 60 SQFT	\$14,506.00
2008-10567	1/15/2008	100%-DEMO	\$0.00

### Historical Valuation Info

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	DUNCAN, DAVE & SONS LTD	\$115,680	\$507,500	\$0	\$623,180	\$0	\$521,110
2018	DUNCAN, DAVE & SONS LTD	\$115,680	\$441,300	\$0	\$556,980	\$0	\$454,910
2017	DUNCAN, DAVE & SONS LTD	\$115,680	\$441,300	\$0	\$556,980	\$0	\$454,910
2016	DUNCAN, DAVE & SONS LTD	\$115,680	\$441,300	\$0	\$556,980	\$0	\$454,910
2015	DUNCAN, DAVE & SONS LTD	\$115,680	\$441,300	\$0	\$556,980	\$0	\$454,910

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### Parcel Comments

Date	Comment
03/28/08	CREATED NEW SHORT PLAT FROM PARENT PARCEL 17-17-01000- 0004, 07 FOR 08

### Property Images



Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

LOT# 3 B31

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**Parcel**

Parcel#: 10202 Owner Name: **DUNCAN, DAVID J JR ETUX**  
 DOR Code: 83 - Resource - Agriculture Current Use Address1:  
 Situs: 4530 WEAVER RD ELLENSBURG Address2: 4636 WEAVER RD  
 Map Number: 17-17-01000-0023 City, State: ELLENSBURG WA  
 Status: Zip: 98926  
 Description: ACRES 8.40, CD. 6974-1; SEC. 1; TWP. 17; RGE. 17; PTN. NE1/4; LOT 3 B31/P148-150  
 Comment: TO-11/01/05:LARGE SEG SEE ROUTING SLIP FOR INFO, 04 FOR 05, 05 FOR 06.(2)RM-8/11/99:98 BD STIPULATED AGREEMENT/98 VALUE BACK TO 96 VALUE. (1) 3/95, BDY ADJ & SEG WITH 17-17-0100-0003/-0020/-0004/-0024

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$101,600	Land:	\$10,020	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$264,640	Improvements:	\$264,640	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
<b>Total</b>	<b>\$366,240</b>	<b>Total</b>	<b>\$274,660</b>	Total Acres:	8.40000

**Ownership**

Owner's Name	Ownership %
DUNCAN, DAVID J JR ETUX	100 %

**Sales History**

Sale Date	Sales Document	# Parcels	Excise #	Grantor	Grantee	Price
04/14/06	2006-846	1	2006-846	DUNCAN, DAVE & SONS LTD &	DUNCAN, DAVID J JR ETUX	\$257,100

**Building Permits**

No Building Permits Available

**Historical Valuation Info**

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	DUNCAN, DAVID J JR ETUX	\$101,600	\$264,640	\$0	\$366,240	\$0	\$274,660
2018	DUNCAN, DAVID J JR ETUX	\$101,600	\$230,120	\$0	\$331,720	\$0	\$240,140
2017	DUNCAN, DAVID J JR ETUX	\$101,600	\$230,120	\$0	\$331,720	\$0	\$240,140
2016	DUNCAN, DAVID J JR ETUX	\$101,600	\$230,120	\$0	\$331,720	\$0	\$240,140
2015	DUNCAN, DAVID J JR ETUX	\$101,600	\$230,120	\$0	\$331,720	\$0	\$240,140

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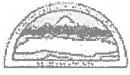
**Parcel Comments**

Date	Comment
12/06/05	7/08/99 -98 BD STIPULATED AGREEMENT TO INCL. REVAL OUT OF CYCLE.
12/06/05	TO-11/01/05:LARGE SEG SEE ROUTING SLIP FOR INFO, 04 FOR 05, 05 FOR 06.(2)RM-8/11/99:98 BD STIPULATED AGREEMENT/98 VALUE BACK TO 96 VALUE. (1) 3/95, BDY ADJ & SEG WITH 17-17-0100-0003/-0020/-0004/-0024

