

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Jebbie Hayes	JK	6/29/98	RECEIVED JUL 08 1998 WHATCOM COUNTY COUNCIL	7/14/98	Introduction
Division Head:				7/28/98	Council
Dept. Head: Barbara J. Cory	bjc	6/29/98			
Prosecutor	KAE	6/29/98			
Purchasing/Budget:					
Executive:	PI	7-7-98			

SUBJECT: Resolution to place a Restrictive Covenant on Certain Sudden Valley Parcels

ATTACHMENTS: Restrictive Covenant and List of Sudden Valley Parcels

Related County Contract #: _____ Should Clerk schedule a hearing: **NO / X / YES / ___ / Requested Date:** _____

<p>SUMMARY STATEMENT:</p> <p>See attached list of parcels</p>	<p><u>Ordinance & Resolution Distribution Request</u> To keep down our copying costs, indicate only those who must receive a copy after Council action. List names to the right.</p>	
<p>RECOMMENDED ACTION: The Property Management Committee makes no recommendation.</p>	ADS Facilities Management	
	ADS Finance	
	ADS Human Resources	
	ADS Info Services	
	Assessor	
	Auditor	
	Cooperative Extension	
	District Court	
	Executive	
	Health	
	Hearing Examiner	
	Jail	
	Juvenile	
	Parks	
Planning		
<p>COUNCIL ACTION TAKEN:</p> <p>1998 - 265 B 7/14/98: Introduced. 7/28/98: Approved 6-0, Nelson absent, Resolution #98-052</p>	Prosecutor	
	Public Works	
	Sheriff	
	Superior Court	
	Treasurer	
	Other	
<p>Ordinance or Resolution Number (this item): RES. # 98-052</p>		

SPONSORED BY: Consent

PROPOSED BY: Treasurer

INTRODUCTION DATE: 7/14/98

RESOLUTION NO. 98-052

TO PLACE A RESTRICTIVE COVENANT
ON CERTAIN SUDDEN VALLEY PARCELS

1 WHEREAS, a proposal has been received from Water District #10 and the Sudden Valley
2 Community Association to purchase certain Sudden Valley lots; and,

3 WHEREAS, the proposal to purchase certain Sudden Valley lots includes placing a restrictive
4 covenant against said lots; and,

5 WHEREAS, goal 2KK of the Whatcom County Comprehensive Plan states, "Facilitate
6 meeting the unique needs of Sudden Valley due to its location within the Lake Whatcom Watershed;"
7 and,

8 WHEREAS, to foster this goal, policy 2KK-3 of the Whatcom County Comprehensive Plan
9 provides, "If the County acquires lots through tax foreclosure, consider selling them as non-buildable
10 lots;"

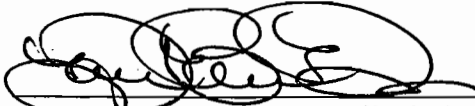
11 NOW, THEREFORE, BE IT RESOLVED, that it is the desire of Whatcom County to
12 implement Policy 2KK-3 by imposing covenants (Exhibit B) on certain Sudden Valley lots (Exhibit
13 A), rendering them non-buildable except under the circumstances more particularly described on
14 Exhibit B

