

Z2021-107 **Zoning Map Amendment Application**

Contact Person

X Contact Person

| Note: A Pre-Application meeting is required prior to submittal of an application. |
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PROPERTY OWNER INFORMATION

Owner: Jerry Rhodes

Address: P.O. Box 1754, Richland, WA 99352

Phone: (509) 212-0900

kchelp@aol.com Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

Company: Knutzen Engineering

Contact: Paul Knutzen

Address: 5401 Ridgeline Drive Suite 160, Kennewick, WA 99338

Phone: (509) 222-0959

Email: paul@knutzenengineering.com

UBI#: 603-538-277

DESCRIPTION OF WORK

Changing the current zone from Agriculture (AG) to General Commercial (C-3).

| PROPERTY INFORMATION | | | | | |
|--|--------------------------|-------------------------------------|--|--|--|
| Parcel #: 1-0498-400-0005-000, 1-0398-300-0001-000 | | | | | |
| Legal Description: See attached survey legal descriptions. | | | | | |
| Current Zoning: AG Current Comp Plan: Commercial Requested Zoning: C-3 | | | | | |
| Current Use: Commercial | Proposed Use: Commercial | Area of Property: Destacres 9.4 ac. | | | |

APPLICATION MUST INCLUDE

- 1. Completed application and filing fee
- 2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
- 3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner: The subject properties are zoned Agriculture (AG) and is surrounded by both AG and General Commercial (C-3) The existing primary use of one of the lots is a cathothlic non-profit organization which is a non conforming use. The parcel has been difficult to develop due to the remaining developable land located away from the main street frontage.

Any hardship that may result in the event the rezone is not granted: Site will remain undeveloped and underutilized in a growing and commercially driven portion of Richland. The manner in which the proposed rezone conforms to patterns in adjacent zones: The proposed rezoning will allow the underutilized land to be developed as a commercial lot.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones: Benefits to adjacent surrounding zones include development of an area of unimproved property that will finally become a valuable asset to the City of Richland.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

Requested zone change will bring existing commercial into conformance with Richland's zoning code, thereby solidifying its purpose within the comprehensive plan. No adverse effects are known.

The benefits or detriments accruing to the City which would result from the granting or denial of this special permit: Rezone will result in developing an area of unimproved property, generating property, permit and sales tax revenue to the city. Development of the site will also benefit the city by reducing current issues with loitering and illegal dumping occurring on the undeveloped land. No detriments are known.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

The proposed rezone remains commercial in nature, keeping in guiding principles set forth in the comprehensive plan, and brings an existing non-conforming use into compliance.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered: The rezone is not considered a spot zone as it remains commercial in nature within the comprehensive plan.

Identify impacts on the environment and public safety:

The rezoning will have no adverse impacts to the environment nor public safety. Proposed commercial rezone meets the intent of existing comprehensive plan for the site.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit. I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.

- 2. The information provided in this application contains no misstatement of fact.
- I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
- 4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

| Applicant Printed Name: | Paul Knutzen | | |
|-------------------------|--------------|------|---------|
| Applicant Signature: | Paul Kutzen | Date | 12/2/21 |



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (Z2021-107)

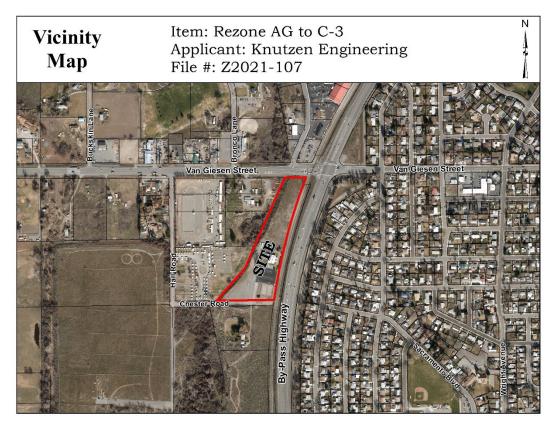
Notice is hereby given that Knutzen Engineering has filed a request to rezone two parcels totaling 9.4-acres from AG (Agriculture) to C-3 (General Business). The project site is located at the southwest corner of the intersection of Van Giesen Street and the By-Pass Highway (APN's 1-04984000005000 & 1-03983000001000). Application materials can be viewed online at www.ci.richland.wa.us.