**Property Images**

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Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

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LOT# 8B

**Parcel**

Parcel#: 959407 Owner Name: MICALLEF, ERIC  
 DOR Code: 83 - Resource - Agriculture Current Use Address1:  
 Situs: 4330 WEAVER RD ELLENSBURG Address2: 4632 WEAVER RD  
 Map Number: 17-17-01054-0005 City, State: ELLENSBURG WA  
 Status: Zip: 98926-7906  
 Description: ACRES 3.13; SOUTH VALLEY SHORT PLAT 07-52, PTN LOT 8B; SEC 01, TWP 17, RGE 17  
 Comment: SEG FROM PARCEL 955424 (17-17-01054-0002) PER DISTRIBUTION OF ESTATE, SUPERIOR COURT # 14-4-00100-2, 15 FOR 16

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$65,300	Land:	\$3,360	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$0	Improvements:	\$0	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
Total	\$65,300	Total	\$3,360	Total Acres:	3.13000

**Ownership**

Owner's Name	Ownership %
MICALLEF, ERIC	100 %

**Sales History**

Sale Date	Sales Document	# Parcels	Excise #	Grantor	Grantee	Price
06/29/15	2015-1100	1	2015-1100	DUNCAN, KAREN L	MICALLEF, ERIC	\$0

**Building Permits**

No Building Permits Available

**Historical Valuation Info**

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	MICALLEF, ERIC	\$65,300	\$0	\$0	\$65,300	\$0	\$3,360
2018	MICALLEF, ERIC	\$65,300	\$0	\$0	\$65,300	\$0	\$3,360
2017	MICALLEF, ERIC	\$65,300	\$0	\$0	\$65,300	\$0	\$3,360
2016	MICALLEF, ERIC	\$44,520	\$0	\$0	\$44,520	\$0	\$3,360
2015	MICALLEF, ERIC	\$44,520	\$0	\$0	\$44,520	\$0	\$3,360

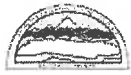
[View Taxes](#)

**Parcel Comments**

Date	Comment
07/13/15	SEG FROM PARCEL 955424 (17-17-01054-0002) PER DISTRIBUTION OF ESTATE, SUPERIOR COURT # 14-4-00100-2, 15 FOR 16
03/12/09	CREATED NEW SHORT PLAT FROM PARENT PARCELS 17-17-01000 -0036 AND 17-17-01000-0038, 08 FOR 09 AND 09 FOR 10

**Property Images**

No images found.



Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

[Assessor](#) [Treasurer](#) [Appraisal](#) [MapSifter](#)

*#*  
*LOT 4*

### Parcel

Parcel#: 21955 Owner Name: BUGNI, PETER J & TAMARA J  
 DOR Code: 83 - Resource - Agriculture Current Use Address1:  
 Situs: WEAVER RD ELLENSBURG Address2: 50 ASPEN DR  
 Map Number: 17-17-01000-0032 City, State: ELLENSBURG WA  
 Status: Zip: 98926-5513  
 Description: ACRES 8.73; PTN N1/2, SEC 01, TWP 17, RGE 17; (LOT 4, B31/P148-150)  
 Comment: TO-11/01/05:LARGE SEG SEE ROUTING SLIP FOR INFO, 04 FOR 05, 05 FOR 06.

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$114,920	Land:	\$9,960	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$0	Improvements:	\$0	Current Use/DFL:	Yes
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
<b>Total</b>	<b>\$114,920</b>	<b>Total</b>	<b>\$9,960</b>	Total Acres:	8.73000

