

Please return to:

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

KENNEWICK IRRIGATION DISTRICT RESOLUTION 2020-07

Approving Sagewood Estates 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 P & R Construction LLC., a Washington limited liability company (hereinafter “Developer”),

WHEREAS, the Board of Directors of KID (the Board) met in regular session on March 17, 2020, with a quorum present, and

WHEREAS, the Property is proposed for subdivision into a development known as “Sagewood Estates” consisting 10.16 acres, of which 10.16 acres are classified as irrigable, which are proposed to be subdivided into 19 lots and legally described as follows;

- **Parcel 1-1898-101-1277-001**
SHORT PLAT #1277 LOT 1

- **Parcel 1-1898-101-1278-001**
SHORT PLAT #1278 LOT 1

- **Parcel 1-1898-101-1278-004**
SHORT PLAT #1278 LOT 4

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 staff are drafting 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, the preliminary plat for the Subdivision was submitted prior to comprehensive plan approval and is not required to fulfill the requirements of the comprehensive plan; and

WHEREAS, the Developer agrees to be responsible for making irrigation improvements on the Property, but has not completed the construction of a pond, pump station, and appurtenant facilities 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 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 equal to what would be the mutually agreed cost of constructing a pond facility, which is estimated at \$82,805.15, an amount determined KID and the Developer; 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 “Sagewood Estates Voluntary Mitigation Agreement” is approved.

RESOLUTION 2020-07 IS HEREBY ADOPTED by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at a regular open public meeting thereof this 17th day of March, 2020.


Kirk Rathbun


Gene Huffman


David McKenzie

ABSENT
Raman Venkata

ABSENT
Arland Ward