15 APPROVED this 28 day of July, 1998.

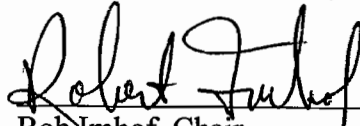
16

17 ATTEST:

18

19 
Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Bob Imhof, Chair

20 APPROVED AS TO FORM:

21

22 
Civil Deputy Prosecuting Attorney

EXHIBIT A

TAX TITLE COSTS - Sudden Valley Only

Item Parcel Number	Legal Description	Taxes (Includes Flood control)	Interest/Pen	Foreclosure Costs	Title Search	
573	370301-305264-0000	SUDDEN VALLEY DIV 29 LOT 21	201.28	78.79	150.00	92.00
574	370301-341203-0000	SUDDEN VALLEY DIV 29 LOT 67	422.45	182.55	156.00	92.00
575	370301-354199-0000	SUDDEN VALLEY DIV 29 LOT 69	422.45	182.55	156.00	92.00
576	370301-405265-0000	SUDDEN VALLEY DIV 29 LOT 6	493.72	214.76	156.00	92.00
577	370301-426164-0000	SUDDEN VALLEY DIV 9 LOT 197	422.45	182.55	156.00	92.00
578	370301-428199-0000	SUDDEN VALLEY DIV 9 LOT 159	296.10	120.91	156.00	92.00
579	370301-506265-0000	SUDDEN VALLEY DIV 9 LOT41	194.98	83.29	156.00	92.00
580	370301-567183-0000	SUDDEN VALLEY DIV 9 LOT 96	241.65	96.13	150.00	92.00
581	370301-569209-0000	SUDDEN VALLEY DIV 9 LOT86	132.45	56.28	156.00	92.00
584	370406-033488-0000	SUDDEN VALLEY DIV 22 LOT 76	414.88	174.59	156.00	92.00
585	370406-048216-0000	SUDDEN VALLEY DIV 8 LOT65	266.24	115.51	153.00	92.00
586	370406-057467-0000	SUDDEN VALLEY DIV 22 LOT 69	232.39	96.64	156.00	92.00
587	370406-069303-0000	SUDDEN VALLEY DIV 14 LOT 95	54.05	19.92	156.00	92.00
588	370406-071332-0000	SUDDEN VALLEY DIV 14 LOT 39	171.22	72.57	156.00	92.00
589	370406-082263-0000	SUDDEN VALLEY DIV 14 LOT 97	54.05	19.92	156.00	92.00
590	370406-086258-0000	SUDDEN VALLEY DIV 14 LOT 98	54.05	19.92	153.00	92.00
547	370406-100555-0000	SUDDEN VALLEY DIV 22 LOT 3	57.23	38.68	795.44	106.00
547	370406-100555-0000	SUDDEN VALLEY DIV 22 LOT 3	57.23	38.68	795.44	106.00
591	370406-109549-0000	SUDDEN VALLEY DIV 22 LOT 5	218.72	94.03	156.00	92.00
548	370406-111113-0000	SUDDEN VALLEY DIV 8 LOT 124	135.92	81.95	898.00	106.00
592	370406-117223-0000	SUDDEN VALLEY DIV 14 LOT105	94.41	37.25	156.00	92.00
593	370406-122392-0000	SUDDEN VALLEY DIV 6 LOT25	318.36	124.90	150.00	92.00
594	370406-126259-0000	SUDDEN VALLEY DIV 14 LOT 60	74.21	28.57	156.00	92.00
595	370406-127444-0000	SUDDEN VALLEY DIV 22 LOT 25	408.78	179.94	156.00	92.00
596	370406-133223-0000	SUDDEN VALLEY DIV 14 LOT86	33.85	11.25	156.00	92.00
549	370406-139519-0000	SUDDEN VALLEY DIV 22 LOT 12	57.23	38.68	892.00	106.00