### Ownership

Owner's Name	Ownership %
BUGNI, PETER J & TAMARA J	100 %

### Sales History

Sale Date	Sales Document	# Parcels	Excise #	Grantor	Grantee	Price
04/05/07	2007-0589	1	2007-0589	BUGNI, PETER J ETUX	BUGNI, PETER J ETUX	\$0
10/30/06	2006-2808	4	2006-2808	DAVE DUNCAN & SONS LTD	DUNCAN, DAVID J III ETAL	\$0
09/26/06	2006-2444	1	2006-2444	DUNCAN, DAVID J III ETAL	BUGNI, PETER J ETUX	\$220,000
07/21/06	2006-1799	4	2006-1799	DUNCAN, DAVE & SONS LTD &	DUNCAN, DAVID J III ETAL	\$0
04/18/06	2006-859	4	2006-859	DUNCAN, DAVE & SONS LTD &	DUNCAN, DAVE & SONS LTD &	\$0

### Building Permits

No Building Permits Available

### Historical Valuation Info

Year	Billed Owner	Land	Impr.	PermCrop	Value	Total	Exempt	Taxable
2019	BUGNI, PETER J & TAMARA J	\$114,920	\$0	\$0	\$114,920	\$0	\$0	\$9,960
2018	BUGNI, PETER J & TAMARA J	\$114,920	\$0	\$0	\$114,920	\$0	\$0	\$9,960
2017	BUGNI, PETER J & TAMARA J	\$114,920	\$0	\$0	\$114,920	\$0	\$0	\$9,960
2016	BUGNI, PETER J & TAMARA J	\$114,920	\$0	\$0	\$114,920	\$0	\$0	\$9,960
2015	BUGNI, PETER J & TAMARA J	\$114,920	\$0	\$0	\$114,920	\$0	\$0	\$9,960

[View Taxes](#)

### Parcel Comments

Date	Comment
12/06/05	TO-11/01/05:LARGE SEG SEE ROUTING SLIP FOR INFO, 04 FOR 05, 05 FOR 06.

### Property Images

No images found.



Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

Assessor Treasurer Appraisal MapSifter

LOT # 5

**Parcel**

Parcel#: 21956 Owner Name: FOX, TONY S ETUX  
 DOR Code: 11 - Residential - Single Family Address1:  
 Situs: 131 RADIANT VIEW DR ELLENSBURG Address2: 131 RADIANT VIEW DR  
 Map Number: 17-17-01000-0033 City, State: ELLENSBURG WA  
 Status: Zip: 98926  
 Description: ACRES 8.20; PTN NE1/4; SEC 01, TWP 17, RGE 17; (LOT 5, B31/P148-150 )  
 Comment: REMOVE FROM OS PER SALE DATED 05/05/06, EX #2006-1041; 05 FOR 06

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$104,800	Land:	\$104,800	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$560,730	Improvements:	\$560,730	Current Use/DFL:	No
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
Total	\$665,530	Total	\$665,530	Total Acres:	8.20000

**Ownership**

Owner's Name	Ownership %
FOX, TONY S ETUX	100 %

**Sales History**

Sale Date	Sales Document	# Parcels	Excise #	Grantor	Grantee	Price
05/10/07	2007-0860	1	2007-0860	FAUBION, S BEN ETUX	FOX, TONY S ETUX	\$235,000
05/05/06	2006-1041	1	2006-1041	DUNCAN, DAVID J III ETUX ETAL	FAUBION, S BEN ETUX	\$165,000
05/05/06	2006-1039	1	2006-1039	DUNCAN, DAVE & SONS LTD &	DUNCAN, DAVID J III &	\$0
04/18/06	2006-859A	1	2006-859A	DUNCAN, DAVID J JR TRUSTEE	DUNCAN DAVID J III &	\$0

**Building Permits**

Permit No.	Date	Description	Amount
2014-00377	7/11/2014	100%-GARAGE 2112 SQFT	\$75,082.00
2007-10182	11/21/2007	RNEW 100% 09/11/08 SF SFR 5029 SQFT	\$394,491.00

**Historical Valuation Info**

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	FOX, TONY S ETUX	\$104,800	\$560,730	\$0	\$665,530	\$0	\$665,530
2018	FOX, TONY S ETUX	\$104,800	\$499,040	\$0	\$603,840	\$0	\$603,840
2017	FOX, TONY S ETUX	\$104,800	\$499,040	\$0	\$603,840	\$0	\$603,840
2016	FOX, TONY S ETUX	\$104,800	\$481,200	\$0	\$586,000	\$0	\$586,000
2015	FOX, TONY S ETUX	\$104,800	\$416,710	\$0	\$521,510	\$0	\$521,510

