

**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION  
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Sienna Hills Rezone

LOCATION: The project site is located approximately 900-feet south of the intersection of Queensgate Drive and Legacy Lane (APN 1-34983000001005).

APPLICANT: Sienna Hills Development, LLC on behalf of Richland Properties, LLC (Greg Johnson)

FILE NO.: Z2019-106

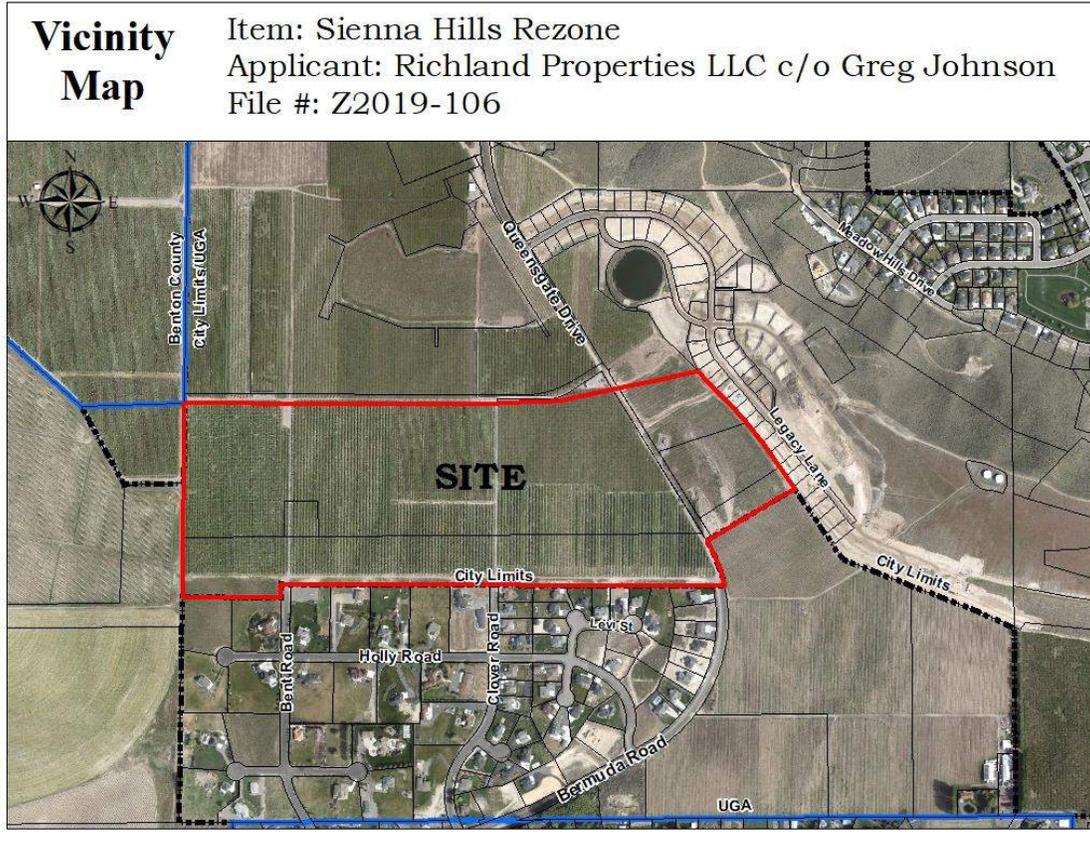
DESCRIPTION: Request to change zoning of approximately 98.16 acres from AG (Agriculture) to Low Density Residential (R-1-10), Medium Density Residential (R-2), and C-LB (Limited Business).

PROJECT TYPE: Type 3 Site-Specific Rezone

HEARING DATE: December 9, 2019

REPORT BY: Mike Stevens, Planning Manager

RECOMMENDED ACTION: Approval



**Figure 1 - Vicinity Map**

### DESCRIPTION OF PROPOSAL

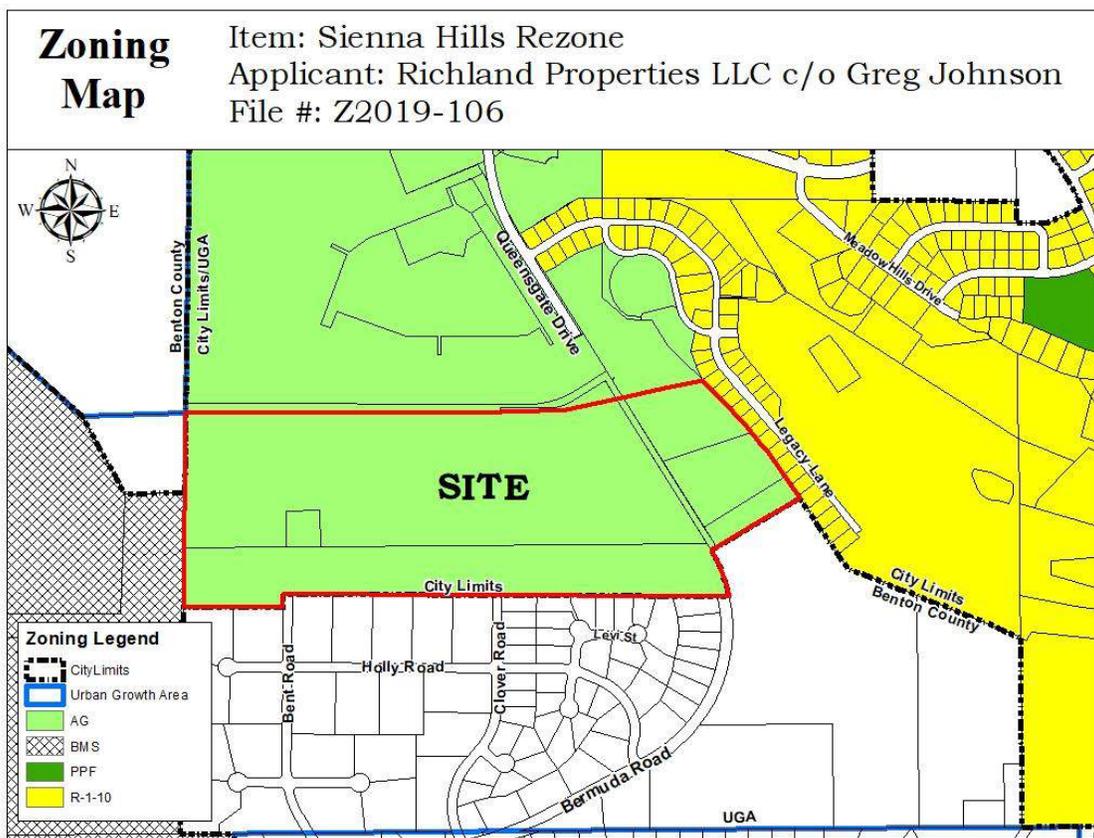
On October 8, 2019, Richland Properties, LLC filed an application (Exhibit 1) with the City petitioning to rezone a 98.16 acre site from Agriculture (AG) to Low Density Residential (R-1-10), Medium Density Residential (R-2) and C-LB (Limited Business). The purpose of this this request is to zone the site in a manner consistent with the city's Comprehensive Plan in order to prepare the site for subdivision and eventual sale.

### SITE DESCRIPTION & ADJACENT LAND USES

The site is comprised of one parcel totaling approximately 98.16-acres lying approximately 900-feet south of the intersection of Queensgate Drive and Legacy Lane. The property is mostly rectangular in shape and measures approximately 1,150 feet north to south and approximately 3,824 feet east to west. The property slopes from north to south with an average grade change of approximately 60 feet. The site is accessed by an unimproved gravel driveway extending south from the Queensgate Drive/Legacy Lane intersection and north from the existing terminus of Bermuda Road.

The northern boundary abuts an existing orchard, while the southern boundary abuts residential homes located within unincorporated Benton County. The western boundary of the site abuts land used for various agricultural purposes, while the eastern boundary of the site abuts residential homes located within the city. An existing public road easement (Bermuda Road) bisects the site in the eastern portion of the property.

Until recently, the site was a productive apple orchard; however, the orchard was removed upon sale of the site to the current land owners.



**Figure 2 – Zoning Map**

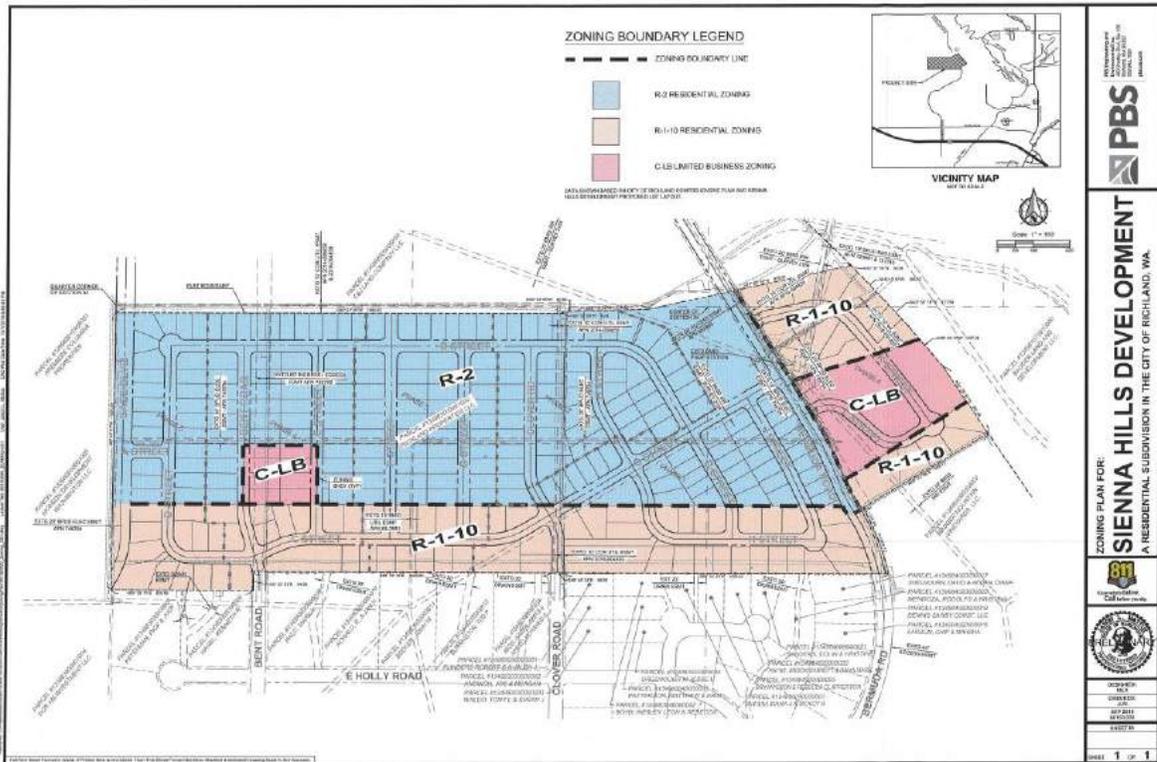
**ZONING**

The zoning map above illustrates the site’s current AG zoning as well as the zoning assigned to adjacent and surrounding properties with properties located outside of the current city limits colored “white”.

**REQUESTED ZONING**

Provided below is a list of zones being requested for assignment together with their associated cumulative acreages:

- 32.36 +/- acres to Low Density Residential (R-1-10)
- 58.96 +/- acres to Medium Density Residential (R-2)
- 7.83 +/- acres to Limited Business (C-LB)



**Figure 2.1 – Zoning Request Map**

**The R-1-10 (Single Family Residential) zone** is a residential zone classification requiring a low density of population, providing protection against hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan. Refer to RMC Section 22.18 for the list of land uses allowed in the R-1-10 zone.

**The R-2 (Medium Density Residential) zone** is a residential zone classification permitting a higher density of population including the establishment of duplex dwellings and providing for these single-and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland

comprehensive plan. Refer to RMC Section 22.18 for the list of land uses allowed in the R-2 zone.

**The C-LB (Limited Business) zone** is a zone classification designed to provide an area for the location of buildings for professional and business offices, motels, hotels, and their associated accessory uses, and other compatible uses serving as an administrative district for the enhancement of the central business districts, with regulations to afford protection for developments in this and adjacent districts and in certain instances to provide a buffer zone between residential areas and other commercial and industrial districts. The zoning classification is intended to be applied to some portions of the city that are designated either commercial or high-density residential under the city of Richland comprehensive plan.

Cumulatively removing the AG zoning assignment from the site will take this 98.16-acres out of its reserved status; thereby opening the site to a variety of primarily residential development opportunities. Generally, AG zoning provides minimal purpose within a city's urban growth boundary as the zone is designed to restrict urban development which is counter to many of the goals found in the Comprehensive Plan aimed at promoting growth and development.

#### PUBLIC NOTICE

Application Date:	October 8, 2019
Notice of Hearing Mailed:	October 30, 2019
Notice of Hearing Posted:	October 31, 2019
Notice of Hearing Published:	November 10, 2019
Public Hearing:	December 9, 2019

Notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 2. As of the date of this report, several written public comment letters and two written agency comment letters were received. All comments are included herein as Exhibit 3.

#### UTILITY AVAILABILITY

Much of the utility infrastructure available to serve this site was installed as part of the neighboring plat to the east (Westcliffe Heights), through development of an extension of the Queensgate Drive right-of-way. Along with the southerly extension of Queensgate Drive came the extension of municipal sewer, water and electrical power (all underground). More detail about each service is provided below.

### SEWER

The nearest sewer main available to serve Sienna Hills is located within the Queensgate right-of-way approximately 1,420 feet north of the subject plat site. The eight (8) inch sewer line was not extended to the end of the Queensgate right-of-way partly due to the fact that it does not serve Westcliffe Heights. Instead, sewage from Westcliffe Heights drains down the north slope of Little Badger Mountain. Said sewer main will need to be extended into the site to provide service.

### WATER

A ten (10) inch water main was extended into the Sienna Hills site within the Queensgate Drive right-of-way and along the projected alignment of Queensgate Drive. This water main is available and is of adequate capacity to serve the site.

### ELECTRICAL POWER

Richland Energy Services (RES), a municipal public utility district, will service development on the site. The site is currently crossed by power lines belonging to both RES and Benton PUD. A power line currently spans the entire north boundary of the plat site. Another power line extends from Clover Road to the north boundary of the site. These lines are in-place and cumulatively are of adequate capacity to serve the additional load demand created by the proposed Sienna Hills subdivision.

### TRANSPORTATION

Access into the site and proposed plat will be achieved by connecting internal proposed roads to the following rights-of-way: Bermuda Road (County) from the south, Queensgate Drive (City) from the north, Clover Road and Bent Road (County) from the south.

### SEPA

Environmental review was conducted as part of this rezone application as it is associated with and was noticed with the subsequent subdivision proposal. The city utilized the Optional DNS process (WAC 197-11-355). The comment period for the public notice and Optional DNS process expired on November 27, 2019. After comments were received and analyzed by staff, the city issued a Determination of Non-Significance (DNS) for the proposal on December 2, 2019 (Exhibit 4).

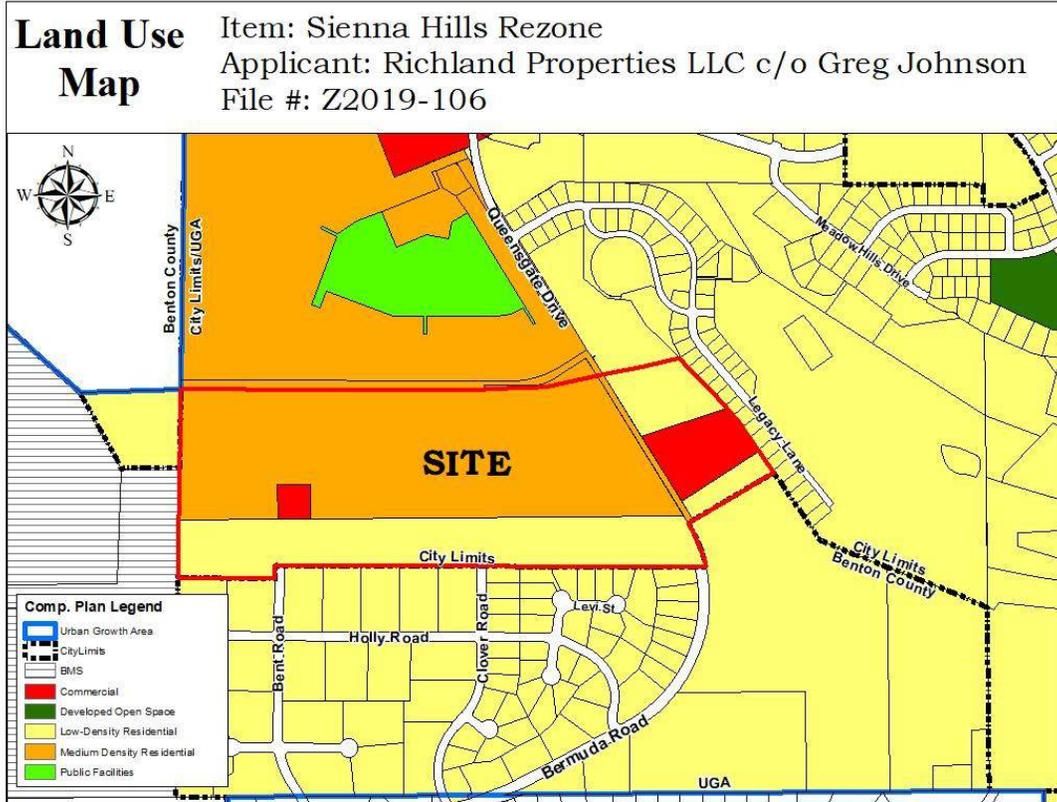
### COMPREHENSIVE PLAN

The proposed rezone will occur upon property that is located within the City and, as proposed, will be consistent with the city's Comprehensive Plan, Badger Mountain Subarea Plan, which was adopted in 2010 (Exhibit 5).

It should be noted that the Badger Mountain Subarea Land Use Plan indicates that the subject property contains four (4) land use designations; however, the

city's GIS mapping database only includes three (3) land use designations. This discrepancy was discovered after the applicant's had conducted several pre-application meetings with the city and after the applicant's had made application for the rezone and associated preliminary plat. The fourth land use designation is titled Civic, which has been designated for parks, trails and open space, but does not include a corresponding zoning district. City staff has determined that due to the topography of the site, development of the three Open Space Tracts and three Stormwater Tracts, as has been proposed by the applicant as part of their subdivision proposal, along with additional right-of-way width associated with Gage Boulevard (room for future separated path) meets the intent of the Civic land use designation, although it will not be placed within the footprint of the Civic land use designation as shown on the Badger Mountain Subarea Land Use Map. The applicants had proposed the construction of an east/west pathway across the site; however, due to the topography of the site, the road crossings associated with such an amenity would have been difficult to construct and maintain given the topography of the site. Essentially, requiring the applicants to construct a park or trail within the area designated by the Badger Mountain Subarea Land Use Plan would likely result in a park or, more specifically, a trail/pathway that would not meet Americans with Disabilities Act (ADA) requirements or roadway slope requirements. As a result of these difficulties and the fact that the Civic Land Use Designation does not have a specific corresponding zoning district, city staff has determined that the intent of the Civic land use designation will be met with the Open Space and Stormwater Tracts and additional right-of-way width associated with Gage Boulevard.

The following Land Use Map illustrates the city's Comprehensive Plan Land Use Designations for the site as depicted by the city's GIS mapping database. As illustrated, the project site contains three (3) different land use designations; 1) Low-Density Residential 2) Medium-Density Residential and 3) Commercial. The R-1-10 zoning classification is intended to be applied to portions of the city that are designated Low-Density Residential. The R-2 zoning classification is intended to be applied to portions of the city designated Medium-Density Residential and C-LB is intended to be applied to portions of the city designated as either High-Density Residential or Commercial under the City of Richland Comprehensive Plan.



**Figure 3 – Comprehensive Plan Map**

The Comprehensive Plan contains the following goals and policy statements generally viewed as being in support of the proposed rezone application:

**Land Use Goal 1:**

*Plan for growth within the urban growth area and promote compatible land use.*

*Policy 2 - Facilitate planned growth and infill developments within the City.*

**Land Use Goal 2:**

*Establish land uses that are sustainable and create a livable and vibrant community.*

*Policy 1 - Maintain a variety of land use designations to accommodate appropriate residential [and] commercial... uses that will take advantage of the existing infrastructure network.*

**Land Use Goal 5:**

*Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.*

*Policy 1 – Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.*

The Badger Mountain Subarea Plan contains the following goals and policy statements generally viewed as being in support of the proposed rezone application:

*BMLU Policy 1.2 – Link development of the northeast portion of the Badger Mountain Subarea into the existing street network to the south and east, and over time, to the City’s planned transportation network.*

*BMED Policy 6.7 – Capture emerging housing and commercial market growth by providing the necessary infrastructure.*

*BMHE Policy 3.1 – Support the development of residential neighborhoods that provide a variety of housing types, styles and densities to serve a broad spectrum of incomes, ages, and life stages.*

*BMLU Policy 5.6 Provide opportunities for multi-use civic facilities such as community centers, libraries, parks, schools, gazebos and other gathering places.*

*BMUD Policy 1.3 – Support the development of the Badger Mountain South area by encouraging a development pattern that resembles traditional neighborhood design.*

**BACKGROUND**

The subject site was annexed into the City in 2010 upon adoption of Ordinance No. 41-10.

The current Comprehensive Plan land use designation scheme (see Figure 3 above) is based off of the Badger Mountain Subarea Plan which was prepared in anticipation of the annexation. The rezone process at-hand is necessary to effectuate the land use planning efforts and to precisely establish permitted land uses as they apply to each proposed zoning district boundary.

It should be noted that the 2017 Comprehensive Plan Periodic Update contained a scrivener’s error, which resulted in the entire site being designated as Low-Density Residential. This scrivener’s error was discovered during the 2018-2019

annual Comprehensive Plan update and was rectified via Ordinance No. 38-19 (Exhibit 6).

### ANALYSIS

The proposed zoning configuration (Figure 2.1) applies low-density residential (R-1-10) zoning to the southern portion of the site which sits adjacent to the properties located within unincorporated Benton County. This will result in larger lots being developed adjacent to the approximately one-acre sized lots located within the county's jurisdiction.

The remainder of the site will be zoned medium-density residential (R-2) or commercial (C-LB), which will be consistent with the adopted Badger Mountain Subarea Plan/City Comprehensive Plan. As indicated previously, the C-LB zoning allows for a variety of commercial and high-density residential uses, while the R-2 zoning is a medium-density residential district found throughout much of the city.

Finally, as discussed above, the applicant has proposed to develop and/or maintain several Open Space/Stormwater Tracts. These areas meet the intent of the Civic land use designation shown on the Badger Mountain Subarea Plan. The total acreage of the Civic land use designation is approximately 5.4 acres, while the total acreage devoted to Open Space, Stormwater and additional Gage Boulevard Right-of-Way totals over 6.6 acres.

### FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2019-106) and recommends approval of the request based on the following:

1. The site is comprised of one parcel totaling approximately 98.16-acres in area;
2. The entire site is currently zoned AG (Agriculture);
3. The City of Richland Comprehensive Plan designates the subject site as suitable for low and medium-density residential land uses together with commercial land uses;
4. The site previously contained agricultural orchards, which were removed when the subject property was sold;
5. The site lies near or adjacent to segments of Queensgate Drive, Bermuda Road, Clover Road and Bent Road rights-of-way, contributing to potential access points;

6. Establishment of each respective zoning district is consistent with the intent of the Comprehensive Plan;
7. The proposed zoning district configuration is designed to ameliorate potential nuisances by provide a graduated increase in land use intensity as the distance away from existing residential neighborhoods increases;
8. The rezone request is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6) (c); However, the City conducted SEPA review for the proposed rezone and associated preliminary plat. A SEPA DNS was issued by the City on December 2, 2019.
9. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland;
10. Much of the utility infrastructure available to serve this site was installed as part of the neighboring plat to the east (Westcliffe Heights), through development of an extension of the Queensgate Drive right-of-way. Along with the southerly extension of Queensgate Drive came the extension of municipal sewer, water and electrical power (all underground).
11. The Civic Land Use Designation does not have a specific corresponding zoning district.

#### EXHIBIT LIST

1. Rezone Application
2. Public Notices
3. Public Comments
4. SEPA DNS & Checklist
5. Badger Mountain South Subarea Plan
6. Ordinance No. 38-19
7. Comprehensive Plan Land Use Map (GIS version)
8. Zoning Map



# Exhibit 1

City of Richland  
Development Services

625 Swift Blvd. MS-35  
Richland, WA 99352  
☎ (509) 942-7794  
📠 (509) 942-7764

## Zoning Map/Text Amendment Application

**Note: A Pre-Application meeting is required prior to submittal of an application.**

### PROPERTY OWNER INFORMATION

Contact Person

Owner: Richland Properties LLC c/o Greg Johnson

Address: 2463 E Gala Street, Suite 120, Meridian, ID 83642

Phone: 208-888-9946

Email: greg@westparkco.com

### APPLICANT/CONTRACTOR INFORMATION (if different)

Contact Person

Company: Sienna Hills Development, LLC

UBI#

Contact: Taylor Merrill

Address: 2463 E Gala Street, Suite 120, Meridian, ID 83642

Phone: 208-870-3432

Email: taylor@westparkco.com

### DESCRIPTION OF WORK

Applicant is requesting that Parcel #134983000001005 consisting of approximately 98+ acres of land be rezoned from Agricultural (AG) designation to be consistent with the underlying comprehensive plan designations of Low Density Residential, Medium Density Residential and Commercial. The project would be seeking the following Zoning Designations: R-1-10 , R-2 , and C-LB. See attached mapping.

### PROPERTY INFORMATION

Parcel #: 134983000001005

Legal Description: See attached title report

Current Zoning: AG

Current Comp Plan: See above

Requested Zoning: R-1-10, R-2, C-LB

Current Use: Vacant

Proposed Use: Residential

Area of Property: 98+ Acres

### 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 QUESTIONS AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The property has been used as agricultural orchard ground for a number of years. Recently all the trees have been cut down on the site, and it is vacant.

Any hardship that may result in the event the rezone is not granted:

The ownership group purchased the property with the intention of developing for residential use, consistent with the comprehensive plan. If the rezone were not granted, the property would remain undeveloped and

**The manner in which the proposed rezone conforms to patterns in adjacent zones:**

Properties to the northeast have been developed for single family residential, properties to the south which are in the county have been developed for single family residential. The R-1-10 zone requested would be placed between the county residential properties and the R-2 zoned portion of the site.

**Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:**

The property if remain undeveloped would not allow for extension of planned roadways in the area as identified on the City's transportation improvement plan. Extensions of both Queensgate and Gage are planned to extend through this property, if these transportation networks are not completed it will have effect on future properties transportation needs.

**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:**

Granting of the rezone application would be consistent with the current comprehensive plan mapping for this areas as well as the goals and policies set in place by the City of Richland.

**The benefits or detriments accruing to the city which would result from the granting or denial of this special permit:**

A special permit is not being requested at this time.

**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 of the land represents a higher and better use to the City of Richland than the current designation of Ag. It achieves the goals set forth in the City's comprehensive plan goals related to residential development and seeks to achieve long range transportation goals set forth by the City.

**Whether the proposed rezone represents spot zoning and whether a larger area should be considered:**

The proposal does not represent spot zoning, at this time the applicant does not control any acreage outside the proposed parcel being considered for rezone.

**Identify impacts on the environment and public safety:**

There are no detrimental impacts to the environment or public safety that can be identified at this time by rezoning the property consistent with the current City of Richland comprehensive plan.

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.

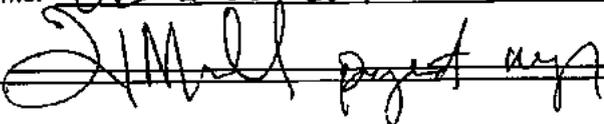
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation 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.
3. 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 the 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: BE DEVELOPMENT LLC

Applicant Signature:  Date 7-6-19



# SUBDIVISION

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Guarantee/Certificate Number:

**62241902202**

## CHICAGO TITLE INSURANCE COMPANY

a corporation, herein called the Company

### GUARANTEES

Richland Properties LLC, an Idaho limited liability company

herein called the Assured, against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

#### LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

#### Chicago Title Insurance Company

By:

President

Attest:

Secretary

Chicago Title Company of Washington  
6416 W. Okanogan Avenue  
Kennewick, WA 99336

Countersigned By:

Authorized Officer or Agent



## ISSUING OFFICE:

Title Officer: Christopher Hull  
Chicago Title Company of Washington  
6416 W. Okanogan Avenue  
Kennewick, WA 99336  
Phone: 509-783-7833 Fax: 509-735-6297  
Main Phone: (509)783-7833  
Email: Christopher.Hull@ctt.com

## SCHEDULE A

Liability	Premium	Tax
\$1,000.00	\$350.00	\$30.10

Effective Date: August 30, 2019 at 08:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Title to said real property is vested in:

Richland Properties LLC, an Idaho limited liability company

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

**END OF SCHEDULE A**

**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 134983000001005 and 134983000001006**

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That portion of Section 34, Township 9 North, Range 28 East Willamette Meridian, Benton County, Washington, described as follows:

Beginning at the West Quarter corner of said Section 34; thence South 0°45'17" West 29.94 feet along the West line of said Section 34 to the North line of that parcel described as Parcel #1349883000001004 in Quit Claim Deed recorded in Auditor's File Number 2012-016993, records of Benton County and the True Point of Beginning; thence South 89°51'27" East 1985.27 feet along said North line; thence North 00°31'00" East 8.00 feet along said North line; thence leaving said North line South 89°32'23" East 60.90 feet; thence North 88°15'10" East 318.36 feet; thence North 77°55'41" East 919.16 feet to the East line of that parcel described in Quit Claim Deed recorded under Auditor's File No. 2017-023127, records of Benton County; thence South 40°37'06" East 36.56 feet along said East line; thence South 44°19'57" East 166.89 feet along said East line; thence South 43°56'19" East 171.56 feet along said East line; thence South 39°48'17" East 237.31 feet along said East line; thence South 34°28'56" East 357.52 feet along said East line; thence South 59°24'00" West 648.57 feet along said East line to the beginning of a non-tangent curve concave to the Southwest having a radius of 982.83 feet, thence Southeasterly 313.74 feet along the arc of said curve and along said East line through a central angle of 18°17'25" (The long chord of said curve bears South 21°21'36" East 312.41 feet) thence North 89°43'46" West, 73.91 feet to the Northeast corner of Lot 17 of the plat of Hidden Hills Phase 3, according to the plat thereof recorded in Volume 15 of Plats, Page 537, records of Benton County; thence the following 18 courses along the North line of said plat, and along the North lines of the Plat of Hidden Hills Phase 2 and the Plat of Hidden Hills Phase 1 and the Plat of Badger Mountain Plateau, recorded in Volume 15 of Plats, Pages 477, 402 and 196 respectively; thence North 89°43'18" West 281.61 feet; thence North 89°44'41" West 103.66 feet; thence North 89°44'00" West 148.45 feet; thence North 89°38'40" West 118.16 feet; thence North 89°44'19" West 114.71 feet; thence North 89°43'36" West 163.52 feet; thence North 89°42'15" West 212.10 feet; thence North 89°43'45" West 219.93 feet; thence North 89°55'56" West 60.07 feet; thence North 89°42'23" West 251.19 feet; thence North 89°42'18" West 252.59 feet; thence North 89°44'16" West 252.40 feet; thence North 89°42'49" West 60.00 feet; thence South 00°43'02" West 84.49 feet; thence North 89°40'06" West 315.56 feet; thence North 89°38'49" West 315.08 feet to the West line of said Section 34; thence North 00°45'17" East 1231.43 feet along said West line to the True Point of Beginning.

(ALSO KNOWN as New Parcel 1 of Record Survey 5031 recorded June 26, 2018 under Auditor's File No. 2018-018513)

## SCHEDULE B

1. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):  

Year:	2019
Tax Account No.:	134983000001005
Levy Code:	R6
Assessed Value-Land:	\$1,227,240.00
Assessed Value-Improvements:	\$452,160.00

General and Special Taxes:	
Billed:	\$9,068.27
Paid:	\$4,534.18
Unpaid:	\$4,534.09
  
2. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):  

Year:	2019
Tax Account No.:	134983000001006
Levy Code:	R6
Assessed Value-Land:	\$4,040.00
Assessed Value-Improvements:	\$0.00

General and Special Taxes:	
Billed:	\$60.47
Paid:	\$30.27
Unpaid:	\$30.20
  
3. Terms, covenants and conditions contained in application for Current Use Classification, entered into pursuant to RCW 84.34 (including potential liability for future applicable taxes, special benefit assessments levied by local governments, penalties and interest upon breach of, or withdrawal from, said classification); notice of approval being recorded, under Auditor's File No. 815369:  
Classification: Farm and agricultural
  
4. Rights-of-way for pipelines, ditches, canals, flumes, if any cross said premises, together with the right to enter thereon for the purpose of repair and maintenance thereof.
  
5. Easement and the terms and conditions thereof:  
Grantee: Badger Mountain Irrigation District, a public corporation  
Purpose: to construct, repair, replace, operate and maintain pipelines and appurtenant structures  
Area Affected: portion of said premises and other property  
Recorded: 01/13/1977  
Recording Number: 718936
  
6. Easement affecting a portion of said premises and for the purposes stated therein:  
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation  
Purpose: Electric transmission and distribution line and appurtenances thereto  
Recorded: 05/26/1977  
Recording Number: 728681  
Affects: portion of said premises and other property

**SCHEDULE B**

(continued)

7. Easement affecting a portion of said premises and for the purposes stated therein:  
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation  
Purpose: Electric transmission and distribution line and appurtenances thereto  
Recorded: 09/15/1977  
Recording Number: 737310  
Affects: portion of said premises and other property

The effect of Quit Claim Deed recorded 10/23/2002 under Recording No. 2002-041154.

8. Easement affecting a portion of said premises and for the purposes stated therein:  
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation  
Purpose: Electric transmission and distribution line and appurtenances thereto  
Recorded: 09/15/1977  
Recording Number: 737311  
Affects: portion of said premises and other property

The effect of Quit Claim Deed recorded 10/23/2002 under Recording No. 2002-041156.

9. Easement affecting a portion of said premises and for the purposes stated therein:  
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation  
Purpose: Electric transmission and distribution line and appurtenances thereto  
Recorded: 02/08/1978  
Recording Number: 749794  
Affects: Portion of said premises and other property

10. Easement and the terms and conditions thereof:  
Purpose: Ingress and egress  
Area Affected: 60 foot strip over portion of said premises and other property  
Recorded: 07/28/1978  
Recording Number: 765776

11. Easement and the terms and conditions thereof:  
Purpose: Access  
Area Affected: portion of said premises and other property  
Recorded: 06/15/1982  
Recording Number: 862635

12. Easement and the terms and conditions thereof:  
Purpose: Ingress-egress, utility and irrigation  
Area Affected: 60 foot strip over a portion of said premises and other property  
Recorded: 07/17/1984  
Recording Number: 898901

**SCHEDULE B**

(continued)

13. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Badger Mountain Irrigation District  
Purpose: Utility Easement  
Recording Date: October 9, 1984  
Recording No.: 84-3561
14. Easement and the terms and conditions thereof:  
Grantee: Milo Bauder and Donna L. Bauder, husband and wife  
Purpose: Ingress and egress  
Area Affected: portion of said premises and other property  
Recorded: 10/08/1987  
Recording Number: 87-16073
15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Public Utility District No. 1 of Benton County  
Purpose: Electric Distribution Lines  
Recording Date: October 13, 1988  
Recording No.: 88-12284
16. Amended and restated interlocal agreement between Benton County and the City of Richland recorded December 12, 2006 under Auditor's File No. 2006-040708.
17. Terms and Conditions of Ordinance No. 41-10 recorded January 5, 2011 under Auditor's File No. 2011-000610.
18. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland  
Purpose: Utility Easement  
Recording Date: March 24, 2014  
Recording No.: 2014-006658
19. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland  
Purpose: Utility Easement  
Recording Date: February 23, 2016  
Recording No.: 2016-4839
20. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland  
Purpose: Waterline Easement  
Recording Date: January 17, 2018  
Recording No.: 2018-1483
21. Sewer Latecomers Agreement and the Terms and Conditions thereof between the City of Richland and Pahlisch Homes at Westcliffe Heights LLC recorded September 5, 2018 under Auditor's File No. 2018-26345 and First Amendment recorded June 3, 2019 under Auditor's File No. 2019-014443.

**SCHEDULE B**

(continued)

22. A Mortgage to secure an indebtedness in the amount shown below,  
Amount: \$2,600,000.00  
Dated: January, 2019  
Mortgagor: Richland Properties, LLC, an Idaho limited liability company  
Mortgagee: John Roeder  
Recording Date: January 18, 2019  
Recording No: 2019-001555

23. A financing statement as follows:  
Debtor: Richland Properties, LLC  
Secured Party: John Roeder  
Recording Date: January 18, 2019  
Recording No.: 2019-001556

**END OF SCHEDULE B**

FILED BY 87-16073

OCT 8 2 55 PM '87

ROBERT C. JONES, CLERK  
DEPUTY  
RECORDED IN VOL 496

26087-A

SAFECO TITLE INSURANCE CO.

EASEMENT

PARTIES

1.1 Grantor. BADGER MOUNTAIN ORCHARDS, a Washington general partnership, and DAVID G. DETRO and PATRICIA A. DETRO.

1.2 Grantee. MILO BAUDER and DONNA L. BAUDER, husband and wife.

EASEMENT

2.1 Grant of Perpetual Easement. Grantor hereby grants to Grantee an easement as described herein of the type described herein for the purposes described herein.

2.2 Purpose. The purpose of this easement is ingress and egress.

2.3 Consideration. This easement is for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration.

2.4 Benefited Property. This easement is to benefit the following described real property situated in the County of Benton, State of Washington:

See Exhibit "A".

1% EXCISE TAX NOT REQUIRED  
BENTON, CO. TAX DIVISION  
BY *S. Oldfield* DEPUTY  
110-8-87

JEFFERS, DANIELSON, SOHN & AYLWARD, P.S.  
ATTORNEYS AT LAW  
317 N. Mission, P.O. Box 1688  
Telephone (509) 662-3685  
Wenatchee, Washington 98801

Easement

1           2.5 Burdened Property. This easement is an easement  
2 to burden the following described real property situated in the  
3 County of Benton, State of Washington:

4           See Exhibit "B"

5           2.6 Term of Easement. The term of this easement is  
6 perpetual.

7           2.7 Type of Easement. This easement is an appurtenant  
8 easement.

9           2.8 Maintenance and Repair. The cost of any mainte-  
10 nance and repair of the above easement shall be borne by the  
11 Grantee herein.

12           The benefits and burdens granted and imposed by this  
13 instrument shall run with the lands described herein.

14           DATED this 6 day of October, 1987.

15           "GRANTOR"

16           BADGER MOUNTAIN ORCHARDS,  
17 a Washington General Partnership

18   
19           \_\_\_\_\_  
20 DAVID G. DETRO, Partner Acting  
21 on behalf of all partners  
22 pursuant to Badger Mountain  
23 Orchards Amendment to Partner-  
24 ship Agreement dated September 30,  
1987.

25   
26           \_\_\_\_\_  
27 DAVID G. DETRO

Easement

- 2 -

JEFFERS, DANIELSON, SONN & AYLWARD, P.S.  
ATTORNEYS AT LAW  
317 N. Mission, P.O. Box 1088  
Telephone (509) 662-3885  
Wenatchee, Washington 98801

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Patricia A. Detro  
PATRICIA A. DETRO, by

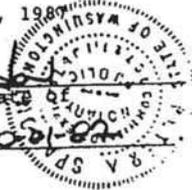
David G. Detro  
DAVID G. DETRO, Her Attorney In  
Fact pursuant to a Power of  
Attorney dated September 29,  
1987.

STATE OF WASHINGTON )  
COUNTY OF Celan ) ss.

I CERTIFY that I know or have satisfactory evidence  
that DAVID G. DETRO signed this instrument, on oath stated that  
he was authorized to execute the instrument and acknowledged it  
as Acting Partner on behalf of all partners to BADGER MOUNTAIN  
ORCHARDS Amendment to Partnership Agreement dated September 30,  
1987, to be the free and voluntary act of such party for the uses  
and purposes mentioned in the instrument.

DATED this 6<sup>th</sup> day of October, 1987

John A. Baker  
NOTARY PUBLIC for the State of  
Washington.  
My commission expires 10-21-88



STATE OF WASHINGTON )  
COUNTY OF Celan ) ss.

I CERTIFY <sup>individually and</sup> that I know or have satisfactory evidence  
that DAVID G. DETRO as Attorney In Fact of PATRICIA A. DETRO  
under Power of Attorney dated September 29, 1987, signed this  
instrument and acknowledged it to be his free and voluntary act  
for the uses and purposes mentioned in the instrument.

DATED this 6<sup>th</sup> day of October, 1987

John A. Baker  
NOTARY PUBLIC for the State of  
Washington.  
My commission expires 10-21-88



JEFFERS, DANIELSON & COMPANY, P.S.  
ATTORNEYS AT LAW  
317 N. Mission, P.O. Box 188  
Telephone (509) 662-3686  
Wenatchee, Washington 98801

Easement  
hul

EXHIBIT A

Section 34, Township 9 North, Range 28 East, W.M., Benton County,  
Washington,  
EXCEPT the North one-half of the Northeast Quarter: and  
That portion of Section 35, Township 9 North, Range 28 East,  
W.M., Benton County, lying Southerly and Westerly of the Kennewick  
Irrigation District East Badger Lateral Canal Right-of-Way

EXHIBIT "B"

LEGAL DESCRIPTION

Easement for Ingress and Egress

Beginning at the Southwest corner of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington; thence North 89° 31'37" East along the South line thereof a distance of 2151.94 feet; thence North 73°58'01" East a distance of 6.05 feet to a point of curve; thence Northeasterly along a curve to the left having a central angle of 12°00'00" and a radius of 1000.00 feet, an arc distance of 209.44 feet; thence North 61°58'01" East a distance of 700.00 feet to a point of curve; thence along a curve to the left having a central angle of 92°33'37" and a radius of 982.83 feet, an arc distance of 1,587.74 feet; thence North 59°24'24" East, radial to said curve a distance of 40.00 feet to a point on a curve; thence Northwestwardly along a curve to the left having a central angle of 01°23'43", a radius of 1022.83 feet and a chord bearing North 31°17'15" West, an arc distance of 24.91 feet; thence North 31°59'19" West a distance of 1229.02 feet; thence North 58°00'41" East a distance of 199.00 feet to a point of curve; thence Northeasterly along a curve to the right having a central angle of 42°25'13" and a radius of 295.00 feet, an arc distance of 218.41 feet to the True Point of Beginning; thence South 79°34'06" East a distance of 1000.00 feet; thence North 10°25'54" East a distance of 60.00 feet; thence North 79°34'06" West a distance of 1000.00 feet; thence South 10°25'54" West a distance of 60.00 feet to the True Point of Beginning.