EXHIBIT A

TAX TITLE COSTS - Sudden Valley Only

Item Parcel Number	Legal Description	Taxes (Includes Flood control)	Interest/Pen	Foreclosure Costs	Title Search	
597	370406-140211-0000	SUDDEN VALLEY DIV 14 LOT 84	94.41	37.25	156.00	92.00
598	370406-143514-0000	SUDDEN VALLEY DIV 22 LOT13	232.39	96.64	156.00	92.00
599	370406-144106-0000	SUDDEN VALLEY DIV 11 LOT 172	422.45	182.55	156.00	92.00
600	370406-145204-0000	SUDDEN VALLEY DIV 14 LOT 83	74.21	28.57	156.00	92.00
522	370406-148238-0000	SUDDEN VALLEY DIV 14 LOT 65	122.94	43.23	812.00	92.00
601	370406-155565-0000	SUDDEN VALLEY DIV 22 LOT324	33.85	11.25	156.00	92.00
602	370406-158257-0000	SUDDEN VALLEY DIV 14 LOT 20	249.84	136.53	159.00	92.00
603	370406-158561-0000	SUDDEN VALLEY DIV 22 LOT325	33.85	11.25	156.00	92.00
604	370406-160184-0000	SUDDEN VALLEY DIV 11 LOT45	171.00	72.57	156.00	92.00
605	370406-160366-0000	SUDDEN VALLEY DIV 6 LOT31	171.22	72.57	156.00	92.00
606	370406-162110-0000	SUDDEN VALLEY DIV 11 LOT 118	241.65	96.13	165.00	92.00
607	370406-163348-0000	SUDDEN VALLEY DIV 6 LOT 60	94.41	37.25	156.00	92.00
608	370406-164198-0000	SUDDEN VALLEY DIV 14 LOT 80	33.85	11.25	156.00	92.00
609	370406-165509-0000	SUDDEN VALLEY DIV 22 LOT 175	94.41	37.25	156.00	92.00
610	370406-170195-0000	SUDDEN VALLEY DIV 14 LOT 79	33.85	11.25	156.00	92.00
550	370406-177493-0000	SUDDEN VALLEY DIV 22 LOT 203	71.53	46.54	889.00	106.00
611	370406-179499-0000	SUDDEN VALLEY DIV 22 LOT 204	266.24	115.51	156.00	92.00
612	370406-184176-0000	SUDDEN VALLEY DIV 11 LOT 41	227.98	93.52	153.00	92.00
613	370406-192351-0000	SUDDEN VALLEY DIV 5 LOT 7	279.91	118.12	156.00	92.00
616	370406-198317-0000	SUDDEN VALLEY DIV 14 LOT 76	74.21	28.57	156.00	92.00
617	370406-198448-0000	SUDDEN VALLEY DIV 22 LOT 187	94.41	37.25	156.00	92.00
618	370406-200044-0000	SUDDEN VALLEY DIV 11 LOT156	422.45	182.55	156.00	92.00
619	370406-203494-0000	SUDDEN VALLEY DIV 22 LOT 209	167.44	67.52	156.00	92.00
620	370406-208228-0000	SUDDEN VALLEY DIV 6 LOT 120	160.93	61.48	156.00	92.00
551	370406-212417-0000	SUDDEN VALLEY DIV 10 LOT 176	42.92	30.80	898.00	106.00
626	370406-214205-0000	SUDDEN VALLEY DIV 6 LOT 133	133.58	56.28	150.00	92.00