View Taxes

**Parcel Comments**

Date	Comment
05/09/06	REMOVE FROM OS PER SALE DATED 05/05/06, EX #2006-1041; 05 FOR 06
12/06/05	TO-11/01/05:LARGE SEG SEE ROUTING SLIP FOR INFO, 04 FOR 05, 05 FOR 06.



Mike Hougardy  
Kittitas County Assessor 205 W 5th Ave Ste 101 Ellensburg WA 98926

LOT # 7

Assessor Treasurer Appraisal MapSifter

**Parcel**

Parcel#: 21958 Owner Name: WALLACE, JEFFREY M ETUX  
 DOR Code: 11 - Residential - Single Family Address1:  
 Situs: 631 RADIANT VIEW DR ELLENSBURG Address2: 631 RADIANT VIEW DR  
 Map Number: 17-17-01000-0035 City, State: ELLENSBURG WA  
 Status: Zip: 98926-6716  
 Description: ACRES 5.31; PTN NW1/4 (LOT 7 & PTN LOT 6, B31/P148-150); SEC 1; TWP TWP 17, RGE 17  
 Comment: BLA WITH 17-17-01000-0034; 06 FOR 07

2019 Market Value		2019 Taxable Value		2019 Assessment Data	
Land:	\$101,240	Land:	\$101,240	District:	22 - COR SD401 F02 F02B H01 CO COF ST
Improvements:	\$390,890	Improvements:	\$390,890	Current Use/DFL:	No
Permanent Crop:	\$0	Permanent Crop:	\$0	Senior/Disability Exemption:	No
Total	\$492,130	Total	\$492,130	Total Acres:	5.31000

**Ownership**

Owner's Name	Ownership %
WALLACE, JEFFREY M ETUX	100 %

**Sales History**

Sale Date	Sales Document	# Parcels	Excise #	Grantor	Grantee	Price
08/08/06	2006-1965	1	2006-1965	DUNCAN, CRAIG D	WALLACE, JEFFREY M ETUX	\$173,500
03/10/06	2006-545	2	2006-545	DUNCAN, DAVE & SONS LTD &	DUNCAN, CRAIG D	\$0

**Building Permits**

Permit No.	Date	Description	Amount
2015-00594	8/24/2015	ROOFTOP SOLAR	
2012-00329	7/13/2012	100% CMLPT, RENEWAL TO 2008-00187	\$0.00
2008-00186	6/4/2008	EXP-GAR/CARPORT 1856 SQFT	\$61,485.00
2008-00187	6/4/2008	EXP-SFR 4877 SQFT	\$340,232.00

**Historical Valuation Info**

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable
2019	WALLACE, JEFFREY M ETUX	\$101,240	\$390,890	\$0	\$492,130	\$0	\$492,130
2018	WALLACE, JEFFREY M ETUX	\$101,240	\$339,900	\$0	\$441,140	\$0	\$441,140
2017	WALLACE, JEFFREY M ETUX	\$101,240	\$339,900	\$0	\$441,140	\$0	\$441,140
2016	WALLACE, JEFFREY M ETUX	\$101,240	\$339,900	\$0	\$441,140	\$0	\$441,140
2015	WALLACE, JEFFREY M ETUX	\$101,240	\$339,900	\$0	\$441,140	\$0	\$441,140

[View Taxes](#)

**Parcel Comments**

Date	Comment
07/10/06	BLA WITH 17-17-01000-0034; 06 FOR 07
06/28/06	REMOVE FROM OPEN SPACE PER OWNER'S REQUEST, 05 FOR 06
12/06/05	TO-11/01/05: LARGE SEG SEE ROUTING SLIP FOR INFO, 04 FOR 05, 05 FOR 06.

