

3087498

DECLARATION OF RESTRICTIONS

FOSTER R. PALMER, having heretofore platted an addition to the City of Seattle, King County, Washington, known as Hawthorne Heights No. 2, hereby declares as follows:

That the restrictions numbered 1 to 28 contained in the attached sheets and by this reference made a part hereof, are hereby declared to be applicable to [redacted] Blocks 1, 2, 3 and 4 of subdivision known as Hawthorne Heights No. 2 Addition to the City of Seattle, Washington, recorded in Volume 36 of Plats, page 1, records of said King County, Washington.

Dated this 21st day of February, 1940.

Foster R. Palmer

STATE OF WASHINGTON )  
                                  ) SS  
COUNTY OF KING      )

THIS IS TO CERTIFY, that on this 21st day of February, 1940, before me, the undersigned, personally came FOSTER R. PALMER, to me known to be the individual described in and who executed the within instrument, and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS MY HAND AND OFFICIAL SEAL the day and year in this certificate above written.

George V. Powell

NOTARY PUBLIC in and for the State of Washington,  
residing at Seattle.



PROTECTIVE COVENANTS AND RESTRICTIONS APPLYING TO  
LOTS 1-12, INCLUSIVE, BLOCKS 1, 2, 3 and 4, OF THE  
SUB-DIVISION KNOWN AS HAWTHORNE HEIGHTS No. 2,  
ADDITION TO THE CITY OF SEATTLE, WASHINGTON

1. No structure shall be erected other than one detached single family dwelling not to exceed two stories in height and a one or two car garage.
2. No dwelling costing less than \$4500.00 shall be permitted on 50 Avenue N. E. (Stanford Avenue).  
No dwelling costing less than \$3800.00 shall be permitted on 51 Avenue N. E. (Purdue Road).  
No residential lot shall be sub-divided into building plots having less than 6000 square feet of area or a width of less than 50 feet each, nor shall any building be erected on any residential building plat having an area less than 750 square feet or a frontage of less than 25 feet.
3. Plans for the original structure and any later external additions or alterations shall be drawn by a licensed architect and be approved by grantor of property or his authorized agent, one set of plans to be given to grantor during construction of dwelling. Structures shall conform to and be in harmony with existing structures in the tract.
4. Power and light wires shall be conducted from poles to houses in conduit and be buried eighteen inches deep. Wherever underground service is installed, power and light wires from dwelling must connect to same. Grantor suggests that telephone line from pole to house be buried eighteen inches below surface and be of ground wire supplied by telephone company. No conduit necessary.
5. Front building line shall be twenty feet back of front or rear property line, except in special cases owing to contour of land, building line can be less for garages only if permission is obtained from grantor of property or his authorized agent. No structures shall be permitted nearer than 15 feet to the side street lines. Grantor has right to specify a set building line.
6. Building line to be 5 feet from property line on each side.
7. Only two dogs allowed to family: only one cat.
8. No poultry allowed, no animals allowed other than household pets.
9. Each owner of property must pay for his proportion of cost of oiling street in front of house, which will be approximately \$5.00 a year (not over). This is to be done in spring of year.
10. No spite fences allowed. Before construction of fence a written permission must be obtained from grantor or his authorized agent. Fences can either consist of steel, wood, or ornamental shrubs.
11. No tree can be cut down without first obtaining permission of grantor of property or his authorized agent.
12. Trees must be trimmed if they interfere with view of other property owners.
13. No building to be permitted to stand in an unpainted condition.
14. No billboards allowed; no clotheslines allowed.



