

Covenants for the Rolling Hills Subdivision

In Uniontown, Washington

Upon recording of the Rolling Hills subdivision in the Town of Uniontown, the residentially zoned real estate shall be conveyed subject to the following restrictions and covenants.

Purpose. The intent of the covenants is to encourage the development of a quality community by establishing minimum conditions on the development and maintenance of each lot while encouraging a variety of individual designs.

The use of building and site design, landscaping and construction concepts, methods, and materials that minimize energy and water usage while limiting storm water run off are encouraged. Some of the concepts encouraged include placement of trees for shading from the summer south and west sun and placement of windows for through house ventilation to provide summer cooling; south and east facing windows to provide winter heating; planting native plant material with xeriscape landscaping principles to minimize the water needed for landscape maintenance, and using permeable materials such as pavers or compacted gravel rather than impervious slabs for areas to be paved to reduce storm water run off.

Design standards. In addition to meeting the requirements in the Town of Uniontown's Land Use Ordinance and Building Codes, the design of each home must meet the following standards.

- To keep buildings in scale with the surrounding topography, the height of the primary residential building shall be no more than twenty five (25) feet and the height of accessory buildings shall be no more than twenty (20) feet as determined by measuring the distance from the mean elevation of the finished grade around the building to the center height between the eaves and ridge of the roof or the height permitted in the Uniontown Land Use Ordinance, whichever is lower.
- The primary sloped roofs on structures, not including dormer or porch or similar supplemental roofs, must have a pitch of five to twelve (5/12) or steeper and must provide an overhang of twelve (12) inches or more beyond vertical wall surfaces.
- Siding that provides the appearance of sheet material such as T1-11 or other siding that provides a similar surface appearance may not be used as the primary siding on buildings with the exception of accessory structures smaller than one hundred fifty (150) square feet of floor area and animal shelters or similar accessory buildings in the back yard area on lots larger than one acre.
- Each house must include a covered entry porch or covered patio with a minimum floor area of twenty four (24) square feet
- An enclosed garage must be included on the lot with each residential building. On lots that are ten thousand (10,000) square feet or larger, the enclosed garage must be able to accommodate two (2) vehicles.
- To discourage the development of a blank wall of garage doors along the street, the street frontage width of a garage adjacent to the front yard may be up to thirty percent

(30%) of the street frontage lot width or twenty four (24) feet, whichever is wider. The width of a paved driveway that serves the garage shall be no wider than the street frontage width of the garage.

- Accessory buildings other than a vehicle garage may not be located between the house and street(s).
- As each lot is developed and prior to a house being occupied, the lot owner must install a public concrete sidewalk along each street frontage of the lot. The sidewalks shall be four (4) feet wide concrete sidewalks and shall retain a six (6) foot planting strip between the sidewalk and the edge of the curb to the street. The sidewalk shall be built to the Town's standards for public sidewalks.
- All accessory buildings shall be of similar architectural style as the principal structure with the exception of accessory structures smaller than one hundred fifty (150) square feet of floor area and animal shelters or similar accessory buildings in the back yard area on lots larger than one acre.
- Each property owner must retain and control storm water on their property in a manner that prevents an increase of the reasonably foreseeable storm water flows from their property onto adjacent properties above what the storm water run off would have been without development and construction on their lot.
- All buildings, except accessory buildings smaller than 150 square feet, shall be new, permanent structures that are site built or modular construction approved under the State Building Codes as defined in RCW 19.27.
- All buildings must meet all applicable land use, building and energy codes as of the date of construction of each building.
- On lots on the south and west border of the subdivision, with the exception of the southern lots on Wheatland Court cul-de-sac and on the Palouse Court cul-de-sac, no buildings shall be built within fifty (50) feet of the adjacent agricultural land as long as the adjacent land is used for agricultural purposes.

Design review. The design and construction plans for all new buildings, new structures, and expansion or remodeling of existing structures larger than one hundred fifty (150) square feet must be reviewed and approved by the Design Review Committee before any construction can be started. The Committee will review only the site plan and exterior design elements of structures for conformance with the above standards. The builder or lot owner (the applicant) must submit scaled construction plans including:

- A site plan for the lot indicating lot lines, easements, building footprints, driveways, storm water control and general landscaping concepts, and
- Elevation drawings for each side of each building indicating finished grade lines, exterior materials, pitches of roofs, ridge lines, windows, porches, decks and similar exterior elements.

