



RECORDED AT THE REQUEST OF:

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

DECLARATION OF ANNEXATION

BELLEAIRE

SPOKANE COUNTY, WASHINGTON

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**, 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**).

C) Grantor desires to annex said other land known as **BELLEAIRE** 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** 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** 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**, 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** 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**.

R. E. Excise Tax Exempt
Date 10/7 2015
Spokane County Treas.
By *KIA*

2. Grantor hereby grants to all Owners of Lots in BELLEAIRE 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, 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, 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 6th, Morningside Heights 7th and BELLEAIRE 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.

5. From the effective date hereof, Morningside Heights 5th Addition and Brigadoon Addition, Morningside Heights 6th, Morningside Heights 7th and BELLEAIRE 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 October 6, 2015.

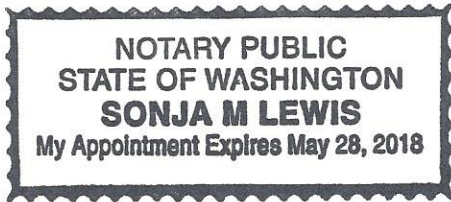
SUMMIT PROPERTIES, INC. (Declarant)

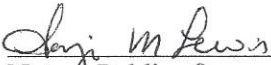

Richard T. Dahm, President

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 6th of October, 2015, 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.




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

DecAnnexBELLEAIRE

EXHIBIT "A"

**LEGAL DESCRIPTION
BELLEAIRE**

A PARCEL OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 NORTH, RANGE 45 EAST, W.M., COUNTY OF SPOKANE, STATE OF WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER NORTH 1/16 CORNER OF SECTION 30;

THENCE NORTH 89°35'51" WEST ALONG THE NORTH 1/16 LINE OF SAID SECTION, BEING THE NORTH LINE OF THE FINAL PLAT OF MORNINGSIDE HEIGHTS 6TH ADDITION, AS RECORDED IN BOOK 36 OF PLATS, PAGE 52, A DISTANCE OF 1329.02 FEET TO THE NORTHWEST 1/16 CORNER OF SAID SECTION;

THENCE NORTH 00°12'56" EAST ALONG THE WEST 1/16 LINE, BEING THE EAST LINE OF THE FINAL PLAT OF BRIGADOON ADDITION, AS RECORDED IN BOOK 33 OF PLATS, PAGE 28, A DISTANCE OF 318.00 FEET;

THENCE SOUTH 89°35'51" EAST A DISTANCE OF 1022.76 FEET;

THENCE NORTH 00°24'09" EAST A DISTANCE OF 73.72 FEET;

THENCE NORTH 11°34'16" WEST A DISTANCE OF 57.99 FEET;

THENCE NORTH 21°40'10" WEST A DISTANCE OF 58.25 FEET;

THENCE NORTH 63°34'16" EAST A DISTANCE OF 130.00 FEET;

THENCE NORTH 26°25'44" WEST A DISTANCE OF 38.00 FEET;

THENCE NORTH 63°34'16" EAST A DISTANCE OF 38.00 FEET;

THENCE NORTH 59°23'01" EAST 245.46 FEET TO A POINT ON THE NORTH-SOUTH 1/4 SECTION LINE;

THENCE SOUTH 00°33'01" WEST ALONG SAID NORTH-SOUTH 1/4 SECTION LINE, A DISTANCE OF 738.66 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: APPROXIMATELY 523,230 SQUARE FEET OR 12.01 ACRES OF LAND, MORE OR LESS.

DecAnnexBELLEAIRE