Return To: Benton P.U.D.  
PO Box 6270  
Kennewick, WA 99336



EXCISE TAX NOT REQUIRED  
BENTON COUNTY EXCISE TAX DIVISION  
BY Michael Johnson 10/23/02 DEPUTY  
Clerk

### QUIT CLAIM DEED

The Grantor: PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON  
for and in consideration of Mutual Covenants and Other Valuable Consideration, conveys and  
quit claims to OWNERS OF RECORD, the following described real estate, situated in the  
County of Benton, State of Washington:

Assessor's Property Tax Parcel Acct. #: 1-3498-100-0006-003

An easement 10.00 feet wide, 5.00 feet on each side of a centerline, described as follows:

Beginning at the Northeast corner of Section 34, Township 9 North, Range 28 East, W.M., in  
Benton County, Washington; thence South 00°33'35" East, 1321.22 feet to the existing one-  
sixteenth corner; thence South 00°33'35" East, 5.41 feet to the TRUE POINT OF BEGINNING;  
thence South 84°44'34" West, 347.52 feet; thence South 69°19'30" West, 1779.30 feet, to the  
final point, as shown on attached Exhibit "A"

This deed is given as a conveyance and abandonment of all right, title and interest in the above  
described property as acquired under that certain easement of record under Auditor's File No.  
737310.

**PORTION ONLY, SEE ATTACHED EXHIBIT "A"**

Dated this 22<sup>ND</sup> day of OCTOBER, 2002.

PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON

BY: Robert G. Graves President

ATTEST: Jeffrey D. Hall Secretary

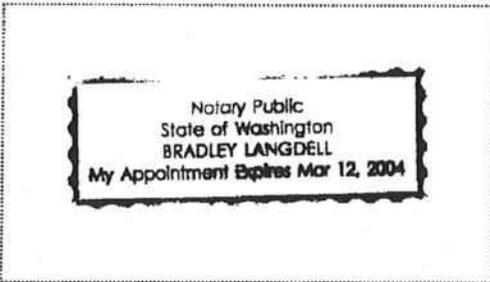
ACKNOWLEDGEMENT OF CORPORATION

STATE OF WASHINGTON

County of BENTON } ss.

On this 22<sup>ND</sup> day of OCTOBER, 2002, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, certify that I know or have satisfactory evidence that ROBERT G. GRAVES (VICE PRESIDENT) and JEFFREY D. HALL (ASSISTANT SECRETARY) known to me to be the President and Secretary of the Commission of Public Utility District No. 1 of Benton County and said person(s) acknowledged that he/they signed this instrument as his/their free and voluntary act for the uses and purposes mentioned in the instrument.

Witness my hand an official seal hereto affixed the day and year first above written.

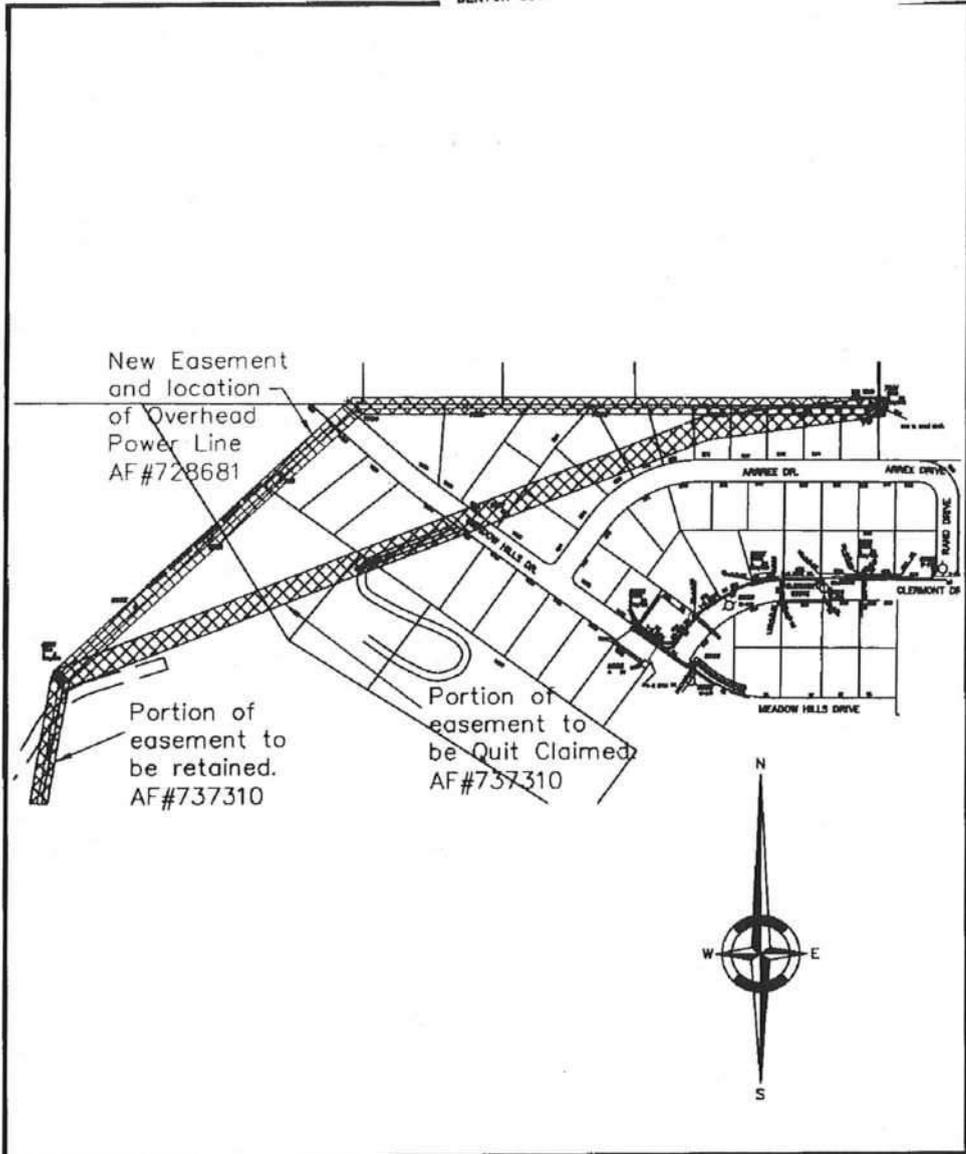


Notary Signature Bradley Langdell My Commission Expires MAR 12, 2004

NOTARY SEAL-Recordable Document, Please follow RCW 65.04



2002-041154  
Pg: 3 of 3  
10/23/2002 02:48P  
Benton County



DATE 10/7/02	DRAWN BY: RPR	MAP NO. 92834	SCALE na	SHT. 1 of 1	DWG. NO. 737310
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Exhibit A  
Quit Claim AF#737310  
Milo Bauder

Return To: Benton P.U.D.  
PO Box 6270  
Kennewick, WA 99336



EXCISE TAX NOT REQUIRED  
BENTON COUNTY EXCISE TAX DIVISION  
BY Michelle Johnson DEPUTY  
Easement 10/23/02

### QUIT CLAIM DEED

The Grantor: PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON  
for and in consideration of Mutual Covenants and Other Valuable Consideration, conveys and quit claims to OWNERS OF RECORD, the following described real estate, situated in the County of Benton, State of Washington:

Assessor's Property Tax Parcel Acct. #: 1-3498-100-0006-003

Beginning at the Northwest corner of Section 34, Township 9 North, Range 28 East, W.M., in Benton County, Washington; thence South 00°33'35" East a distance of 1321.22 feet to the existing one-sixteenth corner; thence South 00°33'35" East a distance of 5.41 feet and the TRUE POINT OF BEGINNING;

Thence South 84°44'34" West 347.52 feet to the POINT OF BEGINNING of Parcel "A"; thence North 12°57'58" West 40.00 feet to the final point of Parcel "A"; thence continuing from the final point of Parcel "A" South 12°57'58" East 40.00 feet; thence South 69°19'30" West 1779.03 to the TERMINUS of easement as shown on attached Exhibit "A"

This deed is given as a conveyance and abandonment of all right, title and interest in the above described property as acquired under that certain easement of record under Auditor's File No. 737311.

**PORTION ONLY, SEE ATTACHED EXHIBIT "A"**

JO# Map# 92834  
Eng. Sup.

Page 1 of 2

\\BPUD\_1\VOL1\ENGINEER\ENGW-qtclaims\bauderquitclaim2.doc

Dated this 22<sup>ND</sup> day of OCTOBER, 2002.

PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON

BY: Robert A. Graves  
President

ATTEST: Jeffrey D. Hall  
Secretary

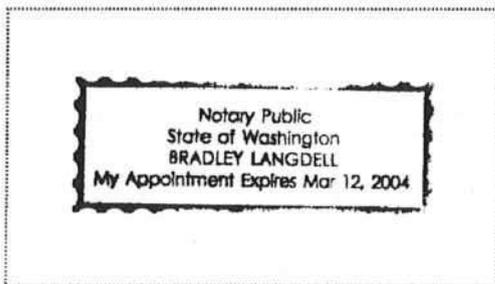
ACKNOWLEDGEMENT OF CORPORATION

STATE OF WASHINGTON

County of BENTON } ss

On this 22<sup>ND</sup> day of OCTOBER, 2002, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, certify that I know or have satisfactory evidence that ROBERT G. GRAYES (VICE PRESIDENT) and JEFFREY D. HALL (ASSISTANT SECRETARY) known to me to be the President and Secretary of the Commission of Public Utility District No. 1 of Benton County and said person(s) acknowledged that he/they signed this instrument as his/their free and voluntary act for the uses and purposes mentioned in the instrument.

Witness my hand an official seal hereto affixed the day and year first above written.



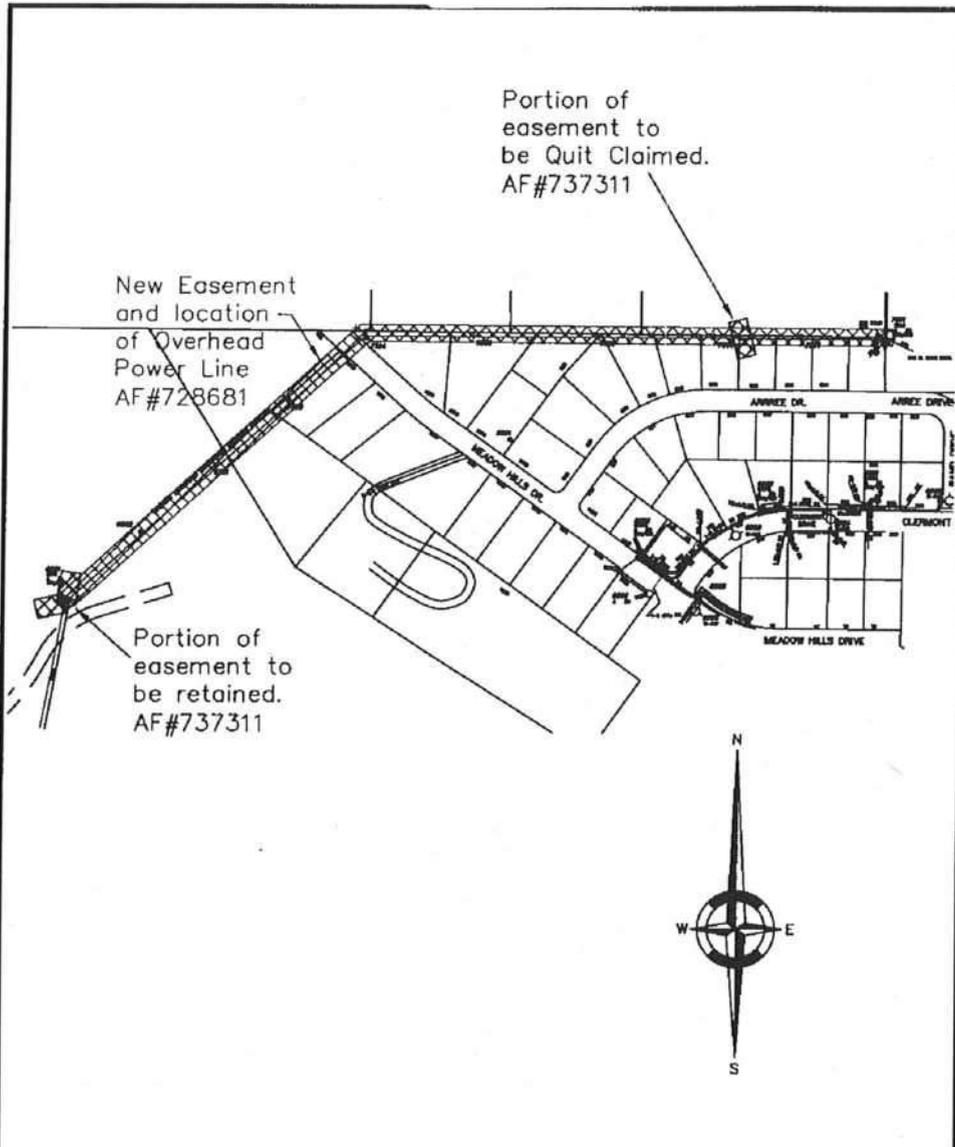
Notary Signature Bradley Langdell  
My Commission Expires MAR 12, 2004

NOTARY SEAL-Recordable Document, Please follow RCW 65.04



2002-041156  
Pg: 3 of 3  
10/23/2002 02:48P  
Benton County

BENTON COUNTY PUD #1 D 21.00



DATE 10/7/02	DRAWN BY: RPR	MAP NO. 92834	SCALE na	SHT. 1 of 1	DWG. NO. 737311
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Exhibit A  
Quit Claim AF#737311  
Milo Bauder



Return Name and Address:  
Benton County Commissioners  
P.O. Box 190  
Prosser, WA 99350

**PLEASE PRINT OR TYPE INFORMATION:**

<p><b>Document Title(s)</b>(or transactions contained therein):</p> <p>1. Amended and Restated Interlocal Agreement</p>
<p><b>Grantor(s)</b>(Last name first, first name, middle initials):</p> <p>1. Benton County 2. Additional names on page _____ of document.</p>
<p><b>Grantee(s)</b>(Last name first, first name, middle initials):</p> <p>1. City of Richland 2. Additional names on page _____ of document.</p>
<p><b>Legal description</b> (abbreviated: i.e., lot, block, plat or section, township, range, qtr./qtr.)</p> <p>Additional legal is on page _____ of document.</p>
<p><b>Reference Number(s)</b> of documents assigned or released: none</p> <p>Additional numbers on page _____ of document.</p>
<p><b>Assessor's Property Tax Parcel/Account Number:</b></p> <p>Additional parcel numbers on page _____ of document.</p>
<p><b>The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information.</b></p>



**AMENDED AND RESTATED INTERLOCAL AGREEMENT  
BETWEEN  
BENTON COUNTY AND THE CITY OF RICHLAND  
REGARDING CITY OF RICHLAND URBAN GROWTH AREA EXPANSION  
REQUEST - FILE NO. CPA 03-2**

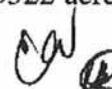
**1. Date and Parties.**

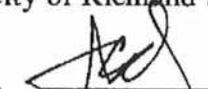
This Agreement, for reference purposes only, is dated the 4th day of December, 2006, and is entered into by and between Benton County (hereinafter the "County"), a political subdivision of the State of Washington, and the City of Richland, a non-charter code city, organized under the laws of the State of Washington (hereinafter "City").

**2. Purpose and History.**

A. On January 24, 2001, the County gave approval of the preliminary plans for the Badger Mountain Golf and Country Club Planned Development and granted preliminary approval of a zone change for the approximately 1707 acres therein from Agricultural to Planned Development under County File Nos. PD 94-1 and ZC 94-1 (hereinafter the "Badger Mountain PD"). The Badger Mountain PD application was submitted on January 3, 1994, and complied with the density restrictions then in effect in the County. More stringent density restrictions consistent with the Growth Management Act that preclude urban development outside of Urban Growth Areas were subsequently adopted by the County in July of 1994, but were not and could not be applied to the Badger Mountain PD application that was submitted before the effective date of the new density restrictions.

B. In 2003, the City requested that the County amend its Comprehensive Plan to expand the City's urban growth area ("UGA") by approximately 3000 acres in order to accommodate the City's projected population growth for the next 20 years. The City's request included the entire Badger Mountain PD as well as land not within the Badger Mountain PD and was assigned County file number CPA 03-2. County staff determined that the City had actually requested slightly more than 2900 acres. County staff, subject to certain conditions, subsequently recommended that approximately 454 acres not requested by the City be added to the UGA expansion under CPA 03-2 and that the approximately 78 acres south of I-82 designated as Urban Reserve Tracts X and Y on the Badger Mountain PD be excluded from the City's requested UGA expansion. These changes resulted in approximately 3322 acres being recommended for addition to the City's UGA under CPA 03-2. The City and the County entered into an Interlocal Agreement dated January 31, 2005 regarding that acreage, and the County Board of Commissioners approved the addition of 3322 acres to the City of Richland's

  
\_\_\_\_\_  
County

  
\_\_\_\_\_  
City

UGA. The County's approval was appealed to the Eastern Washington Growth Management Hearings Board (GMB).

C. In 2005, the GMB ruled that the approved expansion to the City's UGA was approximately 1200 acres in excess of what the City needed to meet its 20 year growth projection, and that the County and City erred in approving a UGA addition without an accompanying update of their Capital Facilities Elements and a plan for utilities and transportation facilities in the expanded UGA area. The GMB therefore ordered the County to take action to comply with the GMB decision.

D. In 2006, the City submitted to the County an amended proposal to add approximately 2100 acres to its UGA, and also submitted a Capital Facilities Plan to the County for the proposed UGA area and submitted information in response to questions from the County Planning Commission. After public hearings and deliberation on the proposed expansion and the capital facilities plan, the Benton County Planning Commission forwarded the City's submittal to the Benton County Board of Commissioners with a recommendation to approve them both. After hearings and deliberations, the Board of Commissioners approved the addition of the land described as attached hereto as Exhibit A and incorporated herein by reference to the City's UGA. This additional land set forth on Exhibit A is hereinafter referred to as the "Badger Mountain UGA Addition."

E. The Badger Mountain UGA Addition includes, but is not limited to, properties that are currently proposed for urban level development and lands that have been classified as urban reserve. It does not include the approximately 78 acres south of I-82 designated as Urban Reserve Tracts X and Y on the Badger Mountain PD.

F. The purpose of this Agreement is to address the following concerns identified by the County during the course of consideration of the City's request to expand its UGA: (1) assure that local jurisdiction over the development of the Badger Mountain PD is not split between the City and County by partial annexation thereof; (2) provide for open space within the Badger Mountain UGA Addition; and (3) protect long term financially viable commercial agricultural operations that are within or adjacent to the Badger Mountain UGA Addition.

G. The City acknowledges that the County is relying on the City's commitments in this Agreement when considering the City's request that the County amend its Comprehensive Plan to expand the City's UGA to include Badger Mountain UGA Addition.

### 3. Protection for Agricultural Lands

A. Both parties acknowledge the importance of preserving financially viable commercial agricultural lands. Washington State and Benton County have adopted identical provisions pursuant to RCW 7.48.300 through RCW 7.48.310 and Chapter 14.01 of the Benton County Code to protect agricultural uses from certain inconsistent urban uses. The City

currently has provisions in its Municipal Code for protecting and preserving agricultural lands, but agrees to amend its Municipal Code to provide additional protection as set forth below.

B. Prior to annexing any lands within the Badger Mountain UGA Addition, except for the Valley View area described on Exhibit B hereto and incorporated herein by reference, the City agrees that it shall adopt code provisions to implement an agricultural lands protection program. Such code provisions shall at a minimum protect the commercial vineyards and orchards currently located on parcels identified on Exhibit C attached hereto or on any parcels created therefrom from conflicting adjacent residential uses by requiring a 170-foot setback between the property boundaries of such parcels and all subsequently constructed residential structures and swimming pools on adjacent property. The above referenced setback requirement must be enforced with respect to every parcel identified on Exhibit C or to every parcel created therefrom so long as: (1) the parcel has vineyard plantings of five or more contiguous acres, orchard plantings of 10 or more contiguous acres, or any combination of these equal to or exceeding 10 acres; and (2) the vineyard or orchard on the parcel is continually maintained and nurtured as a crop producing operation by pruning, irrigating, spraying and other prudent agricultural practices. In addition to the above, the City's agricultural lands protection program may include the use of conservation easements, transfer of development rights, or such other mechanisms as authorized by RCW Chapter 84.34 for the purpose of protecting agricultural lands and other open space lands.

C. In lieu of adopting code provisions to implement the setback requirements stated above, the City may provide such protection by requiring all property owners of lands adjacent to the parcels identified on Exhibit C and all property owners of parcels created therefrom, to enter into development agreements with the City authorized by RCW 36.70B.170 prior to annexation of any such parcel. Each such agreement shall incorporate the setback requirements of paragraph 3 (B) above. The setback requirements set forth in such agreements shall remain in place so long as the code provision implementing the setback requirement required by paragraph 3(B) would otherwise be required to remain in force with respect to the parcel at issue.

4. **Open Space Planning.**

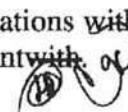
Prior to annexing any lands within the Badger Mountain UGA Addition, except for the Valley View area described on Exhibit B hereto and incorporated herein by reference, the City shall prepare and adopt a plan for a contiguous system of linked green belts and open space areas throughout the property to be annexed, with connectivity to other properties within the Badger Mountain UGA Addition. Said plan shall be incorporated into pre-annexation development agreements with the owner(s) of the properties within the Badger Mountain UGA Addition, as authorized by RCW 36.70B.170. No area within the Badger Mountain UGA Addition, except for the Valley View area described on Exhibit B, shall be annexed into the City until such time as it is demonstrated that adequate greenbelts and open spaces have been provided for in order to facilitate separation of uses and to provide linked recreational/aesthetic assets.



7. **Boundary Review Board Review.**

The parties agree that the terms of this Agreement shall in no way restrict the County's authority to request that any annexation proposed by the City be reviewed by the Boundary Review Board.

8. **Release and Confirmation of Intent to Annex.**

A. The City, by entering into this Agreement, acknowledges that all annexations within the Badger Mountain UGA are subject to the terms and conditions of this Agreement with 

B. The City agrees it will accept and will not challenge a decision by the County on CPA 03-2 that approves an amendment of the County's Comprehensive Plan to add the Badger Mountain UGA Addition to the City's UGA.

9. **Specific Area Plan.**

The County agrees to cooperate with the City during its development of a Specific Area Plan (SAP) that includes the Badger Mountain UGA Addition by providing information upon request that the County possesses that would assist the City in developing this SAP.

10. **Duration/Termination.**

This Agreement shall automatically terminate upon annexation by the City of all lands within the Badger Mountain UGA Addition.

11. **Filing.**

This Agreement shall be filed with the Benton County Auditor.

12. **Notices.**

All Notices required by this Agreement shall be in writing, signed by the sending party, and shall be considered properly delivered when personally delivered, when received by facsimile, or on the third day following mailing, postage prepaid, certified mail, return receipt requested, to:

Benton County

Benton County Planning Director  
PO Box 910  
Prosser, WA 99350

City of Richland

Development Services Manager  
PO Box 190  
Richland, WA 99352

**13. Administration.**

This Agreement contemplates no joint or cooperative undertaking necessitating the formation of a new agency. Each party shall administer the Agreement as to its own responsibilities.

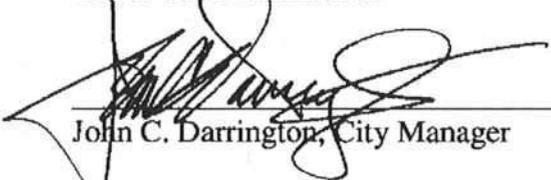
**14. Integration and Amendment.**

This Agreement represents the entire agreement of and supercedes any prior agreements between the parties with respect to the subject matter hereof and may be amended only on the written agreement of the parties made with the same formalities as those required for its original execution.

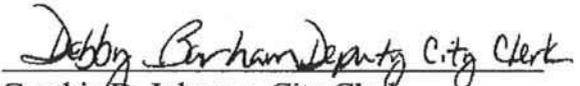
**15. Effective Date.**

This Agreement shall take effect upon its execution.

**CITY OF RICHLAND**

  
\_\_\_\_\_  
John C. Darrington, City Manager

**ATTEST:**

  
for Cynthia D. Johnson, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Thomas O. Lampson, City Attorney

**COUNTY OF BENTON**

**MAX E. BENITZ, JR. - OPPOSED**

\_\_\_\_\_  
Max E. Benitz, Chairman of Benton County Board of Commissioners

12-4-06  
Date

  
\_\_\_\_\_  
Leo Bowman, Commissioner

12-4-06  
Date

  
\_\_\_\_\_  
Claude L. Oliver, Commissioner

12-4-06  
Date 



2006-040708

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COUNTY COMMISSIONERS MULTI

0.00

Benton County

**APPROVED AS TO FORM:**

Ryan K. Brown, Deputy Prosecuting Attorney

County

City

**BADGER MOUNTAIN EXHIBIT A  
URBAN GROWTH EXPANSION AREA ADDITION**

THAT PORTION OF BADGER HEIGHTS SUBDIVISION IN SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. DESCRIBED AS FOLLOWS:

LOT 9 OF BLOCK 1 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 13 OF BLOCK 2: TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438;

LOT 12 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 5 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 6 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 11 OF BLOCK 2; LOT 14 OF BLOCK 2 TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438, AF#95-26680;

LOT 14 BLOCK 2, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOL #91-16685 REC'D 9/17/91 TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOL #95-438 REC'D 11/20/95 AF#95-26680 SUBJECT TO EASEMENTS OF SAID RESOLUTION.

LOT 15 OF BLOCK 2, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438, AF#95-26680, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION 95-438, AF#1995-026680;

LOT 10 OF BLOCK 2;

LOT 7 OF BLOCK 2;

LOT 2 BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182; AND,

THAT PORTION OF THE COUNTY ROAD WITHIN THE ABOVE DESCRIBED AREA KNOWN AS TULIP LANE LOCATED BETWEEN WINDMILL ROAD AND I-182 RIGHT OF WAY.

SHORT PLAT 2727 LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.;

THAT PORTION OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, LYING SOUTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE. BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 29: THENCE SOUTH 89 DEGREES 23 MINUTES 44 SECONDS EAST, 1951.66 FEET ALONG THE SOUTH LINE OF SAID SECTION TO THE TRUE POINT OF BEGINNING: THENCE NORTH 65 DEGREES 57 MINUTES 03 SECONDS WEST, 116.18 FEET: THENCE SOUTH 89 DEGREES 48 MINUTES 41 SECONDS WEST, 641.83 FEET: THENCE NORTH 00 DEGREES 38 MINUTES 28 SECONDS WEST, 324.30 FEET: THENCE SOUTH 89 DEGREES 21 MINUTES 30 SECONDS WEST, 1154.45 FEET TO THE EAST LINE OF DALLAS ROAD AND THE TERMINUS OF SAID LINE. EXCEPT THE WEST 40 FEET FOR COUNTY ROAD RIGHT OF WAY;

THAT PORTION OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., LOCATED EAST OF THE RIGHT OF WAY OF INTERSTATE 82;

THAT PORTION OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, LYING NORTHEASTERLY OF INTERSTATE 82 RIGHT-OF-WAY, EXCEPT THAT PORTION OF LOT 1 OF SHORT PLAT 2465 LOCATED IN SECTION 32, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.;

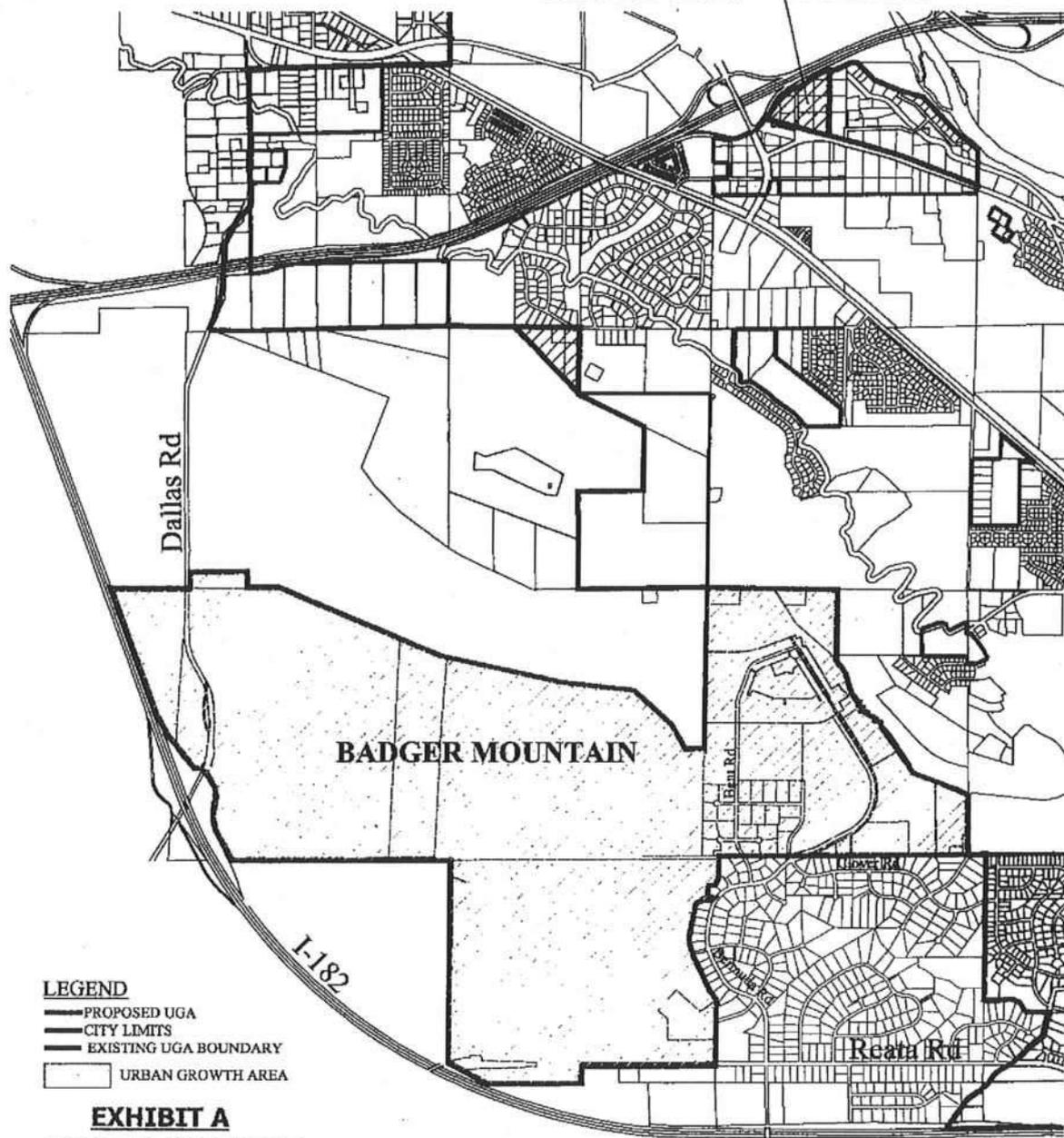
ALL OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON, EXCEPT THAT PORTION OF LOT 1 OF SHORT PLAT 2465 LOCATED IN SECTION 33, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.;

THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., LOCATED WEST OF THE EXISTING URBAN GROWTH BOUNDARY.

THAT PORTION OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., LOCATED NORTH AND EAST OF THE RIGHT OF WAY OF INTERSTATE 82, EXCEPT THAT PORTIONS OF SECTION 4 PLATTED AS EL RANCHO REATA NO. 3, LOT 4 OF SHORT PLAT 1331, ALL OF SHORT PLAT 1550; AND THAT PLATTED AS BADGER VIEW RANCHETTES.



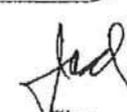
VALLEY VIEW EXHIBIT A



LEGEND

- PROPOSED UGA
- CITY LIMITS
- EXISTING UGA BOUNDARY
- URBAN GROWTH AREA

EXHIBIT A  
URBAN GROWTH  
EXPANSION AREA

  
  
 County City



**EXHIBIT B  
DESCRIPTION OF VALLEY VIEW AREA**

THAT PORTION OF BADGER HEIGHTS SUBDIVISION IN SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. DESCRIBED AS FOLLOWS:

LOT 9 OF BLOCK 1 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 13 OF BLOCK 2: TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438;

LOT 12 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 5 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 6 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 11 OF BLOCK 2; LOT 14 OF BLOCK 2 TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438, AF#95-26680;

LOT 14 BLOCK 2, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOL #91-16685 REC'D 9/17/91 TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOL #95-438 REC'D 11/20/95 AF#95-26680 SUBJECT TO EASEMENTS OF SAID RESOLUTION.

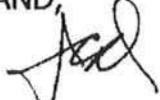
LOT 15 OF BLOCK 2, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438, AF#95-26680, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION 95-438, AF#1995-026680;

LOT 10 OF BLOCK 2;

LOT 7 OF BLOCK 2;

LOT 2 BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182; AND,

  
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City

THAT PORTION OF THE COUNTY ROAD WITHIN THE ABOVE DESCRIBED AREA  
KNOWN AS TULIP LANE LOCATED BETWEEN WINDMILL ROAD AND I-182  
RIGHT OF WAY.



**EXHIBIT C  
COMMERCIAL VINEYARDS AND ORCHARDS SUBJECT TO SETBACK  
REQUIREMENT**

- (1) TAX PARCEL # 129982012465002 LEGALLY DESCRIBED AS FOLLOWS:  
LOT 1 OF SHORT PLAT 2465;
- (2) TAX PARCEL # 134982010595001 LEGALLY DESCRIBED AS FOLLOWS:  
LOT 1 OF SHORT PLAT #595;
- (3) TAX PARCEL # 134982010595002 LEGALLY DESCRIBED AS FOLLOWS:  
LOT 2 OF SHORT PLAT #595;
- (4) TAX PARCEL # 134982010595003 LEGALLY DESCRIBED AS FOLLOWS:  
LOT 3 OF SHORT PLAT #595;
- (5) TAX PARCEL # 134982010595004 LEGALLY DESCRIBED AS FOLLOWS:  
LOT 4 OF SHORT PLAT #595;
- (6) TAX PARCEL # 134982011576001 LEGALLY DESCRIBED AS FOLLOWS:  
LOT 1 OF SHORT PLAT #1576;
- (7) TAX PARCEL # 134982012049001 LEGALLY DESCRIBED AS FOLLOWS:  
LOT 1 OF SHORT PLAT 2049;
- (8) TAX PARCEL # 134982012049002 LEGALLY DESCRIBED AS FOLLOWS:  
LOT 2 OF SHORT PLAT 2049;
- (9) TAX PARCEL # 134984011576003 LEGALLY DESCRIBED AS FOLLOWS: THAT  
PORTION OF LOT 2, SHORT PLAT NO. 1576, ACCORDING TO THE SURVEY THEREOF,  
RECORDED UNDER AUDITOR'S FILE NO. 86-18748, RECORDS OF BENTON COUNTY,  
WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:  
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2: THENCE SOUTH 89  
DEGREES 31 MINUTES 37 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2,  
A DISTANCE OF 276.65 FEET TO THE NORTHWEST CORNER OF LOT 6, BLOCK ONE  
OF THE PLAT OF EL RANCHO REATA NO. 4 AND THE TRUE POINT OF BEGINNING:  
THENCE NORTH 05 DEGREES 11 MINUTES 43 SECONDS WEST ALONG THE  
NORTHERLY PROJECTION OF THE WEST LINE OF SAID LOT 6 A DISTANCE OF  
241.58 FEET TO THE NORTHERLY BOUNDARY OF LOT 2 AND TERMINUS OF SAID  
LINE. COMMONLY KNOWN AS: THE WEST HALF OF LOT 2 SHORT PLAT NO. 1576.  
(4/24/2000 AF#20000-009798);

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City



(10) TAX PARCEL # 134984011576004 LEGALLY DESCRIBED AS FOLLOWS: THAT PORTION OF LOT 2, SHORT PLAT NO. 1576, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 86-18748, RECORDS OF BENTON COUNTY, WASHINGTON, LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2: THENCE SOUTH 89 DEGREES 31 MINUETS 37 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 276.65 FEET TO THE NORTHWEST CORNER OF LOT 6, BLOCK ONE OF THE PLAT OF EL RANCHO REATA NO. 4 AND THE TRUE POINT OF BEGINNING: THENCE NORTH 05 DEGREES 11 MINUTES 43 SECONDS WEST ALONG THE NORTHERLY PROJECTION OF THE WEST LINE OF SAID LOT 6 A DISTANCE OF 241.58 FEET TO THE NORTHERLY BOUNDARY OF SAID LOT 2 AND TERMINUS OF SAID LINE. COMMONLY KNOWN AS: THE EAST HALF OF LOT 2 SHORT PLAT NO. 1576. (4/24/2000 AF#2000-009799);

(11) TAX PARCEL # 134984012275001 LEGALLY DESCRIBED AS FOLLOWS: LOT 1 OF SHORT PLAT #2275;

(12) TAX PARCEL # 134984012275002 LEGALLY DESCRIBED AS FOLLOWS: LOT 2 OF SHORT PLAT #2275;

(13) TAX PARCEL # 134984011406001 LEGALLY DESCRIBED AS FOLLOWS: LOT 1 OF SHORT PLAT #1406;

(14) TAX PARCEL # 134982000003000 LEGALLY DESCRIBED AS FOLLOWS: THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.;

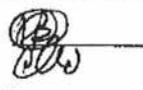
(15) TAX PARCEL # 134982000001002 LEGALLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 9 NORTH RANGE 28 EAST. THENCE SOUTH 00 DEGREES 33'25' EAST ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 1320.72 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER. THENCE NORTH 89 DEGREES 34'14' WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER A DISTANCE OF 1812.32 FEET TO THE TRUE POINT OF BEGINNING. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 693.29 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE 600.00 FEET. THENCE SOUTH 10 DEGREES 25'54' WEST A DISTANCE OF 228.30 FEET. THENCE NORTH 79 DEGREES 34'06' WEST A DISTANCE OF 120.00 FEET. THENCE SOUTH 10 DEGREES 25'54' WEST A DISTANCE OF 9.16 FEET. THENCE NORTH 79 DEGREES 34'06' WEST A DISTANCE

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OF 131.71 FEET. THENCE SOUTH 53 DEGREES 33'55' WEST A DISTANCE OF 90.27 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE OF 199.00 FEET. THENCE NORTH 31 DEGREES 59'19' WEST A DISTANCE OF 112.50 FEET TO A POINT OF CURVE. THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90 DEGREES 00'00' A RADIUS OF 20.0 FEET, AN ARC DISTANCE OF 31.42 FEET. THENCE NORTH 58 DEGREES 00'41' EAST A DISTANCE OF 84.00 FEET. THENCE NORTH 31 DEGREES 59'19' WEST A DISTANCE OF 170.00 FEET. THENCE NORTH 58 DEGREES 00'41' EAST A DISTANCE OF 206.00 FEET. THENCE NORTH 31 DEGREES 59'19' WEST A DISTANCE OF 110.12 FEET. THENCE NORTH 89 DEGREES 28'17' WEST A DISTANCE OF 4.61 FEET. THENCE NORTH 48 DEGREES 43'37' WEST A DISTANCE OF 99.64 FEET. THENCE NORTH 24 DEGREES 04'27' WEST A DISTANCE OF 100.31 FEET. THENCE NORTH 00 DEGREES 19'21' EAST A DISTANCE OF 9.04 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE OFF 181.06 FEET. THENCE NORTH 31 DEGREES 59'19' WEST A DISTANCE OF 280.00 FEET. THENCE NORTH 22 DEGREES 31'35' WEST A DISTANCE OF 60.83 FEET. THENCE NORTH 31 DEGREES 59'19' WEST A DISTANCE OF 662.82 FEET TO A POINT ON CURVE. THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12 DEGREES 40'47', A RADIUS OF 280.00 FEET, A CHORD BEARING OF SOUTH 85 DEGREES 17'02' WEST, AND ARC DISTANCE OF 61.96 FEET. THENCE NORTH 11 DEGREES 03'22' WEST RADIAL TO SAID CURVE A DISTANCE OF 192.85 FEET. THENCE SOUTH 68 DEGREES 29'19' WEST A DISTANCE OF 93.00 FEET. THENCE NORTH 21 DEGREES 30'41' WEST A DISTANCE OF 80.00 FEET. THENCE NORTH 68 DEGREES 29'19' EAST A DISTANCE OF 207.91 FEET TO A POINT OF CURVE. THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 36 DEGREES 20'33', A RADIUS OF 1040.00 FEET, A CHORD BEARING OF NORTH 86 DEGREES 39'34' EAST AN ARC DISTANCE OF 659.57 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 34. THENCE SOUTH 00 DEGREES 06'54' WEST ALONG SAID WEST LINE A DISTANCE OF 520.19 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTH- WEST QUARTER. THENCE SOUTH 89 DEGREES 34'14' EAST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34 A DISTANCE OF 800.48 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 34.92 ACRES. LESS PORTION DEFINED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 33' 25" ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 1320.72 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 34' 14" WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER A DISTANCE OF 1812.32 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 31 DEGREES 59' 19" EAST A DISTANCE OF 693.29; THENCE SOUTH 58 DEGREES 00' 41" WEST A DISTANCE OF 432.00 FEET; THENCE

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SOUTH 42 DEGREES 41' 01" EAST A DISTANCE OF 1280.13 FEET; THENCE SOUTH 50 DEGREES 21' 14" EAST A DISTANCE OF 332.42 FEET; THENCE SOUTH 61 DEGREES 15' 37"EAST A DISTANCE OF 283.14 FEET; THENCE SOUTH 73 DEGREES 05' 44" EAST A DISTANCE OF 328.70 FEET; THENCE SOUTH 78 DEGREES 09' 33" EAST A DISTANCE OF 153.04 FEET TO THE EAST LINE OF SAID SECTION 34 A DISTANCE OF 540.20 FEET; THENCE NORTH 65 DEGREES 59' 57" WEST A DISTANCE OF 265.85 FEET; THENCE NORTH 68 DEGREES 51' 04" WEST A DISTANCE OF 907.79 FEET; THENCE NORTH 34 DEGREES 25' 29" WEST A DISTANCE OF 897.72 FEET; THENCE NORTH 39 DEGREES 48' 15" WEST A DISTANCE OF 237.31 FEET; THENCE NORTH 02 DEGREES 03' 01" WEST A DISTANCE OF 91.96 FEET; THENCE NORTH 74 DEGREES 42' 48" WEST A DISTANCE OF 120.00 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT; SAID CURVE HAVING A CENTRAL ANGLE OF 10 DEGREES 20' 47", A RADIUS OF 280.00 FEET, A CHORD BEARING NORTH 20 DEGREES 27' 35" EAST, AN ARC DISTANCE OF 50.56 FEET TO A POINT OF TANGENT; THENCE NORTH 64 DEGREES 22' 01" WEST RADIAL TO SAID CURVE, A DISTANCE OF 196.70 FEET; THENCE NORTH 10 DEGREES 25' 54" EAST A DISTANCE OF 31.13 FEET; THENCE NORTH 79 DEGREES 34' 06" WEST A DISTANCE OF 120.00 FEET; THENCE NORTH 10 DEGREES 26' 01" EAST A DISTANCE OF 80.00 FEET; THENCE NORTH 79 DEGREES 34' 16" WEST A DISTANCE OF 60.00 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 90 DEGREES 00'00", A RADIUS OF 20.00 FEET AND A CHORD BEARING NORTH 34 DEGREES 33' 50" WEST, AN ARC DISTANCE OF 31.41 FEET; THENCE NORTH 79 DEGREES 34' 08" WEST A DISTANCE OF 3.82 FEET; THENCE NORTH 10 DEGREES 25' 54" EAST A DISTANCE OF 60.00 FEET; TO A POINT OF CURVE; THENCE WESTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 05 DEGREES 16' 26", A RADIUS OF 355.00 FEET AND A CHORD BEARING NORTH 82 DEGREES 12' 19" WEST, AN ARC DISTANCE OF 32.68 FEET; THENCE NORTH 31 DEGREES 59' 19" WEST A DISTANCE OF 233.81 FEET; THENCE NORTH 16 DEGREES 01' 55" WEST A DISTANCE OF 400.68 FEET; THENCE NORTH 31 DEGREES 59' 19" WEST A DISTANCE OF 155.71 FEET; THENCE NORTH 52 DEGREES 44' 43" WEST A DISTANCE OF 66.36 FEET; THENCE NORTH 31 DEGREES 59' 19" WEST A DISTANCE OF 120.21 FEET; THENCE NORTH 13 DEGREES 55' 25" EAST A DISTANCE OF 82.52 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34; THENCE SOUTH 89 DEGREES 34' 14" EAST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34 A DISTANCE OF 800.48 FEET TO THE TRUE POINT OF BEGINNING.\*9/20/82\*\*\*TOGETHER WITH PORTION DEFINED AS FOLLOWS: (PARCEL #10) THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE \*NORTHWEST\* CORNER OF SAID SECTION 34: THENCE SOUTH 00 DEGREES 45

