

TREASURER'S USE ONLY	RECORDER'S USE ONLY
REVIEWED BY KITTITAS COUNTY TREASURER DEPUTY <u><i>Ann Gusk</i></u> DATE <u>7-11-2017</u>	07/11/2017 10:15:04 AM \$76.00 Easement BROWNLEE Kittitas County Auditor 201707110005 Page: 1 of 4 

After recording return to:

JAMES T. DENISON, JR.
Lathrop, Winbauer, Harrel,
Slothower & Denison, L.L.P.
PO Box 1088
Ellensburg, WA 98926

DOCUMENT TITLE: CONSERVATION EASEMENT

GRANTOR: RITCH BROWNLEE, an unmarried person, and MELISSA BROWNLEE, an unmarried person, as tenants in common

GRANTEE: KITTITAS COUNTY

LEGAL DESCRIPTION: Parcel 1, Brownlee Short Plat, Ptn. Sec. 36, T 17 N, R 19E, W.M.

ASSESSOR'S TAX PARCEL NOS.: 070433, 17002, 619436

REAL ESTATE EXCISE TAX: Does not apply – no consideration as defined WAC 458-61A-102(2)

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT (hereinafter referred to as the "Easement") is made and entered into this 29th day of June, 2017, by RITCH BROWNLEE, an unmarried person, and MELISSA BROWNLEE, an unmarried person, as tenants in common (hereinafter collectively referred to as "Grantor") and KITTITAS COUNTY (hereinafter referred to as "Grantee").

RECITALS:

- Grantor owns and has title to certain real property located in Kittitas County, Washington, particularly described on Exhibit A attached hereto and incorporated herein by reference ("Original Parcel").
- Grantor has made application with Kittitas County for a short plat pursuant to Application SP 16-00004 to create two parcels from the Original Parcel which, upon recording of the short plat, will be identified as Brownlee Short Plat recorded under Auditor's File No. _____, records of Kittitas County, Washington.

James T. Denison, Jr.
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3. As a condition of approving Grantor's proposed short plat, Grantor must agree Parcel 1 of the short plat will be encumbered by a Conservation Easement ("the Easement") pursuant to the terms and conditions contained herein.

NOW, THEREFORE, for and in consideration of the mutual benefits contained and derived hereunder, the sufficiency and receipt of which are hereby acknowledged, Grantor and Grantee agree:

1. Grantor grants and conveys to Grantee a non-exclusive Conservation Easement over Parcel 1 of short plat recorded under Auditor's File No. _____, records of Kittitas County, Washington.

2. The Easement area shall be used for open space only and no domestic water consumption or use shall occur on Parcel 1.

3. This Agreement has been reviewed by the parties and their counsel, if desired, and shall be given a fair and reasonable interpretation in accordance with the words contained herein without consideration or weight being given to its having been drafted by any party or a party's counsel.

4. The covenants contained in this Agreement shall become effective upon approval of the above-described short plat and shall thereafter run with the land and shall be binding upon the parties and inure to the benefit of all parties having or acquiring any right, title or interest in Grantor's property or any part of it. This Agreement shall be subordinate to existing mortgages on the property subject to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Easement as of the day and year first above written.

KITTITAS COUNTY, Grantee



RITCH BROWNLEE, Grantor

By: 

Title: Health Officer



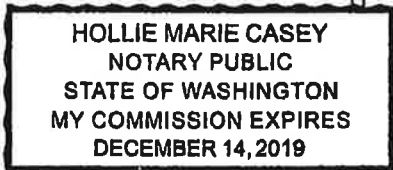
MELISSA BROWNLEE, Grantor

James T. Denison, Jr.
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STATE OF WASHINGTON)
) ss.
County of Kittitas)

On this 10th day of July, 2017, before me personally appeared _____
To me known to be the Health Officer of Kittitas County, who executed the within and
foregoing instrument to be the free and voluntary act and deed of said county for the uses and purposes therein
mentioned, and on oath stated that he/she was authorized to execute the instrument on behalf of Kittitas County.

Dated this 10th day of July, 2017.