EXHIBIT A

TAX TITLE COSTS - Sudden Valley Only

Item Parcel Number	Legal Description	Taxes (Includes Flood control)	Interest/Pen	Foreclosure Costs	Title Search	
621	370406-217247-0000	SUDDEN VALLEY DIV 6 LOT 106	279.91	118.12	156.00	92.00
552	370406-222232-0000	SUDDEN VALLEY DIV 6 LOT 122	72.92	30.80	889.00	106.00
623	370406-230027-0000	SUDDEN VALLEY DIV 11 LOT 147	279.91	118.12	156.00	92.00
624	370406-239135-0000	SUDDEN VALLEY DIV 11 LOT 27	374.93	161.07	156.00	92.00
625	370406-244016-0000	SUDDEN VALLEY DIV 11 LOT 139	241.65	96.13	165.00	92.00
627	370406-251393-0000	SUDDEN VALLEY DIV 10 LOT 138	108.08	39.86	156.00	92.00
628	370406-254418-0000	SUDDEN VALLEY DIV 22 LOT 225	201.28	78.79	165.00	92.00
629	370406-256150-0000	SUDDEN VALLEY DIV 11 LOT 10	303.68	128.86	156.00	92.00
630	370406-258017-0000	SUDDEN VALLEY DIV 11 LOT 141	279.91	118.12	156.00	92.00
631	370406-262421-0000	SUDDEN VALLEY DIV 22 LOT 234	94.41	37.25	156.00	92.00
632	370406-264410-0000	SUDDEN VALLEY DIV 22 LOT 232	94.41	37.25	156.00	92.00
633	370406-266493-0000	SUDDEN VALLEY DIV 22 LOT 292	160.60	64.23	162.00	92.00
634	370406-267043-0000	SUDDEN VALLEY DIV 11 LOT 107	279.91	118.12	156.00	92.00
635	370406-276157-0000	SUDDEN VALLEY DIV 5 LOT 105	282.00	113.46	147.00	92.00
636	370406-313062-0000	SUDDEN VALLEY DIV 15 LOT 1	94.41	37.25	150.00	92.00
637	370406-313415-0000	SUDDEN VALLEY DIV 10 LOT 162	54.05	19.92	156.00	92.00
638	370406-314421-0000	SUDDEN VALLEY DIV 10 LOT 163	94.41	37.25	156.00	92.00
639	370406-324417-0000	SUDDEN VALLEY DIV 10 LOT 99	232.39	96.64	156.00	92.00
640	370406-330484-0000	SUDDEN VALLEY DIV 34 LOT13	171.22	72.57	156.00	92.00
641	370406-348332-0000	SUDDEN VALLEY DIV 10 LOT85	232.39	96.64	156.00	92.00
642	370406-349368-0000	SUDDEN VALLEY DIV 10 LOT 90	184.89	75.18	156.00	92.00
643	370406-350391-0000	SUDDEN VALLEY DIV 10 LOT 93	128.24	48.52	162.00	92.00
523	370406-351184-0000	SUDDEN VALLEY DIV 10 LOT 35	162.53	54.88	806.00	92.00
524	370406-352313-0000	SUDDEN VALLEY DIV 10 LOT 82	203.60	67.72	806.00	92.00
644	370406-358401-0000	SUDDEN VALLEY DIV 16 LOT 163	323.82	145.13	156.00	92.00
645	370406-364167-0000	SUDDEN VALLEY DIV 16 LOT 104	118.77	53.69	156.00	92.00