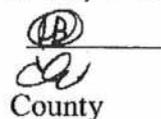
  
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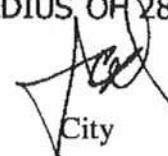
  
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MINUTES 08 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 1309.69 FEET TO THE TRUE POINT OF BEGINNING. THENCE SOUTH 89 DEGREES 30 MINUTES 41 SECONDS EAST A DISTANCE OF 578.80 FEET TO A POINT OF CURVE: THENCE NORTHEAST-ERLY ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 22 DEGREES 00 MINUTES 00 SECONDS, A RADIUS OF 1560.00 FEET, AN ARC DISTANCE OF 599.00 FEET TO A POINT OF TANGENT: THENCE NORTH 68 DEGREES 29 MINUTES 19 SECONDS EAST A DISTANCE OF 862.96 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 36 DEGREES 20 MINUTES 30 SECONDS, A RADIUS OF 1040.00 FEET, A CHORD BEARING NORTH 86 DEGREES 39 MINUTES 34 SECONDS EAST, AN ARC DISTANCE OF 659.65 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER AND TERMINUS OF SAID LINE. EXCEPT THE NORTH ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER. CONTAINING 59.95 ACRES. LESS THAT PORTION DEFINED AS FOLLOWS: THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION: THENCE SOUTH 89 DEGREES 09 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 34 A DISTANCE OF 1319.26 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 31 DEGREES 56 MINUTES 20 SECONDS EAST A DISTANCE OF 825.13 FEET: THENCE SOUTH 48 DEGREES 15 MINUTES 26 SECONDS EAST A DISTANCE OF 1100.06 FEET: THENCE NORTH 13 DEGREES 55 MINUTES 25 SECONDS EAST A DISTANCE OF 82.52 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND TERMINUS OF SAID LINE. SUBJECT TO RESERVATIONS, RESTRICTIONS, RIGHT-OF-WAY AND EASEMENTS OF RECORD. CONTAINING 24.00 ACRES;

(16) TAX PARCEL # 134982000004000 LEGALLY DESCRIBED AS FOLLOWS: THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 DEFINED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 34: THENCE SOUTH 00 DEGREES 45'08" WEST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 1309.69 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 89 DEGREES 30'41" EAST A DISTANCE OF 578.80 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 22 DEGREES 00'00", A RADIUS OF 1560.00 FEET, AN ARC LENGTH OF 599 FEET, TO A POINT OF TANGENT. THENCE NORTH 68 DEGREES 29'19" EAST A DISTANCE OF 655.05 FEET. THENCE SOUTH 21 DEGREES 30'41" EAST A DISTANCE OF 80 FEET THENCE NORTH 68 DEGREES 29'19" EAST A DISTANCE OF 93 FEET. THENCE SOUTH 11 DEGREES 03'22" EAST A DISTANCE OF 192.85 FEET TO A POINT ON CURVE. THENCE ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 12 DEGREES 40'47", A RADIUS OF 280

  
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FEET AND A CHORD BEARING OF NORTH 85 DEGREES 17'02' EAST, AN ARC LENGTH OF 61.97 FEET TO THE END OF SAID CURVE. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 662.82 FEET. THENCE SOUTH 22 DEGREES 31'35' EAST A DISTANCE OF 60.83 FEET. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 280 FEET. THENCE NORTH 58 DEGREES 00'41' EAST A DISTANCE OF 181.06 FEET. THENCE SOUTH 00 DEGREES 19'21' WEST A DISTANCE OF 9.04 FEET. THENCE SOUTH 24 DEGREES 04'27' EAST A DISTANCE OF 100.31 FEET. THENCE SOUTH 48 DEGREES 43'37' EAST A DISTANCE OF 99.64 FEET. THENCE SOUTH 89 DEGREES 28'13' EAST A DISTANCE OF 4.61 FEET. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 110.12 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE OF 206 FEET. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 170 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE OF 331.40 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 32 DEGREES 07'47', A RADIUS OF 630 FEET, AN ARC LENGTH OF 353.28 FEET TO A POINT OF TANGENT. THENCE NORTH 89 DEGREES 51'32' WEST A DISTANCE OF 2160.64 FEET. THENCE NORTH 00 DEGREES 45'12' EAST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 30 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34. THENCE NORTH 00 45'08' EAST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 1389.69 FEET TO THE TRUE POINT OF BEG- INNING: LESS SHORT PLAT #595 DEFINED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28. THENCE SOUTH 00 DEGREES 45'08' WEST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 2699.38 FEET. THENCE SOUTH 89 DEGREES 51'32' EAST, A DISTANCE OF 850.40 FEET. THENCE NORTH 00 DEGREES 08'28' EAST, A DISTANCE OF 528.16 FEET TO THE TRUE POINT OF BEGINNING. THENCE, NORTH 20 DEGREES 10'32' EAST A DISTANCE OF 472.96 FEET. THENCE NORTH 62 DEGREES 01'18' WEST A DISTANCE OF 113.18 FEET TO A POINT ON A CURVE. THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 03 DEGREES 41'57' A RADIUS OF 310 FEET, A CHORD BEARING OF NORTH 29 DEGREES 49'40' EAST, AN ARC LENGTH OF 20.01 FEET. THENCE SOUTH 62 DEGREES 01'18' EAST A DISTANCE 115 FEET. THENCE NORTH 55 DEGREES 17'34' EAST A DISTANCE OF 150 FEET. THENCE NORTH 68 DEGREES 29'19' EAST A DISTANCE OF 575.33 FEET. THENCE NORTH 21 DEGREES 30'41' WEST A DISTANCE OF 115 FEET. THENCE NORTH 68 DEGREES 29'19' EAST A DISTANCE OF 253.30 FEET TO A POINT ON A CURVE. THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 45'57' A RADIUS OF 1268.81 FEET A CHORD BEARING OF SOUTH 30 DEGREES 06'21' EAST AN ARC LENGTH OF 83.39 FEET TO A POINT OF TANGENCY. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 1116.61 FEET. THENCE SOUTH 68 DEGREES 29'19' WEST A DISTANCE OF 81.36 FEET. THENCE NORTH 31 DEGREES 59'19' WEST A DISTANCE OF 1016.76 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE OF 115 FEET. THENCE SOUTH 31 DEGREES 59' 19' EAST A DISTANCE OF

  
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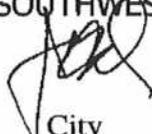
  
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979.45 FEET TO A POINT ON A CURVE. THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02 DEGREES 07'36", A RADIUS OF 540 FEET A CHORD BEARING OF SOUTH 61 DEGREES 39'33" WEST, AN ARC LENGTH OF 20.04 FEET. THENCE NORTH 31 DEGREES 59'19" WEST A DISTANCE OF 130 FEET. THENCE SOUTH 60 DEGREES 35'40" WEST A DISTANCE OF 86.88 FEET. THENCE SOUTH 82 DEGREES 16'18" WEST A DISTANCE OF 94.27 FEET. THENCE NORTH 89 DEGREES 51'32" WEST A DISTANCE OF 455 FEET. THENCE SOUTH 00 DEGREES 08'28" WEST A DISTANCE OF 115 FEET. THENCE NORTH 89 DEGREES 51'32" WEST A DISTANCE OF 20 FEET THENCE NORTH 00 DEGREES 08'28" EAST, A DISTANCE OF 115 FEET. THENCE NORTH 89 DEGREES 51'32" WEST A DISTANCE OF 200.35 FEET. THENCE NORTH 69 DEGREES 49'28" WEST A DISTANCE OF 465.19 FEET. THENCE SOUTH 20 DEGREES 10'32" WEST A DISTANCE OF 115 FEET. THENCE NORTH 69 DEGREES 49' 28" WEST A DISTANCE OF 63.73 FEET TO THE TRUE POINT OF BEGINNING;

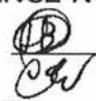
(17) TAX PARCEL # 134983000001003 LEGALLY DESCRIBED AS FOLLOWS: THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST W.M. DEFINED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTH 89°31'37" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1717.64 FEET; THENCE NORTH 73°58'01" EAST A DISTANCE OF 29.33 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 73°58'01" EAST A DISTANCE OF 395.10 FEET TO POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12°00'00" AND A RADIUS OF 883.50 FEET, AN ARC DISTANCE OF 185.04 FEET. THENCE NORTH 61°58'01" EAST A DISTANCE OF 700 FEET TO A POINT OF CURVE THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 93°57'20" AND A RADIUS OF 866.33 FEET, AN ARC DISTANCE OF 1420.64 FEET. THENCE NORTH 31°59'19" WEST A DISTANCE OF 1229.03 FEET THENCE SOUTH 58°00'41" WEST, A DISTANCE OF 70.90 FEET TO A POINT OF CURVE. THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT. SAID CURVE HAVING A CENTRAL ANGLE OF 32°07'47", A RADIUS OF 630.00 FEET; AN ARC DISTANCE OF 353.29 FEET TO A POINT OF TANGENT; THENCE NORTH 89°51'32" WEST, PARALLEL TO AND 30 FEET SOUTH OF THE CENTERLINE OF SAID SECTION 34, A DISTANCE OF 175.59 FEET: THENCE SOUTH 00°30'55" WEST A DISTANCE OF 2169.93 FEET THENCE SOUTH 29°26'27" WEST A DISTANCE OF 279.73 FEET. THENCE SOUTH 37°52'10" WEST A DISTANCE OF 80.42 FEET; THENCE SOUTH 45°56'23" WEST A DISTANCE OF 125.10 FEET THENCE SOUTH 15°56'38" EAST A DISTANCE OF 79.79 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 62.14 ACRES. TOGETHER WITH THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY. WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST

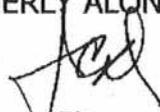
  
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CORNER OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF SAID SECTION 34, NORTH 89°31'37" EAST. 1780.47 FEET TO A POINT ON A 400.00 FEET RADIUS CURVE WHOSE CENTER BEARS NORTH 66°29'47" EAST; THENCE NORTHERLY ALONG SAID CURVE AN ARC LENGTH OF 114.35 FEET THROUGH AN INCLUDED ANGLE OF 16°22'44" TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE AN ARC LENGTH OF 334.41 FEET THROUGH AN INCLUDED ANGLE OF 47°54'02"; THENCE NORTH 40°46'33" EAST, 110.64 FEET TO THE BEGINNING OF 460.00 FEET RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 171.81 FEET THROUGH AN INCLUDED ANGLE OF 21°24'00" THENCE SOUTH 00°30'55" WEST, 173.98 FEET; THENCE SOUTH 29°26'27" WEST, 279.73 FEET; THENCE SOUTH 37°52'10" WEST, 80.42 FEET; THENCE SOUTH 45°56'23" WEST, 88.28 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 1.05 ACRES MORE OR LESS. ALSO TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL; THAT PORTION OF SECTION 34 TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE NORTH 00°45'12" EAST, 1436.68 FEET ALONG THE WEST LINE OF SAID SECTION 34 TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°45'12" EAST, 1231.37 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°51'32' EAST. 1985.05 FEET; THENCE SOUTH 00°30'55" WEST, 1152.19 FEET; THENCE NORTH 89°43'25" WEST, 1359.28 FEET; THENCE SOUTH 00°35'42' WEST, 84.59 FEET; THENCE NORTH 89°39'20" WEST, 630.73 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 53.68 ACRES. MORE OR LESS. EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH. RANGE 28 EAST OF THE WILLAMETTE MERIDIAN. BENTON COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE ALONG THE SOUTH LINE OF SAID SECTION 34, NORTH 89°31'37" EAST, 1748.07 ; THENCE NORTH 15°56'38" WEST, 8.16 FEET TO THE TRUE POINT OF BEGINNING: THENCE CONTINUING NORTH 15°56'38" WEST, 79.79 FEET; THENCE NORTH 45°56'23" EAST, 36.82 FEET TO A POINT ON 400 FEET RADIUS CURVE WHOSE CENTER BEARS NORTH 82°52'31" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 97.39 FEET THROUGH AN INCLUDED ANGLE OF 13°57'01"; THENCE SOUTH 73°58'01" WEST, 29.35 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 2529 SQUARE FEET MORE OR LESS. EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN. BENTON COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS : BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE ALONG THE SOUTH LINE OF SAID SECTION 34; NORTH 89°31'37" EAST, 1780.47 FEET TO A POINT ON A 400.00 FEET RADIUS CURVE WHOSE CENTER BEARS NORTH 66°29'47" EAST; THENCE NORTHERLY ALONG

  
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SAID CURVE AN ARC LENGTH OF 448.76 FEET; THROUGH AN INCLUDED ANGLE OF 64°16'46"; THENCE NORTH 40°46'33" EAST, 110.64 FEET. TO THE BEGINNING OF 460.00 FEET RADIUS CURVE TO THE LEFT: THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 171.61 FEET THROUGH AN INCLUDED ANGLE OF 21°24'00" TO THE TRUE POINT OF BEGINNING: THENCE CONTINUING NORTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 153.34 FEET THROUGH AN INCLUDED ANGLE OF 19°06'00"; THENCE NORTH 00°16'33" EAST, 693.24 FEET; THENCE NORTH 89°43'25" WEST. 21.80 FEET; THENCE SOUTH 00°30'55" WEST. 843.76 FEET; TO THE TRUE POINT OF BEGINNING;

(18) TAX PARCEL # 134984000001002 LEGALLY DESCRIBED AS FOLLOWS: THE PORTION OF SECTION 34, TOWNSHIP 9, RANGE 28 DEFINED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, THENCE SOUTH 00 45' 08' WEST ALONG THE WEST LINE THEROF A DISTANCE OF 2669.38 FEET, THENCE SOUTH 89 51'32' EAST, PARALLEL WITH THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION A DISTANCE OF 2160 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32 07'47' AND A RADIUS OF 570 FEET, AN ARC DISTANCE OF 319.64 FEET. THENCE NORTH 58 00'41' EAST A DISTANCE OF 227.40 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 31 59'19' EAST A DISTANCE OF 1289.03 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 23'43' AND A RADIUS OF 1022.84 FEET, AN ARC DISTANCE OF 24.91 FEET. THENCE NORTH 59 24'24' EAST RADIAL TO SAID CURVE A DISTANCE OF 608.78 FEET. THENCE NORTH 34 25'29' WEST A DISTANCE OF 357.72 FEET. THENCE NORTH 39 48'15' WEST A DISTANCE OF 237.31 FEET. THENCE NORTH 02 03'01' WEST A DISTANCE OF 91.96 FEET. THENCE NORTH 74 42'48' WEST A DISTANCE OF 120 FEET TO A POINT ON A CURVE. THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10 20'47' A RADIUS OF 280 FEET AND A CHORD BEARING NORTH 20 27'35' EAST AN ARC DISTANCE OF 50.56 FEET. THENCE NORTH 64 22'01' WEST A DISTANCE OF 196.70 FEET. THENCE NORTH 10 25'54' EAST A DISTANCE OF 31.13 FEET. THENCE NORTH 79 34'06' WEST A DISTANCE OF 120 FEET. THENCE SOUTH 10 25'54' WEST A DISTANCE OF 9.16 FEET. THENCE NORTH 79 34'06' WEST A DISTANCE OF 131.71 FEET. THENCE SOUTH 53 33'55' WEST A DISTANCE OF 90.27 FEET. THENCE SOUTH 58 00'41' WEST A DISTANCE OF 199 FEET TO A LINE EXTENDED SOUTH 31 59'19' EAST. THENCE NORTHERLY ALONG SAID LINE TO THE TRUE POINT OF BEGINNING;

(19) TAX PARCEL # 134984000001003 LEGALLY DESCRIBED AS FOLLOWS: THE PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 DEFINED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTH 89°31'37" EAST ALONG THE SOUTH LINE THERE OF A DISTANCE OF 1717.64 FEET

TO THE TRUE POINT OF BEGINNING; THENCE NORTH 73°58'01" EAST A DISTANCE OF 424.43 FEET TO POINT OF CURVE THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12°00'00" AND A RADIUS OF 883.50 FEET, AN ARC DISTANCE OF 185.04 FEET. THENCE NORTH 61°58'01" EAST A DISTANCE OF 700 FEET TO A POINT OF CURVE. THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 93°57'20" AND A RADIUS OF 866.33 FEET, AN ARC DISTANCE OF 1420.64 FEET. THENCE NORTH 31°59'19" WEST A DISTANCE OF 1229.03 FEET. THENCE SOUTH 58°00'41" WEST A DISTANCE OF 70.90 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 32°07'47", A RADIUS OF 630.00 FEET, AN ARC DISTANCE OF 353.29 FEET TO A POINT OF TANGENT; THENCE NORTH 89°51'32" WEST, PARALLEL TO AND 30 FEET SOUTH OF THE CENTERLINE OF SAID SECTION 34, A DISTANCE OF 175.59 FEET; THENCE NORTH 00°30'55" EAST A DISTANCE OF 35.69 FEET; THENCE SOUTH 89°51'32" EAST, PARALLEL TO THE CENTERLINE OF SAID SECTION 34, A DISTANCE OF 318.02 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32°07'47" AND A RADIUS OF 233.97 FEET, AN ARC DISTANCE OF 131.20 FEET TO A POINT OF TANGENT. THENCE NORTH 58°00'41" EAST A DISTANCE OF 258.22 FEET, THENCE SOUTH 31°59'19" EAST A DISTANCE OF 1244.03 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93°57'20" AND A RADIUS OF 982.83 FEET AN ARC DISTANCE OF 1611.68 FEET TO A POINT OF TANGENT; THENCE SOUTH 61°58'01" WEST A DISTANCE OF 700.00 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 12°00'00" AND A RADIUS OF 1000.00 FEET AN ARC DISTANCE OF 209.44 FEET TO A POINT OF TANGENT; THENCE SOUTH 73°58'01" WEST A DISTANCE OF 6.05 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF SAID SECTION 34, SOUTH 89°31'37" WEST A DISTANCE OF 434.30 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 10.68 ACRES. EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF SAID SECTION 34. NORTH 89°31'37" EAST, 1717.64 FEET TO THE TRUE POINT OF BEGINNING: THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 34, NORTH 89°31'37" EAST. 62.83 FEET TO A POINT ON A 400.00 FEET RADIUS CURVE WHOSE CENTER BEARS NORTH 66°9'47" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC LENGTH OF 16.95 FEET THROUGH AN INCLUDED ANGLE OF 2°25'43"; THENCE SOUTH 73°58'01" WEST, 58.68 FEET TO THE TRUE POINT OF BEGINNING; .



**WHEN RECORDED RETURN TO:**

Richland City Clerk  
P.O. Box 190 MS-05  
Richland, WA 99352

**ORDINANCE NO. 41-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHLAND, Benton County Washington, annexing approximately 1,878 Acres including the Badger Mountain South Master Planned Community, providing for assumption of existing City indebtedness and amending the Official Zoning Map.**

WHEREAS, the City received a notice of intent from the owners of more than ten percent in value of the real property legally described in Exhibit A attached hereto, to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, a meeting was held on the 17th day of August, 2010, between the initiating parties of this annexation and the Council of the City of Richland, at which time the Council passed Resolution No. 46-10, accepting the notice of intention to commence annexation proceedings for the real property legally described in Exhibit A attached hereto, subject to simultaneous adoption of the Badger Mountain Subarea Plan to serve as the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing city indebtedness; and

WHEREAS, Resolution No 46-10 further authorized and directed the Richland Planning Commission to propose and forward a recommendation to the City Council as to the most appropriate zoning designations for the areas proposed to be annexed; and

WHEREAS, a notice of intention to annex was duly filed with the Boundary Review Board on September 10, 2010; Jurisdiction of the Boundary Review Board was not invoked within 45 days of filing, and thus the proposed annexation was deemed approved by the Boundary Review Board on October 25, 2010; and

WHEREAS, the Richland Planning Commission held a public hearing on October 27, 2010 to consider appropriate zoning designations for the proposed annexation area; and

WHEREAS, on November 2, 2010, the Council passed Resolution No. 73-10, authorizing the circulation of an annexation petition for annexation of the real property legally described in Exhibit A attached hereto; and

WHEREAS, a petition was circulated, filed with Benton County, and certified by the County Assessor as containing signatures of the owners of not less than 60% in value, according to the assessed valuation for general taxation, of the property to be annexed; and

WHEREAS, a City Council held a public hearing to consider the annexation on November 16, 2010, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation in the City and the proposed annexation area, and through posting of a hearing notice in three public places within the territory proposed for annexation, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the matter was duly considered by the City Council of the City of Richland and the Council has determined that the annexation would be of general benefit to the residents of the City of Richland;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Richland as follows:

Section 1. The real property legally described in Exhibit A attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of City of Richland, Benton County, Washington (the "Annexed Area")

Section 2. The Badger Mountain Subarea Plan, adopted September 7, 2010, by Ordinance No. 25-10, shall serve as the Comprehensive Plan for the Annexed Area.

Section 3. The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding

indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 4. The zoning for the portion of the Annexed Area within the Badger Mountain South Master Planned Community shall be as set forth in the Master Agreement and associated Land Use and Development Regulation for the Badger Mountain Master Planned area adopted December 7, 2010 by Resolution No. 77-10 ("LUDR").

Section 5. It is hereby found, as an exercise of the City's police power, that the best zoning for the existing Reata Ridge Subdivision residential lots, located in the southeastern portion of the Annexed Area, shall be R-1-12 Single Family Residential zoning, when consideration is given to the interest of the general public.

Section 6. It is hereby found, as an exercise of the City's police power, that the best zoning for the remaining portion of the Annexed Area shall be Agricultural Use zoning, when consideration is given to the interest of the general public.

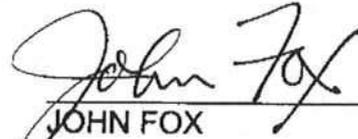
Section 7. A map identifying the zoning classifications for the Annexed Area is attached hereto as Exhibit B. The Official Zoning Map of the City, as adopted by RMC 23.08.040, is hereby amended by adding the Annexed Area with the zoning designations set forth in Exhibit B. Sectional maps shall be amended and new sectional maps shall be created as necessary to reflect the zoning designations set forth in Exhibit B. Said maps shall bear the number and date of passage of this ordinance, and be made a part of the Official Zoning Map of the City.

Section 8. The City Clerk is directed to file a copy of this annexation with the Board of County Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington a copy of this ordinance and shall attach amended sectional maps and additional sectional maps as necessary and an amended Annexation Map, duly certified by the Clerk as a true copy.

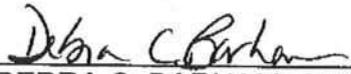
Section 9. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that requires compliance with the City's Solid Waste Management Plan.

Section 10. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, at a regular meeting on the 7th day of December, 2010.

  
\_\_\_\_\_  
JOHN FOX  
Mayor

ATTEST:

  
\_\_\_\_\_  
DEBRA C. BARHAM, CMC  
Chief Deputy City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
THOMAS O. LAMPSON  
City Attorney

Date Published: December 12, 2010

**EXHIBIT A  
LEGAL DESCRIPTION OF  
ANNEXED AREA**

**Parcel "A":**

The East half of the East half of Section 31, Township 9 North, Range 28 East, W.M., Benton County, Washington; EXCEPT that portion described as follows:

The Southwest corner of the Southeast quarter of the Southeast quarter being the True Point of Beginning;

Thence East along the South line thereof 360.00 feet;

Thence Northwesterly in a straight line to a point on the West line of said Southeast quarter of the Southeast quarter, a distance of 360.00 feet North of the Southwest corner thereof;

Thence Southerly along said West line 360.00 feet to the True Point of Beginning;

AND EXCEPT that portion thereof lying Southerly and Westerly of the State Highway right-of-way.

AND EXCEPT that portion deeded to the County of Benton, State of Washington, under Quit Claim Deed, recorded October 10, 1968, under Auditor's File No. 595151, records of Benton County, Washington;

AND EXCEPT State Highway right-of-ways;

AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;

**Parcel "B":**

All of Section 32, Township 9 North, Range 28 East, W.M., Benton County Washington;

EXCEPT that portion deeded to the County of Benton, State of Washington, under Quit Claim Deed, recorded October 10, 1968, under Auditor's File No. 595151, records of Benton County, Washington;

AND EXCEPT that portion thereof lying Southerly and Westerly of the State Highway right-of-way.

AND EXCEPT State Highway right-of-ways;

AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;

AND ALSO EXCEPT any portion lying within Short Plat 2465.

**Parcel "C":**

Section 33, Township 9 North, Range 28 East, W.M., Benton county, Washington, EXCEPT that portion thereof lying Northerly and Easterly of the following described line:

Beginning at the Northwest corner of said section;

Thence South 02°34'20" West, 1330.20 feet along the West line of said section to the True Point of Beginning;

thence South 77°57'14" East, 2389.11 feet;

thence South 83°23'24" East, 1450.14 feet;

thence South 48°00'49" East, 1013.41 feet;

thence South 28°44'51" East, 566.24 feet;

thence North 88°55'28" East, 380.42 feet to the East line of said section and the terminus of said line, said point bears South 00°45'19" West, 3237.80 feet from the Northeast corner of said section.

(Also known as Tract 4 of Survey recorded August 31, 1998, under Recording No. 1998-025706, records of Benton County, Washington.)

EXCEPT State Highway right-of-way;

AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;

**Parcel "D":**

Section 4, Township 8 North, Range 28 East, W.M., Benton County, Washington,  
EXCEPT that portion lying within the plat of EL RANCHO REATA NO. 3, according to the Plat thereof recorded  
in Volume 12 of Plats, Page 42, records of Benton County, Washington,  
ALSO EXCEPT State highway right-of-way conveyed under Recording No. 870597, records of Benton County,  
Washington;  
AND EXCEPT that portion lying southerly of the Reata Road right of way  
AND EXCEPT the South 420 feet of the Southeast quarter thereof;  
AND ALSO EXCEPT that portion conveyed to Benton County by deed recorded May 1, 2007, under Auditor's  
File No. 2007-013594, records of Benton County, Washington.

**Parcel "E":**

That portion of Section 29, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying Southerly  
and Westerly of the following described line:

Beginning at the Southwest corner of said Section 29;

Thence South 89°23'44" East 1951.66 feet along the South line of said Section to the True Point of Beginning;

Thence North 65°57'03" West, 116.18 feet;

Thence South 89°48'41" West, 641.83 feet;

Thence North 00°38'28" West, 324.30 feet;

Thence South 89°21'30" West, 1154.45 feet to the East line of Dallas Road and the terminus of said line.

EXCEPT the West 40 feet for County Road right-of-way;

AND EXCEPT that portion deeded to the County of Benton, State of Washington, under Quit Claim Deed dated  
November 20, 1978, recorded February 13, 1979, under Auditor's File No. 783437, records of Benton County,  
Washington;

AND EXCEPT State Highway right-of-way;

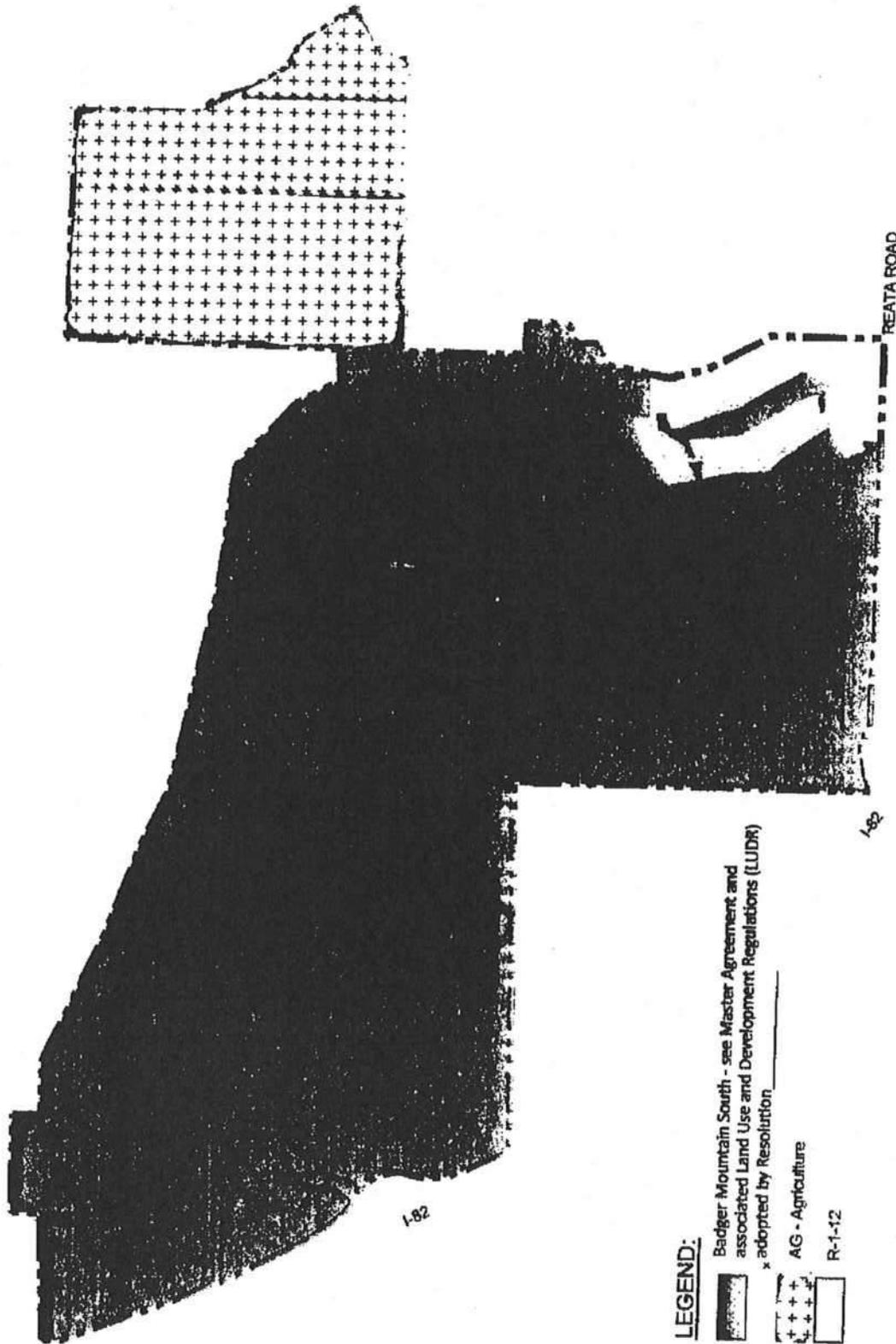
AND EXCEPT that portion conveyed to Benton County for road purposes under Auditor's File No's. 92-16778 and  
92-16779;

AND ALSO EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed  
in Benton County Superior Court Cause No. 82-2-00889-6;

**Parcel "F":**

That portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, described as  
follows:

Beginning at the Northwest corner of said section; thence southerly on the West line of said section to the  
Northwest corner of the plat of Badger Mountain Plateau, recorded in Volume 15 of Plats, at Page 196, records of  
the County of Benton, Washington, said corner being coincident with the Southwest corner of Tract 2 as shown on  
Record of Survey No. 3894, recorded May 29, 2008, under Auditor's File No. 2008-015497, records of Benton  
County, Washington; thence easterly on the North line of said plat of Badger Mountain Plateau (and its extension  
thereof), also being the South line of said Tract 2, to the Southeast corner of said Tract 2; thence northerly on the  
East line of said Tract 2 to its intersection with the extension of the southerly line of New Parcel "C" as described  
in Quit Claim Deed, recorded April 6, 2009, under Auditor's File No. 2009-009248, records of Benton County,  
Washington; thence easterly on said southerly line of New Parcel "C" to its southeast corner, said corner being  
coincident with the City Limits of Richland; thence northerly on the East line of said New Parcel "C" and the East  
line of New Parcel "B" of same said Quit Claim Deed, both being coincident with said city limits to the Northeast  
corner of said New Parcel "B", said Northeast corner lying on the North line of said section 34, and coincident with  
said city limits; thence westerly on said north line and city limits line to the point of beginning.



**LEGEND:**

Badger Mountain South - see Master Agreement and associated Land Use and Development Regulations (LUDR) adopted by Resolution

AG - Agriculture

R-1-12

**EXHIBIT B**  
Zoning Designations for Annexation Area



1-82

1-82

1-82

REATA ROAD

WHEN RECORDED PLEASE RETURN TO:

City Surveyor  
City of Richland  
840 Northgate Drive  
Richland, WA. 99352  
MS# 26

EXCISE TAX NOT REQUIRED  
BENTON COUNTY EXCISE TAX DIVISION  
BY *[Signature]* 03/24/14 DEPUTY  
*enclosure*

Portion of Parcel # 1-3498-300-0001-004, 1-3498-200-0007-000

**UTILITY EASEMENT**

The Grantor, **C & J LAND COMPANY LLC & WILLIAM L JR & HOLLY D WILSON** for and in consideration of the transfer of interest in a portion of property and other valuable considerations, conveys to The **CITY OF RICHLAND**, Washington, a municipal corporation, a **Utility Easement** in, over and under the following described property situated in the County of Benton, State of Washington.

A portion of the West ½ of Section 34, Township 9 North, Range 28 East, W.M. Benton County, Washington.

An easement being 10.00 feet wide and having 5.00 feet lying on each side of the following described centerline.

Beginning at the Southwest corner of said Section 34; Thence along the West line of said West ½ North 00°45'15" West a distance of 2,697.79 feet to the West ¼ corner (found rebar with no cap) of said Section 34; Thence leaving said West ¼ corner and continuing along said west line of said West ½ North 00° 45' 15" West a distance of 4.41 feet to a point on said West ½, said point is the **True Point Of Beginning**; Thence leaving said West line North 89°56'55" East a distance of 2,000.58 feet to a point hereafter referenced to as **Point "A"**; Thence South 00°43'57" West a distance of 1128.15 feet; Thence South 12°51'24" East a distance of 66.74 feet to a point on the Northerly line of Hidden Hills Phase 1 (as recorded in Volume 15 on Page 402) said point is also the terminus of said centerline line easement and bears South 89° 43' 24" East a distance of 250.00 feet from the Northeast corner of said Hidden Hills Phase 1 .

**Together With:** a 10.00 foot wide easement having 5.00 feet lying on each side of the following described centerline:

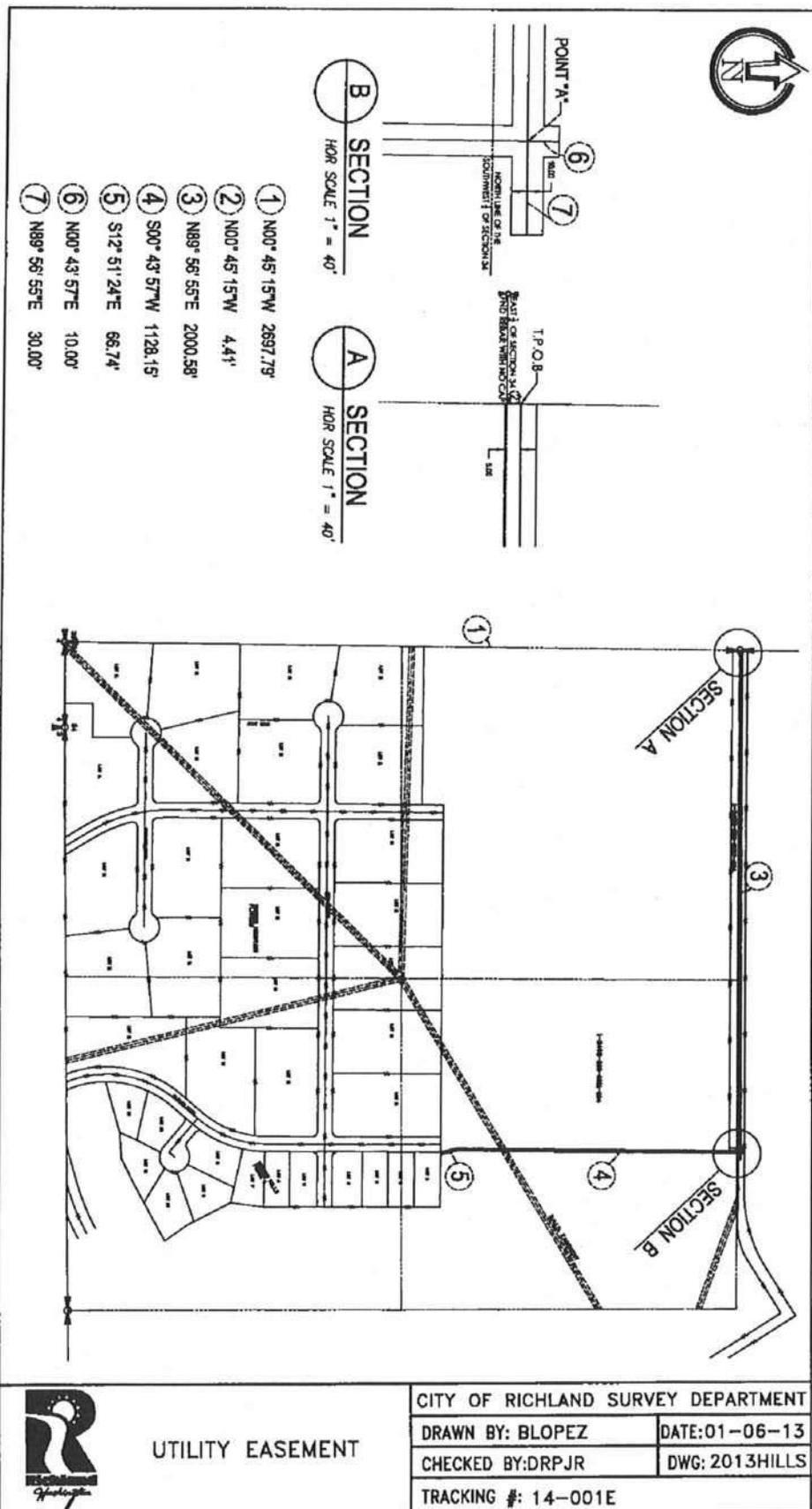
Beginning at the aforementioned **Point "A"** as described in above description; Thence North 00°43'57" East a distance of 10.00 feet to the point of terminus.

**Together With:** a 10.00 foot wide easement having 5.00 feet lying on each side of the following described centerline:

Beginning at the aforementioned **Point "A"** as described in above description; Thence North 89°56'55" East a distance of 30.00 feet to the point of terminus

The sidelines of said easement shall extend or foreshorten and project to create a continuous corridor around the above described centerlines, and shall terminate at right angles to said centerlines at all points of terminus. North line of said Hidden Hills Phase 1.







**WHEN RECORDED PLEASE RETURN TO:**

City Surveyor  
City of Richland  
840 Northgate Drive  
Richland, WA. 99352  
MS#26

EXCISE TAX NOT REQUIRED  
BENTON COUNTY EXCISE TAX DIVISION  
BY *[Signature]* 02/23/16 DEPUTY  
*[Signature]*

Portion of Parcel # 1-3498-300-0001-004 / 1-3498-200-0005-002  
1-3498-200-0007-000

**UTILITY EASEMENT**

The Grantor's, **William L. Wilson Jr. and Holly Douglas Wilson & C & J Land Company, LLC**, a Washington Limited Liability Company, and in consideration of the transfer of interest in a portion of real property for a **utility easement**, and upon receipt of good and valuable consideration, in hand paid, grants to the City of Richland, Washington, a municipal corporation, said easement in, over and under the following described property situated in said County and State, described as follows:

A portion Section 34, Township 9 North, Range 28 East, W.M. City of Richland, Benton County, Washington, described as follows:

An easement being 10.00 feet wide having 5.00 feet of said width lying on each side of the following described centerline.

Beginning at the Southwest corner of said Section 34; Thence North 00°45'12" East a distance of 2698.05 feet along the West line of said Section to the West ¼ corner of said Section 34; Thence continuing North 00°45'12" East a distance of 4.22 feet along said West line to the **TRUE POINT of BEGINNING**; Thence North 89°56'55" East a distance of 1734.78 feet leaving said West line to a point hereafter known as **Point "A"**; Thence continuing North 89°56'55" East a distance of 108.24 to a point of terminus.

**Together with:**

An easement being 10.00 feet wide having 5.00 feet of said width lying on each side of the following described centerline.

Beginning at the aforementioned **Point "A"** Thence South 00°03'05" East a distance of 10.00 feet; Thence North 89°32'00" East a distance of 265.74 feet to a point hereafter known as **Point "B"**; Thence continuing North 89°32'00" East a distance of 278.71 feet; Thence North 85°27'03" East a distance of 103.67 feet; Thence North 62°27'05" East a distance of 109.09 feet; Thence North 88°11'28" East a distance of 279.83 feet; Thence South 31°59'19" East a distance of 351.21 feet parallel to and 5.00 feet Easterly of an existing property line; Thence North 62°42'42" East a distance of 55.47 feet leaving said parallel line; Thence South 75°23'32" East a distance of 75.00 feet to the point of terminus.

**Together with:**

An easement being 10.00 feet wide having 5.00 feet of said width lying on each side of the following described centerline.

Beginning at the aforementioned **Point "B"** Thence South 00°37'21" West a distance of 1129.31 feet; Thence South 12°52'59" East a distance of 57.29 feet to a point on the North line of the Plat of Hidden Hills Phase 1 as recorded in Volume 15 of Plats on Page 402 records of said County and State. Said point is on the centerline of an existing 10.00 wide utility easement running along the West line of Lot 1 and the terminus of said easement.

The sidelines of said easement shall extend or foreshorten to terminate at the West line of said Section 34 at the true point of beginning, At right angles to the centerline at the point of terminus, and at the North line of said Plat of Hidden Hills Phase 1.

See attached **Exhibits "A", "B", & "C"**.

For the purpose of constructing, installing maintaining, repairing, and operating a **utility easement** with full right to go upon said premises at any time for such purposes, together with the right to trim brush and trees that may interfere with the construction, maintenance and operation of same and **does** give the right to permit franchise holder and utility licensees of the City of Richland to place telephone and television cable circuits.