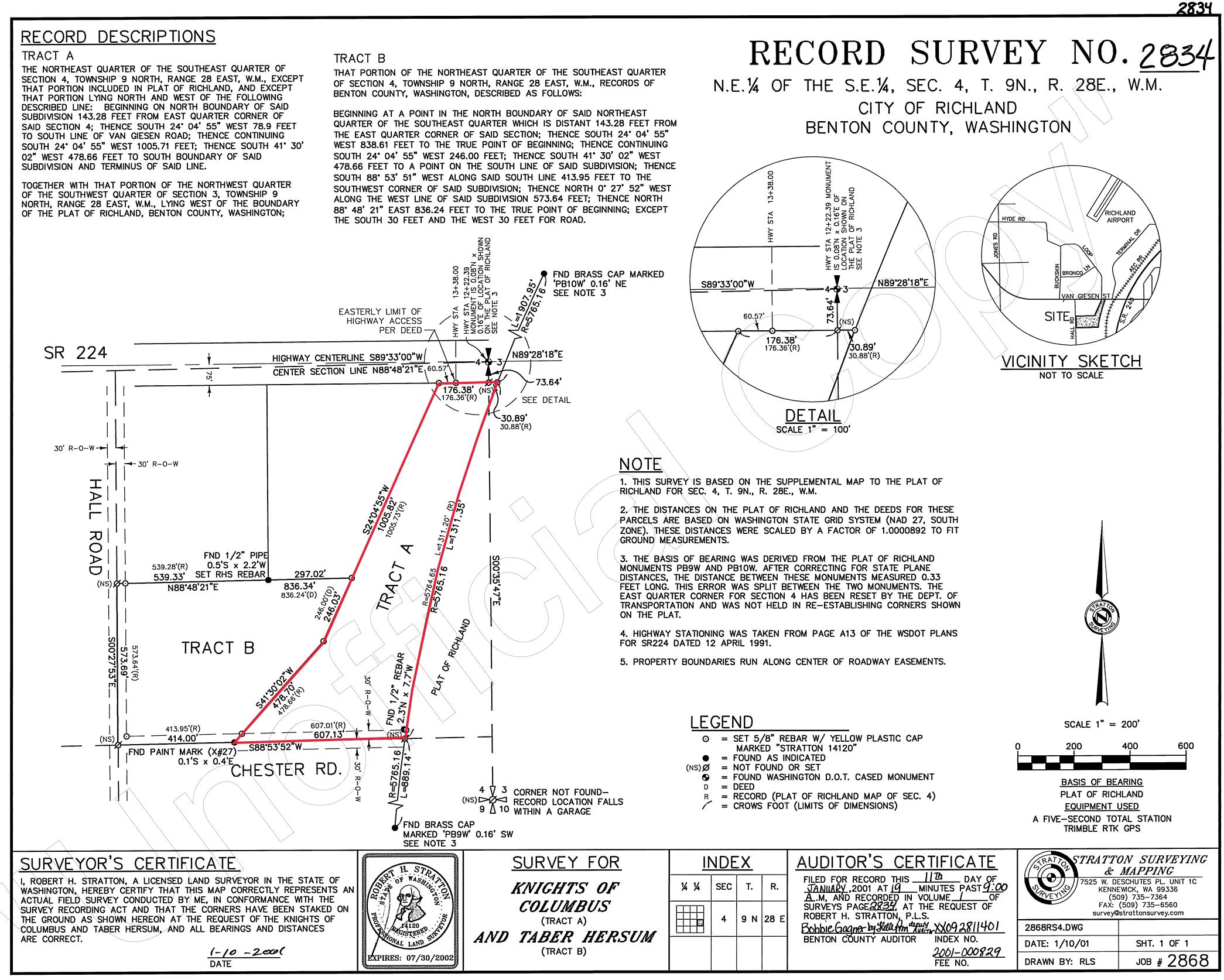
The Richland Hearing Examiner will conduct a virtual public hearing and review of the application at 6:00 p.m., Monday, February 14, 2022. All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland website (<u>www.ci.richland.wa.us</u>).