TONY FOX @ 509) 607-0200  
RADIANT VIEW DRIVE  
ELLENSBURG, WA. 98926

Filed for and return to:

Dave Duncan & Sons, Ltd.  
4630 Weaver Road  
Ellensburg, WA 98926

PAT PJ  
PJ + TAMMY BUGNI  
509) 607-0023

Apr 10 7

1-17-17

OWNER WEST of ME-JEFF WALLAS LOT #7

ATTORNEY

JOHN WINBAUER  
509) 925-6916



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Kittitas Co Auditor NW TITLE CO. COV

The information contained in this boxed section is for recording purposes only pursuant to RCW 36.18 and RCW 65.04 and is not to be relied upon for any other purpose, and shall not affect the intent of or any warranty contained in the document itself.

\*\*\*\*\*

Grantor(s): Dave Duncan & Sons, Ltd, an Alaska Corporation; David J. Duncan, Jr., Trustee of the 1981 Duncan Family Trust dated November 18, 1981.

Grantee(s): The Public

Reference Number(s) of Documents Assigned or Released: None

Abbreviated Legal Description: Parcels 1-12, ptms. of the NW 1/4 and NE 1/4 of S. 1, T. 17 N., R. 17, E.W.M., Kittitas County, WA.

Complete or Additional Legal Description on Pages 2-4 of Document

Assessor's Parcel Numbers: 17-17-01-000-003; 17-17-01-000-004; 17-17-01-000-032; 17-17-01-000-033; 17-17-01-000-036; 17-17-01-000-037; 17-17-01-000-038; 17-17-01-000-023; 17-17-01-000-039; 17-17-01-000-040; 17-17-01-000-033; 17-17-000-034

Called  
4-10-19-NO ANSWER @ 1000 AM  
4-26-19- )) )) @ 1450 AM

509) 962-1063  
CELL # 509) 899-1629 TO AD. 509-962-6102  
DAVE DUNCAN & SONS, LTD  
1981 DUNCAN FAMILY TRUST  
PROTECTIVE COVENANTS

\*\*\*

KITTITAS COUNTY  
WASHINGTON

PROTECTIVE COVENANTS

-1-

Called  
4-26-19  
# NOW GOOD

LONNY D. BAUSCHER, P.C.  
610 N. MISSION STREET, STE. A3  
WENATCHEE, WA 98801  
(509) 664-3704/(509) 6621434 Fax



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Kittitas Co Auditor NW TITLE CO. COV 3B.00

PROTECTIVE COVENANTS

DAVE DUNCAN & SONS, LTD, an Alaska Corporation, and DAVID J. DUNCAN, JR., Trustee of the 1981 Duncan Family Trust date November 18, 1981 ("Owners"), are the owners of real property located in Kittitas County, Washington, legally described as follows:

Parcel 1

PARCEL 1 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR'S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 2

PARCEL 2 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR'S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 3

PARCEL 3 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR'S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 4

PARCEL 4 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR'S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER AND OF THE NORTHEAST QUARTER, ALL IN SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.





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Kittitas Co Auditor NW TITLE CO. COV

Parcel 5

PARCEL 5 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR’S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 6

PARCEL 6 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR’S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 7

PARCEL 7 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR’S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER AND OF THE NORTHEAST QUARTER, ALL IN SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 8

PARCEL 8 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR’S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER AND OF THE NORTHEAST QUARTER, ALL IN SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 9

PARCEL 9 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR’S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER AND OF THE NORTHEAST QUARTER, ALL IN SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.



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Kittitas Co Auditor NW TITLE CO. COV

Parcel 10

PARCEL 10 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR’S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 11

PARCEL 11 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR’S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

Parcel 12

PARCEL 12 OF THAT CERTAIN SURVEY AS RECORDED AUGUST 9, 2005, IN BOOK 31 OF SURVEYS AT PAGES 148 – 150, UNDER AUDITOR’S FILE NO. 200508090026, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 17 NORTH, RANGE 17 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON.