**Terms and Condition:**

1. The Grantor will not be responsible for any costs associated with relocating the 750mcm Feeder Facilities that will be providing service to the Badger Mountain Irrigation District pump station due to future development of public right of way. These new facilities start at Point "A" and continue from Line 1 thru Line 10 as depicted on exhibits "B and C", and as described by the above legal description. The costs involved in the future relocation of these facilities due to development of public right of way, will be fully borne by the City of Richland Energy Services Department. If for any reason the grantor wishes to relocate these facilities for his or her benefit, the costs shall be borne by the grantor and not the City of Richland Energy Services Department.
  
2. The Grantor will be responsible for any costs to relocate the existing 336 overhead Line and the 1/0 Lines that serves Hidden Hills. These existing facilities are described from the True Point of Beginning to Point "A" and from point "B" to the North line of Lot 1 of Hidden Hills Phase 1, as depicted on exhibit "A, B, and C", and described by the above legal description. The 336 overhead Line and the 1/0 Lines that serves Hidden Hills was originally covered by easement "Auditor File No. 2014-006658, but was relinquished due to a Scrivener's error.



**APPROVED AS TO FORM:**  
CITY OF RICHLAND, WASHINGTON

Heather Kintzley  
HEATHER D. KINTZLEY  
City Attorney

Robert R. Hammond  
BOB HAMMOND  
Energy Services, Director

Cynthia D. Reents  
CYNTHIA D. REENTS, ICMA-CM  
City Manager

Marcia Hopkins  
MARCIA HOPKINS  
City Clerk

STATE of WASHINGTON     )  
  : ss  
COUNTY of BENTON     )

On this 5 day of February, 2016, before me the undersigned, Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **Cynthia D. Reents**, and **Marcia Hopkins**, to me known to be the, City Manager and City Clerk, respectively, of the City of Richland, Benton County, Washington, the corporation that executed the foregoing instrument and acknowledged the same instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

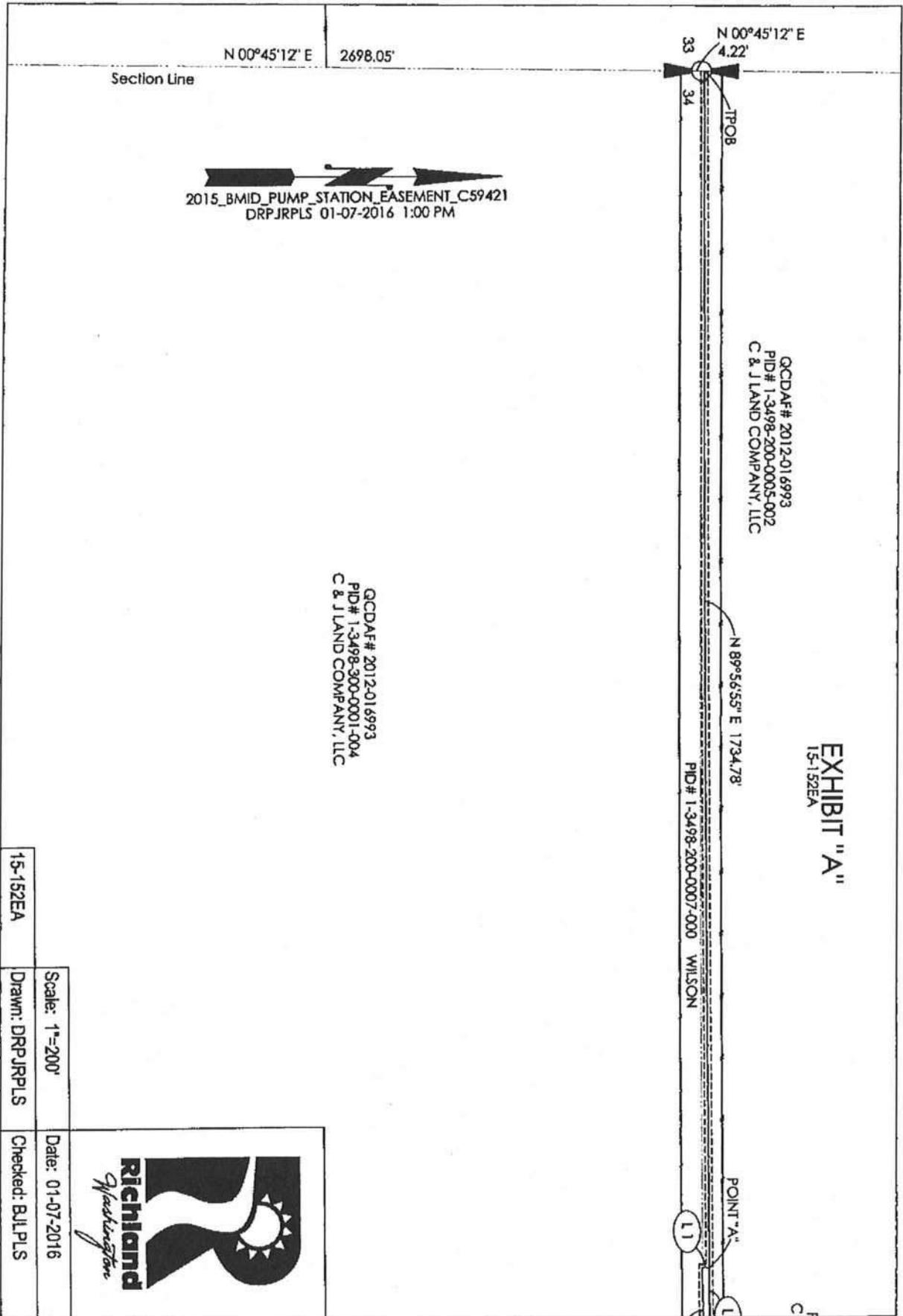
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

Debra C Barham  
Sign Name:

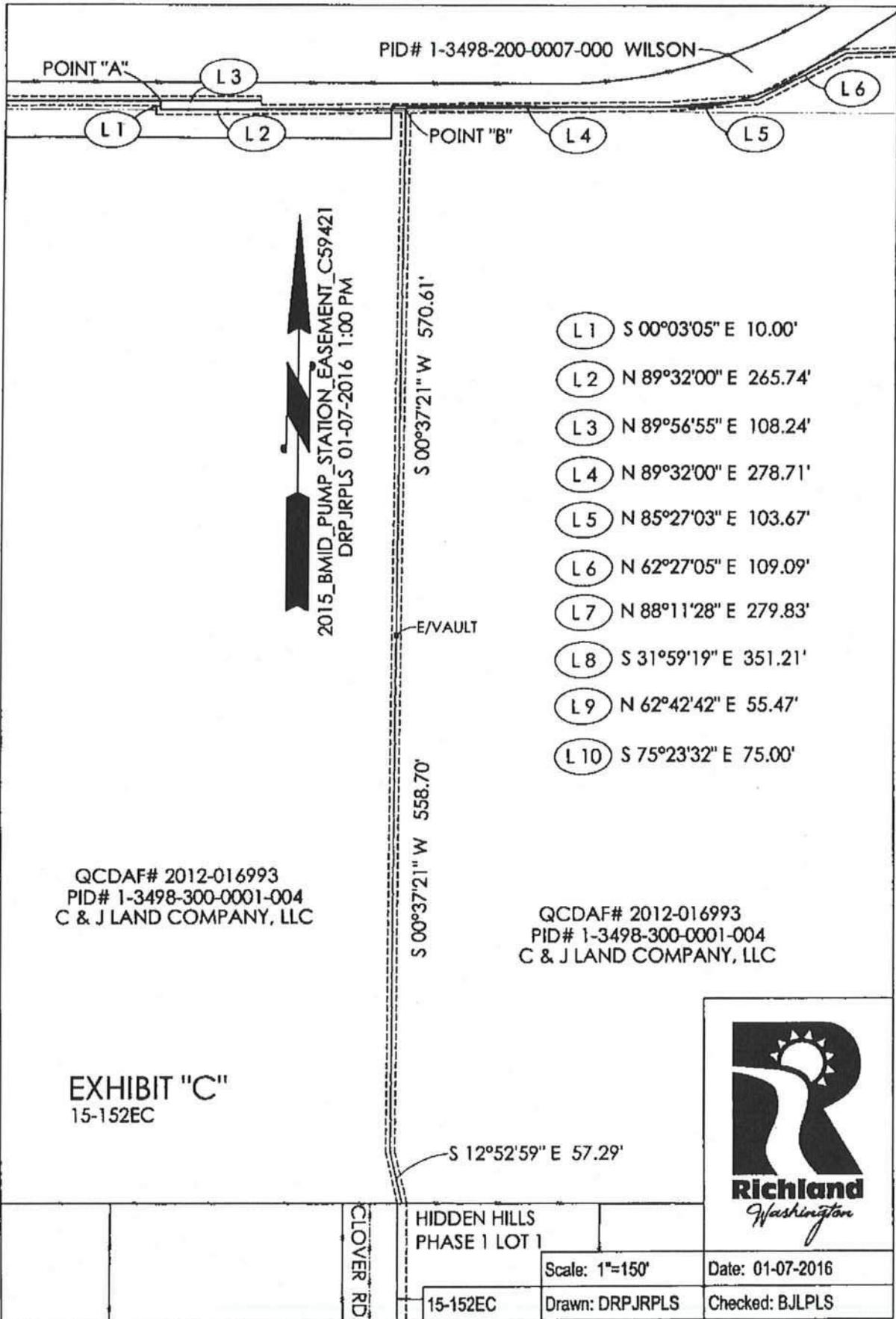
Notary Public in and for the State of WASHINGTON  
Residing at BENTON COUNTY  
My Commission Expires 11/16/16

DEBRA C BARHAM  
Print Name









**WHEN RECORDED RETURN TO:**

City Surveyor  
City of Richland  
505 Swift Blvd MS# 26  
Richland, WA 99352

EXCISE TAX NOT REQUIRED  
BENTON COUNTY EXCISE TAX DIVISION  
BY [Signature] 1/15/18 DEPUTY  
[Signature]

Portion of Parcel #1-3498-300-0001-004

**WATERLINE EASEMENT**

The Grantor, **C & J Land Company LLC.**, for and in consideration of the transfer of interest in a portion of real property for a **waterline easement** and upon receipt of good and valuable considerations, in hand paid, grants to the **CITY OF RICHLAND**, Washington, a municipal corporation, said easement in, and under the following described real property situated in the County of Benton, State of Washington, described as follows:

An easement 10 feet in width being 5 feet each side of the following described center line located in a portion of the Southwest 1/4 of the Northeast 1/4, the Northwest 1/4 of the Southeast 1/4 of Section 34, Township 9 North, Range 28 East of the Willamette Meridian, City of Richland, Benton County, State of Washington:

**See attached Exhibit's "A" & "B" for the full description and site plan.**

Together with and subject to easements, reservations, covenants and restrictions of record and in view.

For the purpose of constructing, installing maintaining, repairing, and operating a **waterline easement** with full right to go upon said premises at any time for such purposes, together with the right to trim brush and trees that may interfere with the construction, maintenance and operation of same and **does not** give the right to permit franchise holder and utility licensees of the City of Richland to place telephone and television cable circuits.

Grantor:

Holly D. Wilson

Sign Name:

HOLLY D. WILSON

Print Name:

An authorized representative for:  
**C & J Land Company LLC.**

STATE OF WASHINGTON    )  
  : SS  
COUNTY OF BENTON     )

On this 15 day of December, 2017, before me the undersigned, Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared, Holly D. Wilson, an authorized representative for: **C & J Land Company LLC.**, to me known to be authorized and who executed the executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the use and purposes therein mentioned, and on oath stated that he/she are authorized to execute the said instrument.

IN WITNESS WHEREOF, my hand and official seal hereon affixed the day and year above written.

Stephanie Price

Sign Name:

Notary Public in and for the State of Washington;  
Residing at Richland WA  
My appointment expires 6/1/2020

Stephanie Price

Print Name:



EXHIBIT "A"  
AN EASEMENT FOR WATER MAIN  
THROUGH BENTON COUNTY TAX PARCEL 134983000001004

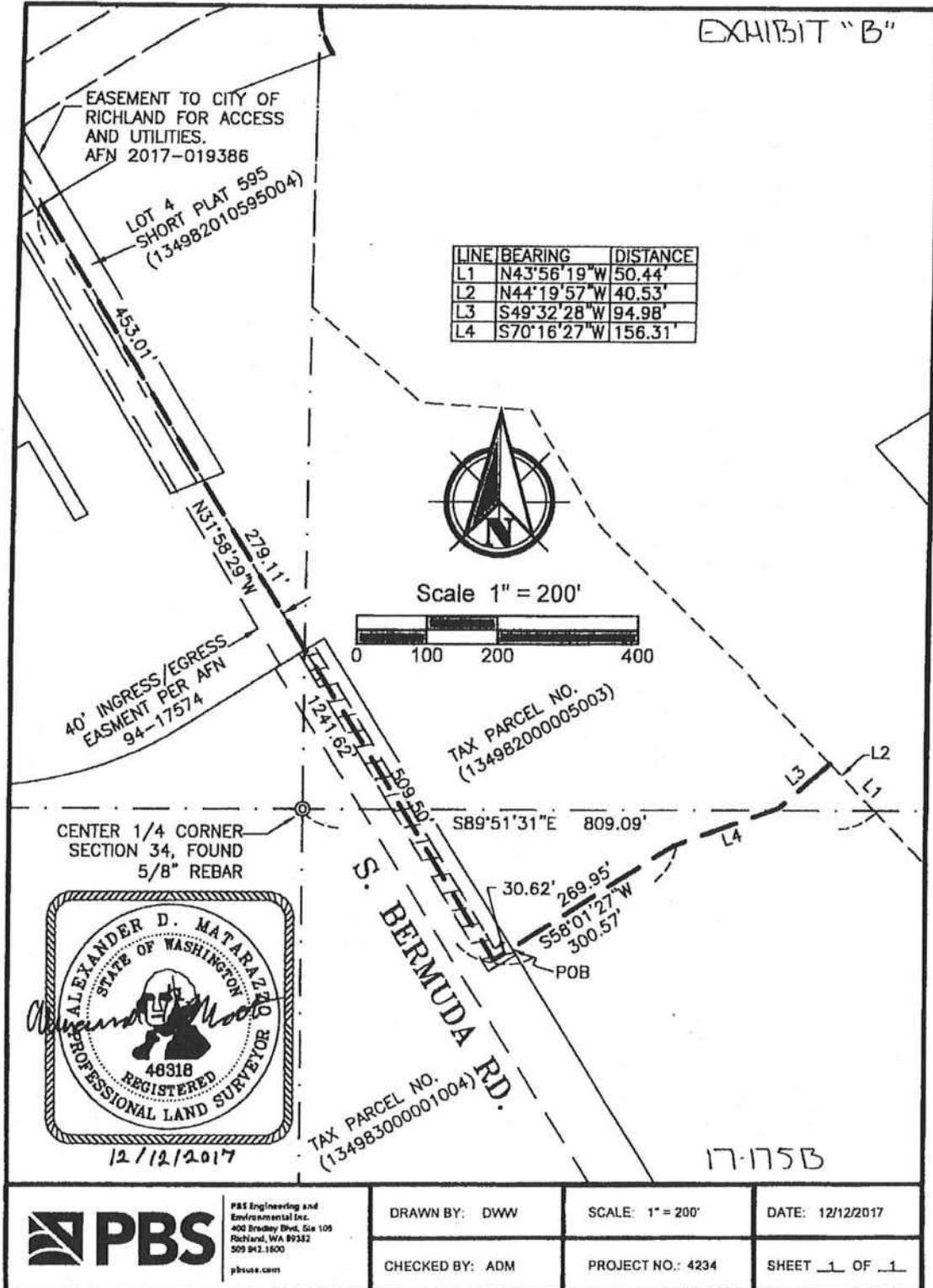
AN EASEMENT 10 FEET IN WIDTH BEING 5 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE LOCATED IN A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, STATE OF WASHINGTON:

COMMENCING AT THE CENTER OF SECTION MONUMENT OF SAID SECTION 34, SAID MONUMENT BEING A FOUND 5/8 INCH IRON REBAR; THENCE SOUTH 89°51'31" EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 809.09 FEET TO THE INTERSECTION OF THE EAST BOUNDARY LINE OF THE LANDS DESCRIBED ON SAID QUIT CLAIM DEED FILED UNDER AUDITOR'S FILE NUMBER 2017-0123127; THENCE NORTH 43°56'19" WEST ALONG SAID EAST PARCEL BOUNDARY LINE, A DISTANCE OF 50.44 FEET; THENCE CONTINUING ALONG SAID EAST PARCEL BOUNDARY LINE, NORTH 44°19'57" WEST, A DISTANCE OF 40.53 FEET; THENCE LEAVING SAID EAST PARCEL BOUNDARY LINE SOUTH 49°32'28" WEST, A DISTANCE OF 94.98 FEET; THENCE SOUTH 70°16'27" WEST, A DISTANCE OF 156.31 FEET; THENCE SOUTH 58°01'27" WEST, A DISTANCE OF 269.95 FEET TO THE BOUNDARY OF SAID PARCEL THE TRUE POINT OF BEGINNING;

THENCE SOUTH 58°01'27" WEST, A DISTANCE OF 30.62 FEET; THENCE NORTH 31°58'19" WEST, A DISTANCE OF 509.50 FEET TO THE BOUNDARY OF SAID PARCEL, AND THE TERMINUS OF THIS EASEMENT.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

17-175A





**MILO EASEMENT**

Those portions of the South half of the Northeast quarter of Section 34, T9N, R28E, W.M., Benton County Washington, described as follows:

1. A strip of land 20.00 feet in width and lying Northwesterly from, and adjacent to, the following described line:

Beginning at the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 34; Thence S89°29'31"E along the North Line of said Southeast quarter of the Northeast quarter a distance of 30.38 feet to the True Point Of Beginning; Thence S17°58'22"W a distance of 22.10 feet; Thence S53°37'01"W a distance of 1058.42 feet to the Terminus of this described line.

Containing 0.48 Acres more or less

ALSO including

2. A rectangular parcel of land situated in the Southwest quarter of the Northeast quarter of Section 34, being more particularly described as follows: Beginning at the Northeast corner of said Southwest quarter of the Northeast quarter; Thence S89°29'31"E a distance of 30.38 feet; Thence S17°58'22"W a distance of 22.10 feet; Thence S53°37'01"W a distance of 1058.42 feet to the True Point Of Beginning; Thence S71°56'04"W, a distance of 360.00 feet; Thence N18°03'56"W a distance of 360.00 feet; Thence N71°56'04"E a distance of 360.00 feet; Thence S18°03'56"E a distance of 360.00 feet to the True Point Of Beginning.

Containing 2.98 Acres more or less.

ROGERS SURVEYING, INC.

TN/kp  
#30775  
Easement "O"  
10/30/75

executed, signed and sealed the same as hereinbefore and voluntary act  
and deed for the uses and purposes therein expressed.  
IN TESTIMONY WHEREOF, I have hereunto set my hand and  
official seal the day and year in this certificate above written.

Notary Public for the State of  
Washington residing at Kennewick.

J. O. 6492

# RIGHT OF WAY EASEMENT

728681

THE GRANTOR(S)

Milo Bauder and Donna L. Bauder, Husband and Wife

RECEIVED  
MAY 18 1977  
BENTON PD

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessee or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

An easement 10 feet wide, 5 feet on each side of a centerline, described as follows:

Beginning at the NE corner of Section 34, Township 9N, Range 28E. W.M. in Benton County, Washington, thence S.00°33'35"E. 1321.22 feet to the existing 1/16 corner. Thence S.00°33'35"E. 5.0 feet to the true point of beginning. Thence N.89°33'35"W. 1264.31 feet, thence S.47°53'26"W. 1000.7 feet. Thence S.10°25'54"W. 975.79 feet to the final point

and to construct, operate and maintain over and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or system, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 16 day of May 19 77.

*Milo B. Bauder*  
GRANTOR'S SIGNATURE

*Donna L. Bauder*  
GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

*Qua*  
GRANTOR'S SIGNATURE

MAY 26 2 21 PM '77

INDEXED BY *[initials]*

CHECKED BY \_\_\_\_\_

GRANTOR'S SIGNATURE  
DEPUTY

GRANTOR'S SIGNATURE  
326

STATE OF Washington }  
COUNTY OF Benton }

### ACKNOWLEDGMENT OF INDIVIDUAL

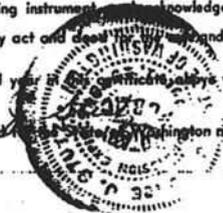
I, Candace J. Stutz  
certify that on this 16th day of May, 19 77  
and Donna L. Bauder, Husband and Wife.

a Notary Public in and for the State and County aforesaid, do hereby personally appear before me Milo Bauder

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they executed, signed and sealed the same as their free and voluntary act and deed for the purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and year first above written.

*Candace*  
Notary Public in and for the State of Washington residing at  
Kennewick.



737310

RIGHT OF WAY EASEMENT

THE GRANTOR(S) Milo Bauder and Donna L. Bauder

SEP 15 2 28 PM '77

VERNER MILLER, AUDITOR

DEPUTY

RECORDED IN VOL 333

of Benton County, State of Washington, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessee or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

CHECKED BY

An easement 10 feet wide, 5 feet on each side of a centerline, described as follows:

Beginning at the Northeast corner of Section 34, Township 9 North, Range 28 East, W.M. in Benton County, Washington; Thence S00°33'35"E, 1321.22 feet to the existing 1/16th corner. Thence S00°33'35"E, 5.41 feet to the True Point of Beginning. Thence S84°44'34"W, 347.52 feet; Thence S69°19'30"W, 1779.03 feet; Thence S10°25'54"W, 975.79 feet to the final point.

and to construct, operate and maintain over and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or system, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 26th day of August 19 77

Milo B. Bauder GRANTOR'S SIGNATURE

Donna L. Bauder GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

STATE OF Washington } COUNTY OF Benton }

ACKNOWLEDGMENT OF INDIVIDUAL

I, Candace J. Stout, certify that on this 26 day of Aug 19 77 and Donna L. Bauder, a Notary Public in and for the State and County aforesaid, do hereby personally appeared before me Milo E. Bauder

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they executed, signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and date in the certificate above written.

Candace J. Stout Notary Public in and for the State of Washington residing at Ken...

737311  
RIGHT OF WAY EASEMENT

THE GRANTOR(S) Milo E. Bauder and Donna L. Bauder

SEP 15 2 28 PM '77

VERNER MILLER, AUDITOR

DEPUTY

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessee or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

RECORDED IN VOL. 333  
INDEXED BY [initials]  
CHECKED BY [initials]

An easement 10 feet wide, 5 feet on each side of a centerline described as follows:

Beginning at the Northeast corner Section 34, Township 9 North, Range 28 East, W.M. in Benton County, Washington; Thence S00°33'35"E, 1321.22 feet to the existing 1/16th corner; Thence S00°33'35"E a distance of 5.41 feet; Thence S84°44'34"W, 347.52 feet to the point of beginning of Parcel "A"; Thence N12°57'58"W, 40.00 feet to the final point of Parcel "A". (Continued)

and to construct, operate and maintain over and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or system, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 26th day of August 1977

*Milo E. Bauder*  
GRANTOR'S SIGNATURE

*Donna L. Bauder*  
GRANTOR'S SIGNATURE

STATE OF Washington  
COUNTY OF Benton

ACKNOWLEDGMENT OF INDIVIDUAL

I, *Candace J. Stutz*  
certify that on this 26 day of *Aug.*, 1977  
and *Donna L. Bauder*

a Notary Public in and for the State and County aforesaid, do hereby personally appeared before me *Milo E. Bauder*

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they executed, signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and year in the certificate above written.

*Candace J. Stutz*  
Notary Public in and for the State of Washington residing at



Continuing from the final point of Parcel "A" S12°57'58"E, 40.00 feet; Thence S69°19'30"W, 1779.03 feet to the point of beginning of Parcel "B"; Thence continuing S69°19'30"W, 40.00 feet to the final point of Parcel "B".

Continuing from the final point of Parcel "B" N69°19'30"E, 40.00 feet to the point of beginning of Parcel "C"; Thence N10°25'54"E, 40.00 feet to the final point of Parcel "C" and this easement.

therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and year first above written.

*David R. ...*  
Notary Public for the State of Washington residing at



# RIGHT OF WAY EASEMENT

749794

THE GRANTOR(S)

Milo Bauder

P.U.D.  
FEB 6 2 58 PM '78

343

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessees or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

INDEXED BY l 21

CHECKED BY \_\_\_\_\_

Legal descriptions per Exhibits A and B hereto made a part of this easement.

*Handwritten:* 9-28-78

and to construct, operate and maintain over and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or system, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system. The Grantor(s) agree to keep the above described lands free and clear of any structures, buildings, dwellings or other obstructions of the right of way, lawful fences excluded.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 16 day of January, 1978.

*Milo B. Bauder*  
GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

X

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

STATE OF Washington }  
COUNTY OF Benton }

## ACKNOWLEDGEMENT OF INDIVIDUAL

I, Candace J. Stutz, a Notary Public in and for the State and County aforesaid, do hereby certify that on this 16th day of January, 1978, personally appeared before me Milo B. Bauder and

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal on this day of \_\_\_\_\_, 1978, in this certificate above written.



LEGAL DESCRIPTION  
Electrical Easement

An easement for electrical purposes, being 20.00 feet in width and situated in Sections 34, 33, 32, 30, 29, 20 and 19, Township 9 North, Range 28 East, W.M., Benton County, Washington, with 10.00 feet lying on each side of the following described centerline:

Beginning at the East quarter corner of Section 34; Thence N89°51'32"W along the North line of the Southeast quarter of Section 34 a distance of 2159.74 feet; Thence S00°08'28"W a distance of 86.19 feet to the True Point of Beginning at Station -(1+04.72); Thence S58°00'41"W a distance of 199.37 feet to Station 0+94.65; Thence S31°59'19"E a distance of 479.12 feet to Station 5+73.77; Thence N89°51'32"W a distance of 3187.43 feet to Station 37+61.40; Thence N00°45'12"E parallel to and 2.5 feet Easterly of the West line of Section 34 a distance of 358.00 feet to Station 41+19.40; Thence N04°39'20"W a distance of 371.37 feet to Station 44+90.78; Thence N00°45'08"E parallel to, and 32.5 feet Westerly of, the East line of Section 33 a distance of 1120.00 feet to Station 56+10.78; Thence N45°09'29"W a distance of 80.02 feet to Equation Station 56+90.80 back = Station 57+59.76 ahead; Thence S89°18'38"W parallel to, and 42.00 feet Southerly of the Northerly line of the South half (according to U.S. Surveys) of the Northeast quarter of Section 33 a distance of 2390.24 feet to Station 81+50; Thence S89°48'42"W a distance of 334.96 feet to Station 84+85; Thence N83°05'28"W, a distance of 344.63 feet to Station 88+30; Thence N73°56'54"W a distance of 339.64 feet to Station 91+70; Thence N64°36'19"W a distance of 359.58 feet to Station 95+30; Thence N56°00'31"W a distance of 400.45 feet to Station 99+30; Thence N54°52'28"W a distance of 1237.82 feet to a point on the West line of Section 33, said point lying S02°34'15"W a distance of 120.88 feet from the Northwest corner of Section 33; Thence continuing N54°52'28"W a distance of 213.15 feet to a point on the South line of Section 29, said point lying N89°23'57"W a distance of 179.76 feet from the Southeast corner of Section 29; Thence continuing N54°52'28"W a distance of 1749.03 feet to Station 131+30; Thence N51°32'01"W a distance of 344.79 feet to Station 134+35; Thence N44°34'47"W a distance of 344.79 feet to Station 138+20; Thence N37°40'29"W a distance of 339.80 feet to Station 141+60; Thence N31°25'27"W a distance of 369.92 feet to Station 145+30; Thence N30°27'55"W a distance of 2855.00 feet to Station 173+85; Thence N33°38'37"W a distance of 334.41 feet to Station 177+20; Thence N49°38'17"W a distance of 358.55 feet to Station 180+80; Thence N65°47'23"W a distance of 359.39 feet to Station 184+40; Thence N82°44'19"W a distance of 348.14 feet to Equation Station 187+88.14 back = Station 187+95.00 Ahead; Thence S88°32'40"W parallel to, and 5.00 feet Northerly of, the South line of Section 20, a distance of 155.85 feet to a point on the West line of Section 20, said point lying N01°05'31"W a distance of 5.00 feet from the Southwest corner of Section 20;

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal in this certificate above written



Notary Public for the State of Washington residing at

LEGAL DESCRIPTION  
Electrical Easement

An easement for electrical purposes situated in Sections 34, 33 & 32, Township 9 North, Range 28 East, W.M., Benton County, Washington, being 20.00 feet in width, with 10.00 feet lying on each side of the following described line:

Beginning at the West quarter corner of Section 34; Thence S00°45'12"W along the West line of said Section 34 a distance of 597.98 feet; Thence S89°14'48"E a distance of 2.50 feet to the True Point of Beginning; Thence S89°14'48"E parallel to, and 2.50 feet Easterly of, said West line a distance of 715.99 feet to Station 7+15.99; Thence S89°36'20"W parallel to, and 35.00 feet Northerly of, the South line of the North half of the South half (according to U.S. Surveys) of said Section 33 a distance of 5293.97 feet to a point on the East line of Section 32, said point lying S02°34'14"W a distance of 1302.42 feet from the East quarter corner of Section 32; Thence S89°28'15"W parallel to, and 35.00 feet Northerly of the South line of the North half (according to U.S. Surveys) of the Southeast quarter of Section 32 a distance of 2637.42 feet to a point on the West line of said Southeast quarter, said point lying S03°04'03"W a distance of 1320.20 feet from the Northwest corner of said Southeast quarter of Section 32; Thence continuing S89°28'15"W a distance of 42.63 feet to Station 86 + 90 and Terminus of this described line.

TOGETHER WITH easements for the purpose of placing guy poles and wires, said easements being 10.00 feet in width with 5.00 feet lying on each side of the following described lines:

Beginning at Station 7+15.99; Thence N89°36'20"E a distance of 50.00 feet to the Terminus of line.

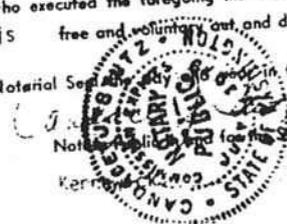
Beginning at Station 86+47.37; Thence S89°28'15"W a distance of 50.00 feet to the Terminus of line.

EXCEPT those portions lying in Sections 32 & 33.

ROGERS SURVEYING, INC.

#31777  
Bauder Easement  
JTN/mlr  
12/14/77

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein expressed.  
IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal this 14th day of December, 1977, in this certificate above written at \_\_\_\_\_, a Notary Public and for the State of Washington residing at \_\_\_\_\_



Thence S89°25'29"W parallel to and, 5.00 feet Northerly of, the South line of Section 19 a distance of 2762.77 feet to a point on the West line of the Southeast quarter of Section 19, said point lying N00°19'04"E a distance of 5.00 feet from the South quarter corner of Section 19 and being the Terminus of this described centerline.

TOGETHER WITH easements for the purpose of placing guy poles and wires, said easements being 10.00 feet in width with 5.00 feet lying on each side of the following described lines:

Beginning at Station -(1+04.72); Thence N58°00'41"E a distance of 50.00 feet to the Terminus of line.

Beginning at Station 0+94.65; Thence S58°00'41"W a distance of 134.00 feet to Terminus of line.

Beginning at Station 5+73.77; Thence S31°59'19"E a distance of 50.00 feet to terminus of line.

Beginning at Station 5+73.77; Thence S89°51'32"E a distance of 50.00 feet to Terminus of line.

Beginning at Station 41+19.40; Thence N88°02'56"E a distance of 50.00 feet to Terminus of line.

Beginning at Station 44+90.78; Thence S88°02'54"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 56+10.78; Thence N00°45'08"E a distance of 50.00 feet to Terminus of line.

Beginning at Equation Station 56+90.80 back=Station 57+59.76 ahead; Thence N89°18'38"E a distance of 50.00 feet to Terminus of line.

Beginning at Station 84+85; Thence S02°18'15"W a distance of 50.00 feet to terminus of line.

Beginning at Station 88+30; Thence S11°30'49"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 91+70; Thence S20°35'23"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 95+30; Thence S29°41'35"W a distance of 50.00 feet to Terminus of line.

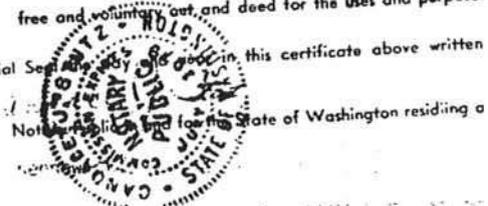
Beginning at Station 134+75; Thence S42°26'36"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 138+20; Thence S48°53'53"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 141+60; Thence S55°27'02"W a distance of 50.00 feet to Terminus of line.

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal in this certificate above written



Beginning at Station 173+85; Thence N61°07'26"E a distance of 135.00 feet to Terminus of line.

Beginning at Station 177+20; Thence N49°16'05"E a distance of 135.00 feet to Terminus of line.

Beginning at Station 180+80; Thence N31°27'21"E a distance of 135.00 feet to Terminus of line.

Beginning at Station 184+40; Thence N33°30'08"E a distance of 135.00 feet to Terminus of line.

Beginning at Equation Station 187+88.14 back Station 187+95.00 Ahead; Thence N09°10'04"E a distance of 50.00 feet to Terminus of line.

EXCEPT those portions lying in Sections 19, 20, 29, 30, 32 & 33.

ROGERS SURVEYING, INC.

#31777  
Bauder Easement  
JTN/mlr  
12/14/77

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act, and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal in this certificate above written.



765776

JUL 28 3 02 PM '78

GRANT OF EASEMENT

REGISTERED BY NOTOR

DEPT.

355

THIS INDENTURE, made and given this 28 day of July, 1978,  
by and between:

Milo B. Bauder & Donna L. Bauder, husband and wife, hereinafter  
referred to as "GRANTOR",

and

INDEXED BY [Signature]  
CHECKED BY [Signature]

All now and further owners of the hereinafter described property,  
or any portion thereof hereinafter referred to as "GRANTEE"

WITNESSETH, GRANTOR, for good and valuable consideration, receipt  
of which is hereby acknowledged, hereby conveys and grants to the  
said grantees, and each of them and their heirs, devisees, personal  
representatives, assigns and successors-in-interest, and each  
of them:

An easement, 60 feet in width for the purpose of Ingress  
and Egress, situated in the West Half of Section 34,  
Township 9 North, Range 28 East, W.M., Benton County,  
Washington, said 60' easement having 30 feet, as measured  
at right angles or radial on both sides of the following  
described centerline: Beginning at the Southwest corner  
of said Section 34; Thence N 89°31'37" E along the South  
line of said Section a distance of 813.53 feet to a point  
on the centerline of BENT ROAD, as recorded in the Plat  
of EL RANCHO REATA NO. 3, according to Plat thereof  
recorded in Volume 12, page 42, records of Benton County  
Washington, and True Point of Beginning; Thence N 30°  
54'17" W along said described centerline a distance  
of 115.37 feet to a point of curve; Thence along the arc  
of a curve to the right, said curve having central angle  
of 31°30'00", a radius of 600.00 feet, an arc length  
of 329.87 feet to a point of tangent; Thence N 00°35'42"  
E a distance of 2276.21 feet to a point on the South  
line of The Northwest Quarter of said Section 34; Thence  
N 00°08'28" E a distance of 367.01 feet to a point of  
curve; Thence along the arc of a curve to the right;  
said curve having a central angle of 20°02'04", a  
radius of 310.00 feet, an arc length of 108.40 feet to a  
point of tangent; (Here in after referred to as Point "A")  
Thence N 20°10'32" E a distance of 557.60 feet to a  
point of curve; Thence along the arc of a curve to the  
right, said curve having a central angle of 48°18'47" a  
radius of 340.00 feet, an arc length of 286.69 feet to  
a point of tangent; Thence N 68°29'19" E a distance of  
820.30 feet to the Terminus of said centerline.

TOGETHER WITH a portion of Holwagner Road described as  
follows.

----CONTINUED----

Beginning at Point "A" herein before mentioned; Thence S 69°49'28" E a distance of 208.73 feet to the Terminus of Said Line.

Subject to easements, reservations, and restrictions of record.

To Afford access to and from the following described property:

A portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows: Beginning at the Northwest corner of Section 34; Thence S 00°45'08" W along the West line of said Section 34 a distance of 2699.38 feet; Thence S 89°51'32" E a distance of 850.40 feet; Thence N 00°08'28" E a distance of 528.16 feet to the True Point of Beginning; Thence N 20°10'32" E a distance of 472.96 feet; Thence N 62°01'18" W a distance of 113.18 feet to a point on a curve; Thence Northwesterly along a curve to the right having a central angle of 03°41'57" a radius of 310.00 feet a chord bearing of N 29°49'40" E, an arc length of 20.01 feet; Thence S. 62°01'18" E a distance of 115.00 feet; Thence N 55°17'34" E a distance of 150.00 feet; Thence N 68°29'19" E, a distance of 575.33 feet; Thence N 21°30'41" W a distance of 115.00 feet; Thence N 68°29'19" E a distance of 253.30 feet to a point on a curve; Thence along a curve to the left, having a central angle of 03°45'57" a radius of 1268.81 feet, a chord bearing of S 30°06'21" E, an arc length of 83.39' to a point of tangency; Thence S 31°59'19" E a distance of 1116.61 feet; Thence S 68°29'19" W a distance of 81.36 feet; Thence N 31°59'19" W a distance of 1016.76 feet; Thence S 58°00'41" W a distance of 115.00 feet; Thence S 31°59'19" E a distance of 979.45 feet to a point on a curve; Thence southwesterly along a curve to the right, having a central angle of 02°07'36", a radius of 540.00 feet a chord bearing of S 61°39'33" W an arc length of 20.04 feet; Thence N 31°59'19" W a distance of 130.00 feet; Thence S 60°35'40" W a distance of 86.66 feet; Thence S 82°16'18" W, a distance of 94.27 feet; Thence N 89°51'32" W a distance of 455.00 feet; Thence S 00°08'28" W a distance of 115.00 feet; Thence N 89°51'32" W a distance of 20.00 feet; Thence N. 00°08'28" E a distance of 115.00 feet; Thence N 89°51'32" W a distance of 200.35 feet; Thence N 69°49'28" W a distance of 465.19 feet; Thence S 20°10'32" W a distance of 115.00 feet; Thence N 69°49'28" W a distance of 63.73 feet to the True Point of Beginning.

SUBJECT TO easements, reservations and restrictions on record.

----CONTINUED----

THE EASEMENT shall be binding upon the Grantors, and each of them, their heirs, devisees, personal representatives, assigns, and successors in interest, and each of them, and any person who shall hereafter acquire title to the first above described servient estate from Grantors; this easement shall further inure to the benefit of Grantees, and each of them, and their heirs, devisees, personal representatives, assigns, and successors in interest, and each of them, and any person who shall hereafter acquire title to the above decribed dominant estate from Grantors.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands on the day and year first hereinabove written.

Wm. B. Bardon  
Donna L. Bardon

STATE OF WASHINGTON, }  
County of Benton } ss.

On this day personally appeared before me Wm. B. Bardon + Donna L. Bardon to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this  
28 Day of July, 1978

ACKNOWLEDGMENT, INDIVIDUAL  
Form No. W-16

James O. Jones  
Notary Public  
State of Washington  
City of Richland



#458

APPLICATION FOR CLASSIFICATION AS FARM AND AGRICULTURAL LAND FOR CURRENT USE ASSESSMENT UNDER CHAPTER 84.34 REVISED CODE OF WASHINGTON

815369

FILE WITH THE COUNTY ASSESSOR

Name of applicant Milo B. Bauder Phone 283-4034  
Address 1786 Greenhills Blvd Richland Wash 98822  
Property location Bridge Mountain area VEGNER MINOR AUDITOR

1. Interest in property:  Fee Owner  Contract Purchaser  Other (Describe) \_\_\_\_\_

2. Assessor's parcel or account number: See attached INDEXED BY \_\_\_\_\_  
Legal description of land to be classified: See attached CHECKED BY \_\_\_\_\_

3. Acreage 497  
Total in application 757 (approx) Cultivated 260 Grazed 497  
Farm woodland \_\_\_\_\_ Is grazing land cultivated?  Yes  No

4. List property rented to others which is not affiliated with agricultural use and show the location on the map.  
N/A

5. Is this land subject to a lease or agreement which permits any other use than its present use?  Yes  No. (If yes, attach a copy of the lease or agreement)

6. Describe the present current use of each parcel of land that is the subject of this application.  
58-308-14 cultivated, 58-308-15 cultivated, Part of 58-308-16 cultivated, balance is open land for grazing

7. Describe the present improvements on this property (building, etc.)  
No Buildings, Irrigation system on cultivated land

8. Attach a map of the property to show an outline of the current use of each area of the property such as: livestock (type), row crops, hay land, pasture, woodland, woodlots, etc. Attached  
Include on the map, if available, the soil quality and capabilities. Also indicate the location of buildings.

9. To qualify for agricultural classification, an application on land of less than 20 acres must meet certain minimum income standards (see definition of agricultural land (b) and (c). Please supply the following or any other pertinent data to show that the land will qualify for classification.

Year	19__	19__	19__	19__	19__	Avg.
List the yield per acre for the last five (5) years (bushels, pounds, tons, etc.)	_____	_____	_____	_____	_____	_____
List the annual gross income per acre for the last five (5) years	_____	_____	_____	_____	_____	_____
If rented or leased, list the annual gross rental fee for the last five (5) years	_____	_____	_____	_____	_____	_____

NOTICE: The assessor may require the owners to submit pertinent data regarding the use of the classified land, productivity of typical crops, income, etc.

FORM REV 64 0024 (12-77)

35859.5  
349-28 ✓  
359-28 ✓

**FARM AND AGRICULTURAL LAND MEANS EITHER:**

- (a) Land in any contiguous ownership of twenty or more acres devoted primarily to the production of livestock or agricultural commodities for commercial purposes; or
  - (b) Any parcel of land five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to one hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter; or
  - (c) Any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income of one thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter.
- Agricultural lands shall also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands."
- Agricultural lands shall also include farm woodlots of less than twenty and more than five acres and the land on which appurtenances necessary to the production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products.

**STATEMENT OF ADDITIONAL TAX, INTEREST AND PENALTY DUE UPON REMOVAL FROM CLASSIFICATION UNDER RCW 84.34**

1. Upon removal an additional tax shall be imposed which shall be due and payable to the county treasurer on or before April 30 of the following year. The amount of such additional tax shall be equal to:
  - (a) The difference between the property tax paid as "Farm and Agricultural Land" and the amount of property tax otherwise due and payable for the seven years last past had the land not been so classified; plus
  - (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on the delinquent property taxes.
  - (c) A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use, except through compliance with the property owner's request for removal process, or except as a result of those conditions listed in (2) below.
2. The additional tax, interest and penalty specified in (1) above, shall not be imposed if the removal resulted solely from:
  - (a) Transfer to a government entity in exchange for other land located within the State of Washington.
  - (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
  - (c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land.
  - (d) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
  - (e) Official action by an agency of the State of Washington or by the county or city within which the land is located which disallows the present use of such land.
  - (f) Transfer to a church and such land would qualify for property tax exemption pursuant to RCW 84.36.020.

**AFFIRMATION**

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the potential tax liability involved when the land ceases to be classified under the provisions of RCW 84.34. I also declare under the penalties for false swearing that this application and any accompanying documents have been examined by me and to the best of my knowledge it is a true, correct and complete statement.

Subscribed and sworn to before me this 28<sup>th</sup> day of December, 1979.