Environmental Review: The proposal is not subject to environmental review. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to <u>soneill@ci.richland.wa.us</u>. Written comments should be received no later than 5:00 p.m. on Monday, January 31, 2022 to be incorporated into the staff report. Written comments received after Jan. 31 will be provided to the Hearing Examiner on the day of the public hearing. Written comment will not be accepted after 6 p.m. on February 13; however verbal comments may be presented during the public hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.







8203 WEST QUINAULT AVE, SUITE 10, KENNEWICK, WA 99336 Phone: 509-783-0660 Fax: 509-783-6612

DISTRIBUTION LIST

Our Order No.: CBF14445 Reference No: Re: COLUMBIAN CLUB, INC./ Property Address: 2500 CHESTER RD. RICHLAND, WA 99354

This Preliminary Commitment has been prepared and distributed to the following parties:

| Contact: Jerry Rhoads / Paul Knutzen Email: <u>kchelp@aol.com;</u> paul@knutzenengineering.com | Lender |
|---|--------------------------|
| Selling Agent | Listing Agent |
| Additional Selling Agent | Additional Listing Agent |
| Buyer's Attorney | Seller's Attorney |
| Mortgage Broker | Additional Lender |
| | |
| | |

SHORT PLAT CERTIFICATE

SCHEDULE A

| Office File Number | Date of Policy | Premium |
|--------------------|------------------|-----------------|
| CBF14445 | October 22, 2021 | \$250.00 |
| Ref. No.: | at 8:00 a.m. | |

THE ASSURED REFERRED TO ON THE FACE PAGE ARE: KC HELP

THAT ACCORDING TO THE COMPANY'S PROPERTY RECORDS RELATIVE TO THE FOLLOWING DESCRIBED REAL PROPERTY (BUT WITHOUT EXAMINATION OF THOSE COMPANY RECORDS MAINTAINED AND INDEXED BY NAME):

SEE ATTACHED EXHIBIT "A"

A. THE LAST RECORDED INSTRUMENT PURPORTING TO TRANSFER TITLE TO SAID REAL PROPERTY INDICATES THAT TITLE WAS CONVEYED TO:

THE COLUMBIAN CLUB, INC., A WASHINGTON CORPORATION, AS TO PARCEL A AND COLUMBIAN CLUB, INC., A WASHINGTON CORPORATION, AS TO PARCEL B

B. THERE ARE NO MORTGAGES OR DEEDS OF TRUST WHICH PURPORT TO AFFECT SAID PROPERTY, OTHER THAN THOSE SHOWN BELOW UNDER EXCEPTIONS.

NO GUARANTEE IS MADE REGARDING (A) MATTERS AFFECTING THE BENEFICIAL INTEREST OF ANY MORTGAGE OR DEED OF TRUST WHICH MAY BE SHOWN HEREIN AS AN EXCEPTION, OR (B) OTHER MATTERS WHICH MAY AFFECT ANY SUCH MORTGAGE OR DEED OF TRUST.

NO GUARANTEE IS MADE REGARDING ANY LIENS, CLAIMS OF LIEN, DEFECTS OR ENCUMBRANCES OTHER THAN THOSE SPECIFICALLY PROVIDED FOR ABOVE, AND, IF INFORMATION WAS REQUESTED BY REFERENCE TO A STREET ADDRESS, NO GUARANTEE IS MADE THAT SAID REAL PROPERTY IS THE SAME AS SAID ADDRESS.

EXCEPTIONS:

1. TAXES AND ASSESSMENTS, IF ANY, NO SEARCH HAVING BEEN MADE THEREOF.

| 2. | EASEMENT, INCLUDING | THE TERMS, COVENANTS AND PROVISIONS THEREOF; |
|----|---------------------|---|
| | RECORDED: | SEPTEMBER 24, 1957 |
| | RECORDING NO.: | 379071 (INCLUDES OTHER PROPERTY) |
| | FOR: | RIGHT OF WAY FOR ROADS, UTILITIES, INSTALLATION AND |
| | | MAINTENANCE |
| | AFFECTS: | SAID PREMISES AND INCLUDES OTHER PROPERTY |

3. EASEMENT(S) RESERVED IN DEED FROM UNITED STATES OF AMERICA UNDER WHICH TITLE IS CLAIMED AND THE TERMS AND CONDITIONS THEREOF: GRANTEE: UNITED STATES OF AMERICA PURPOSE: USE, MAINTAIN, REPAIR AND REPLACE EXISTING UTILITY LINE AND APPURTENANCES RECORDED: SEPTEMBER 1, 1959 RECORDING NO.: 423071 AFFECTS: PARCEL A