TAX TITLE COSTS - Sudden Valley Only

EXHIBIT A

Foreclosure Costs Title Search

Item Parcel Number	Legal Description	Taxes (Includes Flood control)	Interest/Pen	Foreclosure Costs	Title Search
646	370406-364356-0000 SUDDEN VALLEY DIV 16 LOT 263	54.05	19.92	156.00	92.00
647	370406-364385-0000 SUDDEN VALLEY DIV 16 LOT 268	77.80	26.86	156.00	92.00
648	370406-367263-0000 SUDDEN VALLEY DIV 10 LOT 118	517.47	225.48	156.00	92.00
649	370406-370120-0000 SUDDEN VALLEY DIV 10 LOT 21	54.05	19.92	0.00	92.00
525	370406-372241-0000 SUDDEN VALLEY DIV 10 LOT 76	183.08	61.32	806.00	92.00
650	370406-373333-0000 SUDDEN VALLEY DIV 16 LOT 289	108.08	39.86	156.00	92.00
651	370406-373340-0000 SUDDEN VALLEY DIV 16 LOT 288	108.08	39.86	156.00	92.00
652	370406-374101-0000 SUDDEN VALLEY DIV 4 LOT 131	74.21	28.57	156.00	92.00
526	370406-376263-0000 SUDDEN VALLEY DIV 10 LOT 80	183.08	61.32	818.00	92.00
653	370406-379315-0000 SUDDEN VALLEY DIV 16 LOT 293	181.11	70.13	162.00	92.00
654	370406-383075-0000 SUDDEN VALLEY DIV 4 LOT 126	74.21	28.57	156.00	92.00
655	370406-388262-0000 SUDDEN VALLEY DIV 16 LOT 242	279.91	118.12	156.00	92.00
656	370406-389429-0000 SUDDEN VALLEY DIV 34 LOT 2	147.26	58.87	156.00	92.00
657	370406-390319-0000 SUDDEN VALLEY DIV 16 LOT 178	399.08	159.55	165.00	92.00
658	370406-421365-0000 SUDDEN VALLEY DIV 16 LOT 9	266.24	115.51	156.00	92.00
659	370406-422114-0000 SUDDEN VALLEY DIV 4 LOT 72	303.68	128.86	156.00	92.00
660	370406-431155-0000 SUDDEN VALLEY DIV 16 LOT 130	96.64	0.00	156.00	92.00
661	370406-432167-0000 SUDDEN VALLEY DIV 16 LOT 132	201.28	78.79	150.00	92.00
662	370406-433310-0000 SUDDEN VALLEY DIV 16 LOT 18	266.24	115.51	156.00	92.00
663	370406-434141-0000 SUDDEN VALLEY DIV 16 LOT 128	132.45	56.28	156.00	92.00
664	370406-435198-0000 SUDDEN VALLEY 16 LOT 137	232.39	96.64	156.00	92.00
665	370406-442128-0000 SUDDEN VALLEY DIV 16 LOT 125	132.45	56.28	156.00	92.00
666	370406-447139-0000 SUDDEN VALLEY DIV 16 LOT 120	184.89	75.18	156.00	92.00
667	370406-461135-0000 SUDDEN VALLEY DIV 16 LOT 95	184.89	75.18	156.00	92.00
668	370406-467230-0000 SUDDEN VALLEY DIV 16 LOT 25	194.98	83.29	156.00	92.00
669	370406-470155-0000 SUDDEN VALLEY DIV 16 LOT 102	146.12	58.89	156.00	92.00

EXHIBIT A

TAX TITLE COSTS - Sudden Valley Only

Item Parcel Number	Legal Description	Taxes (Includes Flood control)	Interest/Pen	Foreclosure Costs	Title Search	
670	370406-471150-0000	SUDDEN VALLEY DIV 16 LOT 101	146.12	58.89	156.00	92.00
671	370406-473071-0000	SUDDEN VALLEY DIV 16 LOT 82	232.39	96.64	156.00	92.00
527	370406-474005-0000	SUDDEN VALLEY DIV 4 LOT 3	314.39	104.29	806.00	92.00
672	370406-478183-0000	SUDDEN VALLEY DIV 16 LOT 33	153.32	61.46	156.00	92.00
673	370406-482172-0000	SUDDEN VALLEY DIV 16 LOT 35	218.72	94.03	156.00	92.00
528	370406-489006-0000	SUDDEN VALLEY DIV 2 LOT 186	154.43	50.42	806.00	92.00
674	370406-494128-0000	SUDDEN VALLEY DIV 16 LOT 42	194.98	83.29	156.00	92.00
675	370406-497116-0000	SUDDEN VALLEY DIV 16 LOT 44	194.98	83.29	156.00	92.00
529	370406-504036-0000	SUDDEN VALLEY DIV 16 LOT 74	116.46	39.67	800.00	92.00
676	370406-506027-0000	SUDDEN VALLEY DIV 16 LOT 69	232.39	96.64	156.00	92.00
677	370406-545009-0000	SUDDEN VALLEY DIV 16 LOT 63	227.98	93.52	156.00	92.00
678	370407-199425-0000	SUDDEN VALLEY DIV 24 LOT-150	218.72	94.03	156.00	92.00
679	370407-238374-0000	SUDDEN VALLEY DIV 24 LOT 160	132.45	56.28	156.00	92.00
680	370407-259322-0000	SUDDEN VALLEY DIV 24 LOT 184	74.21	28.57	156.00	92.00
681	370407-259345-0000	SUDDEN VALLEY DIV 24 LOT 188	74.21	28.57	153.00	92.00
681	370407-259345-0000	SUDDEN VALLEY DIV 24 LOT 188	74.21	28.57	153.00	92.00
682	370407-259358-0000	SUDDEN VALLEY DIV 24 LOT 190	146.12	58.89	156.00	92.00
683	370407-321239-0000	SUDDEN VALLEY DIV 24 LOT 19	201.28	78.79	150.00	92.00
684	370407-334200-0000	SUDDEN VALLEY DIV 24 LOT 66	327.42	139.60	156.00	92.00
685	370407-353185-0000	SUDDEN VALLEY DIV 24 LOT 66	282.00	113.46	150.00	92.00
686	370407-381431-0000	SUDDEN VALLEY DIV 3 LOT207	296.10	120.91	156.00	92.00
687	370407-387425-0000	SUDDEN VALLEY DIV 3 LOT 211	77.84	22.71	156.00	92.00
688	370407-394531-0000	SUDDEN VALLEY DIV 3 LOT 52	194.09	79.06	156.00	92.00
689	370407-413530-0000	SUDDEN VALLEY DIV 2 LOT 115	222.57	84.27	150.00	92.00
530	370407-422504-0000	SUDDEN VALLEY DIV 2 LOT 111	79.48	26.19	821.00	92.00
504	370407-436451-0000	SUDDEN VALLEY DIV 2 LOT 88	333.40	79.03	290.00	0.00