The Owners do hereby establish the following protective covenants, conditions, and restrictions (hereinafter collectively referred to as “Covenants”) for said property and any additions thereto, said Covenants to run with the land:

1. EFFECT OF COVENANTS

1.1 The covenants, conditions, reservations and restrictions herein set out are to run with the land and shall be binding upon all individuals and/or entities having or acquiring any right, title or interest in the property or any part thereof and shall be binding upon their heirs, successors and assigns and shall inure to the benefit of each owner thereof in perpetuity.

2. PROPERTY RESTRICTIONS

2.1 Parcels 3, 4, 5, 7, 9, and 11 may not be divided while these restrictive covenants, conditions and reservations are in effect. Parcels 1, 2, 6, 8, 10, and 12 may be divided once into no more than two parcels while these restrictive covenants, conditions and reservations are in effect.



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Kittitas Co Auditor NW TITLE CO. COV

- 2.2 Each lot shall be maintained in a clean, sightly condition at all times and shall be kept free of all junk, trash, litter, rubbish, garbage, weeds, debris, containers, equipment (other than farm equipment) and building materials (temporary storage during construction phases excluded); provided, however, that any equipment may be kept on parcel 2. However, the reasonable keeping of the equipment and materials on a parcel during construction shall be permitted. All refuse and garbage shall be kept in sanitary containers, which shall be concealed from view and protected from animal intrusion.
- 2.3 No lot owner shall carry on any activity of any nature whatsoever on the property that is in violation of the laws and statutes of the State of Washington, Kittitas County, or other applicable government body. No dwelling or other structure shall be constructed or located on any lot in violation of the requirements of any governing authority. No structure shall be constructed, or any existing structure modified, on any lot without the owner obtaining a building permit and any other permits required by any governmental entity.
- 2.4 The lot owners shall use their respective lots in such a manner so as to not offend or detract from other owners' enjoyment of their respective properties, including engaging in conduct which would decrease values of other lot owners' property.
- 2.5 No multiple family residences of any kind shall be constructed upon the property, existing structures excepted. No mobile homes may be placed upon the property. The exterior construction of all single family residences and other structures erected on any lot shall be completed in twelve (12) months from the issuance of a building permit by the appropriate government agency. This paragraph shall not apply to parcel 2.
- 2.6 Existing structures excepted, any and all residences and any and all outbuildings situated on such lots shall be conforming in nature, appearance and size, consistent with the rural setting within which the buildings are situated.
- 2.7 No part of the real property shall be used for the purposes other than agricultural, recreational or residential activities. There shall be no commercial activities conducted on any lot, except agricultural, residential rental, or home based business contained entirely within a residential structure. This paragraph shall not apply to parcel 2.
- 2.8 No advertising structures may be located, placed or maintained on the property.
- 2.9 Weapons shall be permitted on the real property but shall not be discharged in manner that endangers life, limb, or property, or interferes with the use and enjoyment of the property by any owners. Weapons include bows and arrows, crossbows, any pistol or rifle, shotgun, slingshot, or pellet gun.



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Kittitas Co Auditor NW TITLE CO. COV