CONTINUED

- 4. EASEMENT(S) AND RESERVATION, AS RESERVED IN DEED FROM UNITED STATES OF AMERICA UNDER WHICH TITLE IS CLAIMED AND THE TERMS AND CONDITIONS THEREOF: GRANTEE:

 UNITED STATES OF AMERICA

 PURPOSE:
 USE, MAINTAIN, REPAIR AND REPLACE EXISTING UTILITY LINE AND APPURTENANCES

 RECORDED:
 SEPTEMBER 1, 1959

 RECORDING NO.:
 423070

 AFFECTS:
 PARCEL B AND INCLUDES OTHER PROPERTY
- 5. RIGHT TO WITHDRAW GROUND WATERS FROM A WELL LOCATED WITHIN PROPERTY HEREIN DESCRIBED AS PARCEL B, NOT TO EXCEED 80 GALLONS PER MINUTE, 41 ACRE FEET PER YEAR, UNDER STATE CERTIFICATE ISSUED APRIL 1, TO OCTOBER 31, RECORDED UNDER RECORDING NO. 760809.
- 6. EASEMENTS FOR RIGHT-OF-WAY AS SHOWN ON THE FACE OF RECORD SURVEY NO. 2834.
- 7. RELINQUISHMENT OF ALL EXISTING, FUTURE OR POTENTIAL EASEMENTS FOR ACCESS, LIGHT, VIEW AND AIR, AND ALL RIGHTS OF INGRESS, EGRESS AND REGRESS TO, FROM AND BETWEEN SAID PREMISES AND SR 240, RICHLAND: STEVENS DRIVE TO THAYER DRIVE. BY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NO. 839674.

NOTE: SEE DOCUMENT FOR VERBIAGE REGARDING ACCESS.

- 8. UNRECORDED LEASEHOLDS, RIGHTS OF VENDORS AND HOLDERS OF SECURITY INTERESTS ON PERSONAL PROPERTY UNSTALLED ON THE PREMISES AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES, IF ANY SUCH INTEREST EXISTS.
- 9. ANY UNRECORDED LEASEHOLDS; RIGHTS OF VENDORS AND HOLDERS OF SECURITY INTERESTS ON PERSONAL PROPERTY INSTALLED UPON SAID PROPERTY, AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES AT THE EXPIRATION OF THE TERM.
- 10. COPY OF THE ARTICLES OF INCORPORATION SHOWING THE IDENTITY AND AUTHORITY OF THE OFFICERS OF COLUMBIAN CLUB, TO EXECUTE THE FORTHCOMING INSTRUMENT MUST BE SUBMITTED TO THIS OFFICE FOR OUR REVIEW.

END OF SCHEDULE A EXCEPTIONS.

NOTES:

a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

VACANT LAND RICHLAND, WA 99354

2550 CHESTER RD. RICHLAND, WA 99354

b. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION:

PTN. NW SW 3-9-28 EWM LYING WEST OF PLAT OF RICHLAND - PARCEL A

PTN. NE SE 4-9-28 EWM - PARCEL B

EXHIBIT "A"

PARCEL A:

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, LYING WEST OF THE BOUNDARY OF THE PLAT OF RICHLAND, BENTON COUNTY, WASHINGTON.

PARCEL B:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., IN BENTON COUNTY, WASHINGTON, EXCEPT THAT PORTION INCLUDED IN PLAT OF RICHLAND, AND EXCEPT THAT PORTION LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE: BEGINNING ON NORTH BOUNDARY OF SAID SUBDIVISION 143.28 FEET FROM EAST QUARTER CORNER OF SAID SECTION 4; THENCE SOUTH 24°04'55" WEST 78.9 FEET TO SOUTH LINE OF VAN GIESEN ROAD; THENCE CONTINUING SOUTH 24°04'55" WEST 1005.71 FEET; THENCE SOUTH 41°30'02" WEST 478.66 FEET TO SOUTH BOUNDARY OF SAID SUBDIVISION AND TERMINUS OF SAID LINE.

