

RETURN ADDRESS

CONSERVATION COVENANT RUNNING WITH THE LAND

Grantor (owner): Felida Rose LLC _____
Grantee: City of La Center
Legal Description: Sec 33 T5N R1E WM
Assessor's Property Tax Parcel/ Account Number(s): 258636000, 258704000, 258702000, 258727000, 258644000, 258763000
Project Case No.: PDR2020-011. _____

A COVENANT to the City of La Center, State of Washington, hereinafter "City," by the owner(s), Felida Rose LLC, 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 habitat 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 habitat area regulated under LCMC 18.300.090 except as exempted or as authorized by the Responsible Official through an approved Habitat Permit.
2. Permanent Marking of Buffer Area. A permanent and perpetual physical demarcation along the upland boundary of the habitat buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedgerow, wood or wood-like fencing, or

other prominent physical marking approved by the City. In addition, signs (measuring minimum size one foot by one foot and posted three and one-half feet above grade) shall be posted at an interval of one per lot or every 100 feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the habitat buffer approved by the director worded substantially as follows: "Habitat Buffer- Please Retain in a Natural State."

3. Exempt Activities. All exempted activities shall use reasonable methods to avoid potential impacts to habitat areas. Exemptions from permits are not exemptions from habitat stewardship responsibilities.
4. Nothing in this covenant shall be construed to provide for public use of or entry into the habitat areas or designated mitigation areas shown on Exhibit "A". However, representatives and agents of the 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.
5. Access granted to representatives and agents of the City under this provision shall expire upon completion of required monitoring and final acceptance of the habitat mitigation by the Responsible Official.
6. The provisions of this covenant are enforceable in law or equity by the City and its successors.
7. 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, the parties hereto have caused this agreement to be executed the day and year indicated below.

Dated: _____
month day,, year

By: _____
Owner

By: _____
Owner

STATE OF)
) ss.
COUNTY OF)

I certify that I know or have satisfactory evidence that _____ the person(s) who appeared before me, and said person(s) acknowledges that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: _____, _____, _____

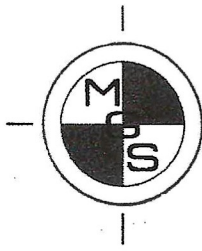
Name:
Notary Public in and for the State of,
residing at
My appointment expires

APPROVED AS TO FORM ONLY:

City of La Center, WASHINGTON

By: _____
Name:

Title:

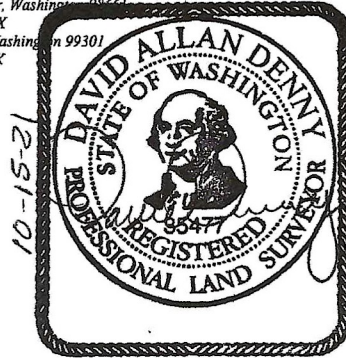


**MINISTER-GLAESER
SURVEYING INC.**

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Pasco Office – 6303 Burden Blvd. Suite E, Pasco, Washington 99301
(509) 544-7802 (509) 544-7862 FAX

October 15, 2021

EXHIBIT "A"



OPEN SPACE TRACT:

A portion of the Southeast quarter of the Southeast quarter of Section 33, Township 5 North, Range 1 East, Willamette Meridian, City of LaCenter, Clark County, Washington, described as follows:

BEGINNING at a 1/2-inch iron rod marking the East quarter corner of said Section 33 as shown in Book 31 of Surveys, Page 161, Clark County Auditor's Records and described in Book 5 of Land Corner Records, Page 50;

Thence North $88^{\circ} 42' 02''$ West along the North line of the Southeast quarter of Section 33, for a distance of 1061.28 feet;

Thence South $01^{\circ} 17' 58''$ West, 1746.15 feet to the Northerly Right-of-way line of NW Pacific Highway;

Thence South $43^{\circ} 28' 56''$ East, along said Northerly Right-of-way line 66.39 feet, to the **TRUE POINT OF BEGINNING**;

Thence continuing along said Northerly Right-of-way line, South $43^{\circ} 28' 56''$ East, for a distance of 170.57 feet;

