

RETURN ADDRESS

La Center School District

725 Highland Road

La Center, WA 98629

**CONSERVATION COVENANT RUNNING WITH THE LAND**

**Grantor (owner):** La Center School District  
**Grantee:** City of La Center  
**Abbreviated Legal Description:** NE/SE1/4 SEC 02 T04NR01EWM 17.17A  
**Assessor's Property Tax Parcel/Account Number(s):** 209118-000 & 209120-000  
**Project Case No.:** 2019-028-PAC

A COVENANT to the City of La Center, State of Washington, hereinafter "City," by the owner(s) La Center School District of certain real property identified above on behalf of themselves and all their heirs, assigns and successors in interest into whose ownership said property may pass, agrees that this covenant shall run with the land. It is the purpose of this covenant that certain wetland areas and designated mitigation located within areas shown in Exhibit "A" will be maintained in a protected state as follows:

1. Consistent with the purpose of this covenant, no person, company, agency, or applicant shall alter a wetland area regulated under La Center Municipal Code Chapter 18.300.090(6), except as exempted or as authorized by the Responsible Official through an approved Wetland Permit.
2. Exempt Activities. All exempted activities shall use reasonable methods to avoid potential impacts to wetland areas. Exemptions from permits are not exemptions

from wetland stewardship responsibilities. Exempt activities listed in Chapter 18.300.070 shall be exempt from the provisions of this covenant; provided, that they are otherwise consistent with other local, state, and federal laws and requirements:

3. Nothing in this covenant shall be construed to provide for public use of or entry into the wetland areas or designated mitigation areas shown on Exhibit "A". However, representatives and agents of the City of La Center (City) are hereby authorized to make reasonable entry into designated mitigation areas upon such land for purposes related to administering this covenant, provided that:
  - a. Owners or their heirs, successors or assigns are given at least 24-hours advance notice of any such entry.
  - b. Access granted to representatives and agents of the City under this provision shall expire upon completion of required monitoring and final acceptance of the wetland mitigation by the Responsible Official.
4. The provisions of this covenant are enforceable in law or equity by the City and its successors.
5. This covenant and all of its provisions, and each of them, shall be binding upon the owners and any and all of their heirs, assigns and successors in interest into whose ownership the above-described real property may pass, and any obligations made herein by owners, shall be enforceable against all of their heirs, assigns and successors in interest into whose ownership the above-described real property may pass.

IN WITNESS WHEREOF, of parties hereto have caused this agreement to be executed the day and year indicated below.

Dated this 6<sup>th</sup> day of December, 2019

By Amy Thonta, Mayor

City Administrator

By [Signature]

David Holmes, Superintendent

La Center School District

STATE OF WASHINGTON )  
COUNTY OF Clark ) ss:

On this 6<sup>th</sup> day of December, 2019, personally appeared David Holmes, to me known to be the Superintendent of La Center School District, who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed, of said corporation/limited liability company, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

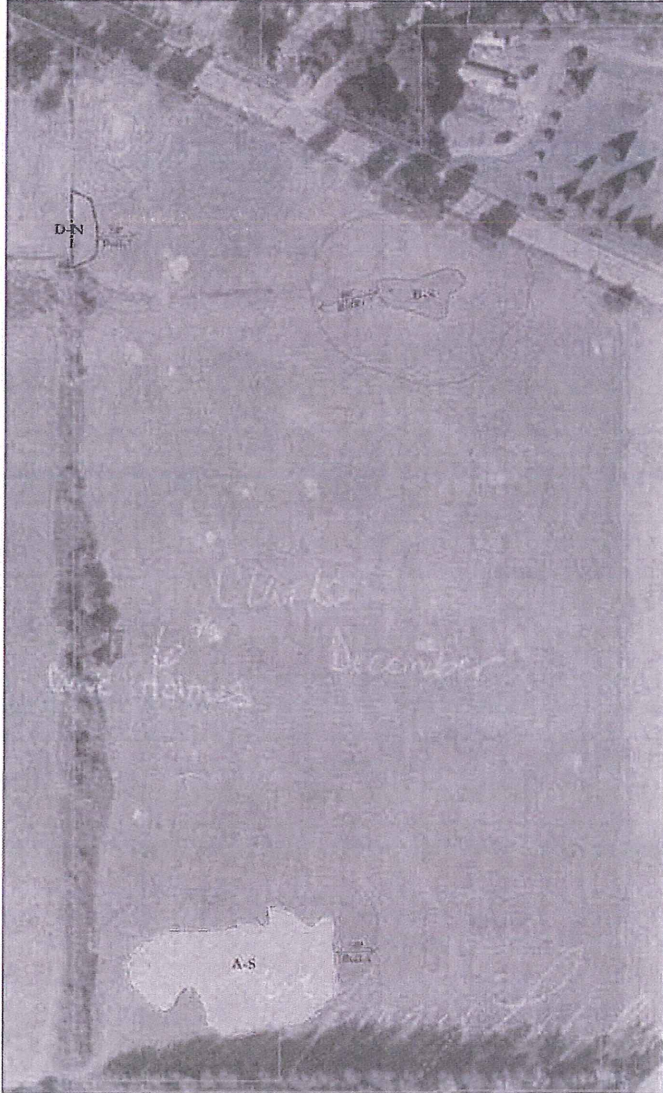
Tammy Lichliter




Notary Public in and for the State of  
Washington, Residing at La Center, WA  
My appointment expires: July 20, 2021





## EXHIBIT A



-  Wetland A-S - 27,200 sq.ft.  
Category IV - 50' Buffer
-  Wetland B-S - 3,770 sq.ft.  
Category III - 80' Buffer
-  Wetland D-N - 290 sq.ft.  
Category IV - 50' Buffer

### **Limitations:**

This exhibit is intended to illustrate the approximate location of areas that are likely to contain wetlands or have been designated for wetland mitigation. It does not represent a wetland delineation or survey of the property represented. There may be wetlands outside the areas identified on this exhibit that could be subject to regulation by the City or State and Federal Agencies.