CASCADE TITLE COMPANY OF BENTON-FRANKLIN COUNTIES

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **CASCADE TITLE COMPANY OF BENTON-FRANKLIN COUNTIES**

We may collect nonpublic personal information about you from the following sources:

Information we receive from you such as on applications or other forms.

Information about your transactions we secure from our files, or from [our affiliates or] others. Information we receive from a consumer reporting agency.

Information that we receive from others involved in your transaction, such as the real estate agent or lender.

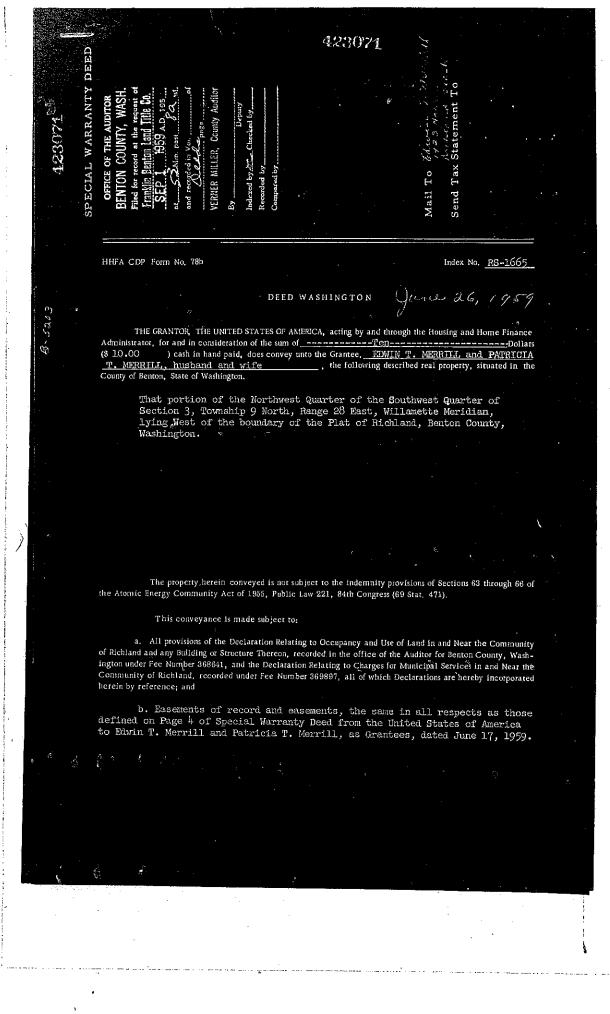
Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates as permitted by law.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

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Except as otherwise stated herein the Grantor will warrant and defend its title thereto against the lawitu, demands of all persons claiming by, through, or under the Grantor, but not further or otherwise.

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The Grantee, for himself, his heirs, successors, and assigns covenants and agrees,

1. That the owner of the fee in the premises hereby conveyed shall pay to the Atomic Energy Commission or its designee an annual charge as compensation for municipal services provided in and near the Community of Richland by or on-behalf of the Commission. Such services and charges will be determined and paid for in accordance with the provisions of the Declaration Relating to Charges for Municipal Services in and Near the Community of Richland, referred to in paragraph a, above, Any amounts due and angle for such compensation (together with interest and costs thereon) shall become and be a lien upon the premises hereby conveyed in accordance with the provisions of the Atomic Energy Community Act of 1955 (69 Stat, 471); and

2. In occupying, maintaining, or otherwise using and exercising ownership and control of the premises hereby conveyed, to observe and comply with all the reservations, restriction, requirements, and other provisions of the Declaration Relating to Occupancy and Use of Land in and Near the Community of Richland, referred to in paragraph a. above, all of which shall be applicable to the premises hereby conveyed.

All covenants of the Granice herein contained shall run with the land and shall extend to and be binding upon the Granice, his heirs, successors, and assigns until such time as the Declarations, referred to in paragraph a, above, by their respective terms shall have expired.

This deed is made and executed under authority of the Atomic Energy Community Act of 1965, 69 Stat, 471, at amended, 42 U. S. C. Secs, 2301-2304 (Supp. V. 1956); Exec. Order 10667 (21 Fed. Reg. 1063, Feb. 16, 1956), and Delegation of Authority effective May 16, 1956 (21 Fed. Reg. 3236, 3237, May 16, 1956), at amendeed (21 Fed. Neg. 8999, Nov. 20, 1956), or by Delegation of Authority effective August 2, 1957, (22 Fed. Reg. 6133, 6134 Aug. 2, 1957), at amended (22 Fed. Reg. 7817, Oct. 2, 1967).