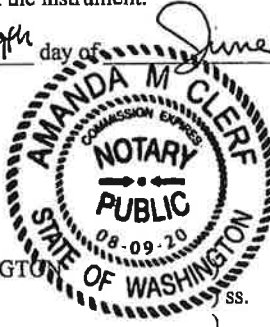


[Signature]
Printed Name: Hollie M. Casey
Notary Public in and for the State of Washington
My Commission Expires: 12-14-2019

STATE OF WASHINGTON)
) ss.
County of Kittitas)

This is to certify that, before me, the undersigned, a notary public in and for the State of Washington, duly
commissioned and sworn, personally appeared RITCH BROWNLEE, an unmarried person, and said individual
acknowledged that he executed the within and foregoing instrument as his free and voluntary act for the uses and
purposes mentioned in the instrument.

Dated this 29th day of June, 2017.

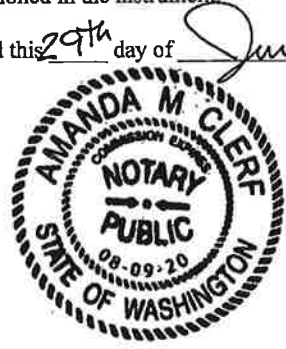


[Signature]
Printed Name: Amanda M. Clerf
Notary Public in and for the State of Washington
My Commission Expires: 08-09-20

STATE OF WASHINGTON)
) ss.
County of Kittitas)

This is to certify that, before me, the undersigned, a notary public in and for the State of Washington, duly
commissioned and sworn, personally appeared MELISSA BROWNLEE, an unmarried person, and said individual
acknowledged that she executed the within and foregoing instrument as her free and voluntary act for the uses and
purposes mentioned in the instrument.

Dated this 29th day of June, 2017.



[Signature]
Printed Name: Amanda M. Clerf
Notary Public in and for the State of Washington
My Commission Expires: 08-09-20

James T. Denison, Jr.
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EXHIBIT A

PARCEL 1:

PARCEL A OF THAT CERTAIN SURVEY AS RECORDED JULY 28, 2000 IN BOOK 25 OF SURVEYS, PAGES 82 AND 83, UNDER AUDITOR'S FILE NO. 200007280104, RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 19 EAST, W.M., KITTITAS COUNTY, STATE OF WASHINGTON;

EXCEPT THE RIGHT OF WAY FOR CASCADE IRRIGATION DISTRICT CANAL.

PARCEL 2:

THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 16 1/2 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 19 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON;

EXCEPT:

1. RIGHT OF WAY FOR FOURTH PARALLEL COUNTY ROAD ALONG THE SOUTH BOUNDARY THEREOF;
2. THAT PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 19 EAST, W.M., IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 89°39'53" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 1322.53 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE NORTH 01°26'43" WEST ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 30.00 FEET TO THE NORTHERLY MARGIN OF FOURTH PARALLEL ROAD AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°39'53" WEST ALONG SAID MARGIN 269.79 FEET TO THE CENTER OF A DITCH AS IT EXISTS JULY 19, 1994; THENCE ALONG SAID CENTER OF DITCH THE FOLLOWING COURSES: NORTH 00°28'59" EAST, 104.89 FEET; NORTH 14°08'34" EAST, 192.48 FEET; THENCE NORTH 16°57'37" EAST, 101.50 FEET; THENCE NORTH 18°48'48" EAST, 153.83 FEET; THENCE NORTH 30°12'58" EAST, 90.06 FEET; THENCE NORTH 01°39'55" EAST, 68.42 FEET; THENCE NORTH 13°34'09" EAST, 32.46 FEET; THENCE NORTH 30°21'47" EAST, 85.43 FEET; THENCE NORTH 35°02'42" EAST, 69.36 FEET TO A POINT ON A LINE 16.50 FEET EASTERLY OF, AND PARALLEL TO THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 01°26'43" EAST ALONG SAID PARALLEL LINE 841.10 FEET TO SAID NORTHERLY MARGIN OF FOURTH PARALLEL ROAD; THENCE NORTH 89°39'53" WEST ALONG SAID NORTHERLY MARGIN 16.50 FEET TO THE TRUE POINT OF BEGINNING.

3. PARCELS A, B, C AND D AS DELINEATED AND/OR DISCLOSED ON SURVEY FILED IN BOOK 27 OF SURVEYS, PAGE 65 AND RECORDED JANUARY 16, 2002, UNDER AUDITOR'S FILE NO. 200201160035, KITTITAS COUNTY, STATE OF WASHINGTON; BEING KNOWN AS THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 17 NORTH, RANGE 19 EAST, W.M.