*Notary Public*  
 Notary Public, in and for the State of  
 Washington  
 Residing at Spokane, WA

OWNER(S) OR CONTRACT PURCHASER(S)

*Paul P. Boudier*  
Donald Boudier

(See MAC 458-30-125)

**FOR ASSESSORS USE ONLY**

Date application received 12/31/79  
 Amount of fee collected, \$ 30<sup>00</sup>  
 Application was:  Approved  Approved in part  Denied  
 Owner notified on \_\_\_\_\_  
 Auditors File Number # \_\_\_\_\_

By kw  
 Denied  
 Fee returned?  Yes  No Date 2/13/80 DC  
 Date \_\_\_\_\_

LEGAL DESCRIPTION

Parcel #6 Tax No. 58-308-7

Lot 3 of Short Plat No. 595, as recorded in Volume 1 of Short Plats page 595, records of Benton County, Washington.

*Melo Bauder*

LEGAL DESCRIPTION

Parcel #10 Tax No. 58-308-13

That portion of the Northwest quarter of Section 34; Township 9 North, Range 28 East, W.M., Benton County, Washington, lying North of the following described line:

Beginning at the Northeast corner of said Section 34; Thence S00°45'08"W along the West line of said Section 34 a distance of 1309.63 feet to the True Point of Beginning; Thence S59°30'41"E a distance of 578.80 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left, said curve having a central angle of 22°00'00", a radius of 1557.00 feet, an arc distance of 599.00 feet to a Point of Tangent; Thence N68°29'19"E a distance of 362.06 feet to a point of curve; Thence Northeasterly along the arc of a curve to the right, said curve having a central angle of 36°20'30", a radius of 1640.00 feet, a chord bearing N86°39'34"E, an arc distance of 659.65 feet to a point on the East line of said Northwest quarter and Terminus of said line.

EXCEPT the North one-half of the Northwest quarter of the Northwest quarter of the Northwest quarter.

Containing 51.25 Acres.

SUBJECT TO encumbrances, reservations and restrictions of record.

ROGERS SURVEYING, INC.

#12776  
2/2/77  
LHM/trk  
Parcel #10

LEGAL DESCRIPTION

Original

Tax No. 58-308-11

*Mrs. Baudin*

A portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows:

Beginning at the Northeast corner of said Section 34; Thence  $S00^{\circ}33'25''E$  along the East line of said Section 34, a distance of 1320.72 feet to the Southeast corner of the North half of the Northeast quarter; Thence  $N89^{\circ}34'14''W$  along the South line of the North half of the Northeast quarter a distance of 1812.32 feet to the True Point of Beginning; Thence  $S31^{\circ}59'19''E$  a distance of 693.29; Thence  $S58^{\circ}00'41''W$  a distance of 600.00 feet; Thence  $S10^{\circ}25'54''W$  a distance of 228.30 feet; Thence  $N79^{\circ}34'06''W$  a distance of 120.00 feet; Thence  $S10^{\circ}25'54''W$  a distance of 9.16 feet; Thence  $N79^{\circ}34'06''W$  a distance of 131.71 feet; Thence  $S53^{\circ}33'51''W$  a distance of 90.27 feet; Thence  $S58^{\circ}00'41''W$  a distance of 149.00 feet; Thence  $N31^{\circ}59'19''W$  a distance of 112.50 feet to a point of curve; Thence in a Northeasterly direction along the arc of a curve to the right, having a central angle of  $90^{\circ}00'00''$ , a radius of 20.0 feet, an arc distance of 31.42 feet; Thence  $N58^{\circ}00'41''E$  a distance of 84.00 feet; Thence  $N31^{\circ}59'19''W$  a distance of 170.00 feet; Thence  $N58^{\circ}00'41''E$  a distance of 206.00 feet; Thence  $N31^{\circ}59'19''W$  a distance of 110.12 feet; Thence  $N89^{\circ}28'17''W$  a distance of 4.61 feet; Thence  $N48^{\circ}43'37''W$  a distance of 99.64 feet; Thence  $N24^{\circ}04'27''W$  a distance of 100.31 feet; Thence  $N00^{\circ}19'21''E$  a distance of 9.04 feet; Thence  $S58^{\circ}00'41''W$  a distance of 181.06 feet; Thence  $N31^{\circ}59'19''W$  a distance of 280.00 feet; Thence  $N22^{\circ}31'35''W$  a distance of 60.83 feet; Thence  $N31^{\circ}59'19''W$  a distance of 662.82 feet to a point on curve; Thence in a Southwesterly direction along the arc of a curve to the left, having a central angle of  $12^{\circ}40'47''$ , a radius of 280.00 feet, a chord bearing of  $S85^{\circ}17'02''W$ , an arc distance of 61.96 feet; Thence  $N11^{\circ}03'22''W$  radial to said curve a distance of 192.85 feet; Thence  $S68^{\circ}29'19''W$  a distance of 93.00 feet; Thence  $N21^{\circ}30'41''W$  a distance of 80.00 feet; Thence  $N68^{\circ}29'19''E$  a distance of 207.91 feet to a point of curve; Thence in a Northeasterly direction along the arc of a curve to the right having a central angle of  $36^{\circ}20'33''$ , a radius of 1040.00 feet, a chord bearing of  $N86^{\circ}39'34''E$ , an arc distance of 659.57 feet to a point on the West line of the Northeast quarter of the Northwest quarter of said Section 34; Thence  $S00^{\circ}00'54''W$  along said West line a distance of 520.19 feet to the Southeast corner of said Northeast quarter of the Northwest quarter; Thence  $S89^{\circ}34'14''E$  along the South line of the North half of the Northeast quarter of said Section 34 a distance of 800.48 feet to the True Point of Beginning.

Contains 34.92 Acres.

SUBJECT TO: easements, reservations and restrictions of record.

ROGERS SURVEYING, INC.

#20677 - Westcliffe No. 2  
JDR/trk  
11/27/78

LEGAL DESCRIPTION

Parcel #12 Tax No. 58-308-14

*Melo  
Bauder*

✓ A portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows:

Beginning at the Southwest corner of said Section 34 and the True Point of Beginning; Thence  $N00^{\circ}45'12''E$  along the West line of Section 34 a distance of 2668.05 feet; Thence  $S89^{\circ}51'32''E$  a distance of 2160.64 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left, said curve having a central angle of  $32^{\circ}07'47''$ , a radius of 630.00 feet, an arc distance of 353.28 feet to a Point of Tangent; Thence  $N58^{\circ}00'41''E$  a distance of 70.90 feet; Thence  $S31^{\circ}59'19''E$  a distance of 1229.03 feet to a point of curve; Thence Southwesterly along the arc of a curve to the right, said curve having a central angle of  $93^{\circ}57'20''$ , a radius of 866.33 feet, an arc distance of 1420.65 feet to a Point of Tangent; Thence  $S61^{\circ}58'01''W$  a distance of 700.00 feet to a point of curve; Thence Southwesterly along the arc of a curve to the right, said curve having a central angle of  $12^{\circ}00'00''$ , a radius of 383.50 feet, an arc distance of 185.03 feet to a Point of Tangent; Thence  $S73^{\circ}58'01''W$  a distance of 424.23 feet to a point on the South line of Section 34; Thence  $S89^{\circ}31'37''W$  along said South line a distance of 1717.64 feet to the Southwest corner of said Section 34 and the True Point of Beginning.

Containing, 182.00 Acres.

SUBJECT TO: easements, reservations and restrictions of record.

#13778  
2/7/79  
DLM/trk  
Parcel #12

LEGAL DESCRIPTION

Parcel #13 Tax NO. 53-308-15

*Mylo  
Bauder*

A parcel of land situated in Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, said strip of land more particularly described as follows:

Beginning at the Southwest corner of said Section 34; Thence N89°31'37"E along the South line of said Section a distance of 1717.64 feet to the True Point of Beginning; Thence N73°58'01"E a distance of 424.43 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left having a central angle of 12°00'00", a radius of 883.50 feet, and an arc distance of 185.03 feet; Thence N61°58'01"E a distance of 700.00 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left having a central angle of 93°57'20", a radius of 866.33 feet, an arc distance of 1420.65 feet; Thence N31°59'19"W a distance of 1229.03 feet; Thence N58°00'41"E a distance of 156.50 feet; Thence S31°59'19"E a distance of 76.50 feet; Thence N58°00'41"E, a distance of 1096.53 feet to a point of curve; Thence Southwesterly along the arc of a curve to the right having a central angle of 93°57'20", a radius of 1099.33 feet, an arc distance of 1802.73 feet; Thence S61°58'08"W a distance of 646.32 feet to a point on the South line of said Section; Thence S89°31'37"W along said South line a distance of 736.04 feet to the True Point of Beginning.

Containing 20.00 Acres.

SUBJECT TO easements, reservations, restrictions and covenants of record.

ROGERS SURVEYING, INC.

#13778  
2/7/79  
2/13/79 - Revised  
DLM/trk  
Parcel #13

LEGAL DESCRIPTION

Parcel #14 Tax NC. 58-308-16

*M. B. Bauder*

A portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows:

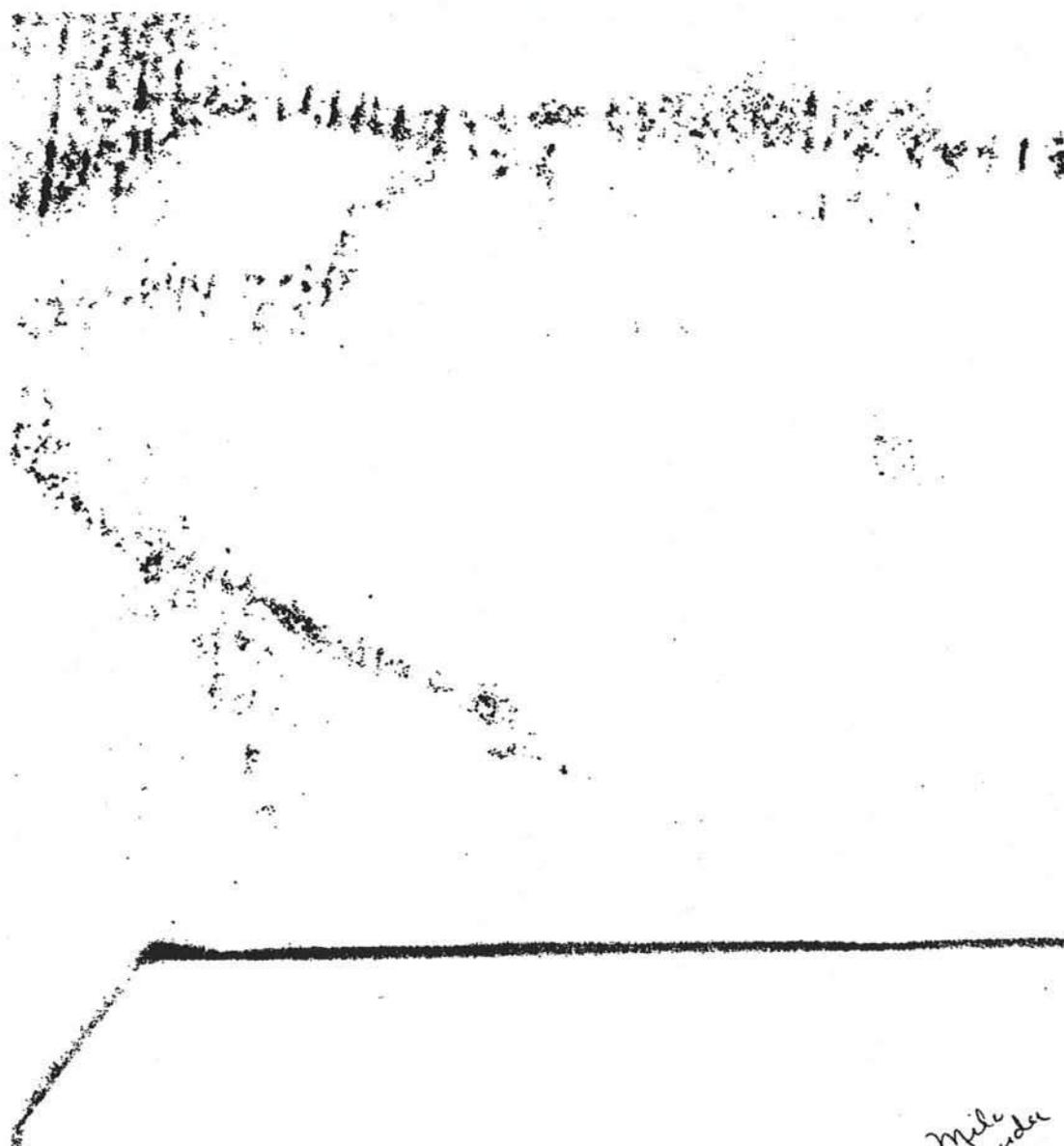
Beginning at the Southwest corner of said Section 34; Thence N89°31'37"E along the South line of said Section 34 a distance of 2453.68 feet to the True Point of Beginning; Thence N61°58'01"E a distance of 646.32 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left, said curve having a central angle of 93°57'20", a radius of 1099.33 feet, an arc distance of 1802.73 feet to a Point of Tangent; Thence N31°59'19"W a distance of 1096.53 feet; Thence N58°00'41"E a distance of 122.50 feet; Thence N53°33'55"E a distance of 90.27 feet; Thence S79°34'06"E a distance of 131.71 feet; Thence N10°25'54"E a distance of 9.16 feet; Thence S79°34'06"E a distance of 120.00 feet; Thence S10°25'54"W a distance of 31.13 feet; Thence S64°22'01"E a distance of 196.70 feet to a point on curve; Thence Southwesterly along the arc of a curve to the left, said curve having a central angle of 10°20'47", a radius of 280.00 feet, a chord bearing S20°27'35"W, an arc distance of 50.56 feet to a Point of Tangent; Thence S74°42'48"E, radial to said curve, a distance of 120.00 feet; Thence S02°03'01"E a distance of 91.96 feet; Thence S39°48'15"E a distance of 237.31 feet; Thence S34°25'29"E a distance of 897.72 feet; Thence S68°51'04"E a distance of 907.79 feet; Thence S65°59'57"E a distance of 265.85 feet to a point on the East line of said Section 34; Thence S00°33'17"E along said East line a distance of 1199.83 feet to the Southeast corner of said Section 34; Thence S89°31'37"W along the South line of said Section 34 a distance of 2864.83 feet to the True Point of Beginning.

Containing 85.62 Acres.

SUBJECT TO easements, reservations and restrictions of record.

ROGERS SURVEYING, INC.

#13778  
2/7/79  
DLM/trk  
Parcel #14



*Mile  
Boulder*

LEGAL DESCRIPTION

Parcel #15 Tax No 58-328-8

Lot 4 of Short Plat No. 595, as recorded in Volume 1 of Short Plats page 596, records of Benton County, Washington.

to said curve, a distance of 196.70 feet; Thence N10°25'54"E a distance of 259.43 feet; Thence N58°00'41"E a distance of 164.00 feet; Thence S42°41'01"E a distance of 1280.13 feet; Thence S50°21'14"E a distance of 332.42 feet; Thence S61°15'37"E a distance of 283.14 feet; Thence S73°05'44"E a distance of 328.70 feet; Thence S76°09'33"E a distance

LEGAL DESCRIPTION

Parcel #16 Tax No 58-308-12

**BOUNDARY DESCRIPTION  
for  
MEADOW HILLS NO. 4**

*Mile  
Boulder*

That portion of the East half of Section 34, Township 9 North, Range 28 East, and of the South half of Section 35, Township 9 North, Range 28 East, W.M., Benton County, Washington, described as follows:

Beginning at the Southeast corner of said Section 34; Thence N00°33'17"W along the East line of said Section 34 a distance of 1199.83 feet to the True Point of Beginning; Thence N65°59'57"W a distance of 265.85 feet; Thence N68°51'04"W a distance of 907.79 feet; Thence N34°25'29"W a distance of 897.72 feet; Thence N39°48'15"W a distance of 237.31 feet; Thence N02°03'01"W a distance of 91.96 feet; Thence N74°42'48"W a distance of 120.00 feet to a point on curve; Thence Northeasterly along the arc of a curve to the right; said curve having a central angle of 10°20'47", a radius of 280.00 feet, a chord bearing N20°27'35"E, a arc distance of 50.56 feet to a Point of Tangent; Thence N64°22'01"W radial to said curve, a distance of 196.70 feet; Thence N10°25'54"E a distance of 259.43 feet; Thence N58°00'41"E a distance of 164.00 feet; Thence S42°41'01"E a distance of 1280.13 feet; Thence S50°21'14"E a distance of 332.42 feet; Thence S61°15'37"E a distance of 283.14 feet; Thence S73°05'44"E a distance of 328.70 feet; Thence S78°09'33"E a distance of 153.04 feet to the East line of said Section 34; Thence continuing along said bearing S78°09'33"E a distance of 1574.22 feet; Thence N64°58'14"E a distance of 95.01 feet; Thence N01°52'54"W a distance of 90.00 feet to a point on curve; Thence Northwesterly along the arc of a curve to the right, said curve having a central angle of 04°35'56", a radius of 828.47 feet, a chord bearing N89°34'56"W, a arc distance of 66.50 feet to a Point of Tangent; Thence N02°43'02"E radial to said curve a distance of 292.33 feet; Thence S68°41'48"E a distance of 256.00 feet; Thence S72°03'16"E a distance of 225.98 feet; Thence N29°21'52"E a distance of 228.62 feet; Thence S60°38'08"E a distance of 202.04 feet; Thence Southeasterly along the arc of a curve to the right, said curve having a central angle of 57°30'00", a radius of 340.00 feet, a chord bearing S31°53'08"E, a arc distance of 341.21 feet to a Point of Tangent; Thence S03°08'08"E a distance of 50.36 feet; Thence N86°09'54"E a distance of 437.61 feet to the Northwest corner of Meadow Springs Reservoir site; Thence S06°37'19"E along the Westerly line of said Reservoir site a distance of 217.80 feet to the Southwest corner thereof; Thence S26°31'51"E a distance of

786.25 feet; Thence S63°28'09"W a distance of 453.61 feet;  
Thence N33°56'16"W a distance of 131.36 feet to a point on  
curve; Thence Southwesterly along the arc of a curve to the  
right, said curve having a central angle of 34°54'55", a  
radius of 70.00 feet, a chord bearing of S85°55'43"W, an arc  
distance of 42.66 feet to a Point of Tangent; Thence  
S13°23'10"W radial to said curve a distance of 101.79 feet;  
Thence N58°31'35"W a distance of 142.25 feet; Thence  
N04°03'16"W a distance of 107.00 feet; Thence S87°37'58"W  
a distance of 128.01 feet; Thence N66°38'48"W a distance  
of 241.29 feet; Thence N38°15'38"W a distance of 257.19  
feet; Thence N25°17'12"W a distance of 408.00 feet; Thence  
S67°55'14"W a distance of 204.39 feet; Thence S78°04'40"W  
a distance of 229.58 feet; Thence N84°02'03"W a distance  
of 1490.24 feet; Thence S33°52'18"W a distance of 61.10  
feet; Thence N65°59'57"W a distance of 44.15 feet to the  
True Point of Beginning.  
EXCEPT that portion lying within Section 35, Township 9 N., Range 28 E., W.M.  
Containing 24.36 acres.

*Milo Bauder*

SUBJECT TO easements, reservations, restrictions and  
covenants of record.

ROGERS SURVEYING, INC.

#19678  
DLM/trk  
11/17/78  
2/7/79 - Revised  
Parcel #16

LEGAL DESCRIPTION

Parcel #17 Tax No. 58-308-17

✓ A parcel of land situated in Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows:

Beginning at the Northeast corner of said Section 34; Thence  $S00^{\circ}33'25''E$  along the East line of said Section a distance of 1320.72 feet to the Northeast corner of the Southeast quarter of the Northeast quarter of said Section, also being the True Point of Beginning; Thence continuing  $S00^{\circ}33'25''E$  along the East line of said Section a distance of 1320.72 feet to the Southeast corner of the Southeast quarter of the Northeast quarter of said Section; Thence  $S00^{\circ}33'17''E$  along the East line of said Section a distance of 901.05 feet; Thence  $N78^{\circ}09'33''W$  a distance of 153.04 feet; Thence  $N73^{\circ}05'44''W$  a distance of 328.70 feet; Thence  $N61^{\circ}15'37''W$  a distance of 283.14 feet; Thence  $N50^{\circ}21'14''W$  a distance of 332.42 feet; Thence  $N42^{\circ}41'01''W$  a distance of 1280.13 feet; Thence  $N58^{\circ}00'41''E$  a distance of 436.00 feet; Thence  $N31^{\circ}59'19''W$  a distance of 693.29 feet to a point on the North line of the South half of the Northeast corner of said Section; Thence  $S89^{\circ}34'14''E$  along said North line a distance of 1812.32 feet to the True Point of Beginning.

Containing 67.15 Acres.

SUBJECT TO easements, restrictions, reservations and covenants of record.

ROGERS SURVEYING, INC.

#13778  
2/8/79  
DLM/trk  
Parcel #17

PARCEL A.

Tax NO. \_\_\_\_\_

That portion of the northwest quarter, Section 35, Township 9 north, Range 28 East, W.M., Benton County, Washington, described as follows:

Beginning at the northwest corner of said Section 35; thence north 90°00'00" east along the north line of said Section a distance of 1887.27 feet to the True Point of Beginning; thence south 01°16'00" east a distance of 874.74 feet; thence north 90°00'00" west a distance of 688.00 feet; thence south 1°16'00" east a distance of 484.17 feet more or less to the northerly right of way line of the Kennewick Irrigation District Canal; thence southeasterly along said right of way line to a point on a line which is parallel to the west line of said Section and distant 2188.57 feet as measured along the north line thereof, from said west Section line; thence northerly along said parallel line a distance of 1946.20 feet to a point on the north line of said Section; thence north 90°00'00" west along said north line a distance of 301.30 feet more or less to the True Point of Beginning.

PARCEL B:

That portion of the northwest quarter, Section 35, Township 9 north, Range 28 East, W.M., Benton County, Washington, lying northerly and easterly of the northerly and easterly right of way line of the Kennewick Irrigation District Canal and west of a line described as beginning at a point on the north line of said Section which is 1199.27 feet, as measured along the north line thereof and the True Point of Beginning of said described line; thence south 01°16'00" east to the northerly right of way line of the Kennewick Irrigation District Canal and the terminus of said line and southerly and easterly of the following described line; beginning at the northwest corner of said Section 35; thence north 90°00'00" east along the north line of said Section a distance of 1199.79 feet; thence south 01°16'00" east a distance of 874.74 feet to the True Point of Beginning of said line; thence north 90°00'00" west a distance of 104.97 feet; thence south 01°16'00" east 69.70 feet to a point; thence south 88°44'00" west a distance of 258.68 feet to the northerly right of way line of the Kennewick Irrigation District Canal and the terminus of said line.

A+B

25.7 acres

58-311-22

58-311-25

58-311-26

A-17044  
B-

VOL 424 PAGE 230

INDEXED BY h2

CHECKED BY \_\_\_\_\_

GRANT OF EASE - ENT

FILED BY DISCOUNT

JUN 15 9 30 AM '82

VERNER MILLER, AUDITOR

DEPUTY

RECORDED IN VOL. 424

THIS INDENTURE, made and given this 11 day of June, 1982, by and between:

MILO B. BAUDER and DONNA L. BAUDER, husband and wife, hereinafter referred to as "GRANTOR," and

All now and further owners of the hereinafter described property, or any portion thereof hereinafter referred to as "GRANTEE",

WITNESSETH, GRANTOR, for good and valuable consideration, receipt of which is hereby acknowledged, hereby conveys and grants to the said grantees, and each of them and their heirs, divisses, personal representatives, assigns and successors-in-interest, and each of them:

an easement in, over and under the following described property situated in the County of Benton, State of Washington:

TRANSAMERICA LIFE INSURANCE CO. K

M

Beginning at the Southwest corner of said Section 34; Thence N89°31'37"E along the South line thereof a distance of 2151.94 feet to the True Point of Beginning; Thence N73°58'01"E a distance of 6.05 feet to a point of curve; Thence Northeasterly along a curve to the left having a central angle of 12°00'00" and a radius of 1000.00 feet, an arc distance of 209.44 feet; Thence N61°58'01"E a distance of 700.00 feet to a point of curve; Thence along a curve to the left having a central angle of 92°33'37" and a radius of 982.83 feet, an arc distance of 1587.74 feet; Thence N59°24'24"E, radial to said curve a distance of 40.00 feet to a point on a curve; Thence Northwesterly along a curve to the left having a central angle of 01°23'43", a radius of 1022.83 feet and a chord bearing N31°17'15"W, an arc distance of 24.91 feet; Thence N31°59'19"W a distance of 1229.02 feet; Thence N58°00'41"E a distance of 199.00 feet to a point of curve; Thence Northeasterly along a curve to the right having a central angle of 42°25'13" and a radius of 295.00 feet, an arc distance of 218.41 feet; Thence N10°25'54"E radial to said curve a distance of 60.00 feet to a point of curve; Thence West-erly along a curve to the left having a central angle of 42°25'13", a radius of 355.00 feet and a chord bearing S79°13'17"W, an arc distance of 262.83 feet; Thence S58°00'41"W a distance of 279.00 feet; Thence S31°59'19"E a distance of 1289.02 feet to a point of curve; Thence Southerly along a curve to the right having a central angle of 93°57'20", a radius of 942.84 feet and a chord bearing S14°59'22"W, an arc distance of 1546.09 feet; Thence S61°58'01"W a distance of 700.00 feet to a point of curve; Thence Southwesterly along a curve to the right having a central angle of 12°00'00" and a radius of 960.00 feet; Thence S73°58'01"W a distance of 149.71 feet to the South line of Section 34; Thence N89°31'33"E along said South line a distance of 149.13 feet to the True Point of Beginning.

To afford access to and from the following described property situated in the County of Benton, State of Washington:

Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, EXCEPT the North one-half of the Northeast Quarter; and That Portion of Section 35, Township 9 North, Range 28 East, W.M. Benton County, lying Southerly and Westerly of the Kennewick Irrigation District East Badger Lateral Canal Right-of-Way.

(Cont'd. on Page 2)

1% EXCISE TAX NOT REQUIRED  
BENTON COUNTY EXCISE TAX DIVISION  
BY [Signature] DEPUTY  
6-15-82

THIS EASEMENT shall be binding upon the Grantors and each of them, their heirs, devisees, personal representatives, assigns, and successors in interest, and each of them, and any person who shall hereafter acquire title to the first above described servient estate from Grantors; this easement shall further inure to the benefit of Grantees, and each of them, and their heirs, devisees, personal representatives, assigns, and successors in interest, and each of them, and any person who shall hereafter acquire title to the above described dominant estate from Grantors.

Subject to easements, reservations, and restrictions of record.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands on the day and year first hereinabove written.

Milo B. Bauder  
Donna L. Bauder

STATE OF WASHINGTON,) ss  
County of Benton )

On this day personally appeared before me Milo B. Bauder and Donna L. Bauder to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 14th day of June, 1982



J. J. Davis  
Notary Public in and for the State of Washington

FILED FOR RECORD AT REQUEST OF

FILED BY 898901

JUL 17 10 43 AM '84

VERNER MILLER, AUDITOR  
DEPUTY  
RECORDED IN VOL. 451

WHEN RECORDED RETURN TO

Name

Address

City, State, Zip

B-10756

EASEMENT DEED

~~QUIT CLAIM DEED~~

5.00

THE GRANTOR MILO B. BAUDER and DONNA L. BAUDER, husband and wife  
for and in consideration of granting easement

conveys and quit claims to All now owners and future owners of (\*see attached  
Exhibit A)  
the following described real estate, situated in the County of Benton State of Washington,  
together with all after acquired title of the grantor(s) therein:

AS HERETO ATTACHED

*g*

*TR*

10783  
BENTON COUNTY  
EXHIBIT A PAID

Dated July 12, 1984

*Milo B. Bauder*  
(Individual)

*Donna L. Bauder*  
(Individual)

*By Milo B. Bauder*  
*her attorney in fact*

By

(President)

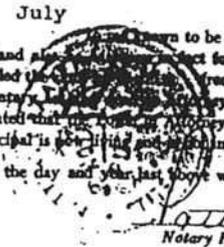
By

(Secretary)

STATE OF WASHINGTON, }  
County of Benton } ss.

On this 12th day of July, 1984 before me personally appeared  
Milo B. Bauder self and also as attorney in fact for Donna L. Bauder  
and acknowledged that he signed and sealed the foregoing instrument for  
self and also as his free and voluntary act and deed for his  
purposes therein mentioned, and on oath stated that the power of attorney authorizing the execution of this instrument  
has not been revoked and that the said principal is now living and sane.

Given under my hand and official seal the day and year last above written.



*Notary Public in and for the State of Washington,*  
residing at Richland

ACKNOWLEDGMENT,  
INDIVIDUAL AND AS ATTORNEY IN FACT

Form No. W-111

LEGAL DESCRIPTION

A non-exclusive ingress-egress, utility and irrigation easement situated in Sections 34 and 35, Township 9 North, Range 28 East, W.M., Benton County, Washington, being 60.00 feet in width with 30.00 feet lying on each side of the following described line:

Beginning at the West quarter corner of Section 34; Thence S89°51'32"E along the East-West center section line thereof a distance of 2160.32 feet to a point of curve; Thence Northeasterly along a curve to the left having a central angle of 32°07'47" and a radius of 600.00 feet, an arc distance of 336.46 feet; Thence N58°00'41"E a distance of 426.40 feet to a point of curve; Thence Northeasterly along a curve to the right having a central angle of 42°25'13" and a radius of 325.00 feet, an arc distance of 240.62 feet to the True Point of Beginning; Thence S79°34'06"E a distance of 53.87 feet to a point of Non-tangent curve; Thence Northeasterly along a curve to the right having a central angle of 47°34'47", a radius of 372.98 feet and a chord bearing N34°13'18"E, an arc distance of 309.73 feet; Thence N58°00'41"E a distance of 221.70 feet; Thence S31°59'19"E a distance of 150.00 feet to a point of curve; Thence Southeasterly along a curve to the left having a central angle of 19°27'45" and a radius of 492.23 feet, an arc distance of 158.61 feet; Thence S50°22'04"E a distance of 1255.59 feet to a point of curve; Thence Southeasterly along a curve to the left having a central angle of 22°56'10", and a radius of 1380.00 feet, an arc distance of 552.43 feet; Thence S73°23'14"E a distance of 151.29 feet to the West line of aforesaid Section 35; Thence continuing S73°23'14"E a distance of 930.72 feet to the Terminus of Described Line.

ROGERS SURVEYING, INC.

#184  
JTN/vmr  
4/4/84

EXHIBIT "A"

That portion of Section 35, Township 9 North, Range 28 East, W. M. Benton County, Washington, described as follows:

Beginning at the Southwest corner of Section 35, thence North 00°33'17" West along the West line thereof a distance of 2050.52 feet to the TRUE POINT OF BEGINNING; thence continuing North 00°33'17" West a distance of 590.56 feet to the West quarter corner of Section 35; thence North 00°35'25" West along said West line a distance of 353.78 feet; thence South 65°34'14" East a distance of 217.63 feet; thence South 68°45'02" East a distance of 90.14 feet; thence South 73°23'35" East a distance of 108.77 feet; thence South 86°03'51" East a distance of 121.82 feet; thence North 82°03'01" East a distance of 119.74 feet; thence North 64°07'05" East a distance of 209.81 feet; thence South 23°37'11" East a distance of 40.00 feet; thence South 21°19'58" East a distance of 216.08 feet; thence South 00°00'00" East a distance of 921.14 feet; thence North 73°23'14" West a distance of 939.98 feet to the West line of Section 35 and the TRUE POINT OF BEGINNING.

SUBJECT TO: Reservations, restrictions, rights of ways and easements of record.

2 KNOW ALL MEN BY THESE PRESENTS: That the undersigned, for  
3 and in consideration of one dollar and other good and valuable  
4 consideration the receipt whereof is hereby acknowledged, does  
5 hereby grant, sell and convey unto BADGER MOUNTAIN IRRIGATION  
6 DISTRICT, an easement for utilities as follows:

EXCISE TAX NOT REQUIRED  
BENTON COUNTY EXCISE TAX DIVISION  
BY [Signature] DEPUTY

8 An easement for the installation, operation and maintenance  
9 of utilities over, under and across a strip of land 10 feet  
10 in width, 5 feet of such width lying on each side of the  
11 following described line lying in Section 34, Township 9  
12 North, Range 28 East, W.M., Benton County, Washington,  
13 described as follows:

14 Commencing at the Northwest corner of said Section 34;  
15 thence S89°09'36"E along the North line of said Section 34,  
16 for 1464.31 feet; thence S00°50'24"W for 3279.40 feet to an  
17 existing utility pole and the true point of beginning of the  
18 hereinafter described centerline; thence N89°41'00"W for  
19 133.67 feet; thence S00°16'34"W for 745.00 feet to the  
20 terminus of the hereinabove described centerline.

21 TO HAVE AND TO HOLD the same unto the said Grantee, its  
22 successors and assigns, forever.

23 IN WITNESS WHEREOF we have hereunto set our hands and seals  
24 this 24 day of September 1984.

25 BADGER MOUNTAIN ORCHARDS, LTD.

26 BY [Signature]  
27 BY \_\_\_\_\_

28 STATE OF WASHINGTON )  
29 County of Chelan ) ss.

30 On this 24th day of September, 1984, before me, the  
31 undersigned, a Notary Public in and for the State of Washington,  
32 duly commissioned and sworn, personally appeared Russ  
Anderson III and \_\_\_\_\_ and stated that they  
are authorized to execute said instrument on behalf of the above-  
named Grantor.

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

[Signature]  
Notary Public in and for the State  
of Washington, residing at Chelan County

LEAVY, SCHULTZ  
& SWEENEY, P.S.  
ATTORNEYS AT LAW  
SOUTH THIRD STREET  
P.O. BOX 551  
SCO, WASHINGTON 99301  
PHONE (509) 545-1434



THE GRANTOR(S) Badger Mountain Orchards, a Washington State General Partnership

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessee or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

The West 10.00 feet of the South 1,450.00 feet of the Southwest one quarter of Section 34, Township 9 North, Range 28 East, W.M.

1% EXCISE TAX NOT REQUIRED  
BENTON COUNTY EXCISE TAX DIVISION  
BY [Signature] DEPUTY  
10-13-88

FILED BY

OCT 13 11 17 AM '88

BOSSIE RAGNER AUDITOR  
DEPUTY  
RECORDED IN VOL 509

Official

and to construct, operate and maintain upon and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or systems, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and scrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system. The Grantor(s) agree to keep the above described lands free and clear of any structures, buildings, dwellings or other obstructions of the right of way, lawful fences excluded.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 3rd day of October, 19 88

[Signature]  
GRANTOR'S SIGNATURE  
David G. Detro, Partner

GRANTOR'S SIGNATURE

[Signature]  
GRANTOR'S SIGNATURE  
Lawrence D. Knutson, Partner

GRANTOR'S SIGNATURE

STATE OF California,  
COUNTY OF Orange

ACKNOWLEDGEMENT OF INDIVIDUAL

I, Barbara M. Marshall a Notary Public in and for the State and County aforesaid, do hereby  
certify that on this 3rd day of October, 19 88, personally appeared before me Laurence D. Knutson  
and David G. Detro

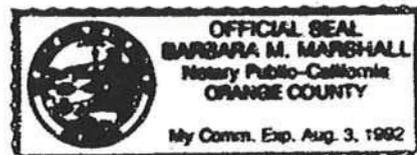
personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me  
that they executed, signed and sealed the same as their free and voluntary act and deed for the uses and purposes  
therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and year in this certificate above written.

Barbara M. Marshall  
Notary Public in and for the State of California residing at  
California

San Juan Capistrano, CA

BP-2 FORM NO. 49  
1/84



BENTON COUNTY P U D #1  
P.O. BOX 6270  
KENNEWICK WA 99336



135772  
BENTON CO TREASURER  
\$ 101.00  
JUN 18 2018  
EXCISE TAX PAID  
CERT

Filed for Record at Request of:

C & J Land Company, LLC  
1276 N. Bermuda Rd  
Richland, WA 99352

Document Title: Quit Claim Deed

Reference Number of Related Document:

Grantor(s): C & J LAND COMPANY, LLC

Grantee(s): C & J LAND COMPANY, LLC

Legal Description: Portion Section 34, T9N R28E W.M.

Additional Legal Description is on Page 1 of Document.

Assessor's Tax Parcel Number: Ptns of 1-3498-200-0005-003, 1-3498-200-0007-000, 1-3498-300-0001-004

### QUIT CLAIM DEED

THE GRANTORS: **C & J LAND COMPANY, LLC**, for and in consideration of Boundary Line Adjustment, conveys and quit claims to;

THE GRANTEES: **C & J LAND COMPANY, LLC**, the following described real estate, situated in the County of Benton, State of Washington, together with all after acquired title of the grantors therein:

THAT PORTION SECTION 34 TOWNSHIP 9 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 0°45'17" WEST 29.94 FEET ALONG THE WEST LINE OF SAID SECTION 34 TO THE NORTH LINE OF THAT PARCEL DESCRIBED AS PARCEL #134983000001004 IN QUIT CLAIM DEED RECORDED IN AUDITOR'S FILE NUMBER 2012-016993, RECORDS OF BENTON COUNTY AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°51'27" EAST 1985.27 FEET ALONG SAID NORTH LINE; THENCE NORTH 00°31'00" EAST 8.00 FEET ALONG SAID NORTH LINE; THENCE LEAVING SAID NORTH LINE SOUTH 89°32'23" EAST 60.90 FEET; THENCE NORTH 88°15'10" EAST 318.36 FEET; THENCE NORTH 77°55'41" EAST 919.16 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED RECORDED IN AUDITOR'S FILE NUMBER 2017-023127, RECORDS OF BENTON COUNTY; THENCE SOUTH 40°37'06" EAST 36.56 FEET ALONG SAID EAST LINE; THENCE SOUTH 44°19'57" EAST 166.89 FEET ALONG SAID EAST LINE; THENCE SOUTH 43°56'19" EAST 171.56 FEET ALONG SAID EAST LINE; THENCE SOUTH 39°48'17" EAST 237.31 FEET ALONG SAID EAST LINE; THENCE SOUTH 34°28'56" EAST 357.52 FEET ALONG SAID EAST LINE; THENCE SOUTH 59°24'00" WEST 648.57 FEET ALONG SAID EAST LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 982.83 FEET, THENCE SOUTHEASTERLY 313.74 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST LINE THROUGH A CENTRAL ANGLE OF 18°17'25" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 21°21'36" EAST 312.41 FEET) THENCE NORTH 89°43'46" WEST 73.91 FEET TO THE NORTHEAST CORNER OF LOT 17 OF THE PLAT OF HIDDEN HILLS PHASE 3, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 537, RECORDS OF BENTON COUNTY; THENCE THE FOLLOWING 18 COURSES ALONG THE NORTH LINE OF SAID PLAT, AND ALONG THE NORTH LINES OF THE PLAT OF HIDDEN HILLS PHASE 2 AND THE PLAT OF HIDDEN HILLS PHASE 1 AND THE PLAT OF BADGER MOUNTAIN PLATEAU, RECORDED IN VOLUME 15 OF PLATS, PAGES 477, 402, AND 196, RESPECTIVELY; THENCE NORTH 89°43'18" WEST 281.61 FEET; THENCE NORTH 89°44'41" WEST 103.66 FEET; THENCE NORTH 89°44'00" WEST 148.45 FEET; THENCE NORTH 89°38'40" WEST 118.16 FEET; THENCE NORTH 89°44'19" WEST 114.71 FEET; THENCE NORTH 89°43'36" WEST 163.52 FEET; THENCE NORTH 89°42'15" WEST 212.10 FEET; THENCE NORTH 89°43'45" WEST 219.93 FEET; THENCE NORTH 89°55'56" WEST 60.07 FEET; THENCE NORTH 89°42'23" WEST 251.19 FEET; THENCE NORTH 89°42'18" WEST 252.59 FEET; THENCE NORTH 89°44'16" WEST 252.40 FEET; THENCE NORTH 89°44'15" WEST 252.43 FEET; THENCE NORTH 89°43'34" WEST 252.59 FEET; THENCE NORTH 89°42'49" WEST 60.00 FEET; THENCE SOUTH 00°43'02" WEST 84.49 FEET; THENCE NORTH 89°40'06" WEST 315.56 FEET; THENCE NORTH 89°38'49" WEST 315.08 FEET TO THE WEST LINE OF SAID SECTION 34; THENCE NORTH 00°45'17" EAST 1231.43 FEET ALONG SAID WEST LINE TO THE TRUE POINT OF BEGINNING.

CONTAINS 99.19 ACRES, MORE OR LESS

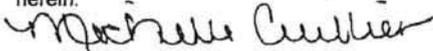
Dated this 18 day of 6, 20 18.

  
WILLIAM L. WILSON

  
HOLLY D. WILSON

STATE OF Washington)  
County of Benton )ss.

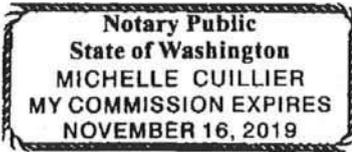
I certify that I know or have satisfactory evidence that WILLIAM L. WILSON AND HOLLY D. WILSON signed this instrument, on oath stated that they were authorized to execute this instrument and acknowledged it as the PRESIDENT AND VICE PRESIDENT of C & J LAND COMPANY, LLC to be the free and voluntary act of such party for the uses and purposes mentioned herein.

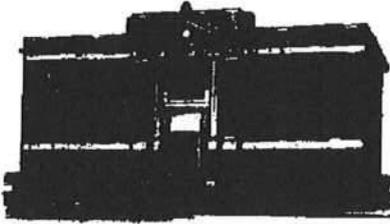


GIVEN under my hand and official seal this 18<sup>th</sup> day of June, 2018.

Notary Public in and for the State of Washington, residing at Franklin Co.