IN WITNESS WHEREOF, the Administrator has caused this deed to be executed in the same of and on behalf of the Government, and in his name and on his behalf as agent of the Government, by its duly authorized representative.

Dated this 26th day of June 198 9

UNITED STATES OF AMERICA

SY: HOUSING AND HOME FINANCE ADMINISTRATOR

Dissosition Supervise

STATE OF WARNINGTON

HHFA, CDP-786

COUNTY OF ASINTON

N STREET

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.

residing at Richland.

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HHFA CDP Form No. 78b

Index No. <u>RS-1665</u>

DEED WASHINGTON

THE GRANTOR, THE UNITED STATES OF AMERICA, acting by and through the Housing and Home Finance Administrator, for and in consideration of the sum of <u>Ten Thousand Eight Hundred Rieven----</u>Dollars (\$ 10,811.00) cash in hand paid, does convey unto the Grantee, <u>EDMIN T. MERRILL and PAURICIA</u> <u>T. MERRILL, husband and wife</u>, the following described real property, situated in the County of Benton, State of Washington.

See Fage 2 of this deed for the description of the properties herein conveyed.



The property herein conveyed is not subject to the indemnity provisions of Sections 63 through 66 of the Atomic Energy Community Act of 1955, Public Law 221, 84th Congress (69 Stat. 471).

This conveyance is made subject to:

a. All provisions of the Declaration Relating to Occupancy and Use of Land in and Near the Community of Richland and any Building or Structure Thereon, recorded in the office of the Auditor for Benton County, Washington under Fee Number 388841, and the Declaration Relating to Charges for Municipal Services in and Near the Community of Richland, recorded under Fee Number 369897, all of which Declarations are hereby incorporated herein by reference; and

See Page 3 and Page 4 of this deed for easements herein reserved to the Grantor and its assigns.

This is Page 2 of deed between United States of America, acting by and through the Housing and Home Finance Administrator, as Grantor and Edwin T. Merrill and Patricia T. Merrill, husband and wife, as Grantee, dated June 17, 1959.

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The following properties are conveyed by this deed:

Lot 10, Block 910, Plat of Richland, according to the plat thereof, recorded in volumes 6 and 7 of plats, records of said County;

and

That portion of the Northwest Quarter of the Northeast Quarter of Section 35, Township 10 North, Range 28 East, Willemette Meridian, which lies North and West of the boundary of the Plat of Richland, recorded in volumes 6 and 7 of plats, records of Benton County, Nashington; said parcel hereinafter referred to as Parcel 20;

and

The Northeast Quarter of the Southeast Quarter of Section 4, Township 9 North, Range 28 East, Willamette Meridian, EXCEPF, that portion of said Section subdivision included in the Plat of Richland, Benton County, Washington, and EXCEPF, that portion lying North and West of the following described line: Beginning on the North boundary of said Section subdivision 143.28 feet from the East Quarter cornar of said Section 4; thence South 240 04 55 West 78.90 feet to the South line of Van Giesen Road; thence continuing South 24° 04 55" West 1,005.71 feet; thence South 41° 30' 02" West 478.65 feet to the South boundary of said Section subdivision and the point of terminus of the above described line. (All bearings in this description are Ianbert bearings.) Said parcel hereinafter referred to as Parcel 224.

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This is Page 3 of deed between United States of America, acting by and through the Housing and Home Finance Administrator, as Grantor and Edwin T. Merrill and Patricia T. Merrill, husband and wife, as Grantee, dated June 17, 1959.

