

The Cobblestone homeowners are bound by a Conservation Covenant that covers the wetlands area.

Parcel #: 185668-000

1/4 Sec-T-R: Section 23 T3N R1E

Project: Cobblestone

CONSERVATION COVENANT RUNNING WITH THE LAND

A COVENANT to Clark County, State of Washington, hereinafter "County," by the owner(s) Riverside Homes, Inc. of certain real property described in Exhibit "A+, on behalf of themselves and all their heirs, assigns and successors in interest into whose ownership said property may pass, agrees that this covenant shall run with the land. It is the purpose of this covenant that certain wetland and streams and their associated buffer areas as shown in Exhibit "B" will be maintained in a protected state as follows:

1. A physical demarcation along the upland boundary of the buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing or other prominent physical marking approved by the Director of Planning for the County. Any change to the type of demarcation shall similarly be approved by the Director of Planning.

2. Consistent with the purpose of this covenant, the following activities shall not occur within wetlands, streams and their associated buffers unless otherwise approved by the Director of Planning for the county.

a. the removal, excavation, grading, dredging, dumping, discharging, or filling of soil, sand, gravel, minerals, organic matter, or any material in excess of fifty (50) cubic yards or impacting more than one (1) acre of wetland or buffer, except where undertaken for maintenance (but not construction) of drainage ditches or for emergency utility repair.

b. the construction of a structure, provided, that this shall not apply to the reconstruction of damaged or destroyed structures or the expansion of a residential structure or accessory residential structure on a lawfully established pre-existing lot.

c. the construction of stormwater management facilities.

d. the destruction or alteration of wetlands vegetation through clearing, harvesting; intentional burning, or planting of vegetation that would alter the

character of the wetland or buffer. Provided, however, that the foregoing shall not apply to the following activities undertaken in a manner which minimizes impacts:

- i. the pruning or removal of dead, dying or diseased trees and shrubs
- ii. the harvesting or normal maintenance of vegetation in a manner that is not injurious to the natural reproduction of such vegetation, or the planting of native vegetation which is indigenous to the area.
- iii. the removal or eradication of noxious weeds so designated in Title 7 of Clark County Code or other exotic nuisance plants including non-native blackberries.
- iv. site investigative work necessary for land use application submittals such as surveys, soil logs and percolation tests.
- v. the construction of trails which shall be pervious or elevated when located within the wetlands.
- vi. emergency fire control or utility repair.
- vii. activities of the mosquito control district.

3. Nothing in this covenant shall be construed to provide for the public use of or entry into the wetland or buffer areas shown on Exhibit "B". However representatives and agents of Clark County are hereby authorized to make reasonable entry upon such land for purposes related to administering this covenant; provided that owners or their heirs, successors or assigns are given at least 24-hours advance notice of any such entry.

4. The provisions of this covenant are enforceable in law or equity by Clark County and its successors.

5. This covenant and all of its provisions, and each of the, shall be binding upon the owners and any and all of their heirs, assigns and successors in interest into whose ownership the above-described real property may pass, and any obligations made herein by owners, shall be enforceable against all of their heirs, assigns and successors in interest into whose ownership the above-described real property may pass.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed the day and year indicated below.

Dated this 8th day of March, 2005

APPROVED AS TO FORM ONLY:

CLARK COUNTY, WASHINGTON

ARTHUR CURTIS

Prosecuting Attorney

By [Signature on File]

Richard S. Lowry

Deputy Prosecuting Attorney

By [R. Todd Boyce]
Owner

STATE OF WASHINGTON)

:SS

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that R. Todd Boyce signed this instrument and acknowledged to it his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 3-8-05

Clark Auditor Thu Dec 22 12:24:08 PM



HAGEDORN, INC.