15. No "for sale" sign larger than fourteen inches by twenty four inches to be maintained on property. Grantor may erect and display signs during period he is selling property in said addition. Grantor may erect small office during period he is selling property in said addition.
16. No assignment nor transfer of this contract or of interest therein by vendor shall be valid or binding upon vendor without his consent in writing.
17. Each owner of said lot in this development automatically upon signing contract or accepting deed gives an easement to power and light company to run an underground power and light system on said property; also an easement for water line to be run within three feet of said property front line or on any side of said property line. Also, any owner of lot automatically gives an easement for running of sewer line on property lines. Person going through other person's property must leave property in orderly manner, replacing shrubs, flowers or lawn.
18. A perpetual easement is reserved over the rear five feet of each lot for utility installation and maintenance.
19. No rubbish allowed to be dumped in vacant lots.
20. Lots cannot be sub-divided, except that each adjoining owner of a lot may buy one half thereof so as to increase the size of each owner's present lot. If any lot exceeds 65 feet in width, the amount of such excess may be deeded to the adjoining owner.
21. No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any residence of temporary character be permitted.
22. Racial restrictions: Said lots or structures shall not be rented, leased, or occupied by persons other than those of the white race, except domestic servants.
23. No outhouse for lavatory or privy purposes shall be erected nor maintained on said lot or lots; such conveniences must be incorporated within, or as a part of, the building to which they appertain; this convenience shall be connected to main sewer line or United States Public Health Department approved septic tank.
24. No excavating shall be done for the purpose of obtaining dirt, except for grading lot.
25. All septic tanks and laterals must be approved by the City of Seattle before being covered.
26. These covenants and restrictions are to run with the land and shall be binding on all the parties and all persons claiming under them until January 1, 1964, at which time said covenants and restrictions shall terminate. (However, the covenants and restrictions herein contained, or any portion thereof, may be extended for additional periods of time by making appropriate provisions therefor.)
27. If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.
28. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

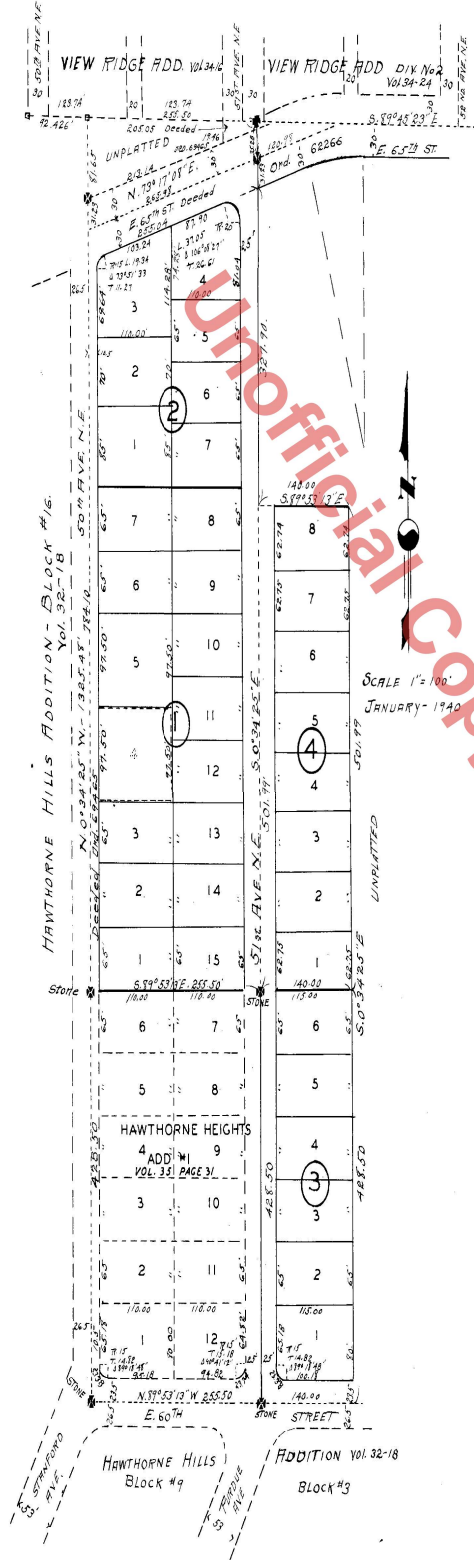
# HAWTHORNE HEIGHTS NO. 2

AN ADDITION TO THE CITY OF SEATTLE

SAMUEL J. HUMES  
REGISTERED CIVIL ENGINEER

SCALE 1 IN = 100 FT

JANUARY - 1940



### DESCRIPTION

THIS PLAT OF HAWTHORNE HEIGHTS No. 2 AN ADDITION TO THE CITY OF SEATTLE, EMBRACES THE FOLLOWING:

