

Please return to:

*Executive Assistant
Kennewick Irrigation District
2015 S Ely Street
Kennewick, WA 99337*

KENNEWICK IRRIGATION DISTRICT RESOLUTION 2018-02

Approving Lattin Meadows and Lattin Meadows Phase 2 Voluntary Mitigation Agreement

A **RESOLUTION** of the Board of Directors of Kennewick Irrigation District (KID), Benton County, Washington, for the purpose of approving a development agreement with Brad Beauchamp, BMB Development Inc., a Washington Corporation (hereinafter “Developer”),

WHEREAS, the Board of Directors of KID (the Board) met in regular session on May 1, 2018, with a quorum present, and

WHEREAS, the Property is proposed for subdivision into a development known as “Lattin Meadows and Lattin Meadows Phase 2” consisting 10.75 acres, of which 10.29 acres are classified as irrigable, which are proposed to be subdivided into 34 lots and legally described in **Exhibit A**; hereinafter referred to as the “Property.”

WHEREAS, the Property is being developed into a residential subdivision within the Benton County boundaries; and

WHEREAS, the Property is owned by the Developer and has an allotment of irrigation water from KID; and

WHEREAS, RCW 58.17.310 requires that irrigation water rights-of-way be provided for each parcel of land, and also requires that, if the subdivision lies within land within an irrigation district classified as irrigable, completed irrigation water distribution facilities for such land may be required by the irrigation district by resolution as a condition for approval of the short plat or final plat by the legislative authority of the city, town, or county; and

WHEREAS, KID Resolution 86-15A requires completed irrigation facilities as a condition for approval of the short plat or final plat; and

WHEREAS, KID Policy 4.19 “Standard Specifications” specifies what comprises completed irrigation facilities; and

WHEREAS, the KID is developing a comprehensive plan (“West Richland Irrigation Master Plan”) for the general area that includes this Property, and will be able to provide direction as to the location and specifics for pipe distribution system as it relates to the proposed Subdivision; and

WHEREAS, this agreement precedes KID Board approval of a comprehensive plan for this area;
and

WHEREAS, the Developer agrees to make irrigation improvements on the Property, to provide pressurized irrigation water to the subdivision as a completed irrigation facility; and

WHEREAS, the Developer and KID mutually agree that it is in each of their best interest for the Developer to remove and decommission the existing pond and pump station facility located within the property, which facility is located within a KID easement; and

WHEREAS, the Developer and KID mutually agree that it is in each of their best interest for the Developer to contribute funds towards KID's planned regional system or provide other agreed upon contributions to provide service to the Subdivision with irrigation water; and


WHEREAS, the Developer desires to contribute funds to KID in the mutually agreed upon amount of \$70,447.59 for West Lattin and West Lattin Phase 2 subdivision; and

WHEREAS, the KID cannot approve of any Final Plat phases of the Property unless completed irrigation systems are installed or bonded for, or the KID Board of Directors approves by resolution an acceptable security that creates a lien against the Property; and

WHEREAS, the parties desire to set forth their agreements on how said Voluntary Mitigation Agreement will be constructed, operated, maintained, replaced, and bettered for their mutual benefit and for the benefit of their heirs, assigns and successors;

NOW, THEREFORE, BE IT RESOLVED that the attached "Lattin Meadows and Lattin Meadows Phase 2" Voluntary Mitigation Agreement is approved.

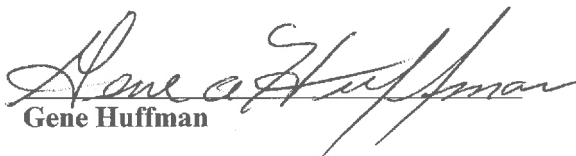
RESOLUTION 2018-02 IS HEREBY ADOPTED by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at a regular open public meeting thereof this 1st day of May, 2018.



Dean Dennis



Kirk Rathbun



Gene Huffman



David McKenzie



Raman Venkata

EXHIBIT A

Legal Description of Parcel 1-1898-100-0005-001

Section 18 Township 9 Range 28 Quarter NE; THE SOUTH 532.84 FEET OF THE EAST 441.92 FEET, AS MEASURED ALONG THE SOUTH LINE, OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON; EXCEPT THE SOUTH 30 FEET THEREOF DEEDED TO BENTON COUNTY BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NUMBER 414267 FOR ROAD. CONTAINING 5.10 ACRES, MORE OR LESS. QCD, AF #2007-019057 (6/14/07). LESS PORTION FOR ROAD ROW & UTILITY EASEMENT PER QCD, AF#2007-020554, 6/26/2007.

Legal Description of Parcel 1-1898-101-1277-005

SHORT PLAT #1277 LOT 2. LESS THE EAST 25.00 FEET FOR ROAD ROW, AND TOGETHER WITH A UTILITY EASEMENT 10 FEET IN WIDTH, ADJOINING AND LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE; BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 89 DEGREES 44' 40" WEST 75.97 FEET ALONG THE SOUTH LINE THEREOF TO THE BEGINNING OF A 25.00 RADIUS CURVE CONCAVE TO THE NORTH WHOSE RADIUS CENTER BEARS NORTH 00 DEGREES 15' 20" WEST; THENCE NORTHEASTERLY 37.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85 DEGREES 05' 03" TO A POINT OF REVERSE CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 325.00 FEET; THENCE NORTHERLY 66.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11 DEGREES 43' 09" TO A POINT OF REVERSE CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 275.00 FEET; THENCE NORTHERLY 83.34 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 17 DEGREES 21' 52" TO A POINT OF TANGENT ON THE WEST LINE OF THE EAST 25.00 FEET OF SAID SHORT PLAT; THENCE NORTH 00 DEGREES 59' 06" WEST 490.05 FEET ALONG SAID WEST LINE TO THE TERMINUS OF SAID DESCRIBED LINE. THE SIDELINES OF SAID EASEMENT SHALL BE SHORTENED OR LENGTHENED TO TERMINATE AT THE NORTHERLY RIGHT OF WAY OF WEST LATTIN ROAD AND THE NORTH LINE OF SHORT PLAT 1277. (DESCRIPTION CHANGE FOR ROAD ROW WATKINS WAY, PER QCD, AF#2007-029521, 9/05/2007) TOGETHER WITH SHORT PLAT # 1277 LOT 3, LESS THAT PORTION OF LOT 3, SHORT PLAT 1277, ACCORDING TO THE SURVEY THEREOF, RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 1277, RECORDS OF BENTON COUTNY WASHINGTON, DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 89 DEGREES 44' 40" WEST 75.97 FEET ALONG THE SOUTH LINE THEREOF TO THE BEGINNING OF A 25.00 RADIUS CURVE CONCAVE TO THE NORTH WHOSE RADIUS CENTER BEARS NORTH 00 DEGREES 15' 20" WEST; THENCE NORTHEASTERLY 37.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85 DEGREES 05' 03" TO A POINT OF REVERSE CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 325