My appointment expires: 11/16/19





**KENNETH SPENCER**  
**Benton County Treasurer**

PO Box 630, Prosser, WA 99350  
Prosser 509-786-2255 Fax 786-5628  
509-736-3087  
Kennewick 509-735-8505 Fax 736-2705  
[www.bentoncountytax.com](http://www.bentoncountytax.com)

**TREASURER'S CERTIFICATE FOR REAL PROPERTY TAXES**

Current Taxpayer of Record

Name C & J Land Company, LLC

Street 1276 Bermuda Rd

City: Richland

State: WA

Zip: 99352

Parcel # (s) 134982000005003, 134982000007000, 134983000001004

TCA R6

Taxes     Irrigation     CRID

I hereby certify that property taxes due Benton  
County on the above parcel number(s) have been  
paid through 2018

6/18/2018

Date

*Kenneth Spencer*

Signature

Treasurer





## Exhibit 2

### CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS (S2019-101, Z2019-106 & EA2019-132)

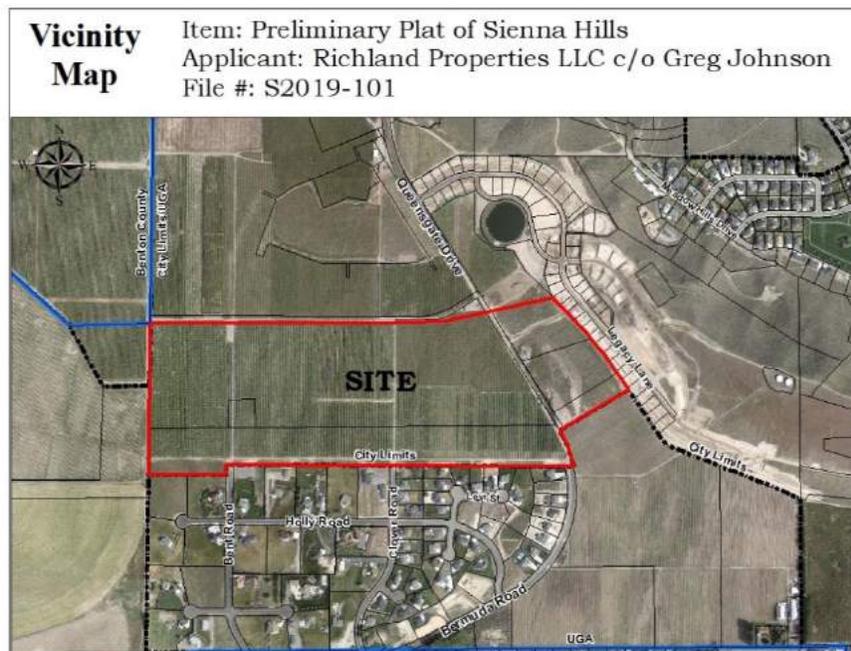
Notice is hereby given that Richland Properties LLC (Greg Johnson) has filed preliminary plat and rezone applications to: 1) subdivide a 98+ acre site into 285 lots (Preliminary Plat of Sienna Hills), and 2) rezone the site to R-1-10 (Single-Family Residential), R-2 (Medium-Density Residential) and C-LB (Limited Business) reflecting the City's Comprehensive Plan. The project site is located approximately 900-feet south of the intersection of Queensgate Drive and Legacy Lane (APN 1-3498300001005). The proposed plat will have an average lot size of 9,667 square feet.

The Richland Hearings Examiner will conduct a public hearing and review of the application at 6:00 p.m., Monday, December 9, 2019 in the Richland City Hall Council Chambers, 625 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing.

**Environmental Review:** The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed at [www.ci.richland.wa.us](http://www.ci.richland.wa.us).

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 [sonNeill@ci.richland.wa.us](mailto:sonNeill@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on Wednesday, November 27, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Title 24 Plats and Subdivisions. 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.



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**AFFIDAVIT OF MAILING**

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF BENTON )

COMES NOW, Briana Ghbein, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

2. On the 30<sup>th</sup> day of October, 2019, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING (S2019-101) to the attached list of individuals via regular USPS on the date indicated above. Richland Properties LLC has filed preliminary plat and rezone applications to: subdivide a 98+ acre site into 285 residential lots, and to rezone the site to R-1-10 (Single-Family Residential), R-2 (Medium-Density Residential), and C-LB (Limited Business) reflecting the City's Comprehensive Plan. The project site is located approximately 900 feet south of the intersection of Queensgate Drive and Legacy Lane (APN: 1-34983000001005). The Richland Hearing Examiner will conduct a public hearing and review of the application on Monday, December 9, 2019 in the Richland City Hall Council Chambers, 625 Swift Boulevard.

Briana Ghbein  
Signed: Briana Ghbein

SIGNED AND SWORN to before me this 30<sup>th</sup> day of October, 2019 by Briana Ghbein.



Jennifer Schuster  
Notary Public in and for the State of Washington,  
Print Name Jennifer Schuster, Notary Public  
Residing at 625 Swift Blvd  
My appointment expires: 4-25-23



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**AFFIDAVIT OF POSTING**

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF BENTON )

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

2. On the 31<sup>st</sup> day of October, 2019, I posted the attached NOTICE OF PUBLIC HEARING, File Number S2019-101 (Sienna Hills Preliminary Plat) in the following locations:

The north terminus of the Bent Road right-of-way, the north terminus of the Clover Road right-of-way, and the north terminus of the Bermuda Road right-of-way, Richland, WA

  
Signed: Shane O'Neill

SIGNED AND SWORN to before me this 31<sup>st</sup> day of October, 2019, by SHANE O'NEILL.



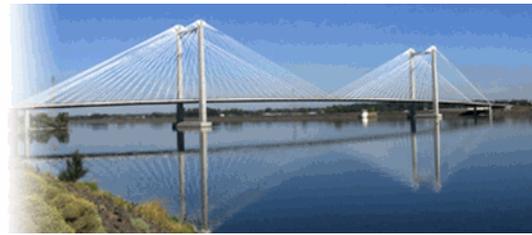
  
Signature of Notary

Briana C. Ghbein  
Printed Name

Notary Public in and for the State of Washington,  
Residing in Benton County

My appointment expires: 4-25-23





## Order Confirmation

**Customer**

RICHLAND CITY OF/LEGALS

**Customer Account**

450543

**Customer Address**

625 SWIFT BLVD.  
 RICHLAND WA 99352 USA

**Customer Phone**

509-942-7547

**Customer Fax**

509-942-7397

**Sales Rep**

ibrown@mcclatchy.com

**Payor Customer**

RICHLAND CITY OF/LEGALS

**Payor Account**

450543

**Payor Address**

625 SWIFT BLVD.  
 RICHLAND WA 99352 USA

**Payor Phone**

509-942-7547

**Customer EMail**

AccountsPayable@ci.richland.wa.u

**Order Taker**

ibrown@mcclatchy.com

<u>PO Number</u>	<u>Payment Method</u>	<u>Blind Box</u>	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>
D2586000 4401	Invoice		0	0	1

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$103.82	\$0.00	\$103.82	\$0.00	\$103.82

<u>Ad Order Number</u>	<u>Order Source</u>	<u>Ordered By</u>	<u>Special Pricing</u>
0004453052		Jana Duncan (TF)	
			<u>Promo Type</u>
			<u>Materials</u>

**Invoice Text**  
 NOA PHN & OPTIONAL SEPA REVIEW S2019- 101 Combined

**Package Buy**

**Ad Order Information**

<b><u>Ad Number</u></b>	<b><u>Ad Type</u></b>	<b><u>Production Method</u></b>	<b><u>Production Notes</u></b>
0004453052-01	TRI-Legal Liner	AdBooker	

<b><u>External Ad Number</u></b>	<b><u>Ad Attributes</u></b>	<b><u>Ad Released</u></b>	<b><u>Pick Up</u></b>
		No	

<b><u>Ad Size</u></b>	<b><u>Color</u></b>
1 X 42 li	

<b><u>Product</u></b>	<b><u>Placement</u></b>	<b><u>Times Run</u></b>	<b><u>Schedule Cost</u></b>
TRI- Tri-City Herald	0300 - Legals Classified	1	\$103.82

<b><u>Run Schedule Invoice Text</u></b>	<b><u>Position</u></b>
NOA PHN & OPTIONAL SEPA REVIEW S2019- 10	0301 - Legals & Public Notices

**Run Dates**  
11/10/2019

CITY OF RICHLAND  
NOTICE OF APPLICATION, PUBLIC  
HEARING & OPTIONAL SEPA RE-  
VIEW

The Richland Hearing Examiner will conduct a public hearing on Monday, December 9, 2019 at 6:00 p.m. in the Council Chambers, Richland City Hall, 625 Swift Boulevard, to conduct a combined public hearing and to receive comments on Preliminary Plat No. 2019-101 and Rezone No. 2019-106 submitted by Richland Properties LLC.

Copies of the application materials can be viewed online at [www.ci.richland.wa.us](http://www.ci.richland.wa.us). Comments may be emailed to [soneill@ci.richland.wa.us](mailto:soneill@ci.richland.wa.us) or mailed to Shane O'Neill, Senior Planner, 625 Swift Blvd, MS #35, Richland, WA 99352. Comments received by 5:00 p.m., Monday, December 2, 2019 will be included in the staff report. Comments received after 5:00 p.m., Monday, December 2, 2019 will be provided to the Hearing Examiner during the public hearing.

The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed text amendments.

For more information contact Shane O'Neill, Senior Planner, at 509-942-7587 or [soneill@ci.richland.wa.us](mailto:soneill@ci.richland.wa.us).



11/19/19

## Exhibit 3

Shane O'Neil  
Senior Planner  
City of Richland

Re: Benton County comments for Sienna Hills Preliminary Plat (S2019-101, Z2019-106 & EA2019-132)

There will be traffic added to county roads. A traffic impact analysis with recommended mitigations is required to address this traffic. The traffic impact analysis shall include all roads and intersections within the county and neighboring cities streets impacted.

Storm water generation will be increased in the area due to development over what currently occurs. A storm water analysis showing all additional storm water generated onsite will be captured and stored on-site. This analysis shall include infrastructure and on-site developments. Remaining runoff matching the volume and flow rate as currently exists from the development shall be located at the drainage locations already in existence to include platted drainage easements.

All work in the County's right of way will require an encroachment permit.

Thank you

Cristina Woods

## O'Neill, Shane

---

**From:** Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>  
**Sent:** Tuesday, November 26, 2019 2:56 PM  
**To:** Stevens, Mike; O'Neill, Shane  
**Cc:** Matt Rasmussen; Cristina Woods  
**Subject:** RE: [EXTERNAL] Sienna Hills Preliminary Plat

In addition to the stormwater requirements previously described, we still require an engineered traffic impact analysis relating to all roads and intersections within the county impacted by the development.

Douglas P. D'Hondt, P.E., L.E.G.  
Asst. County Engineer  
Benton County Public Works  
620 Market Street  
Prosser, WA 99350  
509-786-5611

---

**From:** Cristina Woods <Cristina.Woods@co.benton.wa.us>  
**Sent:** Thursday, November 21, 2019 3:38 PM  
**To:** Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>  
**Cc:** Matt Rasmussen <Matt.Rasmussen@co.benton.wa.us>  
**Subject:** FW: [EXTERNAL] Sienna Hills Preliminary Plat

---

**From:** Stevens, Mike <[mstevens@CI.RICHLAND.WA.US](mailto:mstevens@CI.RICHLAND.WA.US)>  
**Sent:** Thursday, November 21, 2019 3:26 PM  
**To:** Cristina Woods <[Cristina.Woods@co.benton.wa.us](mailto:Cristina.Woods@co.benton.wa.us)>  
**Cc:** O'Neill, Shane <[soneill@CI.RICHLAND.WA.US](mailto:soneill@CI.RICHLAND.WA.US)>  
**Subject:** [EXTERNAL] Sienna Hills Preliminary Plat

**CAUTION:** This email originated from outside of Benton County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Christina:

Thank you for the comments regarding the Sienna Hills Preliminary Plat and Rezone. After discussions with John Deskins, the City's Traffic Engineer, we are hesitant to require a Traffic Impact Analysis for this project unless it can be demonstrated what the scope of the study would be and exactly what the concerns are from the County's perspective. Given the distance from this plat to other parts of the Tri-Cities, it seems possible that most of the traffic that would be generated would go over the hill and use either Queensgate or Gage Blvd., rather than traversing through the County to get out. It is further likely that much of the traffic would be generated from within the County to go over the hill into the city. Finally, the traffic studies that were performed previously clearly anticipated this connection and since Bermuda is a collector road, it should be able to handle the additional traffic that might be generated.

If you can provide us with factual reasoning behind the need for a Traffic Impact Analysis it would be much appreciated.

Thank you,



Mike Stevens, Planning Manager  
City of Richland Development Services Dept.  
625 Swift Blvd. MS#35  
Richland, WA 99352  
(509)942-7596  
[www.ci.richland.wa.us/](http://www.ci.richland.wa.us/)

\*\*This e-mail and your response are considered a public record and will be subject to disclosure under Washington's Public Records Act.\*\*

## ONeill, Shane

---

**From:** Deana Chiodo <deanac@bfhd.wa.gov>  
**Sent:** Thursday, November 14, 2019 4:58 PM  
**To:** O'Neill, Shane  
**Cc:** Stevens, Mike; Rick Dawson  
**Subject:** RE: S2019-101, Z2019-106 & EA2019-132

This office has reviewed the above referenced Preliminary Plat and Rezoning review and have the following comments:

1. There are multiple drainage easements that run through the subdivisions directly to the south of the proposed plat. These drainage easements are not carried into the new subdivision even though it is part of the drainage basin.
2. You also have storm swales/retention ponds proposed in several locations along the south boundary of the development. These drainage features are located less than the required 100' from existing on-site sewage systems and dedicated reserve areas.
3. The addition of several hundred homes in this area may have an effect on ground and surface water already being witnessed to the south of the plat in the area of the Bent and Bermuda intersection. The potential impact of this subdivision must be full evaluated prior to approval.

This office believes the full impacts of this proposal have not been evaluated and an environmental Impact Statement may be appropriate or further research on the natural drainages and how this subdivision can affect the lots to the South that are on septic systems in addition to surrounding groundwater.

Please let me know if you have any questions or concerns. Thank you.

**Deana Chiodo**

Environmental Health Specialist II

**Benton-Franklin Health District**

7102 W. Okanogan Place,  
Kennewick, WA 99336  
p: 509.460.4316

[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [Deanac@bfhd.wa.gov](mailto:Deanac@bfhd.wa.gov)



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*in error, please notify the system manager or the sender immediately and do not disclose the contents to anyone or make copies thereof.*

## ONeill, Shane

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**From:** Stevens, Mike  
**Sent:** Monday, December 2, 2019 8:41 AM  
**To:** O'Neill, Shane  
**Subject:** FW: Sienna Hills Response



Mike Stevens, Planning Manager  
City of Richland Development Services Dept.  
625 Swift Blvd. MS#35  
Richland, WA 99352  
(509)942-7596  
[www.ci.richland.wa.us/](http://www.ci.richland.wa.us/)

\*\*This e-mail and your response are considered a public record and will be subject to disclosure under Washington's Public Records Act.\*\*

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**From:** Rick Dawson [mailto:Rickd@bfhd.wa.gov]  
**Sent:** Wednesday, November 27, 2019 3:43 PM  
**To:** Stevens, Mike <mstevens@CI.RICHLAND.WA.US>; Deana Chiodo <deanac@bfhd.wa.gov>  
**Cc:** Deana Chiodo <deanac@bfhd.wa.gov>  
**Subject:** RE: Sienna Hills Response

Mike,

Our review of this proposal is based on site conditions found throughout the area and recent sub-divisions in the vicinity of this plat with storm water retention facilities. Specifically the Sunshine Ridge plat where the storm water retention pond has water retained and visible for a significant portion of the year resulting in a 100 foot setback requirement and classification as surface water. It is expected that this plat will have similar drainage patterns and may result in issues to the existing on-site sewage systems in the area. The retention ponds SD 2 and 3 appear to be located more than 100 feet from an existing on-site sewage system or reserve area. It is recommended that should this plat proceed that the retention facilities be located with respect to the existing topography and located directly adjacent to existing natural drains. Retention pond SD 1 is located directly adjacent to existing on-site sewage system located on lots 1 and 2, Hidden Hills Phase 2. This pond should maintain a 100 foot setback from the existing systems, as BFHD will until proven otherwise expect this to be classified as surface water. Relocating the pond to an area north of the existing drainage area near Bermuda Road or to the west of Clover Road may be more suitable.

While it may not be possible to fully evaluate the impacts from expanding developments in this area. It is important to note that as the property rises to the north the depth of soil available to absorb and accept excess storm water and irrigation runoff decreases and potential impacts to properties at the lower elevations will increase.

Hopefully, I have fully articulated BFHD's concerns for this development.

Sincerely,

**James R.(Rick) Dawson**

Sr. Manager – Surveillance & Investigation

**Benton-Franklin Health District**

7102 W. Okanogan Place,  
Kennewick, WA 99336

p: 509.460.4313

f: 509.585.1537

[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [rickd@bfhd.wa.gov](mailto:rickd@bfhd.wa.gov)



Follow us on   

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**From:** Stevens, Mike <[mstevens@ci.richland.wa.us](mailto:mstevens@ci.richland.wa.us)>

**Sent:** Tuesday, November 26, 2019 9:30 AM

**To:** Deana Chiodo <[deanac@bfhd.wa.gov](mailto:deanac@bfhd.wa.gov)>

**Cc:** Rick Dawson <[Rickd@bfhd.wa.gov](mailto:Rickd@bfhd.wa.gov)>

**Subject:** Sienna Hills Response

Deana:

If possible, please respond to my email by 5:00 pm, Wednesday (11/27/19). The City will be making its SEPA Threshold Decision next week and would like the info requested from you to do that.

Thank you,



Mike Stevens, Planning Manager  
City of Richland Development Services Dept.  
625 Swift Blvd. MS#35  
Richland, WA 99352  
(509)942-7596  
[www.ci.richland.wa.us/](http://www.ci.richland.wa.us/)

**\*\*This e-mail and your response are considered a public record and will be subject to disclosure under Washington's Public Records Act.\*\***

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## ONeill, Shane

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**From:** BMID Manager <bmidmanager@badgermountainirrigation.com>  
**Sent:** Thursday, November 21, 2019 11:11 AM  
**To:** O'Neill, Shane  
**Subject:** RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Shane,

I just looked back over my emails and did not find this email.

BMID is aware of the Plat and we have no issues with development. We have been in contact with Jason Mattox throughout the planning. BMID is able to serve irrigation water to this plat. Our biggest concerns for the area of the development are as follow:

1. The development is in the spillage zone in case of a overflow of our reservoir, so there needs to be planning for that.
2. It encompasses the main BMID booster station which is a significant noise and light source this needs to be accounted for as well.
3. Our main arterials for the south side of badger mountain and the district go through this property and need to have adequate easements.

Those are all of my concerns and comments so far Jason and PBS has accounted for most of those issues and we are on board for working through the others.

Thanks

**Colby Getchell**  
District Manager  
bmidmanager@badgermountainirrigation.com  
Badger Mountain Irrigation District  
87525 E. Reata Rd.  
Kennewick, WA 99338  
509-531-2938 (Cell)  
509-628-0777 (Office)  
509-628-0112 (Fax)

*When the well is dry,  
we will know the  
worth of water.  
-Benjamin Franklin*

---

**From:** O'Neill, Shane [mailto:soneill@CI.RICHLAND.WA.US]  
**Sent:** Thursday, November 21, 2019 10:01 AM  
**To:** BMID Manager  
**Subject:** Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Colby,

I am not sure BMID received this notice as I find no comments on the proposal from your office. I am re-sending in hopes to receive an expedited review.

Feel free to contact me directly with any questions.

Thank you.



**Shane O'Neill**

Senior Planner  
City of Richland  
P: 509.942.7587

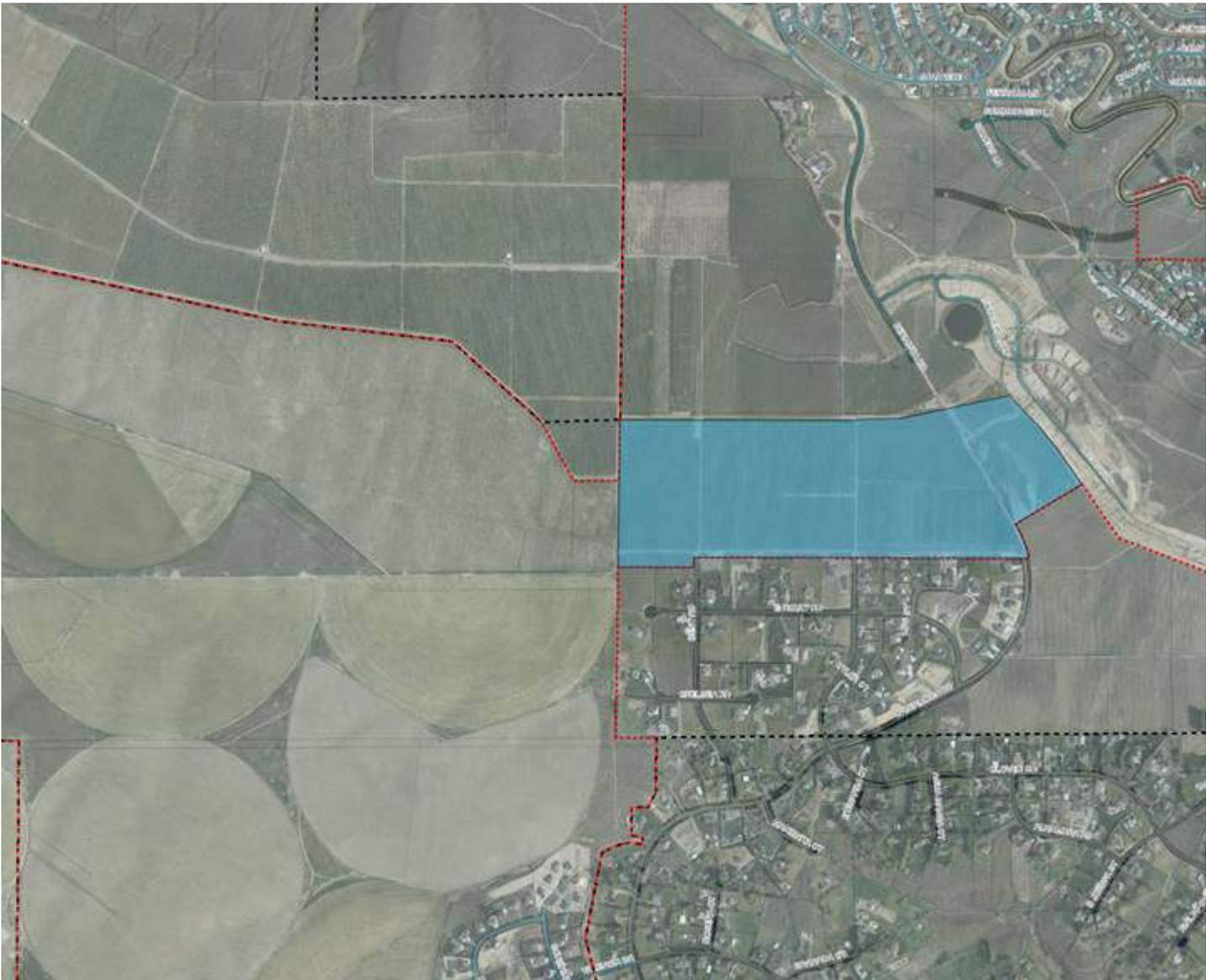
**Subject:** Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Hello,

For your review and commenting I am sending application materials for a proposed rezone and preliminary plat. The 184-lot preliminary plat of Sienna Hills is located southwest of the intersection of Queensgate Drive and Legacy Lane; as shown in the image below. Please provide your review comments by Wednesday, Nov. 27<sup>th</sup>. Any comments on the SEPA checklist should also be submitted by 11/27. A public hearing for this item will be held on Dec. 9<sup>th</sup>.

The associated title report and other application materials are available for viewing using this link:  
<https://www.ci.richland.wa.us/departments/development-services/planning/pending-land-use-actions>





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**City of Richland  
Development Services**

625 Swift Blvd. MS-35  
Richland, WA 99352  
☎ (509) 942-7794  
📠 (509) 942-7764

DATE: November 4, 2019  
TO: Shane O'Neill, Senior Planner  
REVIEW BY: Briana Ghbein, Permit Technician  
PROJECT NAME: S2019-101 – Sienna Hills

1. Street designations shall be as set forth in [RMC 12.01.060](#). Prior to submitting for the final plat, please submit three (3) street name options for each the following street segments: A Street, B Street, C Street, D Street, E Street, F Street, G Street, H Street, J Street, K Street, and L Street.
2. Addressing brackets [ ] are needed on all lots and tracts in subsequent final plat submittals.
3. Prior to submitting for the final plat, provide which lots, if any, will allow construction of multi-family (duplex) dwellings. Addressing will be done accordingly.



## Department of Energy

Bonneville Power Administration  
2211 North Commercial Avenue  
Pasco, Washington 99301

TRANSMISSION BUSINESS LINE

November 13, 2019

In reply refer to: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 and EA2019-132)  
Located within a Portion of Section 34, Township 9 North,  
Range 28 East, W.M., Benton County, Washington

Shane O'Neill  
Senior Planner  
City of Richland  
505 Swift Boulevard  
Richland, WA 99352

Dear Shane:

Bonneville Power Administration (BPA) has had the opportunity to review Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132). The application is to rezone 98 agricultural acres into a 285 lot residential subdivision. The site is generally located southwest of the intersection of Queensgate Drive and Legacy Lane in Richland, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities in that area. BPA does not have any objections to the approval of this request at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (503) 230-5510 or by email at [mjdeklyen@bpa.gov](mailto:mjdeklyen@bpa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Deklyen".

Mike Deklyen  
Field Realty Specialist



**CITY OF RICHLAND  
DEVELOPMENT SERVICES**

**840 Northgate Drive  
Richland, WA 99352**

Telephone (509) 942-7794

Fax (509) 942-7764

CI.RICHLAND.WA.US · 509-942-7390

DATE: October 25, 2019

TO: Shane O'Neill

REVIEW BY: Tyler Jennings

PROJECT NAME: Sienna Hills

**Subdivisions (Preliminary or Final)**

1. Prior to plat recording: A geotechnical investigation shall be conducted in accordance with IBC (2015) Section 1803. Grading shall be permitted by the City and performed in accordance with the geotechnical investigation and IBC (2015) Appendix J. Any specific geotechnical requirements regarding foundations and/or site slopes shall be noted on the plat along with reference to the geotechnical investigation report.



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

November 26, 2019

Shane O'Neill  
City of Richland  
PO Box 190  
Richland, WA 99352

Re: S2019-101, Z2019-106, EA2019-132

Dear Shane O'Neill:

Thank you for opportunity to comment on the pre-threshold determination for the Sienna Hills subdivision, proposed by Sienna Hills Development LLC. We have reviewed the environmental checklist and have the following comment.

### **TOXICS CLEAN-UP**

Based upon the historical agricultural use of this land, there is a possibility the soil contains residual concentrations of pesticides. Ecology recommends that the soils be sampled and analyzed for lead and arsenic, and for organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics Control Act cleanup levels Ecology recommends that potential buyers be notified of their occurrence.

If you have any questions or would like to respond to these Toxics Clean-up comments, please contact **Valerie Bound** at 509-454-7886 or email at [valerie.bound@ecy.wa.gov](mailto:valerie.bound@ecy.wa.gov).

### **WATER QUALITY**

#### Project with Potential to Discharge Off-Site

If the project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by



Shane O'Neill  
November 26, 2019  
Page 2

stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Lloyd Stevens, Jr.** at the Dept. of Ecology, 509-574-3991, with questions about this permit.

Sincerely,



Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
509-575-2012  
[crosepa@ecy.wa.gov](mailto:crosepa@ecy.wa.gov)

201906645



2015 South Ely Street  
Kennewick, WA 99337  
Customer Service 509-586-9111  
Business 509-586-6012  
FAX 509-586-7663  
[www.kid.org](http://www.kid.org)

November 13, 2019

Shane O'Neill  
**City of Richland**  
Senior Planner  
505 Swift Blvd.  
Kennewick, WA 99352

Subject: S2019-101 – Sienna Hills Preliminary Plat - Review Comments

Dear Mr. O'Neill:

This letter provides Kennewick Irrigation District (KID) review comments for Sienna Hills Preliminary Plat. The proposed Preliminary Plat is located outside of the KID Boundary, but is located above the Badger East Canal in the SE Quarter of Section 34, Township 09 North, Range 28 East, W.M.

1) Conditions Related to Design, Grading and Construction:

- a. Stormwater systems for the project should be designed to retain, at minimum, a 100-year storm event above the Badger East Lateral Canal and to minimize the introduction of water into the soils upgrading from the canal.

If you have any questions regarding these comments, please contact me at the address/phone number listed below.

Sincerely,

Rebecca S. Hiles  
Staff Engineer

**CITY OF RICHLAND  
PUBLIC WORKS ENGINEERING  
DEVELOPMENT COMMENTS**

DATE: November 14, 2019

TO: SHANE O'NEILL, SENIOR PLANNER

PLAT REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4  
PETE ROGALSKY, PUBLIC WORKS DIRECTOR  
JOHN DESKINS, TRAFFIC ENGINEER

PROJECT NAME: SIENNA HILLS (S2019-101)

PROJECT LOCATION: NORTH OF THE PLAT OF BADGER MOUNTAIN PLATEAU, WEST OF  
WESTCLIFFE HEIGHTS

The Public Works Engineering Division has reviewed the preliminary plat received in this office on October 30, 2019 for the above referenced property and has the following conditions.

**General Conditions:**

1. All final, approved plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in full size (and electronic) format. Electronic copies of the construction plans are required prior to the pre-con meeting along with the multiple sets of paper drawings. When construction of the public infrastructure has been substantially completed, the applicant shall provide paper and electronic record drawings in accordance with the City's "Record Drawing Requirements". The electronic record drawings shall be submitted in an AutoCAD format compatible with the City's standard CAD software. The final record drawings shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
2. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
3. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance.
4. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way construction permit prior to beginning work, per RMC Chapter 12.08. The applicant shall pay a plan review fee based on a cost-per-sheet of engineering infrastructure plans. This public infrastructure plan review fee shall apply each time a project is submitted for review. This fee will be different for commercial projects versus subdivision projects. Please visit the Public Works Private Development page on the City's webpage to find the current per-sheet fee. A permit fee in the amount equal to 3% of the construction costs of the work within the right-of-way or easement will be collected at the time the construction permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the approved plan submittal.

5. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for plat acceptance.
6. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
7. Site plan drawings which involve the construction of public infrastructure shall be drawn on a standard 24" x 36" drawing format to a scale which shall not be less than 1"=40'.
8. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
9. All construction plan sheets shall include the note "CALL TWO WORKING DAYS BEFORE YOU DIG 1-800-424-5555 (or "811")." Or: <http://www.call811.com/>
10. An irrigation source and distribution system, entirely separate from the City's domestic water system, shall be provided for this development. *Construction plans will not be accepted for review until adequate and viable proof of an irrigation source is made available by the developer.* The designing Engineer shall submit plans for the proposed irrigation system to the Irrigation District with jurisdiction over the property at the same time that they are submitted to the City for construction review. Plans shall be reviewed and accepted by said irrigation district prior to issuance of a Right-of-Way permit by the City. Easements shall be provided on the final plat for this system where needed.
11. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.

**Design Standards:**

12. Public improvement design shall follow the following general format:
  - A. All materials and workmanship shall be in conformance with the latest revision of the City of Richland Standard Specifications and Details and the current edition of the State of Washington Standard Specifications for Road, Bridge, and Municipal Construction. Please confirm that you have the latest set of standard specs and details by visiting the City's web page.
  - B. Water lines shall be aligned on the south and east side of street centerlines.
  - C. Sanitary sewer shall be aligned on the north and west side of street centerlines.
  - D. Storm sewer shall be aligned on the south and east side of street centerlines.
  - E. Any sewer or storm manholes that are installed outside of public Right of Way shall have an acceptable 12-foot wide gravel access road (minimum) provided from a public street for maintenance vehicles.
  - F. 10-foot horizontal spacing shall be maintained between domestic water and sanitary sewer mainlines and service lines.
  - G. Watermains larger than 8-inches in diameter shall be ductile iron.
  - H. Watermains installed outside of the City Right of Way or in very rocky native material, shall be ductile iron and may need restrained joints.
  - I. All watermains outside areas zoned R1 shall be ductile iron.
  - J. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.

- K. Sewer mains over 15-feet deep shall be constructed out of SDR26 PVC or C900 PVC. The entire main from manhole to manhole shall be the same material.
  - L. Water valves and manholes installed on private property shall be placed so as to avoid parked cars whenever feasible.
  - M. All utilities shall be extended to the adjacent property (properties) at the time of construction.
  - N. The minimum centerline finish grade shall be no less than 0.30 % and the maximum centerline finish grade shall be no more than 10.0 % for local streets.
  - O. The minimum centerline radius for local streets shall be 100-feet.
  - P. Any filling of low areas that may be required within the public Right of Way shall be compacted to City standards.
  - Q. An overall, composite utility plan shall be included in the submitted plan set if the project is phased. This comprehensive utility plan benefits all departments and maintenance groups involved in the review and inspection of the project.
  - R. A detailed grading plan shall be included in the submitted plan set.
  - S. For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall provide an exclusive 10-foot wide public utility easement (minimum) to be conveyed to the City of Richland.
  - T. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
  - U. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
  - V. All cul-de-sacs shall have a minimum radius of 48-feet to the face of curb to allow for adequate turning radius of fire trucks and solid waste collection vehicles.
  - W. Curb returns at minor intersections shall have a minimum radius of 25-feet. Curb returns at major intersections should have minimum radius of 30-feet but should be evaluated on a case by case basis.
  - X. All public streets shall meet design requirements for sight distance (horizontal, vertical and intersectional).
  - Y. The final engineered construction plans shall identify locations for irrigation system, street lighting, gas service, power lines, telephone lines, cable television lines, street trees and mail boxes. All electrical appurtenances such as transformers, vaults, conduit routes, and street lights (including their circuit) need to be shown in the plan view.
  - Z. Construction plans shall reference all City of Richland standard details necessary to construct all public improvements which will be owned, operated, maintained by the City or used by the general public.
  - AA. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
13. If the project will be built in phases the applicant shall submit a master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.
14. If the City Fire Marshal requires a secondary emergency vehicle access, it shall be included in the construction plan set and be designed to the following standards:
- A. 2-inches compacted gravel, minimum (temp. SEVA only).
  - B. 2% cross-slope, maximum.
  - C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
  - D. Be 20-feet in width.
  - E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

15. SURVEY MONUMENT DESTRUCTION:

All permanent survey monuments existing on the project site shall be protected. If any monuments are destroyed by the proposed construction, the applicant shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.

- A. No survey monument shall be removed or destroyed (*the physical disturbance or covering of a monument such that the survey point is no longer visible or readily accessible*) before a permit is obtained from the Department of Natural Resources (DNR). WAC 332-120-030(2) states "It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity for the purpose of locating and referencing any known or existing survey monuments." (RCW 58.09.130).
- B. Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2)).
- C. Survey monuments are those monuments marking local control points, geodetic control points, and land boundary survey corners. (WAC 332-120-030(3)).

***When a monument must be removed during an activity that might disturb or destroy it, a licensed Engineer or Land Surveyor must complete, sign, seal and file a permit with the DNR.***

It shall be the responsibility of the designing Engineer to identify the affected monuments on the project plans and include a construction note directing them to the DNR permit.

Traffic & Streets:

- 16. The Sienna Hills preliminary plat lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This plat shall therefore be subject to the fees administered by the finance plan for any phase submitted for approval. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA). The developer of this proposed project shall receive "credits" for construction of Gage Blvd. and Bermuda Road as allowed under the City's South Richland Collector Street Financing Plan.
- 17. Bermuda Road shall be constructed full-width within the boundaries of the pre-plat in accordance with City standard detail ST-11 (Arterial Collector) at the same time that phase 1 is constructed. The Bermuda improvements shall include curb, gutter and sidewalk on both sides. A ten-foot public utility easement shall be provided adjacent to its right-of-way on the face of the final plat. The portion of Bermuda that is to the north and is outside of the boundaries of the preliminary-plat shall be constructed as a rural road section, in accordance with City standard detail ST-15.
- 18. Gage Blvd. shall be constructed full-width in accordance with City standard detail ST-10 (Minor Arterial) at the same time that phase 5 is constructed, or concurrent with any phase that will result in a total number of single family lots greater than 250. The Gage improvements shall include curb, gutter and sidewalk on both sides. A ten-foot public utility easement shall be provided adjacent to its right-of-way on the face of the final plat.

19. Due to the hilly nature of the preliminary plat and the surrounding properties, Gage Blvd. outside of the preliminary-plat shall be conceptually designed to the north up to its intersection with Queensgate. Gage shall also be conceptually designed 500-feet southwest of the Sienna Hills pre-plat boundary. This conceptual design shall include both plan and profile design, including approximate boundaries of cut and fill areas using readily available topographic information.
20. The proposed street layout will create higher traffic volumes on C, B and F Street, Bent Road and on Clover Road. In an effort to curtail speeds through the development, the following intersections will require traffic calming treatments (such as traffic circles)
  - a. C Street & Clover Road
  - b. C Street & Bent Road
  - c. B Street & F Street

The specific calming treatments will be determined by the Public Works Director in consultation with the designing engineer. Adequate right-of-way shall be designed for at these locations and provided on the final plats. Landscaping designs can be proposed for the interior of these traffic circles, but all landscaping shall be maintained by the developer or the future HOA.

21. The maximum centerline grade for the proposed Gage Blvd. and Bermuda Road shall be no more than 8%.
22. A note will be shown on the face of the future final plats stating that Gage Blvd. and Bermuda Road are both classified as "Collector streets". Subsequently, no driveways accessing single family lots will be allowed directly onto them.
23. There appear to be multiple access easements crossing the proposed preliminary plat which will be displaced by single family lots. The developer of the preliminary plat shall reconcile all access issues with all parties named in the easements prior to issuance of a right-of-way construction permit.
24. Sidewalks shall be installed along all public Right of Way frontages that building lots do not front on during construction of those phases (e.g., storm drainage ponds, parks, HOA tracts, etc.).
25. Pedestrian ramps shall be designed to current City standard details and A.D.A. guidelines. Adequate Right-of-Way shall be provided at corners to allow for at least 1-foot of ROW behind the ped. ramp landing. Crosswalks between pedestrian ramps shall be designed to City guidelines and A.D.A. guidelines. Crosswalks at stop-controlled intersections shall have cross-slopes less than 2%. Crosswalks crossing thru-streets shall have cross-slopes less than 5%. The road profile shall be designed to accommodate this.
26. The vision-clearance triangle needs to be shown on all corner lots on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
27. The existing access points onto Bermuda and Gage are acceptable for this project, but any proposed changes to said driveways will be subject to approval by the Public Works Director.
28. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turn-arounds built at the end of them. If the temporary turnaround is not located within the final plat an easement with a 50-foot radius will be required.

**Domestic Water:**

29. The proposed preliminary plat is located within the Tapteal 4 water pressure zone. The closest Tapteal 4 water main is located in Bermuda Road to the north. It shall be the responsibility of the developer to extend a water main to this property to serve domestic water at the time of plat construction. This water main shall be sized as 12-inch diameter in accordance with the City's Water System Plan.
30. In accordance with the City's Water System Plan, a portion of the "Tapteal 4 Zone Connection" water main is designed to run through this plat. The water mains in C street, D street from Bent Road to A Street, A Street and Gage Boulevard shall be 12-inch in diameter. The 12-inch water main in Gage Boulevard shall be installed in the full length of the street. This water main shall be extended to the property to the west of the proposed preliminary plat.
31. In accordance with municipal code, domestic water mains shall be extended to the adjoining properties adjacent to the preliminary plat, provided they are in the correct pressure zone.
32. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations, or oversizing of the main where needed.
33. The fire hydrant layout shall be approved by the City Fire Marshal.

**Sanitary Sewer:**

34. The sanitary sewer main designated for service for this development is located in Bermuda Road and Queensgate Drive to the north. It has also been designated to provide sewer service to the properties bounded approximately by the Westcliffe Heights subdivision to the east, the Westcliffe subdivision to the north, and the City limits lines to the west and south. This sewer main is higher in elevation than the proposed preliminary plat. Sewer service to these properties shall be accomplished via a sewer pump station constructed to City standards. This development shall design and construct the sewer pump station to be used by this development and the other neighboring properties within the above-described boundary that cannot be served by a gravity-flow pipe system. In accordance with municipal code the developer will be eligible for a latecomer agreement to recover a portion of the costs from future users of the system for the sewer pump station and any necessary oversized pipelines.
35. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure shall be provided as approved by the Public Works Director.
36. In accordance with municipal code, sanitary sewer shall be extended to the appropriate adjoining properties adjacent to the preliminary plat.

**Ground Water:**

37. A master grading plan completed by a licensed engineer shall be submitted along with the first submission of construction plans. The grading plan and accompanying geotech report shall make provisions for the existing neighboring land owners and address any impacts that the proposed grading and/or groundwater impacts will have on them. It shall also include a means for managing groundwater or subsurface springs if any are encountered during grading or construction.

**Storm Water:**

38. This project requires coverage under the Washington State General NPDES Permit for Construction projects. The Developer shall be responsible for compliance with the permit conditions. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered. The project will require detailed erosion control plans.
39. All storm drainage systems shall be designed following the core elements defined in the latest edition of the Stormwater Management Manual for Eastern Washington. The Hydrologic Analysis and Design shall be completed based on the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume. The applicant's design shall provide runoff protection to downstream property owners.
40. The flow-rate of the public storm drainage system shall be designed using the 2-Year, 3-Hour short duration Eastern Washington storm for pipe and inlet sizing using SCS or Santa Barbara method; no modifying or adding time of concentration; no surcharge allowed. Calculations shall be stamped by a registered professional engineer and shall include a profile of the system showing the hydraulic grade line. The calculations should include a 50-foot wide strip behind each right of way line to represent drainage from private property into the City system. Of that area, 50% shall be considered pervious and 50% impervious. Calculations shall include a profile for the design showing the hydraulic grade line for the system. Passing the storm downhill to an existing system will require a downstream storm system capable of accepting the water without being overwhelmed.
41. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition, a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal.
42. If any existing storm drainage or ground water seepage drains onto the proposed project, said drainage shall be considered an existing condition and it shall be the responsibility of the property developer to design a system to contain or treat and release the off-site storm drainage.
43. If there are any natural drainage ways across the proposed pre-plat, the engineered construction plans shall address it in accordance with Richland Municipal code 24.16.170 ("Easements-watercourses").
44. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
45. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 48 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not perk within 48 hours.
46. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity. The

storm drainage system for this development, both its conveyance and retention / infiltration components, shall be designed to effectively manage runoff from upstream properties that can be anticipated to convey stormwater onto this property because of a pre-development runoff condition, or as a result of flows discharged that are in excess of the design storm from the upstream property. Additionally, as this property is upslope of developed properties the stormwater system shall include provisions for possible discharge of runoff onto downslope properties from storms in excess of the design storm as described above. Those provisions may be required to include off-site downslope conveyance facilities and/or flowage easements allowing for the conveyance of stormwater to and across downslope properties.

47. The amount of post-development storm runoff from the proposed site shall not exceed the amount of pre-development runoff.
48. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat.
49. If the storm drain pond slopes are greater than 25% or deeper than 4-feet, then a 6-foot fence will be required around the perimeter of the pond with a minimum 12-foot wide gate for maintenance vehicles. A maintenance road from the public Right of Way to the bottom of the pond is also needed (2-inches of compacted gravel, minimum). The City's maintenance of the pond in the future will consist of trimming weeds to maintain compliance with fire and nuisance codes, and maintaining the pond for functionality.
50. The developer shall be responsible for landscaping the storm pond and for its maintenance through the one-year infrastructure warranty period. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above. If the developer wishes for the pond to be landscaped and visually appealing, then the homeowners association should be considered for maintenance responsibilities. This will require an irrigation meter and sprinkler system (including a power source), and responsibility for maintaining the landscaping.
51. The developer of record shall maintain the public storm drainage system for one year from the date of final acceptance by The City of Richland (as determined by the issuance of the "Letter of Final Acceptance"). Said developer shall also thoroughly clean the entire system, including structures, pipelines and basins prior to the City warranty inspection, conducted 11 months after the Letter of Final Acceptance.

**Final Platting / Project Acceptance Requirements:**

52. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat of the project.
53. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final acceptance. Off-site ("third party") easements for City infrastructure are the responsibility of the developer to obtain. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.

54. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
55. Ten-foot wide public utility easements will be required on the final plat along both sides of all Right-of-Ways within the proposed plat.
56. The vision-clearance triangle needs to be shown on all corner lots on the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
57. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowners association.
58. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
59. A one-foot "No access / screening easement" will be required along the Bermuda Road and Gage Blvd. Rights-of-Way where single family lots are adjacent. No single family driveways will be allowed directly onto either of those streets.
60. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
61. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
62. Any restricted parking areas shall be indicated on the final plats.

## ONeill, Shane

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**From:** Hill, Kelly  
**Sent:** Friday, November 22, 2019 10:27 AM  
**To:** O'Neill, Shane  
**Cc:** Goulet, Steven  
**Subject:** RE: Sienna Hills

Shane,

The only thing I really see that is missing is the 10 PUE that is adjacent to all the road ROWs that is normally shown.

Thanks  
Kelly

---

**From:** O'Neill, Shane <soneill@CI.RICHLAND.WA.US>  
**Sent:** Friday, November 22, 2019 10:07 AM  
**To:** Hill, Kelly <khill@CI.RICHLAND.WA.US>  
**Subject:** Sienna Hills

I'm actually not finding that RES provided any comments on the plat to date.



**Shane O'Neill**  
Senior Planner  
City of Richland  
P: 509.942.7587



## ONeill, Shane

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**From:** Deskins, John  
**Sent:** Wednesday, October 30, 2019 4:47 PM  
**To:** O'Neill, Shane  
**Cc:** Rogalsky, Pete; Reathaford, Jason  
**Subject:** RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Shane,

I have discussed this matter further with Pete Rogalsky, our Public Work Director, at Jason's request. I also spoke briefly with Jason on the phone.

Our position is that the original Gage Blvd. alignment cut diagonally through this property and thus the developer would have needed to construct the entire roadway including curb, gutter, sidewalk and streetlights as well as dedicate the associated right-of-way.

The roadway was shifted to the west boundary of the property for the developers convenience in their plat layout. Our expectation is that the full roadway would be constructed similar to what would have been required originally including curb, gutter, sidewalk & streetlights.

Finally, Pete noted that the construction needs to happen during their project, but could be constructed late in the development depending on how they phase the project.

Sincerely,



**John Deskins, PE, PTOE**

Traffic Engineer

City of Richland

509.942.7514

[www.ci.richland.wa.us](http://www.ci.richland.wa.us)

---

**From:** O'Neill, Shane <soneill@CI.RICHLAND.WA.US>

**Sent:** Wednesday, October 30, 2019 11:55 AM

**To:** Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>

**Subject:** FW: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

OK to build Gage at ¾-width? (see below)

Feel free to engage Jason Mattox directly.

Thx-



**Shane O'Neill**

Senior Planner

City of Richland

P: 509.942.7587



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**From:** Jason L. Mattox <[Jason.Mattox@pbsusa.com](mailto:Jason.Mattox@pbsusa.com)>  
**Sent:** Wednesday, October 30, 2019 11:47 AM  
**To:** O'Neill, Shane <[soneill@CI.RICHLAND.WA.US](mailto:soneill@CI.RICHLAND.WA.US)>  
**Subject:** RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Shane,  
Agreed, this is consistent with our current submittal package. One item I would like to engage with John and others on again is picking up the discussion about the required width for Gage Boulevard. There was an email that was distributed back in June about this (Attached, discussion point C.). I would like to again make the request that since we are dedicating the entire right of way for the Gage Boulevard corridor that we only be required to construct a ¼ width street with curb, gutter, and sidewalk / LS on the project side. This was discussed, but a final determination was not made. I think now is the time to firm this up.

Thanks

**Jason Mattox, PE**

Senior Civil Engineer/Operations Manager

**PBS**

400 Bradley Blvd., Suite 106, Richland, WA 99352  
office: 509.942.1600 | cell: 509.430.4252  
[jason.mattox@pbsusa.com](mailto:jason.mattox@pbsusa.com)  
[pbsusa.com](http://pbsusa.com)

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**From:** O'Neill, Shane <[soneill@CI.RICHLAND.WA.US](mailto:soneill@CI.RICHLAND.WA.US)>  
**Sent:** Wednesday, October 30, 2019 9:31 AM  
**To:** Jason L. Mattox <[Jason.Mattox@pbsusa.com](mailto:Jason.Mattox@pbsusa.com)>  
**Subject:** FW: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

FYI.  
The comments from John Deskins below don't appear to necessitate any kind of re-submittal.



**Shane O'Neill**  
Senior Planner  
City of Richland  
P: 509.942.7587

---

**From:** Deskins, John <[jdeskins@CI.RICHLAND.WA.US](mailto:jdeskins@CI.RICHLAND.WA.US)>  
**Sent:** Tuesday, October 29, 2019 2:18 PM  
**To:** Reathaford, Jason <[JReathaford@CI.RICHLAND.WA.US](mailto:JReathaford@CI.RICHLAND.WA.US)>  
**Cc:** Garcia, Judy <[jugarcia@CI.RICHLAND.WA.US](mailto:jugarcia@CI.RICHLAND.WA.US)>; O'Neill, Shane <[soneill@CI.RICHLAND.WA.US](mailto:soneill@CI.RICHLAND.WA.US)>  
**Subject:** RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Jason,

This submittal seems mostly consistent with review comments provided at earlier opportunities. I would like to note however the following:

1. Traffic Circles were proposed and approved at several locations. They should be included on the Civil Plans as the phases progress. They are at:
  - a. C Street & Clover Road

- b. C Street & Bent Road
- c. B Street & F Street
- 2. Gage should be a Minor Arterial using City of Richland Standard Drawing ST 10.
- 3. Bermuda (Queensgate) should be a Major Collector using City of Richland Standard Drawing ST 11. The 34 foot curb to curb section is adequate here.

Sincerely,



**John Deskins, PE, PTOE**

Traffic Engineer

City of Richland

509.942.7514

[www.ci.richland.wa.us](http://www.ci.richland.wa.us)

---

**From:** O'Neill, Shane <[soneill@CI.RICHLAND.WA.US](mailto:soneill@CI.RICHLAND.WA.US)>

**Sent:** Friday, October 25, 2019 12:34 PM

**To:** Pasco99301 <[99301PascoWA-Postmaster@usps.gov](mailto:99301PascoWA-Postmaster@usps.gov)>; USPS Richland Postmaster <[99352RichlandWA-Postmaster@usps.gov](mailto:99352RichlandWA-Postmaster@usps.gov)>; Kevin Sliger <[KSliger@bft.org](mailto:KSliger@bft.org)>; Reathaford, Jason <[JReathaford@CI.RICHLAND.WA.US](mailto:JReathaford@CI.RICHLAND.WA.US)>; Reathaford, Jason <[JReathaford@CI.RICHLAND.WA.US](mailto:JReathaford@CI.RICHLAND.WA.US)>; West, Julie <[jwest@ci.richland.wa.us](mailto:jwest@ci.richland.wa.us)>; West, Julie <[jwest@ci.richland.wa.us](mailto:jwest@ci.richland.wa.us)>; Buechler, Ken <[KBuechler@CI.RICHLAND.WA.US](mailto:KBuechler@CI.RICHLAND.WA.US)>; [rhiles@kid.org](mailto:rhiles@kid.org); [richard.krasner@rsd.edu](mailto:richard.krasner@rsd.edu); [rittemwr@dfw.wa.gov](mailto:rittemwr@dfw.wa.gov); [jecottrell@bpa.gov](mailto:jecottrell@bpa.gov); [dxrogers@bpa.gov](mailto:dxrogers@bpa.gov); USPS Ina N. Beutler <[ina.n.beutler@usps.gov](mailto:ina.n.beutler@usps.gov)>; Schiessl, Joe <[JSchiessl@CI.RICHLAND.WA.US](mailto:JSchiessl@CI.RICHLAND.WA.US)>; Schiessl, Joe <[JSchiessl@CI.RICHLAND.WA.US](mailto:JSchiessl@CI.RICHLAND.WA.US)>; Somers, Cindi <[CSomers@CI.RICHLAND.WA.US](mailto:CSomers@CI.RICHLAND.WA.US)>; Lopez, Brandin <[blopez@CI.RICHLAND.WA.US](mailto:blopez@CI.RICHLAND.WA.US)>; Lopez, Brandin <[blopez@CI.RICHLAND.WA.US](mailto:blopez@CI.RICHLAND.WA.US)>; [sepaunit@ecy.wa.gov](mailto:sepaunit@ecy.wa.gov); [separegister@ecy.wa.gov](mailto:separegister@ecy.wa.gov); [gonsetp@wsdot.wa.gov](mailto:gonsetp@wsdot.wa.gov); Boring, Michael <[MBoring@CI.RICHLAND.WA.US](mailto:MBoring@CI.RICHLAND.WA.US)>; Boring, Michael <[MBoring@CI.RICHLAND.WA.US](mailto:MBoring@CI.RICHLAND.WA.US)>; Seth Defoe <[SDefoe@kid.org](mailto:SDefoe@kid.org)>; [robin.priddy@bentoncleanair.org](mailto:robin.priddy@bentoncleanair.org); [kevin.knodel@rsd.edu](mailto:kevin.knodel@rsd.edu); [gregory.l.goodwin@ftr.com](mailto:gregory.l.goodwin@ftr.com); [dean.kelley@chartercom.com](mailto:dean.kelley@chartercom.com); [webmaster@KID.org](mailto:webmaster@KID.org); [jmcshane@kid.org](mailto:jmcshane@kid.org); [clark.posey@co.benton.wa.us](mailto:clark.posey@co.benton.wa.us); [florinda\\_paez@co.benton.wa.us](mailto:florinda_paez@co.benton.wa.us); [rob.rodger@bentoncleanair.org](mailto:rob.rodger@bentoncleanair.org); BCES Map <[map@bces.wa.gov](mailto:map@bces.wa.gov)>; [kelly.cooper@doh.wa.gov](mailto:kelly.cooper@doh.wa.gov); [anthony.vonmoos@co.benton.wa.us](mailto:anthony.vonmoos@co.benton.wa.us); [steve.conrads@cngc.com](mailto:steve.conrads@cngc.com); [jecottrell@bpa.gov](mailto:jecottrell@bpa.gov); [dxrogers@bpa.gov](mailto:dxrogers@bpa.gov); Benton County - Segregations <[Segregations@co.benton.wa.us](mailto:Segregations@co.benton.wa.us)>; [mjdeklyne@bpa.gov](mailto:mjdeklyne@bpa.gov); [joseph.cichy@ftr.com](mailto:joseph.cichy@ftr.com); [bbarlow@bft.org](mailto:bbarlow@bft.org); BCES Map <[map@bces.wa.gov](mailto:map@bces.wa.gov)>; [junior.campos@charter.com](mailto:junior.campos@charter.com); [scplanning@wsdot.wa.gov](mailto:scplanning@wsdot.wa.gov); KID1 <[development@kid.org](mailto:development@kid.org)>; Boshart, Thomas <[tboshart@CI.RICHLAND.WA.US](mailto:tboshart@CI.RICHLAND.WA.US)>; Jennings, Tyler <[tjennings@CI.RICHLAND.WA.US](mailto:tjennings@CI.RICHLAND.WA.US)>; Hill, Kelly <[khill@CI.RICHLAND.WA.US](mailto:khill@CI.RICHLAND.WA.US)>; Deskins, John <[jdeskins@CI.RICHLAND.WA.US](mailto:jdeskins@CI.RICHLAND.WA.US)>; BCES Davis, Deanna <[d.davis@bces.wa.gov](mailto:d.davis@bces.wa.gov)>; BCES Gates, Sarah <[s.gates@bces.wa.gov](mailto:s.gates@bces.wa.gov)>

**Cc:** Stevens, Mike <[mstevens@CI.RICHLAND.WA.US](mailto:mstevens@CI.RICHLAND.WA.US)>; Ghbein, Briana <[bghbein@ci.richland.wa.us](mailto:bghbein@ci.richland.wa.us)>

**Subject:** Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Hello,

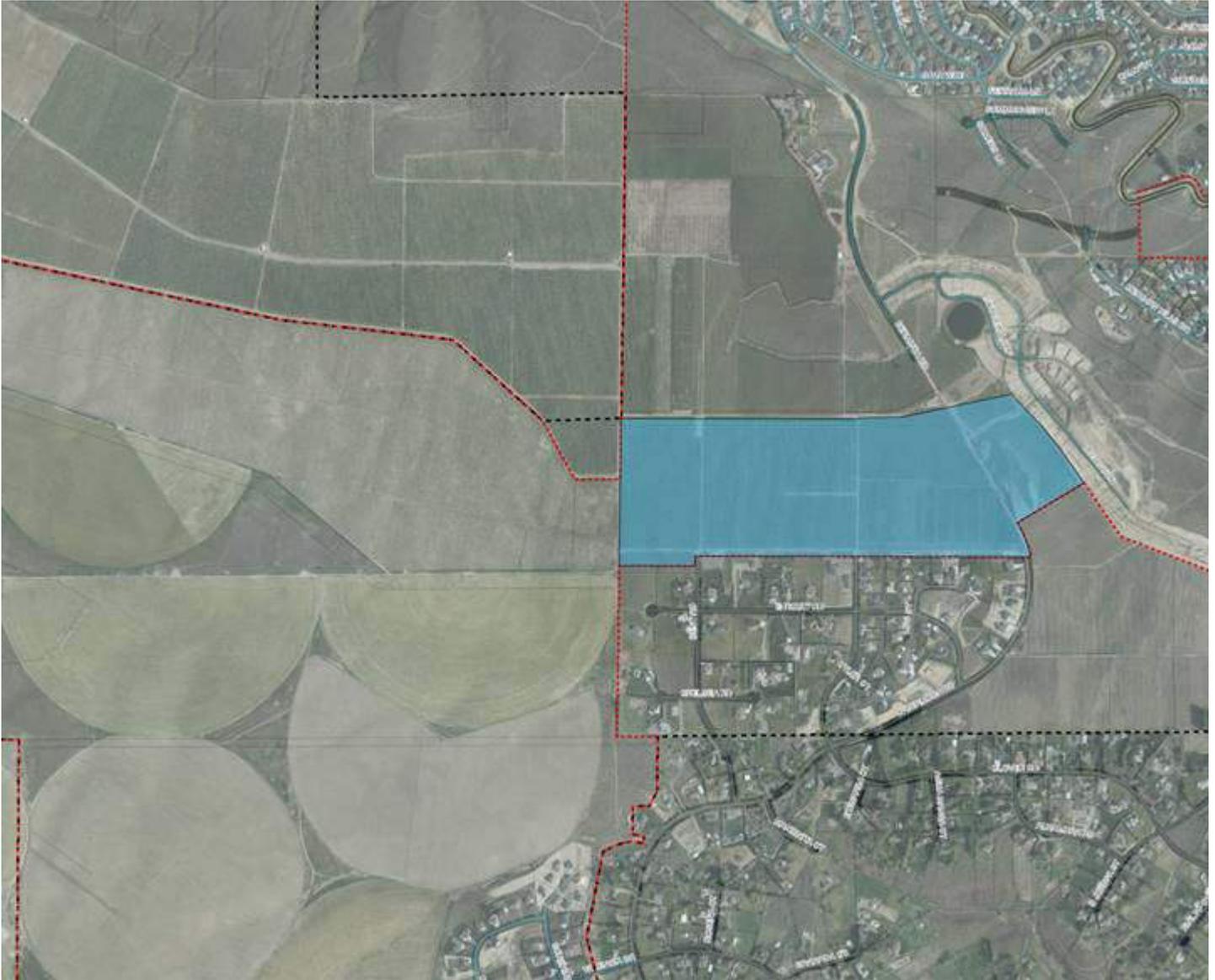
For your review and commenting I am sending application materials for a proposed rezone and preliminary plat. The 184-lot preliminary plat of Sienna Hills is located southwest of the intersection of Queensgate Drive and Legacy Lane; as shown in the image below. Please provide your review comments by Friday, Nov. 15<sup>th</sup>. Any comments on the SEPA checklist should also be submitted by 11/15. A public hearing for this item will be held on Dec. 9<sup>th</sup>.

The associated title report and other application materials are available for viewing using this link: <https://www.ci.richland.wa.us/departments/development-services/planning/pending-land-use-actions>

Thank you,



Shane O'Neill  
Senior Planner  
City of Richland  
P: 509.942.7587



## ONeill, Shane

---

**From:** Ashley Morton <AshleyMorton@ctuir.org>  
**Sent:** Wednesday, November 6, 2019 8:28 AM  
**To:** O'Neill, Shane  
**Cc:** Sydney.Hanson@dahp.wa.gov  
**Subject:** RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Hello Shane,

The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) does not object to proposed plating and rezoning for the Sienna Hills development however given the lack of cultural resource investigations in the area, the planned development location being within an area culturally and religiously important to the CTUIR known as Piyuušmaamí uštáy (hills of the snakes), and that this area has a known agricultural history, we strongly recommend that an archaeological survey be conducted in advance of ground disturbing activities related to infrastructure improvements and construction of residences.

The CTUIR appreciates the opportunity to comment.

Sincerely,  
Ashley

Ashley M. Morton, M.A., RPA  
Archaeologist II  
Cultural Resources Protection Program  
Confederated Tribes of the Umatilla Indian Reservation  
46411 Timíne Way, Pendleton, OR 97801  
Direct Line/Fax: (541) 429-7214  
Main Office: (541) 276-3447  
[AshleyMorton@ctuir.org](mailto:AshleyMorton@ctuir.org)



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**From:** O'Neill, Shane [mailto:soneill@CI.RICHLAND.WA.US]  
**Sent:** Wednesday, October 30, 2019 3:49 PM  
**To:** Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Bill Barlow <bbarlow@bft.org>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Clark Posey <clark.posey@co.benton.wa.us>; BCES Hamilton, Craig <c.hamilton@bces.wa.gov>; Darrick Dietrich <darrick@basindisposal.com>; Dean Kelley <dean.kelley@chartercom.com>; BCES Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Florinda Coleman <florinda.coleman@co.benton.wa.us>; Ghbein, Briana <bghbein@ci.richland.wa.us>; Gregory Goodwin <gregory.l.goodwin@ftr.com>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Jason McShane <jmcshane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Joseph Cichy <joseph.cichy@ftr.com>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos

<junior.campos@charter.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; M. Deklyne <mjdeklyne@bpa.gov>; BCES Map <map@bces.wa.gov>; Pasco99301 <99301PascoWA-Postmaster@usps.gov>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Rebecca Hiles <rhiles@kid.org>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; BCES Gates, Sarah <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; Somers, Cindi <CSomers@CI.RICHLAND.WA.US>; South Central Region Planning <scplanning@wsdot.wa.gov>; West, Julie <jwest@ci.richland.wa.us>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Webcsr PUD <webcsr@bentonpud.org>; Carrie Thompson <carrie.thompson@bnsf.com>; Catherine Dickson <CatherineDickson@ctuir.org>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; Greg McCormick <gregory.mccormick@ci.kennewick.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Review Team <reviewteam@commerce.wa.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Roscoe Slade <roscoe@westrichland.org>; SEPA Center <sepacenter@dnr.wa.gov>; WA Dept of Fish & Wildlife <lopezjal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; William Simpson <william.simpson@commerce.wa.gov>

**Cc:** Stevens, Mike <mstevens@CI.RICHLAND.WA.US>

**Subject:** Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

**EXTERNAL EMAIL: Please use caution when clicking links or opening attachments.**

Hello,

This second email soliciting review comments for Sienna Hills preliminary plat & rezone is being sent due to an error in the original email with regard to the number of proposed lots. The preliminary plat proposes a total of 285 lots and not 184 lots as previously indicated. The attached preliminary plat application has been modified accordingly. Please provide your review comments by Friday, Nov. 15<sup>th</sup>. Any comments on the SEPA checklist should also be submitted by 11/15. A public hearing for this item will be held on Dec. 9<sup>th</sup>.

Thank you,



**Shane O'Neill**

Senior Planner  
City of Richland  
P: 509.942.7587



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**From:** O'Neill, Shane

**Sent:** Friday, October 25, 2019 12:34 PM

**Subject:** Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Hello,

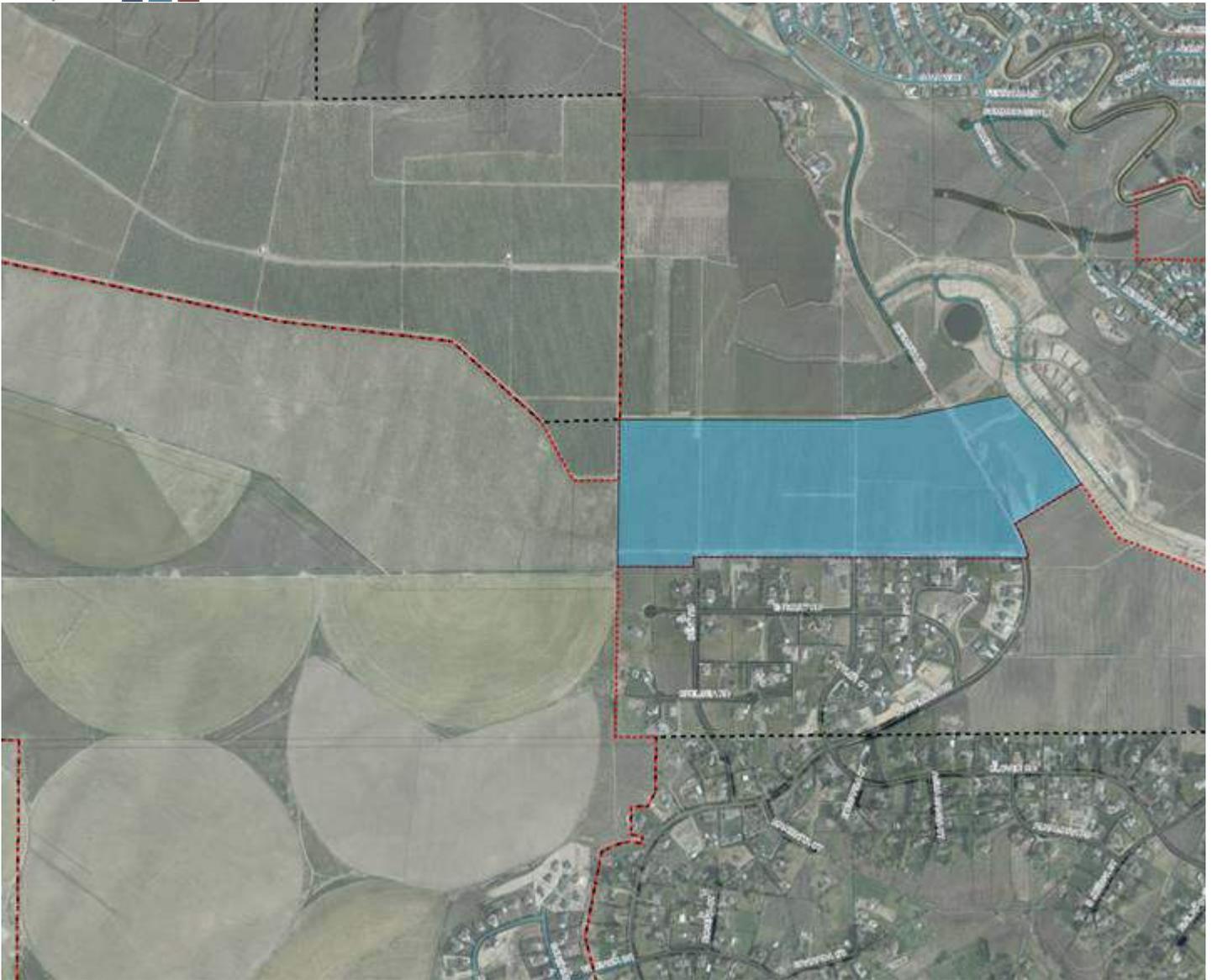
For your review and commenting I am sending application materials for a proposed rezone and preliminary plat. The 285-lot preliminary plat of Sienna Hills is located southwest of the intersection of Queensgate Drive and Legacy Lane; as shown in the image below. Please provide your review comments by Friday, Nov. 15<sup>th</sup>. Any comments on the SEPA checklist should also be submitted by 11/15. A public hearing for this item will be held on Dec. 9<sup>th</sup>.

The associated title report and other application materials are available for viewing using this link:  
<https://www.ci.richland.wa.us/departments/development-services/planning/pending-land-use-actions>

Thank you,



**Shane O'Neill**  
Senior Planner  
City of Richland  
P: 509.942.7587



The opinions expressed by the author are his or her own and are not necessarily those of the Confederated Tribes of the Umatilla Indian Reservation. The information, contents and attachments in this email are Confidential and Private.



November 7, 2019

City of Richland Planning Department  
P.O. Box 190 / 505 Swift Blvd. MS#35  
Richland, WA 99352

Attention: Shane O'Neill, Senior Planner

Subject: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)  
I-82 Exit 104 vicinity

We have reviewed the proposed project and have the following comment.

The subject property is not adjacent to Interstate 82 (I-82) but will access I-82 via the Exit 104 Dallas Road interchange. We are not opposed to the proposed project or other development in the vicinity of Exit 104; however, we are concerned with the cumulative impact to the interchange. At some point, development will create the need for improvements at the interchange ramp terminals, and the question arises whether one development should bear the entire cost of these improvements, or should proportionate shares from developments be collected as they are proposed. We recommend the City require the proponent to contribute to future improvements at the I-82/Dallas Road interchange in proportion to their impacts.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Jacob Prilucik at (509) 577-1635.

Sincerely,

Paul Gonseth, P.E.  
Planning Engineer

PG: jjp/rgc

cc: SR 82, File #16  
Kara Shute, Area 3 Maintenance Superintendent

## ONeill, Shane

---

**From:** Todd Sawin <TSawin@AHBL.com>  
**Sent:** Wednesday, November 27, 2019 10:16 PM  
**To:** O'Neill, Shane  
**Cc:** ljwhitemd@aol.com; thefourcs@comcast.net; West, Julie  
**Subject:** Sienna Hills Plat

Hi Shane,

I'd like to provide public comment on the Sienna Hills Plat (permit no S2019-101, Z2019-106 & EA2019-132). The plat proposes a lift station for the project and I'd like to propose that a regional lift station to serve the East Badger Mountain Sewer Basin as identified in the BMS subarea plan be explored instead of constructing another lift station. The additional lift station would cause the City long term maintenance costs over the single lift station approach. The downstream conveyance path for the lift station should also be re-evaluated based on system improvements following the sub area plan. Based on some preliminary conversations, I believe the neighboring property owners (Nor Am and Goose Ridge) would be amenable to discussing a combined system to better serve the City and proposed developments.

We're happy to meet and discuss options if that helps. We'll be in town on the 4<sup>th</sup> if needed.

Thanks,

**Todd Sawin, PE, DBIA, LEED AP** | Principal

**AHBL, Inc.** | TACOMA • SEATTLE • SPOKANE • TRI-CITIES

253.383.2422 **TEL** | 253.284.9662 **DIRECT** | tsawin@ahbl.com **EMAIL** | Send us a [file](#).

## **ONeill, Shane**

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**From:** jhmcbride@aol.com  
**Sent:** Thursday, November 21, 2019 10:18 AM  
**To:** O'Neill, Shane  
**Subject:** Rezoning Application and Hearing of Sienna Hills Subdivision

Shane O'Neill, Senior Planner  
City of Richland

As a property owner adjacent to the proposed rezoning request of Sienna Hills, I would like to express my concerns.

1. Along the South side of the property, the Badger Mountain Plateau subdivision has horse privileges as well as small animals, i.e. chickens, ducks etc.. At this time we have 2 horses that adjoin the subdivision. I would request the builder be required to put up a block wall fence along the South property line to prevent any incidents on either side.

2. I would also request the developer designate R1-12 zoning on South side of subdivision to blend with the 2.5 acre lots in Badger Mountain Plateau and the larger lots in Hidden Hills subdivisions.

Thank you for the opportunity to express my concerns.

Ronald and Jan McBride  
92908 E Holly Road  
Kennewick, Wa. 99338

Lot 10, Badger Mountain Plateau

November 26, 2019

City of Richland Planning Division  
625 Swift Boulevard  
MS-35  
Richland, WA 99352

RE: Sienna Hills Preliminary Plat and Rezone

To Mr. Shane O'Neill and Others Whom it May Concern,

We have interest in the subject development applications as adjacent property owners residing at 3802 N Levi Street (Parcel #134984020000023). Please submit the following into the record for the hearing set for December 9, 2019.

We believe the subject development applications should be denied because they propose:

- A. Rezoning inconsistent with the Comprehensive Plan Future Land Use Map and
- B. Development timing and patterns inconsistent with the Comprehensive Plan and existing infrastructure.

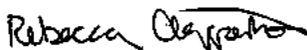
Should the applications be approved, we request the following conditions for the development of the subject site:

- 1. Zoning and development patterns be limited to Low Density Residential as shown on the Comprehensive Plan's Future Land Use Map,
- 2. Preliminary plat contributes to area multi-user trails network that link major streets, schools, commercial nodes, and open spaces, and
- 3. Developer provides a visually consistent buffer along the southern boundary of the development composed of fence, wall, vegetation, and/or multi-user trail.

Analysis of these concerns and proposals is attached.

Thank you for your consideration.

Respectfully,



Rebecca Clapperton  
Owner & Resident  
3802 N Levi Street  
Kennewick, WA 99338



Bryan Cron  
Owner & Resident  
3802 N Levi Street  
Kennewick, WA 99338



Anne M. Rokyta, AICP, CNU-A  
Agent  
2825 O'Hara Drive  
Tallahassee, FL 32309

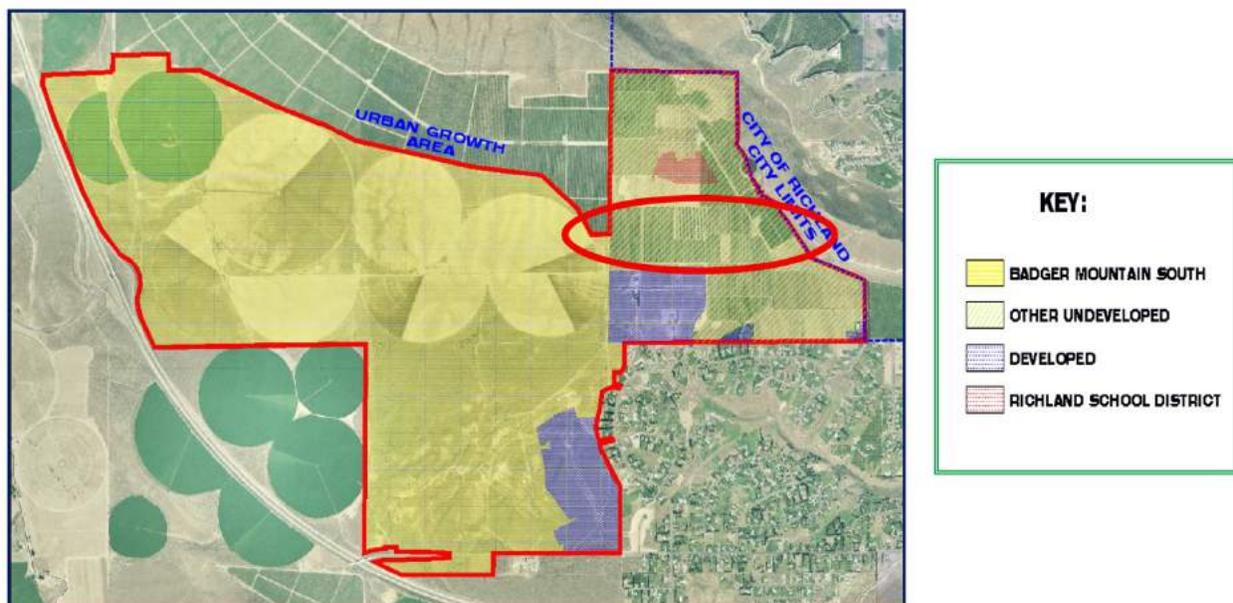
## ANALYSIS

### A. Proposed Rezone is Inconsistent with the City of Richland Comprehensive Plan

We are under the impression that the Badger Mountain Subarea Plan (hereafter, Subarea Plan) Land Use Plan is the map referenced for determination of whether the rezone application is consistent with the City of Richland [Comprehensive Plan](#) (hereafter, Comp Plan). We disagree and posit the Comp Plan Future Land Use Map is the correct reference for the subject site.

The Subarea Plan was adopted in April 2010 as an appendix to the Comp Plan to support the December 2010 annexation of the area and clearly defines Badger Mountain South as separate from the other undeveloped lands in the subarea (*Figure 1*).

**Figure 1: Badger Mountain Subarea Plan “Developed and Undeveloped Parcels”**

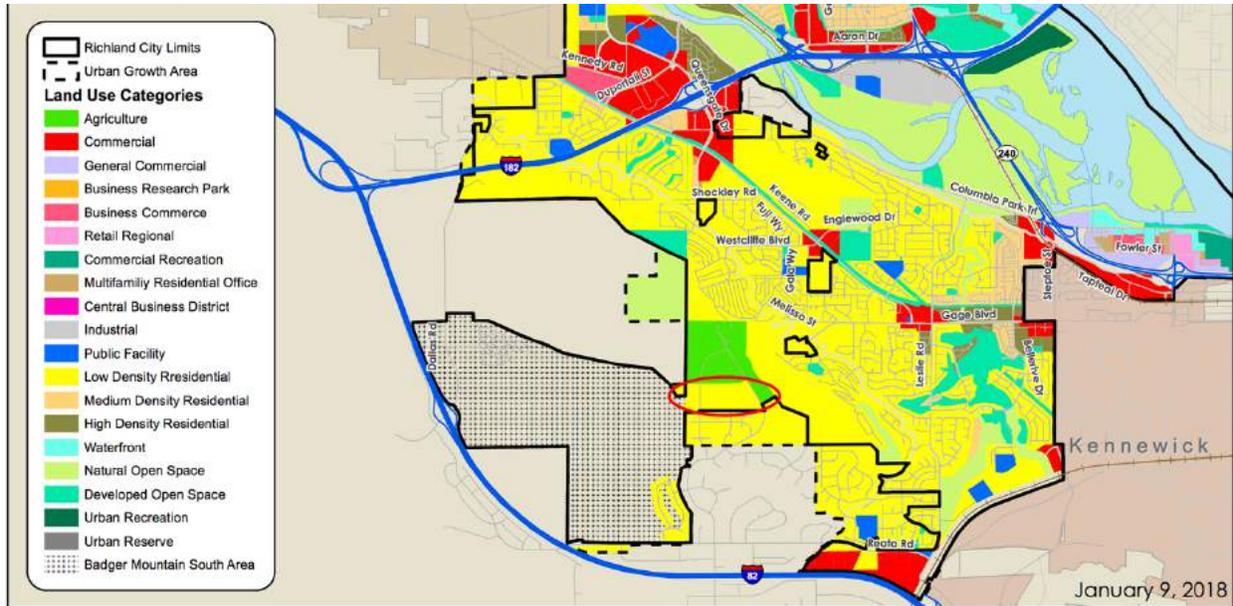


*Figure 3 of the Subarea Plan (page 9). Subject site, indicated by red oval, located in Other Undeveloped, not Badger Mountain South.*

The Comp Plan was adopted in 2017, much more recently than the Subarea Plan, and contains an updated Future Land Use Map (hereafter, FLUM) dated January 8, 2018 (*Figure 2*). The FLUM contains a Badger Mountain South Area land use category which references the Subarea Plan, however, the subject site is not designated for this category. The subject site is designated Low Density Residential and Agriculture. Had the Subarea Plan been intended as the guiding document, the subject site would have been designated as Badger Mountain South.

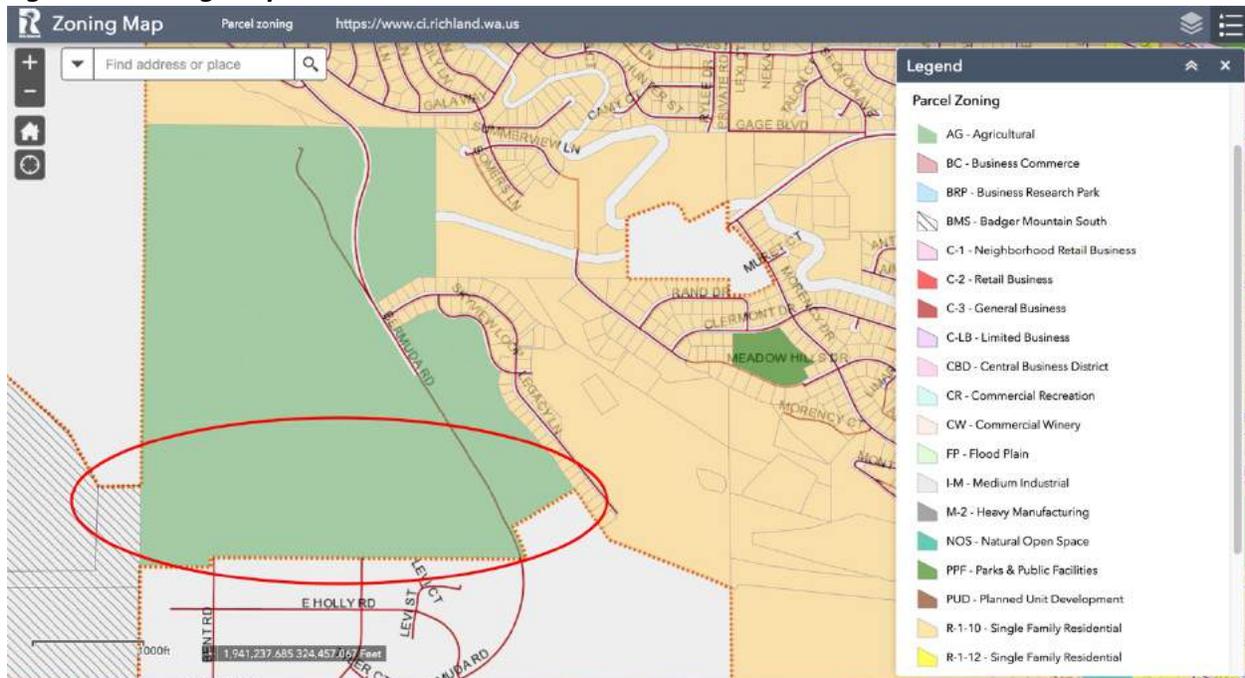
The current [Zoning Map](#) (*Figure 3*) provides further evidence that the subject site was not intended to be guided by the Subarea Plan because it is not included in the Badger Mountain South zoning category and instead is designated as AG – Agricultural, consistent with the FLUM.

**Figure 2: Comprehensive Plan Future Land Use Map**



Subject site, indicated by red oval, is designated for Low Density Residential and Agriculture, not Badger Mountain South Area.

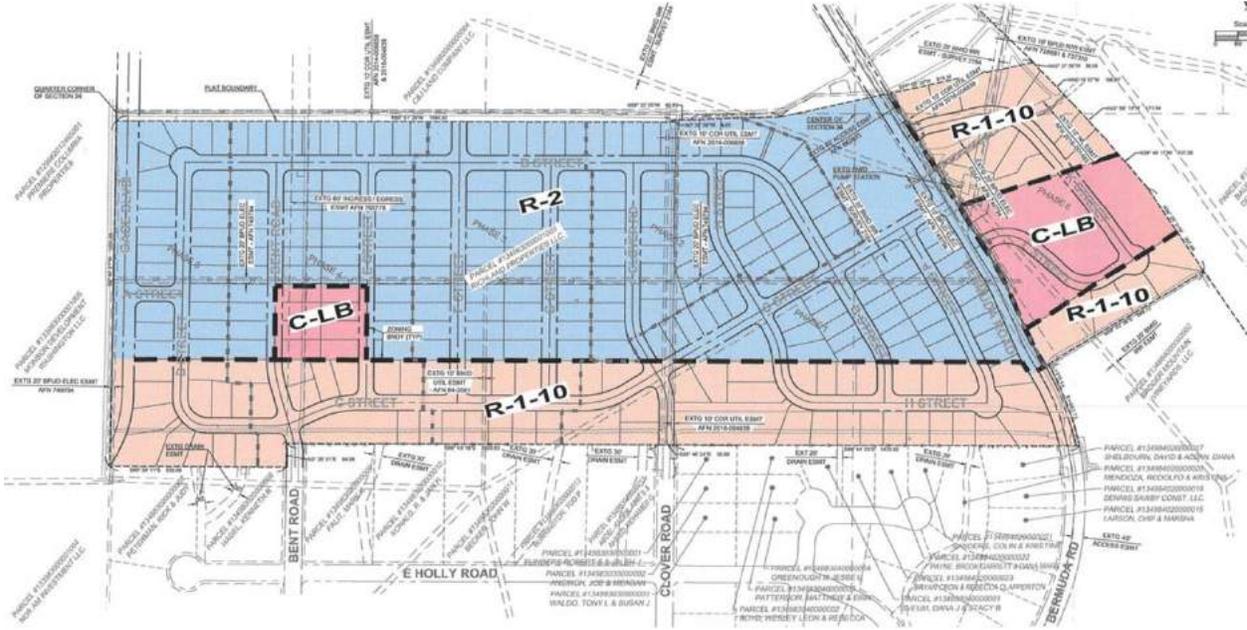
**Figure 3: Zoning Map**



From Richland GIS map. Subject site, indicated by red oval, located in AG – Agricultural, not Badger Mountain South.

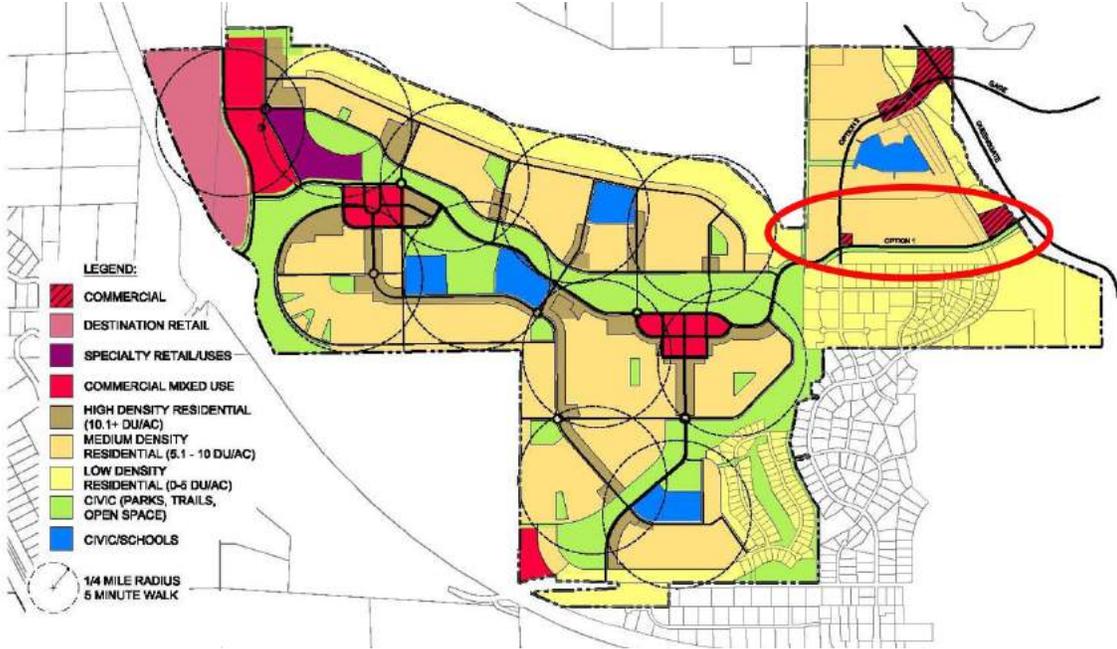
The applicant proposes to rezone the Subject Site from AG - Agriculture (*Figure 3*) to R-1-10 – Single Family Residential, R-2 – Medium Density Residential, and C-LB - Limited Business zoning (*Figure 4*). This proposal is somewhat consistent with the Subarea Plan Land Use Plan (*Figure 5*), which shows a mix of Commercial, Medium Density Residential (5.1-10 DU/AC), Low Density Residential (0-5 DU/AC), and Civic (Parks, Trails, Open Space), but strays from the Land Use Plan in important ways.