EXHIBIT A

TAX TITLE COSTS - Sudden Valley Only

Item Parcel Number	Legal Description	Taxes (Includes Flood control)	Interest/Pen	Foreclosure Costs	Title Search	
690	370407-444403-0000	SUDDEN VALLEY DIV 3 LOT 216	109.62	40.13	156.00	92.00
553	370407-457511-0000	SUDDEN VALLEY DIV 2 LOT 157	35.77	19.67	898.00	106.00
691	370407-479088-0000	SUDDEN VALLEY DIV 30 LOT 104	95.49	34.06	156.00	92.00
692	370407-491060-0000	SUDDEN VALLEY DIV 30 LOT 102 TOG WI UNDIV INT IN K-3	115.69	42.73	156.00	92.00
693	370407-491116-0000	SUDDEN VALLEY DIV 30 LOT 10	149.52	53.99	156.00	92.00
694	370407-491238-0000	SUDDEN VALLEY DIV 25 LOT 17	169.72	62.65	165.00	92.00
695	370407-493218-0000	SUDDEN VALLEY DIV 25 LOT 159	294.03	119.44	156.00	92.00
696	370407-496068-0000	SUDDEN VALLEY DIV 30 LOT 99 TOG WI UNDIV INT IN K-3	115.69	42.73	156.00	92.00
697	370407-502233-0000	SUDDEN VALLEY DIV 25 LOT 19	169.72	62.65	156.00	92.00
698	370407-509166-0000	SUDDEN VALLEY DIV 25 LOT 85	333.98	132.98	156.00	92.00
699	370407-515054-0000	SUDDEN VALLEY DIV 30 LOT 92	135.85	51.39	156.00	92.00
700	370407-518036-0000	SUDDEN VALLEY DIV 30 LOT 91	135.85	51.39	156.00	92.00
701	370407-518064-0000	SUDDEN VALLEY DIV 30 LOT 94	169.72	62.65	156.00	92.00
702	370407-525025-0000	SUDDEN VALLEY DIV 30 LOT 89	135.85	51.39	156.00	92.00
703	370407-537019-0000	SUDDEN VALLEY DIV 30 LOT 87	135.85	51.39	156.00	92.00
704	370407-549053-0000	SUDDEN VALLEY DIV 30 LOT 41	207.76	81.66	156.00	92.00
705	370407-550014-0000	SUDDEN VALLEY DIV 30 LOT 85	135.85	51.39	156.00	92.00
706	370407-550086-0000	SUDDEN VALLEY DIV 30 LOT 28	405.25	165.17	156.00	92.00
707	370407-555144-0000	SUDDEN VALLEY DIV 25 LOT 57	207.76	81.66	156.00	92.00
708	370407-556011-0000	SUDDEN VALLEY DIV 30 LOT 84	135.85	51.39	156.00	92.00
709	370407-561129-0000	SUDDEN VALLEY DIV 30 LOT 1	280.36	116.84	156.00	92.00
710	370408-003116-0000	SUDDEN VALLEY DIV 30 LOT 32 TOG WI UNDIV INT IN K-1	500.28	208.14	156.00	92.00
711	370408-003207-0000	SUDDEN VALLEY DIV 27 LOT 1	193.51	75.23	156.00	92.00
712	370408-004143-0000	SUDDEN VALLEY DIV 27 LOT 75	341.55	140.91	156.00	92.00