3B.00

- 2.10 Household pets, ponies, horses, mules, cattle and donkeys shall be permitted on the real property for purposes of the private use and enjoyment. No pigs or poultry shall be raised, bred or kept on the real property. All such animals shall be properly restrained, fenced and otherwise kept so as to not interfere with the livestock of any adjacent owners or so as to cause any threat or harm to any owner's use of the property. All dogs shall be kept in fenced secure enclosures unless their owners are present and shall not be allowed to roam freely without supervision.
- 2.11 All lot owners, by purchasing a lot subject to the terms and conditions of these Covenants understand, acknowledge and agree that they have been informed that the properties are located in an active agricultural area. Owners further understand and agree that they have been made aware of the specific right to farm laws that exist in this area. All owners of lots understand that, in the normal management of agricultural or related activities, there will be noise, dust, or other effects from the operation of farm equipment, irrigation pumps, or from the raising of cattle in the area, and that there will be movement of agricultural equipment and/or animals, including but not limited to, the use of current county roads, ditch bank roads, and Kittitas Reclamation roads. Owners further understand and agree that they have been made aware that in an agricultural area, ground and aerial application of seed, fertilizers, conditioners, herbicides, insecticides and related plant protection products occur on a regular basis. Owners further understand and agree that they have been informed that these activities occur in both daylight and at night and at varying hours of the day and night. Owners acknowledge and agree that by owning a lot, they will be subjected to all of the above and possibly related activities and/or situations that may be perceived as a nuisance, but which are the result of agricultural activities. Lot owners are precluded from commencing any type of lawsuit in any court of competent jurisdiction in which they could allege that they are being damaged as a result of agricultural activities occurring on or around their lot.
- 2.12 The real property is served by Kittitas Reclamation District water. The water is distributed across the property in accordance with a Water Distribution Plan recorded with the Kittitas Reclamation District on September 13, 2005. The Plan requires a Water Master who is responsible for the regulation and distribution of the water throughout the property and for keeping the necessary records. Any costs associated with the operation of this plan shall be assessed to each owner proportionately to the benefit received by such operation of the Water plan. The Water Master shall collect these assessments with the power of enforcement described in Section 3.
- 2.13 There will be new roads built to provide access to the lots that do not front onto Weaver Road. The cost of maintaining these roads will be shared among the lot owners that use the road as primary access once construction of any building on the lot is commenced. The costs will be allocated to lots based upon proportionate benefit to each lot. These costs of road maintenance shall be collected if necessary with the power of enforcement described in Section 3.



3. ENFORCEMENT; MISCELLANEOUS

- 3.1 In the event there is a violation of the terms and conditions of these Covenants as herein set forth or as hereinafter amended, any lot owner, jointly or severally with other owners of the property or portions of the property, shall have the right to proceed at law or in equity to collect damages or to compel compliance with the terms and conditions of these Covenants or to prevent the violation or anticipated violation or breach of any covenant, condition or restriction contained herein. The substantially prevailing party in such litigation shall also be entitled to reasonable attorney fees and costs incurred in such litigation against the non-prevailing party.
- 3.2 In the event any suit brought to enforce the terms and conditions of these Covenants results in a monetary judgment against a lot owner, said judgment shall become a lien against that owner's lot. Said lien shall be foreclosed in the manner provided by Washington State laws. In addition to having the lien, the holder of judgment against any lot owner for any monetary damages awarded as a result of a violation of these Covenants shall have the option of proceeding personally against the owner of a lot or the option of foreclosing the lien in the lot owner's property. Any actions to foreclose the lien shall include a reasonable sum for attorney fees and all costs and expenses reasonably incurred in preparation for and in prosecution of such action in addition to other costs as permitted by law.
- 3.3 Venue for any proceeding shall be in Kittitas County, Washington.
- 3.4 Amendment to these covenants shall be by unanimous consent of the lot owners. Amendments shall be in writing, executed by the then lot owners, and recorded in the same manner as these Covenants. A purchaser under a real estate contract or other similar document shall be considered to be an owner for this purpose.
- 3.5 Should any mortgage, deed of trust, or real estate contract be foreclosed on the property describe herein, then the title so acquired and the person or persons who thereupon and thereafter become the owner(s) of such property shall be subject to and be bound by all the restrictions established herein.
- 3.6 The provisions hereof shall be deemed independent and severable and the invalidity or partial invalidity or unenforceability of the provision shall not affect any other provision hereof.

Signed this 8 day of Feb, 2006.

THE 1981 DUNCAN FAMILY TRUST

By: *David J. Duncan*  
PROTECTIVE COVENANTS

DAVE DUNCAN & SONS, LTD., AN  
ALASKA CORPORATION

By: *Lonny D. Bauscher*

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