Only said Lot 10, Block 910, of the properties herein conveyed is subject to the following described easements:

- 1. Easements defined in volumes 6 and 7 of plats, referred to above, and the amendment thereto, recorded under Fee No. 373909, and all other existing easements of record.
- 2. The Grantor reserves unto itself and its assigns two easements, the same in all respects as those defined in Section 2 of Part B of Dedication and Easements, as amended, of said Plat; said easements being situated within the following described portions of said Lot 10:
 - A. That portion of said Lot 10 which lies within a strip of land 10.0 feet wide, the center line of which begins on the westerly line of said Lot 10 (which property line has a bearing of North 21° 31. 19" East and is 763.0 feet long) 2.0 feet North from the South line of said Lot 10 (when measured at right angles thereto) and extends to a point on the East line of said Lot 10, 2.0 feet. from the Southeast corner of said Lot 10.
 - B. That portion of said Lot 10 which lies within a strip of land 10.0 feet wide, the center line of which begins on the South Line of said Lot 10, 2.0 feet West from the Southeast corner of said Lot 10, and extends to the North line of said Lot 10, 2.0 feet from the Northeast corner of said Lot 10; said center line being parallel to the East line of said Lot 10.

Only said Parcel 20 of the properties herein conveyed is subject to the following described easements:

- 1. Easements reserved unto the Grantor and its assigns to use, maintain, repair and replace existing utility installations and appurtenances; said easements being situated within said Parcel 20 as follows:
 - A. A 10.0 foot wide easement, the center line of which commences at a point on the East boundary of said Section subdivision 253.95 feet from the Northeast corner thereof; thence North 69° 10' 58" West to the North boundary of said Section subdivision.
 - B. A 10.0 foot wide easement, the center line of which commences at a point on the East boundary of said Parcel 20, 12.5 feet South from the Northwest corner of said Plat of Richland, which corner is situated within the said subdivision; thence South 890 14, 25" West to the West boundary of said Section subdivision.
- 2. Easements for general road purposes and for the installation, maintenance, operation, repair, replacement and removal of public utility type facilities, which easements are more particularly described in that Easement Quitclaim Deed, recorded in the Office of the Auditor of Benton County, Washington, under Fee Number 379071, and all other existing easements of record.
- 3. An easement reserved to the United States and/or its permittees to remove its (their) existing improvements situated within said Parcel 20, together with a right of ingress and egress for that purpose. Said easement shall terminate 30 days after June 17, 1959.

This is Page 4 of deed between the United States of America, acting by and through the Housing and Home Finance Administrator, as Grantor, and Edwin T. Merrill and Patricia T. Merrill, husband and wife, as Grantee, dated June 17, 1959.

Only said Percel 224 of the properties herein conveyed is subject to the following described easements:

1. Easements for general road purposes and for the installation, maintenance, operation, repair, replacement and removal of public utility type facilities, which easements are more particularly described in that Easement Quitclaim Deed, recorded in the Office of the Auditor of Benton County, Washington, under Fee Number 379071, and all other existing easements of record.

2. The Grantor reserves unto itself and its assigns an easement to discharge drainage water (which comes from existing streets, shelter belt, and a highway) onto said Parcel 224, and which water is channelled onto said Parcel 224 by an existing storm sever and drainage ditch; provided, however, the point of entrance of said water on said Parcel 224 is confined to the storm sever and drainage ditch existing as of June 17, 1959, and is situated at or near the Southeast corner of said Parcel 224; and, provided further, the Grantor shall not have the right to channel water onto said Parcel 224 from areas other than those so channelled thereto as of June 17, 1959; and, provided further, the Grantee shall have the right to confine, use, or do whatever he desires with the water so discharges on said Parcel 224 so long as such activity does not interfere with the flow or discharge of said water from the areas above described.

Dated this 17th day of June , 195 9

UNITED STATES OF AMERICA

BY: HOUSING AND HOME FINANCE ADMINISTRATOR

Disposition Supervisor

STATE OF WASHINGTON

COUNTY OF BENTON

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On this <u>17th</u> day of <u>June</u>, 1959, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared <u>C. T. JOHNSON</u> to be the <u>X X X</u> Community Disposition Supervisor, a duly authorized representative of the Housing and Home Finance Administrator and the United States of America that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of the United States of America, for the uses and purposes therein mentioned, and on outbustates that he is authorized to execute said instrument.

 $\Omega \cdot \pi \partial \beta$ witness my hand and official seal hereto affixed the day and year in the certificate above written.