EXHIBIT A

TAX TITLE COSTS - Sudden Valley Only

Item Parcel Number	Legal Description	Taxes (Includes Flood control)	Interest/Pen	Foreclosure Costs	Title Search
713 370408-005241-0000	SUDDEN VALLEY DIV 27 LOT 14	303.29	118.92	150.00	92.00
714 370408-007175-0000	SUDDEN VALLEY DIV 27 LOT 68 TOG WI UNDIV INT IN K-3	357.74	143.71	156.00	92.00
555 370408-048084-0000	SUDDEN VALLEY DIV 27 LOT 91	57.23	38.68	895.00	106.00
715 370408-065441-0000	SUDDEN VALLEY DIV 19 LOT 13	436.57	183.87	156.00	92.00
718 370408-163008-0000	SUDDEN VALLEY DIV 28 LOT 77	105.60	38.40	156.00	92.00
719 370408-186022-0000	SUDDEN VALLEY DIV 28 LOT 73	105.60	38.40	156.00	92.00
720 370408-233008-0000	SUDDEN VALLEY DIV 28 LOT 62 TOG WI UNDIV INT IN K-4	119.27	41.00	156.00	92.00
722 370408-251064-0000	SUDDEN VALLEY DIV 28 LOT 40 TOG WI UNDIV INT IN K-3	115.69	25.73	156.00	92.00

Total Parcels = 160

\$30,646.09

RESTRICTIVE COVENANT

Be it hereby known that Whatcom County does by these presents, make, establish, confirm and hereby impress upon certain lots (Exhibit A) the following Restrictive Covenants which shall run with each Lot and hereby binds all grantees, assignees and successors to these Restrictive Covenants for the term hereinafter stated as follows:

1. Term. The term of these Restrictive Covenants shall be perpetual.
2. Restriction on Building. No building, structure or other improvement shall be constructed, erected or placed on a Lot unless:

A. The Lot is consolidated with another buildable lot within the Plat of Sudden Valley by means of either a lot line adjustment approved by Whatcom County or a Covenant to Bind in a form approved by Whatcom County for use as a single family residential lot; or

B. The owner of the Lot causes another vacant buildable lot within the Plat of Sudden Valley to be rendered non-buildable through the imposition of Restrictive Covenants in a form acceptable to Whatcom County which Restrictive Covenants shall be in substantially the same form as these Restrictive Covenants. The Restrictive covenants must be certified by the Whatcom County Planning and Development Services Department and must be recorded with the Whatcom County Auditor's office following which Whatcom County shall record an instrument with the Whatcom County Auditor releasing the Lot from the terms and conditions of this covenant.

3. Enforcement. Enforcement shall be by proceedings of law or equity against any person or persons violating or attempting to violate any covenant either to restrain violation, to recover damages, or both. The prevailing party in any such proceeding shall be entitled to recover all costs and fees incurred in connection therewith, including reasonable attorney's fees.

EXHIBIT B