The Committee will respond in writing within thirty (30) days of receipt of the proposed plans. The response may be approval of plans as submitted, or approval of plans with specific required revisions, or a requirement for submittal of additional information, or rejection of the plans as submitted because the Committee determined that the plans do not meet the standards and objectives stated above. Approval of plans by the Committee shall not be deemed to constitute compliance with the requirements of any zoning, building codes or other governmental regulations.

Variations. The Committee may approve exceptions to specific design standards if the overall design meets the objectives stated above and when circumstances such as topography, natural obstructions or environmental considerations prevent a lot owner from enjoying the same use of their property as other property owners in the subdivision.

Appeals. The owner or builder (the applicant) who submitted plans for design review may request the members of the Rolling Hills Associates, LLC to review the decision of the design review Committee. A request for a review must be submitted to the Rolling Hills Associates, LLC within thirty (30) days of the date the decision of the Committee was mailed to the applicant. In submitting a request for a review of the committee's decision, the applicant must state what aspect of the decision they disagree with and what change the applicant is requesting. If a homeowners' association has been formed as described herein, the board of directors of the Association will replace the members of the Rolling Hills Associates, LLC as the appeal authority.

The Initial Design Review Committee shall be composed of Dale and Leslee Miller. In the event of the resignation or death of any member of the committee, the remaining members of the Rolling Hills Associates, LLC shall appoint a successor. If a homeowners' association has been formed as described below, the Board of Directors of the Association will replace the Rolling Hills Associates, LLC as the authority who appoints the members of the design review Committee.

Construction schedule. Construction must be completed within the following schedule:

- All exterior construction on the primary residential building and garage must be completed within eighteen (18) months from the date of the start of construction.
- The landscaping of the areas between the primary residential building and street(s) must be completed within twenty four (24) months of the date of the start of construction of the house.

Site and building maintenance requirements include:

- No vehicle parts, scrap metal, appliances, furniture made for interior use, general personal and household items, or other similar items or materials may be stored on a lot outside of a storage area that is screened by a permanent structure that prevents a view of the stored material from adjacent properties or public rights of way.
- No vehicles including trailers, motor homes, tractors, 4 wheelers or other vehicles may be parked between a house and street(s) for more than two weeks.

- The landscaping of buffer areas, open space, pedestrian areas and planting strips between the private property line and the paved street edge must be maintained by the adjacent property owners. The pedestrian areas must remain open to the public.
- To prevent the spread of noxious weeds, each property owner, as required under State law, must eradicate any noxious weeds on their property and areas they are required to maintain.

The lots in the Rolling Hills subdivision are near land being farmed. Persons owning or residing on any of the lots in the subdivision must accept the inconvenience such as dust and noise that may occasionally be caused by normal farming activities on the surrounding farms.

Homeowners' Association. A homeowners' association may be formed to oversee compliance with these covenants and to assist in the maintenance and improvement of the community. An Association may be formed only if the owners of twenty five of the residentially zoned lots in the Rolling Hills Subdivision agree in writing to the formation of the Association. If an association is formed, there shall be one membership provided for each platted lot and each membership shall be entitled to one vote in the Association. The charter and by-laws of the association and any assessments must be approved by sixty percent (60%) of the members.

Enforcement. If an owner violates any term or condition set forth in these covenants, the Rolling Hills Associates LLC or the Homeowners' Association, if one has been formed as described herein, shall be able to revoke any approvals granted to the owner of a lot. In addition, the Rolling Hills Associates, LLC or the Homeowners' Association or any owner of a lot in the Rolling Hills subdivision may take civil action in the courts against the Owner who is violating the terms and standards of these covenants to enjoin such violation or require specific performance of the owner's obligations and for all damages, losses, costs and expenses that result from the owner's violations.

Liability. The Rolling Hills Associates, LLC, members of the Rolling Hills Associates, members of the design review committee or members of the Homeowners' Association that may be formed in the future are not liable to any owner for any injuries, damages, losses, costs or expenses suffered or incurred by reason of any act or omission in the application or enforcement of these covenants.

Duration. These covenants shall remain binding upon each lot contained within the plat until January 1, 2050 at which time the covenants shall renew and extend for successive twenty year periods if the owners of a majority of the lots at the time of renewal agree in writing to renew or amend these covenants.