

Please return to:

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

KENNEWICK IRRIGATION DISTRICT RESOLUTION 2019-14

Approving Center Village Voluntary Mitigation Agreement Amendment #1

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

WHEREAS, the Board of Directors of KID (the Board) met in regular session on May 7, with a quorum present, and

WHEREAS, the Property is proposed for subdivision into a development known as “Center Village” consisting 2.29 acres, of which 2.29 acres are classified as irrigable, which are proposed to be subdivided into 14 lots and legally described in **Exhibit A**; hereinafter referred to as the “Property.”

WHEREAS, the Property is being developed into a residential subdivision within the Benton County boundaries; and

WHEREAS, the Property is owned by the Developer and has an allotment of irrigation water from KID; and

WHEREAS, RCW 58.17.310 requires that irrigation water rights-of-way be provided for each parcel of land, and also requires that, if the subdivision lies within land within an irrigation district classified as irrigable, completed irrigation water distribution facilities for such land may be required by the irrigation district by resolution as a condition for approval of the short plat or final plat by the legislative authority of the city, town, or county; and

WHEREAS, KID Resolution 86-15A requires completed irrigation facilities as a condition for approval of the short plat or final plat; and

WHEREAS, KID Policy 4.19 “Standard Specifications” specifies what comprises completed irrigation facilities; and

WHEREAS, KID submitted a comment letter on February 12, 2018 requesting that the COK incorporate certain conditions into its final decision approving the Subdivision; and

WHEREAS, the Developer agrees to make irrigation improvements on the Property, which include

the installation of distribution piping and service connections to each property of the subdivision; and

WHEREAS, the Developer and KID mutually agree that it is in each of their best interest for the Developer to contribute funds of \$39,974.90 towards KID's planned regional system in lieu of constructing a pump station and appurtenant facilities to serve the Center Village subdivision; and

WHEREAS, the Developer and KID entered into the "Center Village Voluntary Mitigation Agreement"; and

WHEREAS, other utilities were installed during the subdivision process within the irrigation easement provided by the Developer for the KID pump station; and

WHEREAS, the Developer is required to relocate the other utilities; and

WHEREAS, the subdivision may receive adequate pressure to operate underground sprinklers without a new dedicated pump station; and

WHEREAS, the KID and the Developer will determine if the subdivision received adequate pressure to operate underground sprinklers; and

WHEREAS, if it is determined that the pressure is not sufficient for underground sprinklers the Developer will relocate the other utilities outside of the irrigation easement to allow for the construction of the pump station; and

WHEREAS, if it is determined that the pressure is sufficient for underground sprinklers the Developer will contribute funds of \$39,974.90 towards offsite improvements within KID's planned regional system in lieu of constructing a dedicated pump station and appurtenant facilities to serve the Center Village subdivision; and

WHEREAS, the Developer and KID mutually agree that it is in each of their best interest for the "Center Village Voluntary Mitigation Agreement" to be amended; and

WHEREAS, the KID cannot issue and sign an irrigation district certificate for any Final Plat phases of the Subdivision unless completed on-site irrigation systems are installed or bonded for, or the KID Board of Directors approves by resolution an acceptable security that creates a lien against the Property; and

WHEREAS, the parties desire to set forth their agreements on how Developer's contributions to irrigation facilities serving the Subdivision will be constructed, operated, maintained, and replaced;

NOW, THEREFORE, BE IT RESOLVED that the attached "Center Village Voluntary Mitigation Agreement Amendment #1" is approved.

RESOLUTION 2019-14 IS HEREBY ADOPTED by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at a regular open public meeting thereof this 7th day of May, 2019.



Dean Dennis

ABSENT

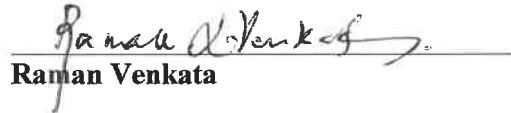
Kirk Rathbun



Gene Huffman



David McKenzie



Raman Venkata