SURVEYORS AND ENGINEERS

1924 Broadway, Suite B • Vancouver, WA 98663 • (360) 696-4428 • (503) 283-6778 • Fax: (360) 694-8934 • www.hagedornse.com

February 8, 2005

PERIMETER DESCRIPTION

FOR
COBBLESTONE *EXHIBIT A*

A portion of the Northwest quarter of the Northeast quarter of Section 23, Township 3 North, Range 1 East, Willamette Meridian, Clark County, Washington, described as follows:

Being the North half of the Northwest quarter of the Northeast quarter of Section 23, more particularly described as follows:

BEGINNING at an aluminum pipe marking the North Quarter Corner of Section 23 as shown in Book 51 of Surveys, page 93, Clark County Auditor's Records; thence South $88^{\circ} 44' 45''$ East, along the North line of the Northeast quarter, for a distance of 1316.16 feet to a 1/2 inch iron rod marking the Northeast corner of the Northwest quarter of the Northeast quarter of Section 23 (Survey 51-93); thence South $01^{\circ} 38' 50''$ West, along the East line of the Northwest quarter of the Northeast quarter of Section 23, for a distance of 655.26 feet to a 5/8 inch iron rod marking the Southeast corner of the North half of the Northwest quarter of the Northeast quarter of Section 23 (Survey 51-93); thence North $88^{\circ} 42' 48''$ West, along the South line of said North half, for a distance of 1316.48 feet to a 5/8 inch iron rod marking the Southwest corner of said North half; thence North $01^{\circ} 37' 55''$ East, along the West line of the Northwest quarter of the Northeast quarter of Section 23, for a distance of 654.51 feet to the POINT OF BEGINNING.

CONTAINS 19.79 acres.

EXCEPT County Roads.

TOGETHER WITH and SUBJECT TO easements and restrictions of record.

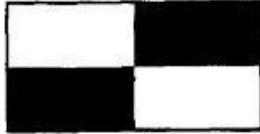
Clark Auditor Thu Dec 22 12:34:08 |

Perimeter Description for
Cobblestone
February 8, 2005
Page 2

I, Carl A. Beseda, hereby declare that the preceding Legal Description is the Legal Description of the perimeter of this Plat to the best of my knowledge and belief, and that it was reviewed with the care of a prudent surveyor in this locality.

LD2005\Cobblestone-Perim.acb
#03-096





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April 5, 2005

**LEGAL DESCRIPTION
FOR
COBBLESTONE
(TRACT A)**

A portion of the Northwest quarter of the Northeast quarter of Section 23, Township 3 North, Range 1 East, Willamette Meridian, Clark County, Washington, described as follows:

BEGINNING at a 5/8 inch iron rod marking the Southwest corner of the North half of the Northwest quarter of the Northeast quarter as shown in Book 51 of Surveys, page 93, Clark County Auditor's Records; thence South $88^{\circ} 42' 48''$ East, along the South line of said North half, for a distance of 40.00 feet to the TRUE POINT OF BEGINNING; thence continuing South $88^{\circ} 42' 48''$ East, along said South line for a distance of 373.91 feet; thence North $21^{\circ} 58' 41''$ East, leaving said South line, for a distance of 156.42 feet; thence North $15^{\circ} 02' 54''$ East, 63.10 feet; thence North $38^{\circ} 37' 52''$ East, 41.07 feet; thence North $82^{\circ} 19' 52''$ East, 62.51 feet; thence North $01^{\circ} 36' 14''$ East, 116.00 feet; thence North $88^{\circ} 39' 21''$ West, 64.93 feet; thence North $04^{\circ} 13' 37''$ West, 60.07 feet; thence North $05^{\circ} 36' 06''$ West, 32.94 feet; thence North $20^{\circ} 07' 36''$ West, 91.83 feet; thence North $25^{\circ} 38' 33''$ East, 82.09 feet; thence North $88^{\circ} 44' 45''$ West, parallel with the North line of the Northwest quarter of the Northeast quarter of Section 23, for a distance of 131.84 feet; thence South $06^{\circ} 31' 26''$ West, 117.27 feet; thence North $82^{\circ} 49' 50''$ East, 30.48 feet; thence South $28^{\circ} 43' 17''$ East, 9.48 feet; thence South $10^{\circ} 10' 21''$ West, 105.11 feet; thence South $41^{\circ} 14' 37''$ West, 8.19 feet; thence South $71^{\circ} 15' 45''$ West, 91.47 feet; thence South $01^{\circ} 37' 16''$ West, 114.00 feet; thence South $18^{\circ} 36' 47''$ West, 82.60 feet; thence South $46^{\circ} 52' 26''$ West, 65.67 feet; thence South $75^{\circ} 53' 04''$ West, 44.16 feet; thence South $34^{\circ} 02' 01''$ West, 38.49 feet; thence South $71^{\circ} 59' 40''$ West, 10.35 feet; thence South $88^{\circ} 31' 46''$ East, 95.40 feet; thence

Clark Auditor Thu Dec 22 12:34:08

Legal Description for
Cobblestone
(Tract A)
April 5, 2005
Page 2

South 01° 37' 55" West, parallel with the West line of the Northwest quarter of the Northeast quarter, for a distance of 79.74 feet to the TRUE POINT OF BEGINNING.

