

*Please return to:*

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

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## **KENNEWICK IRRIGATION DISTRICT RESOLUTION 2023-26**

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### **Approving Voluntary Mitigation Agreement for Southcliffe Ph 8**

**A RESOLUTION of the Board of Directors of Kennewick Irrigation District (KID), Benton County, Washington, for the purpose of approving a development agreement with Bauder Young Properties, LLC, (hereinafter “Developer”),**

#### **Section 1. RECITALS AND FINDINGS.**

**1.1** the Board of Directors of KID (the Board) met in regular session on June 20<sup>th</sup>, 2023, with a quorum present.

**1.2** Relating to that property owned by Developer in the City of Kennewick (“COK”), County of Benton, and State of Washington, tax parcel number: 1-0789-402-0003-000. The Property is proposed for subdivision into a development known as “Southcliffe Phase 8” (“Subdivision”) consisting approximately 30 acres, of which 0.00 acres is classified as irrigable, which are proposed to be subdivided into 39 lots and multiple tracts; and.

**1.3** The Property is being developed into a residential subdivision within the COK boundaries.

**1.4** The Property is owned by the Developer and does not have an allotment of irrigation water from KID.

**1.5** The KID Main Canal Division IV Canal (D4) is located north of the subdivision within a 175 foot wide Canal Right-of-Way (ROW) and the property within the ROW is owned by KID.

**1.6** KID and the Developer were unaware of the KID’s ownership of the south 25 feet of ROW when the original plat was submitted, and initial design of the Civil plans started which include facilities within the south 25 of ROW.

**1.7** KID has plans to improve the D4 canal, including but not limited to, widening, deepening, realigning, and lining the canal and work within the Canal ROW would extend into the south 25 feet of ROW. Preliminary design work for the D4 Canal and KID’s need for the additional 25 feet of ROW could be mitigated by grading and the installation of a retaining wall within the south 25 feet of Canal ROW

**1.8** RCW 87.03.136 allows the board to, without consideration, dedicate, grant, or convey district land

or easements in district land for public utility purposes that convenience the inhabitants of the district if the board deems that the action will enhance the value of the remaining district land to an extent equal to or greater than the value of the land or easement dedicated, granted, or conveyed.

1.9 The Property is proposed to be utilized for public utilities, including a storm retention pond and access, and sewer and water pipelines and the Developer is making improvements within the property and the adjoining Canal ROW that will enhance the value of KID's remaining property by eliminating the need for future retaining walls and grading related to KID's plans to improve the D4 Canal.


1.10 The Developer and KID mutually agree that it is in each of their best interest for the Developer and KID to enter into the attached Voluntary Mitigation Agreement entitled, "SOUTHCLIFFE PHASE 8 HEIGHTS VOLUNTARY MITIGATION DEVELOPMENT AGREEMENT".

1.11 The attached Voluntary Mitigation Agreement describes the terms and conditions.

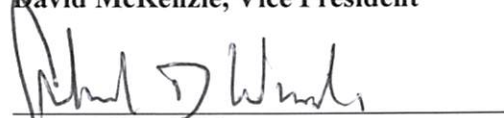
**Section 2. IMPLEMENTATION.** The KID Board of Directors hereby adopts and approves the attached Southcliffe Phase 8 Voluntary Mitigation Agreement and the KID District Manager is hereby authorized and directed to take such action as appropriate and necessary to administer and enforce this Resolution.

**RESOLUTION 2023-26 IS HEREBY ADOPTED** by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at a regular open public meeting with a quorum present thereof this 20<sup>th</sup> day of June, 2023.

  
Gene Huffman, President

  
David McKenzie, Vice President

  
Kirk Rathbun, Director

  
Arland Ward, Director

  
Griffin Hanberg, Director