



RECORDED AT THE REQUEST OF:

Inland Pacific Development, LLC  
12720 E. Nora, Suite E  
Spokane Valley, WA 99216-1197

**DECLARATION OF ANNEXATION**

**CHELTENHAM COURT**

**SPOKANE COUNTY, WASHINGTON**

**Parcel:** 26241.0073

**Abbreviated Legal:** SW Quarter of NE Quarter of Section 24, Township 26 North, Range 42 East, WM, County of Spokane, State of Washington

**THIS DECLARATION OF ANNEXATION** is made, entered into and becomes effective on the date hereof as set forth below, by **INLAND PACIFIC DEVELOPMENT, LLC.**, a Limited Liability Company, doing business in the State of Washington, (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 is legally described on Exhibit "A" attached hereto and incorporated herein by this reference, which land is located in Spokane County, Washington, commonly known as **CHELTENHAM ADDITION**; developments of numerous residential lots, which development is governed by that certain "Declaration of Covenants, Conditions and Restrictions", recorded May 8, 2009 and bearing Spokane County Auditor's File Number 5760549 and the plat recorded in Book 35 of Plats (as Plat Number 4055), pages 73-74 (hereinafter referred to as the "Declaration"), the definition and terms of which Declaration are incorporated herein by this reference.

B) Grantor is also the owner of a certain additional tract of land near and/or adjoining the property described on Exhibit "B", which will be platted by Grantor as **CHELTENHAM COURT**, but which has not previously been subjected to said Declaration. Said other land is legally described on Exhibit "B" attached hereto and incorporated herein by this reference. Said other land consists of numerous residential lots, along with the dedicated roadways, (**Cheltenham Addition**) and Cheltenham Addition Phase 2, Cheltenham Addition Phase 3 and Cheltenham Addition Phase 4.

C) Grantor desires to annex said other land known as **CHELTENHAM COURT** to the original **Cheltenham Addition, Cheltenham Addition Phase 2, Cheltenham Addition Phase 3, Cheltenham Addition Phase 4** 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, **CHELTENHAM COURT** is hereby made subject to the Declaration and shall for all purposes be part of the **Cheltenham Addition Subdivisions**, effective upon the date that this document is recorded. **CHELTENHAM COURT** 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 the **Cheltenham Addition Phase 1, as well as Cheltenham Addition Phase 2, Cheltenham Addition Phase 3 Cheltenham Addition Phase 4** and to facilitate management and control of the common areas and storm water facilities 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 **CHELTENHAM COURT** 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 **CHELTENHAM COURT**.

2. Grantor hereby grants to all Owners of Lots in **CHELTENHAM COURT** all rights and easements which were granted to Owners of Lots in **Cheltenham Addition, Cheltenham Addition Phase 2, Cheltenham Addition Phase 3, and Cheltenham Addition Phase 4**, 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 **CHELTENHAM COURT**, and grants to the Owners of Lots in **Cheltenham Addition, Cheltenham Addition Phase 2, Cheltenham Addition Phase 3, and Cheltenham Addition Phase 4** 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 **CHELTENHAM COURT**, hereby covenants and each Owner of any Lot within **Cheltenham Addition, Cheltenham Addition Phase 2, Cheltenham Addition Phase 3 and Cheltenham Addition Phase 4** by acceptances of a deed therefore, is hereby deemed to covenant and agree to pay to the Association regular 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 **Cheltenham Addition, Cheltenham Addition Phase 2, Cheltenham Addition Phase 3, Cheltenham Addition Phase 4 and CHELTENHAM COURT** 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 **Cheltenham Addition**.

5. From the effective date hereof, **Cheltenham Addition, Cheltenham Addition Phase 2, Cheltenham Addition Phase 3, Cheltenham Addition Phase 4 and CHELTENHAM COURT** 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 March 15, 2017.

**INLAND PACIFIC DEVELOPMENT, LLC.**  
(Declarant)



Casey L. Mason, Manager





**EXHIBIT "A"**

**LEGAL DESCRIPTION  
CHELTENHAM ADDITION**

All platted Lots and Blocks in the Cheltenham Addition Phase I filed of record on May 8, 2009 in Book 35 of Plats (as plat number 4055), pages 73-74 situate in the County of Spokane, State of Washington.

EXHIBIT "B"  
LEGAL DESCRIPTION  
Annexed Property

**DESCRIPTION OF CHELTENHAM COURT**

A parcel of land being a portion of Parcel B of the CAHILL SHORT PLAT #CITY 89-03, as recorded in Book 7 of Short Plats, Page 59, records of Spokane County, located in the Southwest Quarter of the Northeast Quarter of Section 24, Township 26 North, Range 42 East, WM, County of Spokane, State of Washington, more particularly described as follows:

**COMMENCING AT** the Southwest corner of the plat of CHELTENHAM ADDITION PHASE 2, as recorded in Book 37 of Plats, Pages 52-53, records of Spokane County;

Thence North 89°57'50" East a distance of 120.00 feet to the Southeast corner of Lot 2, Block 5 of said plat;

Thence North 85°48'51" East a distance of 60.16 feet to the Southwest corner of Lot 3, Block 4 of said plat;

Thence South 89°45'42" East a distance of 149.76 feet to the **POINT OF BEGINNING**;

Thence continuing South 89°45'42" East a distance of 20.00 to the Southwest corner of Lot 1, Block 4 of said plat;

Thence North 00°14'18" East a distance of 119.78 feet to the Northeast corner of Lot 1, Block 4 of said plat being a point on the Southerly right of way line of Maxine Avenue;

Thence South 89°45'42" East along said Southerly right of way line a distance of 95.48 feet;

Thence along a tangent curve to the right with a radius of 20.00 feet, through a central angle of 90°00'00" (the long chord of which bears South 44°45'42" East a distance of 28.28 feet), for an arc length of 31.42 feet;

Thence South 89°45'42" East a distance of 60.00 feet

Thence along a non-tangent curve to the right with a radius of 20.00 feet, through a central angle of 90°00'00" (the long chord of which bears North 45°14'18" East a distance of 28.28 feet), with a radial line in of North 89°45'42" West and a radial line out of South 00°14'18" West for an arc length of 31.42 feet;

Thence South 89°45'42" East a distance of 95.42 feet to the Northwest corner of Lot 2, Block 3 of said plat;

Thence South 00°14'18" West a distance of 119.78 feet to the Southwest corner of Lot 2, Block 3 of said plat;

Thence South 89°45'42" East a distance of 22.41 feet to the Northwest corner of Lot 13, Block 3 of the plat of CHELTENHAM ADDITION PHASE 1, as recorded in Book 35 of Plats, Pages 73-74, records of Spokane County;

Thence South 03°29'35" East along West line of said plat a distance of 459.44 feet;

Thence North 87°56'11" West a distance of 333.23 feet;

Thence North 03°35'24" West a distance of 448.86 feet and the **POINT OF BEGINNING**.

**CONTAINING:** approximately 184,240 square feet or 4.23 acres of land, more or less.

Prepared on: December 14, 2016  
Prepared for and on behalf of Parametrix  
Prepared by David M. Seese, PLS  
Project No. 377-7623-003