BEGINNING AT THE N.W. CORNER OF LOT 8, HAWTHORNE HEIGHTS No. 1 ADDITION, AS RECORDED IN VOL. 33 OF KING COUNTY PLATS, PAGE 31; THENCE N. 0° 34' 25" W. ALONG THE EAST LINE OF 50TH AVE. N.E. 755.91 FT. TO POINT ON THE SOUTHERLY LINE OF E. 65TH ST. AS ESTABLISHED BY ORD. 82266. THENCE N. 73° 17' 08" E. ALONG THE SOUTHERLY LINE OF E. 65TH ST. A DISTANCE OF 253.04 FT.; THENCE S. 89° 53' 13" E. A DISTANCE OF 140.00 FT.; THENCE S. 0° 34' 25" E. A DISTANCE OF 930.49 FT.; THENCE N. 89° 53' 13" W. A DISTANCE OF 140.00 FT.; THENCE N. 0° 34' 25" W. A DISTANCE OF 428.50 FT.; THENCE N. 89° 53' 13" W. ALONG THE NORTH LINE OF SAID HAWTHORNE HEIGHTS No. 1 ADDITION A DISTANCE OF 245.00 FT. TO THE POINT OF BEGINNING. ALL BEING IN THE N.E. 1/4 OF N.E. 1/4 OF SEC. 10, TWP. 23, N. R. 4 E. W.M. EXCEPTING THEREFROM LOT 4, BLOCK 1, SHOWN HEREON.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT I, THE UNDERSIGNED, OWNER IN FEE SIMPLE OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE PUBLIC FOREVER ALL STREETS, AVENUES AND ALLEYS SHOWN THEREON, AND THE USE THEREOF FOR ANY AND ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES; TOGETHER WITH THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS AND BLOCKS SHOWN HEREON IN THE ORIGINAL REASONABLE GRADING OF THE STREETS, AVENUES OR ALLEYS SHOWN HEREON.

FOSTER R. PALMER

### ACKNOWLEDGEMENT

STATE OF WASHINGTON  
COUNTY OF KING

THIS IS TO CERTIFY THAT ON THIS 5TH DAY OF FEB. A. D. 1940, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED, FOSTER R. PALMER TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING DEDICATION, AND ACKNOWLEDGED TO ME THAT HE SIGNED AND SEALED THE SAME AS HIS VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

H. E. Mc MORRIS

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, RESIDING AT SEATTLE.

I HEREBY CERTIFY THAT THE WITHIN PLAT OF HAWTHORNE HEIGHTS ADDITION No. 2 AN ADDITION TO THE CITY OF SEATTLE, WAS DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEATTLE BY ORDINANCE No. 89770 APPROVED THE 16 DAY OF FEB. A. D. 1940.

W. C. THOMAS

CITY COMPTROLLER AND  
EX-OFFICIO CITY CLERK.

EXAMINED AND APPROVED BY METHIS  
5TH DAY OF FEB. A. D. 1940.

C. L. WARTELLE

CITY ENGINEER.



3086441



FILED FOR RECORD AT THE REQUEST OF THE CITY ENGINEER THIS 16 DAY OF FEB. A. D. 1940. 20 MINUTES PAST 3 P. M., AND RECORDED IN VOL. 36 OF PLATS, PAGE 1, RECORDS OF KING COUNTY, WASHINGTON.

EARL MILLIKIN  
COUNTY AUDITOR