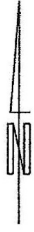
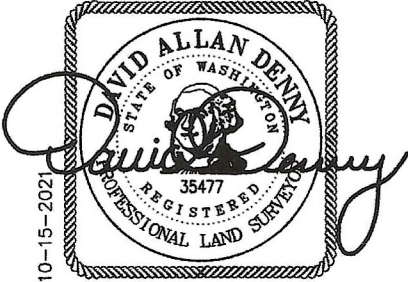
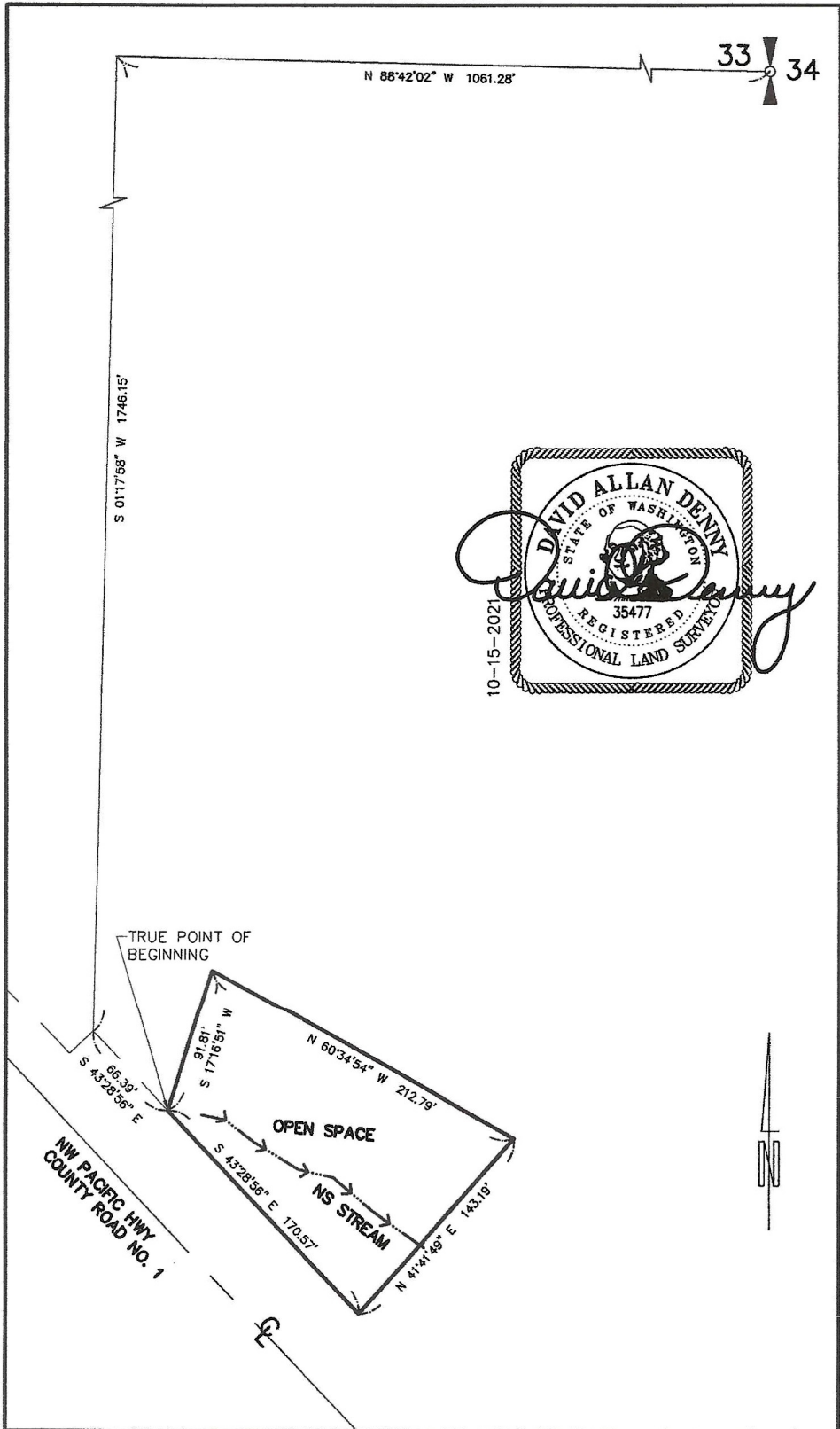
Thence leaving said Northerly Right-of-way line, North $41^{\circ} 41' 49''$ East, 143.19 feet;

Thence North $60^{\circ} 34' 54''$ West, 212.79 feet;

Thence South $17^{\circ} 16' 51''$ West, 91.81 feet to the **TRUE POINT OF BEGINNING**.

BEGINNING.

CONTAINS 21,718 square feet of land, more or less.



	PREPARED BY: MINISTER-GLAESER SURVEYING INC. 2200 E. EVERGREEN BLVD. VANCOUVER, WA 98661 (360) 694-3313	EXHIBIT "D" OPEN SPACE	SCALE: 1"=80' JOB NO. 20-080 DATE: 10-15-21 DWG FILE: 20080WET DRAWN BY: DAD
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