CONTAINS 3.19 acres.

LD2005\Cobbelstone-Tract A.acb



TRACT "A" AT COBBLESTONE
 in the NW 1/4 NE 1/4
 of SECTION 23, T3N, R1E, W.M.
 CLARK COUNTY, WA.

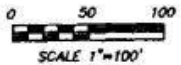
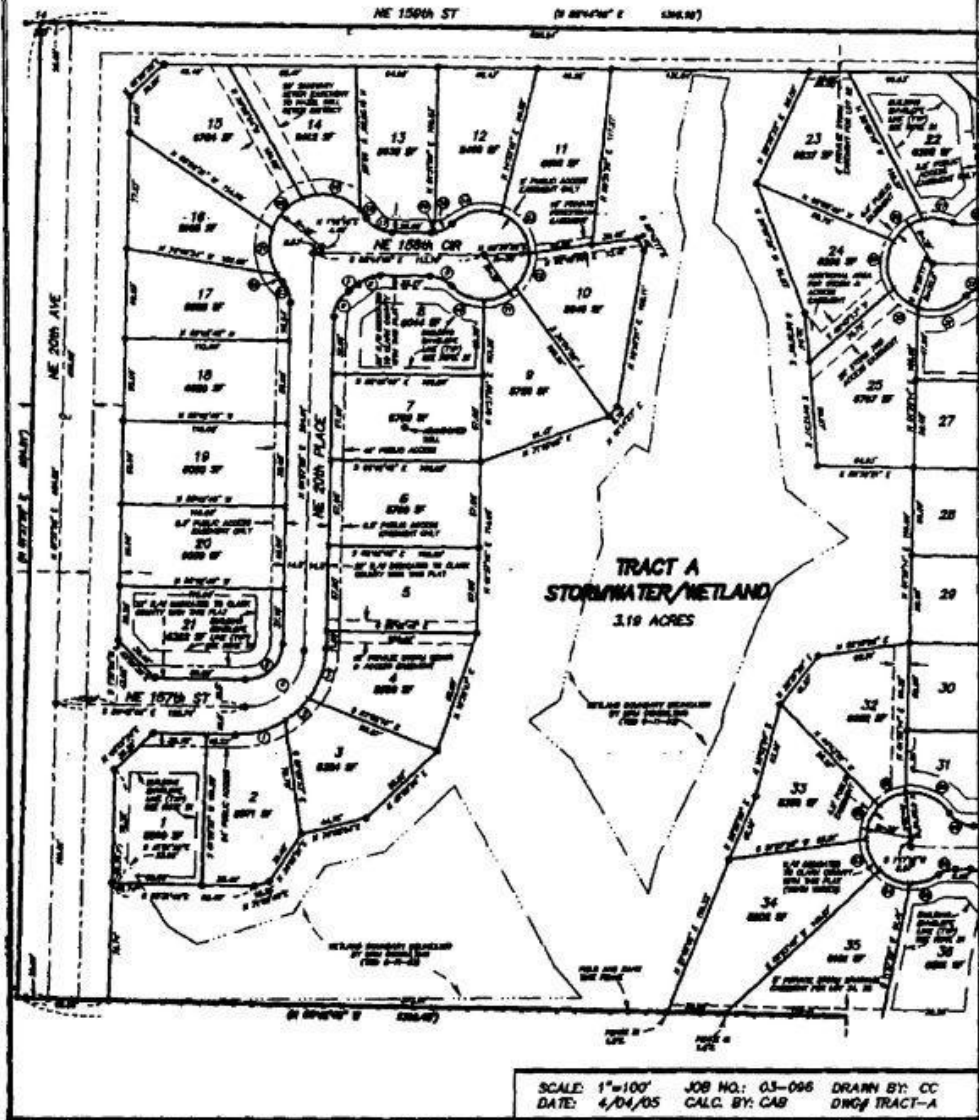


EXHIBIT B



SCALE: 1"=100' JOB NO.: 03-096 DRAWN BY: CC
 DATE: 4/04/05 CALC. BY: CAB DWG OF TRACT-A