Wayne D. V. C. K. Nablo residing at Richland.

| n. | 5191 | | 7 WASHINGTON NT OF ECOLOGY | | 75050 |
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| | Surface Water | lissued in accordance with the amendments thereto, and the m | provisions of Chapter 117, La ules and regulations of the De | wa of Washington for 1917, partment of Ecology.) | end |
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| PRIORITY DATE | and the second | LICATION NUMBER | and the second | CERTIFICAT | * |
| September 14 | , 1974 | <u>G4-23471</u> | G4-23471P | G42 | 3471C |
| NAME | | <u> </u> | | | ******* |
| COLUMBIAN CL ADDRESS (STREET) | UB | ICITY) | | (STATE) | IZIP CODEL |
| P.O. Box 486 | | Richland | Wasl | | 99352 |
| of a right to the subject to the p use of said wat firmed by the D | e use of the pub provisions contai ers has been perj | t named applicant has n the waters of the State feet in the Permit Issue feeted in accordance wi alogy and entered of re PUBLIC WATER TO | of Washington as here d by the Department lth the laws of the St cord as shown. | in defined, and under of Ecology, and that | r and specifica said right to |
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| Bulletin No. 1. | maintain an access port as described | in Ground Water | | |
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| The right to the use of | the water allored in hereby confirmed to second | a a state a st | | |
| described, except as provided in RC | the water aforesaid hereby confirmed is restricte W 90.03.380, 90.03.390, and 90.44.020. | a 10 the tanas or place of use herein | | |
| This certificate of water right 90.14.160. | it is specifically subject to relinquishment for non- | se of water as provided in RCW | | |
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| | nd the seal of this office at Yakima, | Washington, this 25thday | | |
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| 22/ | Department of Ecology | | | |
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| It is expressly intended that these coverants, burdens and restrictions shall run with the heretofore described land and shall forever bind the grantors, their successors and assigns. | The specific details concerning all of which are to be found in that certain map of definite location now of record and on file in the office of the Secretary of Trans- portation at Olympia and bearing date of approval August 18, 1978, revised The undersigned elects to surrender possession of the lands or rights herein conveyed on the date of this instrument. | withwest quarter of the southwest qu Range 26 East, W.M., lying west of ' , Benton County, Washington. hemselves, their heirs, successors (e V line connection (Van Giesen) of the event station V 13-36, and ON APE is right of way an OFF and ON APE is right of way an OFF and ON APE is of SN 240, Richland: Stevens he was of SN 240, Richland: Stevens he will be used to serve more than one is when not in use. This approach is when not in use. This approach is head by inundation of Hall Road. We | Benton County, Washington, to the source extent and purpose as if the rights herein oranted had been acquired under Ennivern Domain statute of the State of Washington: "Bownship 9 North, Bange 28 East, W.M., EXCEPT that portion included in Plant & Richland, and EXCEPT that portion lying north and west of the following described line: Beginning on North boundary of said subdivision 143.45 feet from East quarter count line of Yan dissen Hoad; thence con- timing south 24°04'155" west 1005.71 feet; thence south 41°30'02" west 478.66 feet to south boundary of said subdivision and terminus of said line. | The Matter of State Route SR 240, Richland: St WOW ALL MEN BY THESE PR NOW ALL MEN BY THESE PR Column ther valuable considerations ther valuable considerations convey and warrant to the existing, future or potential ease State H |
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| Tatis | to me known to be the President of the composition that executed the foregoing instrument, and acknowledged said instrument to be the free call isolation and deed of said corporation, for the uses and purposes therein mentioned, and of gatissing that we is a comportion. The said of said corporation. Software wat of said corporation. | WASHINGTON. Benton Benton Benton H11 Washington Benton | (Corporation admowledgment form) STATE OF WASHINGTON, st. County of Benton st. On this 17th day of December 1980 On this 17th day of December 1980 E.L. Steichen and to me known to be the Secondary of oregoing instrument, and acknowledged said instrument to be the of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and galaxies and deed of said corporation, for the uses and purposes therein mentioned, and for othe doted the soil instrument and that the soil | It is understood and agreed that the delivery of this deed is hereby tendered and that the terms and ob- ligations hereto shall not become binding upon the State of Washington unless and until accepted and approved Dated this <u>2/11</u> day of <u>August 1780</u> Accepted and approved <u>4/13/81</u> DEPARTAGY OF TRANSPORTATION DEPARTAGY OF TRANSPORTATION DEPARTAGY OF TRANSPORTATION BY Chief Right of Way Agent. |