**Figure 4: Proposed Zoning**



From [rezoning application](#).

**Figure 5: Badger Mountain Subarea Land Use Plan**



Subarea Plan Figure 1 (page 9). Subject site indicated by red oval.

The proposed development is inconsistent with the Subarea Land Use Plan (*Figure 5*) in three major ways:

- Does not provide the east-west trail connection separating low density from medium density residential areas,
- Commercial land uses are not oriented to the major thoroughfares and trail connection, and
- Commercial is clearly intended to provide neighborhood retail and services to reduce numbers and lengths of vehicle trips. Development of high density residential in these commercial districts would exacerbate the number of vehicle miles traveled rather than curb them.

### **Finding**

The proposed rezone is inconsistent with the Comp Plan FLUM designations of Low Density Residential and Agriculture (*Figure 2*). Per Table LU-1 in the Comp Plan (page 18), the implementing zoning categories of the Low Density Residential designation include R-1-12, R-1-10, and SAG. The implementing zoning categories of Agriculture are AG and FP.

- The proposed R-2 and C-LB zoning are NOT consistent with the Low Density Residential designation and
- The proposed R-1-10 and C-LB zoning are NOT consistent with the Agriculture designation of the Comprehensive Plan.

### **Conclusion**

The applicant should amend their rezone and preliminary plat to be consistent with the Low Density Residential and Agriculture FLUM categories or request a Comp Plan amendment to designate the subject site as Badger Mountain South Area or as other appropriate FLUM designations to support the proposed development.

Should the Subarea Land Use Plan (*Figure 5*) be utilized to determine the Future Land Use designation, the proposed development should be conditioned to be consistent with that plan by:

- Requiring an east-west civic space trail connection between what is shown as Gage (on the west) and Bermuda (on the east) on the preliminary plat,
- Locating commercial zoning areas adjacent to arterials and the trail, and
- Requiring at least a certain portion of development within the commercial portions be developed with neighborhood service uses rather than solely as high density residential.

**B. The proposed development is inconsistent with the Comprehensive Plan and infrastructure**

Although denser development patterns are an important part of creating more sustainable cities, urban densities should only be developed near existing urban infrastructure with a mix of uses that support multi-modal and short trips that reduce traffic impacts to streets and the environment. This is reflected in LU Goal 3, Policy 2 which encourages higher densities near the Central Business District.

We find the location and design of the proposed development is in conflict with Comprehensive Plan LU Goal 2 and its policies:

*LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.*

*Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.*

*Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.*

*Policy 3: Ensure that the intent of the land use and districts are maintained.*

Arrangement of Land Uses

Although the proposed development includes a variety of land use designations, the arrangement as proposed will NOT result in a sustainable mix of uses that will encourage reduced vehicle trips and encourage livability through neighborhood interactions.

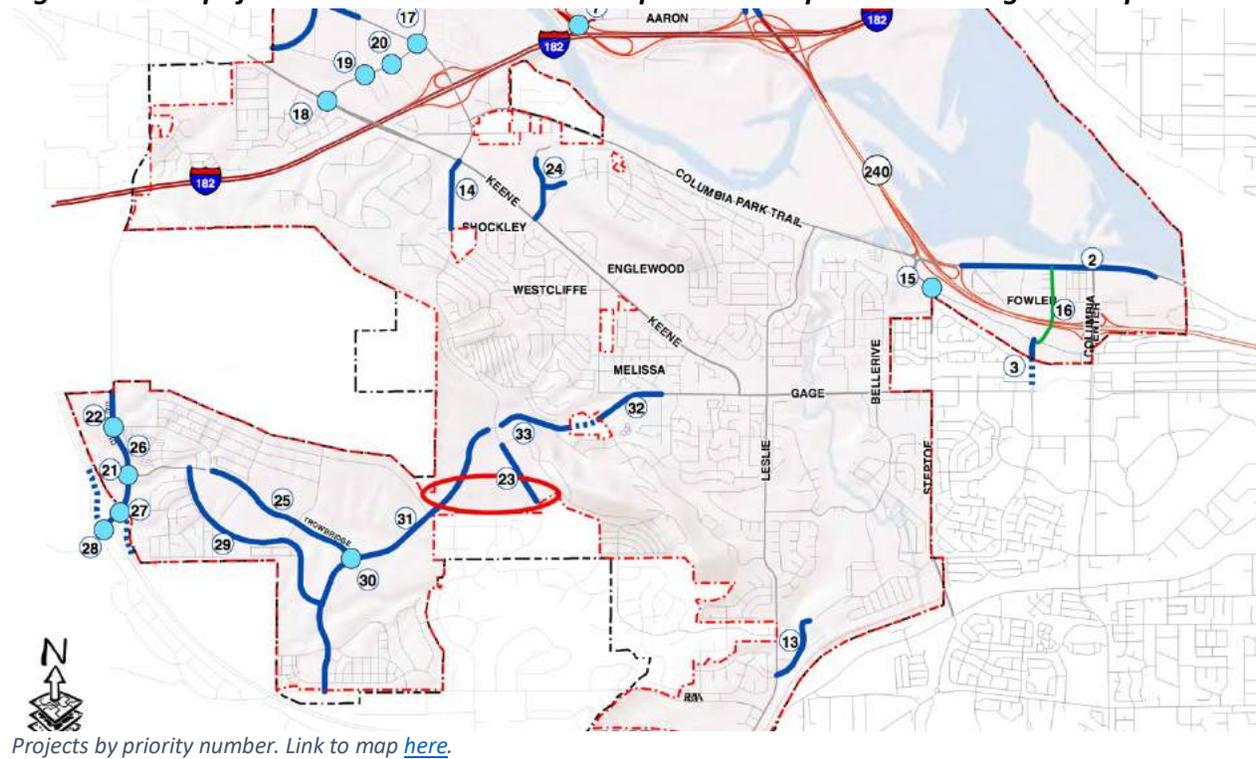
- The plat lacks variety, comprised almost completely of single-family residential lots.
- The open space reserved for a club house and amenities is located such that it will encourage access by vehicle trips rather than walking.
- The layout of the three larger lots proposed for limited business commercial are arranged to suggest they will be developed as multi-family residential rather than neighborhood commercial. Development of multi-family residential instead of neighborhood commercial will exacerbate the traffic impact and is in direct conflict with the intent of the land use district.
- The plat lacks the linear civic open space suggested by the Subarea Land Use plan and strongly encouraged by several Comp Plan policies (see Requested Conditions #2, below) that would connect residences to the neighborhood commercial and provide vibrancy.
- Only one street connection is proposed to the north, towards which land is designated for a school. Additional vehicle and/or pedestrian connections to the north are needed to encourage pedestrian trips and to reduce length of vehicle trips.

Timing of Public Services

The proposed development is premature relative to the transportation infrastructure needed to serve the development in a sustainable and livable manner.

- The proposed development does not take advantage of the existing infrastructure network. Bermuda Road must be extended off-site to provide the traffic network necessary to serve the development.
- The proposed development is located far from shopping and employment centers. Concentration of trips onto long routes increase vehicle miles traveled, which increases fossil fuel consumption and pollution.
- The proposed development precedes several priority transportation network projects identified to support development in the area (*Figure 6*). Transportation improvement Projects 31, 32, and 33 improve and extend Gage to provide a more direct route to commercial centers, reducing vehicle miles traveled and limiting impact to single family residential areas.
- Without adequate and efficient transportation networks in place, additional traffic on long routes through single family residential neighborhoods will negatively impact livability of those neighborhoods. A brief traffic analysis follows.

**Figure 6: Excerpt from 2020-2025 Six Year Transportation Improvement Program Map**



### Traffic Analysis

The preliminary plat proposes 285 single-family dwelling units. Based on the 2017 ITE Trip Generation manual, single-family dwellings generate an average of 9.44 trips per day. The resulting trip generation estimate for the proposed development is over 2,690 trips per day. This count excludes trips generated from the commercial and potential multi-family residential development associated with the proposed C-LB zoning.

With the proposed connection of Bermuda Road to Queensgate Drive, we assume almost all (95%) automobile trips associated with the new development will route north to reach Keene Road at Shockley Road, Westcliffe Boulevard, or Gage Boulevard filtering through the single family residential areas. Additionally, we estimate a majority (75%) of trips originating from the approximately 266 lots that front Bermuda and Clover roads north of Reata Road, will also route to Queensgate. This results in a total estimated load onto Queensgate Drive of nearly 4,440 trips per day.

The 2018 traffic counts for Shockley Road, Westcliffe Boulevard, and Gage Boulevard west of Keene Road are 4,757, 4,450, and 4,871 trips per day, respectively. This suggests an approximately equal spread of trips generated from the Queensgate Drive area onto Keene Road via these routes. Each route would see an increase of approximately 1,480 trips per day.

### **Findings**

The proposed development fails to demonstrate sustainable land use development and creation of livable communities by:

- Necessitating significant extension of infrastructure through undeveloped areas rather than relying on the existing network,
- Increasing vehicle miles traveled by establishing urban-density residential developments far from shopping and employment centers,
- Failure to design a mix of uses and alternate mobility network that would reduce vehicle trips by providing trip choice and keeping trips internal to the development, and
- Reducing livability for single family residential areas that will be impacted by increased traffic on Arterial Collectors because Minor Arterial connections have not yet been made to serve anticipated development.

### **Conclusion**

The proposed development is premature relative to transportation network connections that would make vehicle trips more efficient and reduce traffic impacts to existing single family neighborhoods. As transportation networks and closer-in lands are developed, the proposed development may become more appropriate for the subject site.

The proposed development, as designed, presents sustainability and livability concerns due to its location and mix of uses that will not effectively reduce the number of trips generated by the proposed land uses. Provision of multi-user trails and open space, centralized location of the club house, and development of true neighborhood commercial uses would provide a mix of uses that would reduce the number and distance of trips generated from the development.

**REQUESTED CONDITIONS**

**1. Limit development patterns to Low Density Residential**

As presented under “A”, above, we find that the Land Use Plan from the Badger Mountain Subarea Plan was intentionally not applied to the subject site and the site should be regulated as Low Density Residential and Agriculture as shown on the Comprehensive Plan’s Future Land Use Map. The subject site and lands to the north are not conducive to higher density development due to increased environmental impacts by grading, inability to provide true mixed-uses that require large areas of relatively flat land, and increased distance in travel routes to services.

Until and unless true shopping and employment centers can be efficiently accessed by the subject site and surrounding area, the land should only be developed under low density residential patterns.

**2. Provide multi-user trails that link neighborhood features**

The Badger Mountain Subarea Land Use Plan conceptualizes a linear civic space through the subject site that would provide an alternate mobility network that would enhance connections between the Wilson Area and Badger Mountain South. This is an important feature that would tie new development into the existing neighborhood character in which residents regularly use pathways for walking and horseback riding. Such a trail would provide functional and recreational access consistent with the Comp Plan goals and policies listed below.

*LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.*

*Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.*

*Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City’s network of parks and trail system.*

*NE Goal 1: Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.*

*Policy 5: Develop an integrated pedestrian trail system to provide access through the City’s important natural features, such as prominent ridges and rivershore areas and provide necessary trail linkages between these natural features.*

*TE Goal 3: Encourage the use of transportation modes that promote energy conservation, circulation efficiency, and an active lifestyle.*

*Policy 1: Support increased use of transit, bicycling, and pedestrian travel.*

*Policy 2: Plan facilities for non-motorized travel across jurisdictional boundaries.*

*Policy 3: Require sidewalks, improved shoulders, appropriate signage, or off-street trails within new developments to accommodate internal bicycle and pedestrian circulation within and between neighborhoods.* (emphasis added)

*Policy 4: Encourage new developments to be pedestrian-friendly and compatible with the public transportation system.*

*Policy 5: Design a circulation system to become a bicycle-friendly community with complete streets.*

**3. Provide a visually consistent buffer along the southern boundary of the development**

The greatest direct impact to existing residents abutting the subject site to the south is the visual impact and loss of views to the north. Homeowner's Association rules for Hidden Hills prohibits privacy fences. If the preliminary plat is approved, the large lots will abut two or more properties and current residents may see upwards of half a dozen lots from their homes. To reduce visual cacophony of multiple fence types that may be allowed on adjacent properties, we request the developer provide some form of consistent and attractive visual buffering along the southern boundary.

# Exhibit 4



File No. EA2019-132

## CITY OF RICHLAND Determination of Non-Significance

**Description of Proposal:** Site specific rezone and subsequent preliminary plat requests to rezone the site to from AG (Agriculture) to R-1-10 (Single-Family Residential), R-2 (Medium-Density Residential) and C-LB (Limited Business) reflecting the City's Comprehensive Plan and subsequently subdivide the 98+ acre site into 285 lots (Preliminary Plat of Sienna Hills). The proposed plat will have an average lot size of 9,667 square feet.

**Proponent:** Sienna Hills Development, LLC, applicant, on behalf of Richland Properties, LLC (Greg Johnson), owner.

**Location of Proposal:** The project site is located approximately 900-feet south of the intersection of Queensgate Drive and Legacy Lane (APN 1-34983000001005).

**Lead Agency:** City of Richland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

( ) There is no comment for the DNS.

( ) This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen days from the date of issuance.

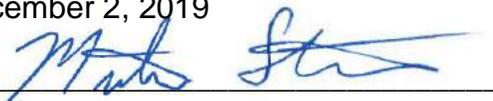
(X) This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

**Responsible Official:** Mike Stevens

**Position/Title:** Planning Manager

**Address:** 625 Swift Blvd., MS #35, Richland, WA 99352

**Date:** December 2, 2019

**Signature** 

# **SEPA ENVIRONMENTAL CHECKLIST**

## ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## **A. Background [\[HELP\]](#)**

1. Name of proposed project, if applicable:

Sienna Hills

2. Name of applicant:

Sienna Hills Development LLC

3. Address and phone number of applicant and contact person:

Sienna Hills Development LLC, Greg Johnson, PO Box 344, Meridian, ID 83642 - (208) 870-3432

4. Date checklist prepared:

August 27th, 2019

5. Agency requesting checklist:

City of Richland

6. Proposed timing or schedule (including phasing, if applicable):

Preliminary Plat - Fall 2019, Site Grading - Winter of 2019/Spring 2020, Phase 1 of Project infrastructure and homes Spring/Summer 2020.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Engineering plans would be permitted through City of Richland for infrastructure improvements. Project will apply for a grading permit through City of Richland, individual homes will apply for building permits.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Soil analysis for organochloride pesticides, lead, arsenic. Geotechnical Investigation of site. Topographic and boundary survey of the property.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None to the applicant's knowledge.

10. List any government approvals or permits that will be needed for your proposal, if known.

Rezone of property, Preliminary Plat approval, grading permits, infrastructure permits, and building permits through City of Richland.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) See attached supplemental sheet

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

See attached preliminary plat for site plan location.

## B. Environmental Elements [\[HELP\]](#)

### 1. Earth [\[help\]](#)

a. General description of the site:

Hilly

(circle one): Flat, rolling (hilly) steep slopes, mountainous, other \_\_\_\_\_

b. What is the steepest slope on the site (approximate percent slope)?

There are portions of the site that are sloped at a 1.5' Horizontal to 1' Vertical Slope. Majority of the site slopes at approximately 7%.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

See attached Geotechnical report for the site prepared by PBS dated June 10th, 2019. In summary the soils are characterized as Sandy Silt with Silty Sand, Sand with Silt, Gravel and Cobbles.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. There are existing steep slopes on site that appear to be stable with slight evidence of raveling in some locations. The site has no immediate indications of unstable soils and has been primarily under agricultural production for several years until recently.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. The site will be graded to create residential lots and graded to build infrastructure that will serve those lots from the existing Queensgate extension to Bermuda. All fill will be from material excavated on site, import of materials for grading is not anticipated.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Potential erosion, both wind blown and runoff, are possible as a result of construction and will be managed with a temporary erosion control plan approved by the City of Richland.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 25%-35% of the site will be covered with impervious surfaces after the project completion and full build out of homes.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

During construction, erosion control measures will be implemented such as person-operated altering devices and silt fencing. After construction, the majority of the disturbed surfaces on the site will be grass and landscaping consistent with single family homes.

## 2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. During construction there will be exhaust emissions from construction equipment as well as dust. After project completion there would be normal air emissions resulting from a residential neighborhood setting.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No off site sources of emissions will affect this proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

During construction, emissions will be limited to working hours and dust will be controlled by person-operated watering devices.

## 3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There is an irrigation pond, operated by Badger Mountain Irrigation District located north and east of the property.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No surface water withdrawals or diversions proposed with this project.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

The proposed site does not lie within a 100-year floodplain.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The proposed project does not involve any discharge of waste materials to surface waters.

**b. Ground Water: [\[help\]](#)**

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No groundwater will be withdrawn or well water be discharged to the groundwater with this proposal.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None, sanitary sewer will be discharged to the City municipal system.

**c. Water runoff (including stormwater):**

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Storm water runoff will be collected within the roadway prism and disposed of via surface/subsurface methods consistent with the City of Richland standards for storm water disposal. There will be no off-site discharges of design storm runoff from the project.

2) Could waste materials enter ground or surface waters? If so, generally describe.

It is not anticipated that this will occur since waste materials are not allowed to be discharged to City owned and maintained storm systems.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

The proposed project would seek to alter the existing ground surface which would change current existing ground runoff that is currently impacting properties to the south of the site.

**d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:**

The storm water disposal methods will be in compliance with City of Richland standards as well as the Washington State Department of Ecology Eastern Washington Stormwater Manual.

**4. *Plants* [\[help\]](#)**

**a. Check the types of vegetation found on the site:**

Existing orchard that was on the project site has been taken out of production and is being removed from the site.

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Remaining grass and brush will be removed where grading will take place. All of the orchard will be removed with the development of the project.

c. List threatened and endangered species known to be on or near the site.

There are no threatened or endangered species known to be on or near the site to the applicant's knowledge.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

The single family residential lots will be landscaped with grass and trees.

e. List all noxious weeds and invasive species known to be on or near the site.

There are no noxious weeds or invasive species known to be on or near the site to the applicant's knowledge.

**5. Animals** [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

hawk, songbirds, deer, ground squirrel

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

b. List any threatened and endangered species known to be on or near the site.

There are no threatened or endangered species known to be on or near the site to the applicant's knowledge.

c. Is the site part of a migration route? If so, explain.

Yes, Richland is within the Pacific Flyway.

d. Proposed measures to preserve or enhance wildlife, if any:

No measures are being proposed to preserve or enhance wildlife.

e. List any invasive animal species known to be on or near the site.

There are no invasive animal species known to be on or near the site to the applicant's knowledge.

## 6. **Energy and Natural Resources** [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The project will require energy in order to serve the proposed homes with electricity and gas.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

This project has no impact to adjacent properties potential solar needs.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

The proposed homes will be constructed in accordance with all applicable building codes as recognized by the City of Richland.

## 7. **Environmental Health** [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

There are no identified potential health hazards with this proposal.

- 1) Describe any known or possible contamination at the site from present or past uses.

There are no known or possible contamination at the site from present or past uses to the applicant's knowledge.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

See attached supplement worksheet.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None

- 4) Describe special emergency services that might be required.

None

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None at this time.

### b. **Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment operation, other)?

There are no known sources of noise in the area that will directly affect this proposal. The project is near existing agricultural uses and will experience seasonal noises due to the maintenance and production of agricultural products.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

On a short term basis there will be noise associated with infrastructure construction, hours of operation will be limited to those allowed by the City of Richland. The proposed project will increase the traffic in the area consistent with single family residential neighborhoods on a long-term basis.

- 3) Proposed measures to reduce or control noise impacts, if any:

Construction hours will be limited to working hours defined by the City of Richland.

**8. Land and Shoreline Use** [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Currently the site and adjacent properties are vacant, single family homes, or being used for agricultural purposes. This proposal will not affect nearby land uses.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The entirety of the project (98+ Acres) will be converted from orchard property to residential non-farm use.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

The proposal does not anticipate any adverse impacts on agricultural ground, and does not anticipate that current agricultural practices will effect the development.

- c. Describe any structures on the site.

There is an existing Badger Mountain Irrigation District pump station and structure on the site just east of the future Queensgate alignment.

- d. Will any structures be demolished? If so, what?

The existing pump station and building will remain in place. This land will be set aside in a tract and dedicated to Badger Mountain Irrigation District.

- e. What is the current zoning classification of the site?

Agricultural (AG)

- f. What is the current comprehensive plan designation of the site?

Low Density Residential, Medium Density Residential, Commercial.

- g. If applicable, what is the current shoreline master program designation of the site?

N/A

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No.

- i. Approximately how many people would reside or work in the completed project?

The preliminary plat would allow for the development of single family housing with approximately 460 +/- residents.

- j. Approximately how many people would the completed project displace?

None

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None proposed.

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The site is to be built in accordance with City of Richland residential zoning and comprehensive plan requirements.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None

## 9. **Housing** [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

285 single family homes are being proposed

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing units would be eliminated.

- c. Proposed measures to reduce or control housing impacts, if any:

Housing impacts will be controlled by the City of Richland zoning code for an R-1-10 and R-2 designation.

## 10. **Aesthetics** [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The tallest height of any building would be limited by the R-1-10 zoning code at 30 feet. The principal exterior building materials could vary but would most likely be either wood/composite siding or stucco.

- b. What views in the immediate vicinity would be altered or obstructed?

No views in the immediate vicinity would be altered or obstructed by this project.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Aesthetics would be controlled by the City of Richland zoning code for R-1-10 and R-2, and C-LB.

## 11. **Light and Glare** [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The project would create light from the required city street lights as well as outside lighting on the residential homes. This light would be created during the evening hours.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not to the applicant's knowledge.

- c. What existing off-site sources of light or glare may affect your proposal?

There are no off-site sources of light or glare that will affect the project proposal.

- d. Proposed measures to reduce or control light and glare impacts, if any:

All proposed lighting measures would be directed downward.

## **12. Recreation** [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?

There are no informal recreational opportunities in the immediate vicinity of the site.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

The project proposes to have open space, walking paths throughout the project, a clubhouse with recreational opportunities.

## **13. Historic and cultural preservation** [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Not to the applicant's knowledge.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not to the applicants knowledge, no professional archeological studies have been completed to date on the project.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

PBS Engineering and Environmental Staff evaluated the WISAARD maps for this area. Predictive modeling identifies the area as a moderate risk level. There are no GLO features on the site based on historic mapping.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None

## **14. Transportation** [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

See attached preliminary plat map. The site would seek to extend to major transportation routes with the project to include Queensgate Boulevard to Bermuda as well as construction of a portion of Gage Boulevard along the western boundary of the project.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No, the closest stop is 3-5 miles away.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

The project would have the ability to provide on-street parking as well as driveway at each individual home.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Yes, the project will require the development of new public streets to be extended to the site as well as the development of the internal roadway system to serve the single family homes.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Approximately 2,850 vehicular trips per day will be generated by the completed project. Peak volumes would occur in the morning and evening hours. ITE Trip Generation Manual was used for estimation of traffic generated by single family residential development.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

- h. Proposed measures to reduce or control transportation impacts, if any:

Project would seek to develop offsite roadway to extend Queensgate Drive (Bermuda) to the site and connect to Bermuda as well as construction and dedication of right of way for future Gage Boulevard.

## 15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

This project will result in the need for fire protection, police protection, schools, and other public services associated with housing development.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

The plat will be subject to impact fees implemented by the City and school district. Properties created by the project would be subject to local taxes and levies imparted by the local jurisdiction.

## 16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:

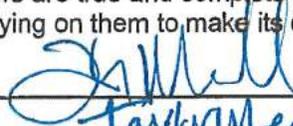
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other \_\_\_\_\_

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Utilities to include water, sewer, refuse service, and electricity will be provided by the City of Richland. Irrigation will be provided by Badger Mountain Irrigation District, the natural gas provider in the area is Cascade Natural Gas, and telephone is provided by CenturyLink and Charter Communications. New sanitary sewer, water, and irrigation mains, as well as dry utilities will need to be extended into the project in order to service the lots.

**C. Signature** [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee Taylor Merrill

Position and Agency/Organization Project manager

Date Submitted: 9/26/19

**D. Supplemental sheet for nonproject actions** [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks,

wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**Sienna Hills – SEPA Checklist  
Supplemental Sheet**

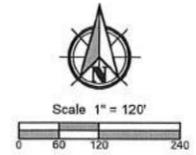
**Section A. Questions:**

Question 11: The project proposes to rezone and develop approximately 98 acres of undeveloped land located in south Richland. The site is currently under an AG zoning designation and would be seeking to be developed in accordance with the current City of Richland Comprehensive plan requiring Low Density Residential, Medium Density Residential, and Commercial (R-1-10, R-2, and C-LB). The project would initially seek to develop approximately 285 single family residential lots in multiple phases. The project would also include extensions of 2 major transportation facilities through the project to include portions of future Gage Boulevard and Queensgate Boulevard.

Question 12: Project site is located in a portion of Section 34, Township 9 North, Range 28 East of the Willamette Meridian, City of Richland, Benton County, Washington. Site can be accessed from the termination of Bermuda Boulevard which is located in the south east corner of the project site as well as Bent Road and Clover Road at the projects southern border. Latitude: 46deg13'5.19"N , Longitude: 119deg17'52.88"W.

**Section B. Section 7. A,**

Question 2: The site observations and laboratory results indicate that no organochloride pesticides were detected in the soil above the laboratory detection limits. Arsenic and lead levels in soil are present at concentrations consistent with natural background levels and are below MTCA Method A cleanup levels.



**OVERVIEW MAP**  
**FOR TAX PARCEL #1-3498-300-0001-005**  
**(SWD 2019-001554)**

LOCATED IN A PORTION OF SECTION 34,  
 TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN,  
 CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



**NOTE**  
 BACKGROUND AERIAL IMAGE IS SHOWN FOR REFERENCE ONLY AND  
 IS NOT ORTHO-RECTIFIED AND SHOULD NOT BE RELIED UPON SUCH.



PBS Engineering and  
 Environmental Inc.  
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 Richland, WA 99352  
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 pbsusa.com

CLIENT: SIENNA HILLS DEVELOPMENT, LLC.	PROJECT NO.: 06150
SURVEYOR: ALEXANDER D. MATARAZZO	DATE: 05/15/2019
CALC BY: ROP	DRAWN BY: ROP
SECTION: 34	TOWNSHIP: 9 NORTH
CITY: RICHLAND	COUNTY: BENTON
RANGE: 28 EAST	SHEET 1 OF 1
SCALE: 1" = 120'	

# Geotechnical Engineering Report

Sienna Hills

Benton County Tax Parcel 134983000001005

Richland, Washington

Prepared for:

Sienna Hills Development, LLC

June 10, 2019

PBS Project 66150.000



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## Geotechnical Engineering Report

Sienna Hills  
Benton County Tax Parcel 134983000001005  
Richland, Washington

Prepared for:  
Sienna Hills Development, LLC

June 10, 2019  
PBS Project 66150.000

Prepared by:

Digitally signed  
by Clinton Nealey  
Date: 2019.06.11  
19:31:50 -07'00'

Clint Nealey, EIT  
Geotechnical Engineering Staff III

Reviewed by:



6/10/2019

Ryan White, PE, GE  
Geotechnical Engineering Group Manager

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- Table A-1. Terminology Used to Describe Soil
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- Figure B1 Summary of Laboratory Data

## **1 INTRODUCTION**

### **1.1 General**

This report presents results of PBS Engineering and Environmental Inc. (PBS) geotechnical engineering services for the proposed development located at Benton County Tax Parcel 134983000001005 in Richland, Washington (site). The general site location is shown on the Vicinity Map, Figure 1. The locations of PBS' explorations in relation to existing site features are shown on the Site Plan, Figure 2.

### **1.2 Purpose and Scope**

The purpose of PBS' services was to develop geotechnical design and construction recommendations in support of the planned new development. This was accomplished by performing the following scope of services.

#### **1.2.1 Literature and Records Review**

PBS reviewed various published geologic maps of the area for information regarding geologic conditions and hazards at or near the site. PBS also reviewed previously completed reports for the project site and vicinity.

#### **1.2.2 Subsurface Explorations**

PBS excavated 30 test pits within the proposed 99-acre development to depths of up to 10 feet below the existing ground surface (bgs). The test pits were logged and representative soil samples collected by a member of the PBS geotechnical engineering staff. Interpreted test pit logs are included as Figures A1 through A30 in Appendix A, Field Explorations.

#### **1.2.3 Field Infiltration Testing**

Three open-pit, falling-head field infiltration tests were completed in test pits TP-2, TP- 5, and TP-7 within the proposed development at a depths of 4.5 to 5 feet bgs. Infiltration testing was monitored by PBS geotechnical engineering staff.

#### **1.2.4 Soils Testing**

Soil samples were returned to our laboratory and classified in general accordance with the Unified Soil Classification System (ASTM D2487) and/or the Visual-Manual Procedure (ASTM D2488). Laboratory tests included natural moisture contents and grain-size analyses. Laboratory test results are included in the exploration logs in Appendix A, Field Explorations; and in Appendix B, Laboratory Testing.

#### **1.2.5 Geotechnical Engineering Analysis**

Data collected during the subsurface exploration, literature research, and testing were used to develop site-specific geotechnical design parameters and construction recommendations.

#### **1.2.6 Report Preparation**

This Geotechnical Engineering Report summarizes the results of our explorations, testing, and analyses, including information relating to the following:

- Field exploration logs and site plan showing approximate exploration locations
- Laboratory test results
- Infiltration test results
- Groundwater levels and considerations
- Earthwork and grading, cut, and fill recommendations:
  - Structural fill materials and preparation

- Utility trench excavation and backfill requirements
- Slab and pavement subgrade preparation
- Wet weather considerations
- Seismic design criteria in accordance with the 2015 International Building Code (IBC) with state of Washington amendments
- Pavement subgrade preparation recommendations
- Asphalt concrete (AC) pavement section recommendations

### 1.3 Project Understanding

Development plans are currently in the conceptual stages; however, development of the parcel will likely be a combination of single- and multi-family residential structures.

## 2 SITE CONDITIONS

### 2.1 Surface Description

The site is roughly rectangular with the exception of the eastern edge and northeastern corner. This area includes an additional rectangular region protruding northeast. The site is bordered to the north, east, and west by agricultural fields and to the south by existing residential development. Bermuda Road separates the western, rectangular site from the northeastern portion. Based on available topographic data, the site slopes slightly down to the south and southwest, with ground surface elevations ranging from a maximum of about 925 feet above mean sea level (amsl) at the eastern edge to 831 feet amsl at the southwest corner.

### 2.2 Regional Geologic Setting

The site is located within the eastern extent of the Yakima fold and thrust belt, a structural-tectonic sub-province within the western Columbia Basin geologic province. The Columbia Basin province is separated from the Deschutes-Columbia Plateau and Blue Mountains Provinces of Oregon by the Oregon border. The province is composed primarily of volcanic basement rocks of the Columbia River Basalt Group (CRBG) subdivided into smaller recognizable flows and members that are overlain by Quaternary deposits (Derkey et al., 2006). The older basalt flows were generated by volcanic eruptions in eastern Oregon, eastern Washington, and western Idaho between 16.7 million years ago (Ma) and 5.5 Ma (Reidel, 2004).

The Yakima fold and thrust belt is an actively deforming series of faults and folds that is accommodating clockwise rotation through crustal shortening within the western Columbia Province (McCaffrey et al., 2016). Quaternary and Holocene active faults are found throughout the sub-province. Northwest-southeast trending anticlinal ridges and wide synclinal valleys dominate much of the Yakima fold and thrust belt, with pervasive reverse faults along the flanks of the anticlines (Gomberg et al., 2012). The eastern-most extent of the Yakima fold and thrust belt is bounded by the Horse Heaven Anticline (locally referred to as the Horse Heaven Hills) and the Wallula fault system.

The Horse Heaven Anticline forms the local topographic high point along the southern margin of the Columbia Basin, and has been continuously incised by the ancestral and historic Columbia River resulting in a narrow water gap (Reidel and Fecht, 1994; Schuster, 1994). Throughout the Late Pleistocene, cataclysmic outburst flood waters from upstream Glacial Lake Missoula resulted in rapid sedimentation that was ponded behind the Horse Heaven Anticline. Slowing flood waters backfilled the basin and blanketed it with slackwater flood deposits over much of the low-lying areas, as well as extensive gravel bars.

### 2.3 Local Geology and Hazards

The site is underlain by catastrophic flood sediments of silt and sand deposited by the Late Pleistocene Missoula Floods (Reidel and Fecht, 1994). These sediments are described as rhythmically bedded lacustrine silt and fine to coarse sand of predominately quartz and feldspar grains, with basalt in coarser sands.

The site is mapped within a zone of low to moderate liquefaction hazard (Palmer et al., 2004) and in relatively close proximity (less than 5 miles) from mapped active faults and seismogenic features (WADNR, 2019). These faults include the Rattlesnake Hills fault and structures (USGS ID 565) and Horse Heaven Hills fault and structures (USGS ID 567), both of which are the northern continuation of the Wallula fault system that bounds Horse Heaven Hills, Badger Mountain, Goose Hill, and Red Mountain (USGS, 2019).

### 2.4 Subsurface Conditions

The site was explored by excavating 30 test pits, designated TP-1 through TP-30, to depths of 8 to 10.5 feet bgs. Test pit TP-28 was terminated at a depth of 4 feet due to the possible presence of a water line. The excavations were performed by Braden and Nelson Construction of Walla Walla, Washington, using a CAT 304C excavator equipped with a 24-inch-wide bucket.

PBS has summarized the subsurface units as follows:

SANDY SILT (ML) to SILT with SAND (ML):	Brown sandy silt to silt with sand was encountered in all excavations. These soils were non-plastic to low plasticity, brown, and had occasional calcite stringers that had low to vigorous reactions to hydrochloric acid. Sand grains were typically fine grained. Occasional subrounded gravels and cobbles were encountered at depth.
SAND with SILT, GRAVEL, AND COBBLES (SP/SW-SM):	Brown sand that varied from well-graded to poorly graded was encountered beneath the sandy silt and silt with sand in some test pits near the bottom of the excavations. The sands were fine- to coarse-grained, with fine to coarse, subrounded to subangular gravels.

The findings from our field investigation are consistent with geologic mapping by Reidel and Fecht, 1994.

### 2.5 Groundwater

Static groundwater was not encountered during our explorations. Based on a review of regional groundwater logs available from the Washington State Department of Ecology, we anticipate that the static groundwater level is present at a depth greater than 100 feet bgs. Please note that groundwater levels can fluctuate during the year depending on climate, irrigation season, extended periods of precipitation, drought, and other factors.

### 2.6 Infiltration Testing

PBS completed open-pit, falling-head infiltration testing in test pits TP-2, TP-5, and TP-7. The infiltration tests were conducted in general accordance with the Stormwater Management Manual for Eastern Washington procedures. After a period of saturation, the height of the water in the excavation was then measured initially and at regular, timed intervals. Results of our field infiltration testing are presented in Table 1.

**Table 1. Infiltration Test Results**

Test Location	Depth (feet bgs)	Field Measured Infiltration Rate (in/hr)	Soil Classification	Recommended Hydrologic Soil Group*
TP-2	5	1.2	Sandy Silt (ML)	C
TP-5	4.5	1.08	Sandy Silt (ML)	C
TP-7	5	0.86	Sandy Silt (ML)	C

\*The recommended hydrologic soil group classification is based upon infiltration rates observed in the field and lab results

The infiltration rates above are not permeabilities/hydraulic conductivities, but field-measured rates and do not include correction factors related to long-term infiltration rates. We recommend the designer include correction factors to account for the expected level of maintenance, type of system, and sediment control. Field-measured infiltration rates are typically reduced by a minimum factor of 2 to 4 for use in design.

Soil types can vary significantly over relatively short distances. The infiltration rates noted above are representative of one discrete location and depth. Installation of infiltration systems within the layer the field rate was measured is considered critical to proper performance of the systems.

### 3 CONCLUSIONS AND RECOMMENDATIONS

#### 3.1 Geotechnical Design Considerations

The subsurface conditions at the site consist of silt and fine-grained sand with varying amounts of gravel and cobbles. Based on our observations and analyses, conventional foundation support on shallow spread footings is feasible for the proposed development. Excavation with conventional equipment is feasible at the site.

The grading and final development plans for the project had not been completed when this report was prepared. Once completed, PBS should be engaged to review the project plans and update our recommendations as necessary.

#### 3.2 Seismic Design Considerations

##### 3.2.1 Code-Based Seismic Design Parameters

According to the Site Class Map of Benton County, Washington (Palmer, 2004), the site is located within an area classified as Site Class D, characterizing the profile as stiff soil. Based on subsurface conditions encountered in our explorations, Site Class D is appropriate for use in design. The seismic design criteria, in accordance with the 2015 International Building Code IBC with state of Washington amendments, are summarized in Table 2.

**Table 2. 2015 IBC Seismic Design Parameters**

Parameter	Short Period	1 Second
Maximum Credible Earthquake Spectral Acceleration	$S_s = 0.43 g$	$S_1 = 0.16 g$
Site Class	D	
Site Coefficient	$F_a = 1.46$	$F_v = 2.14$
Adjusted Spectral Acceleration	$S_{MS} = 0.62 g$	$S_{M1} = 0.35 g$
Design Spectral Response Acceleration Parameters	$S_{DS} = 0.42 g$	$S_{D1} = 0.24 g$

g= Acceleration due to gravity

### 3.2.2 Liquefaction Potential

Liquefaction is defined as a decrease in the shear resistance of loose, saturated, cohesionless soil (e.g., sand) or low plasticity silt soils, due to the buildup of excess pore pressures generated during an earthquake. This results in a temporary transformation of the soil deposit into a viscous fluid. Liquefaction can result in ground settlement, foundation bearing capacity failure, and lateral spreading of ground.

Based on a review of the *Washington Division of Geology and Earth Resources*, the site is shown as having a low to moderate liquefaction hazard; however, based on the soil types and relative density of site soils encountered during our exploration, our opinion is that the risk of structurally damaging liquefaction settlement at the site is low. Subsequently, the risk of structurally damaging lateral spreading is also low.

### 3.3 Ground Moisture

#### 3.3.1 General

The perimeter ground surface and hardscape should be sloped to drain away from all structures and away from adjacent slopes. Gutters should be tight-lined to a suitable discharge and maintained as free-flowing. All crawl spaces should be adequately ventilated and sloped to drain to a suitable, exterior discharge.

### 3.4 Pavement Design

The provided pavement recommendations were developed using the American Association of State Highway and Transportation Officials (AASHTO) design methods and references the associated Washington Department of Transportation (WSDOT) specifications for construction. Our evaluation considered a maximum of two trucks per day for a 20-year design life.

The minimum recommended pavement section thicknesses are provided in Table 3. Depending on weather conditions at the time of construction, a thicker aggregate base course section could be required to support construction traffic during preparation and placement of the pavement section.

**Table 3. Minimum AC Pavement Sections**

Traffic Loading	AC (inches)	Base Course (inches)	Subgrade
Drive Lanes and Access Roads	3	9	Stiff subgrade as verified by PBS personnel*

\* Subgrade must pass proofroll

The asphalt cement binder should be selected following WSDOT SS 9-02.1(4) – Performance Graded Asphalt Binder. The AC should consist of ½-inch hot mix asphalt (HMA) with a maximum lift thickness of 3 inches. The AC should conform to WSDOT SS 5-04.3(7)A – Mix Design, WSDOT SS 9-03.8(2) – HMA Test Requirements, and WSDOT SS 9-03.8(6) – HMA Proportions of Materials. The AC should be compacted to 91 percent of the maximum theoretical density (Rice value) of the mix, as determined in accordance with ASTM D2041, following the guidelines set in WSDOT SS 5-04.3(10) – Compaction.

Heavy construction traffic on new pavements or partial pavement sections (such as base course over the prepared subgrade) will likely exceed the design loads and could potentially damage or shorten the pavement life; therefore, we recommend construction traffic not be allowed on new pavements, or that the contractor take appropriate precautions to protect the subgrade and pavement during construction.

If construction traffic is to be allowed on newly constructed road sections, an allowance for this additional traffic will need to be made in the design pavement section.

## **4 CONSTRUCTION RECOMMENDATIONS**

### **4.1 Site Preparation**

Construction of the proposed development will involve clearing and grubbing of the existing vegetation or demolition of possible existing structures. Demolition should include removal of existing pavement, utilities, etc., throughout the proposed new development. Underground utility lines or other abandoned structural elements should also be removed. The voids resulting from removal of foundations or loose soil in utility lines should be backfilled with compacted structural fill. The base of these excavations should be excavated to firm native subgrade before filling, with sides sloped at a minimum of 1H:1V to allow for uniform compaction. Materials generated during demolition should be transported off site or stockpiled in areas designated by the owner's representative.

#### **4.1.1 Proofrolling/Subgrade Verification**

Following site preparation and prior to placing aggregate base over shallow foundation, floor slab, and pavement subgrades, the exposed subgrade should be evaluated either by proofrolling or another method of subgrade verification. The subgrade should be proofrolled with a fully loaded dump truck or similar heavy, rubber-tire construction equipment to identify unsuitable areas. If evaluation of the subgrades occurs during wet conditions, or if proofrolling the subgrades will result in disturbance, they should be evaluated by PBS using a steel foundation probe. We recommend that PBS be retained to observe the proofrolling and perform the subgrade verifications. Unsuitable areas identified during the field evaluation should be compacted to a firm condition or be excavated and replaced with structural fill.

#### **4.1.2 Wet/Freezing Weather and Wet Soil Conditions**

Due to the presence of fine-grained silt and sands in the near-surface materials at the site, construction equipment may have difficulty operating on the near-surface soils when the moisture content of the surface soil is more than a few percentage points above the optimum moisture required for compaction. Soils disturbed during site preparation activities, or unsuitable areas identified during proofrolling or probing, should be removed and replaced with compacted structural fill.

Site earthwork and subgrade preparation should not be completed during freezing conditions, except for mass excavation to the subgrade design elevations. We recommend the earthwork construction at the site be performed during the dry season.

Protection of the subgrade is the responsibility of the contractor. Construction of granular haul roads to the project site entrance may help reduce further damage to the pavement and disturbance of site soils. The actual thickness of haul roads and staging areas should be based on the contractors' approach to site development, and the amount and type of construction traffic. The imported granular material should be placed in one lift over the prepared undisturbed subgrade and compacted using a smooth-drum, non-vibratory roller. A geotextile fabric should be used to separate the subgrade from the imported granular material in areas of repeated construction traffic. Depending on site conditions, the geotextile should meet Washington State Department of Transportation (WSDOT) SS 9-33.2 – Geosynthetic Properties for soil separation or stabilization. The geotextile should be installed in conformance with WSDOT SS 2-12.3 – Construction Geosynthetic (Construction Requirements) and, as applicable, WSDOT SS 2-12.3(2) – Separation or WSDOT SS 2-12.3(3) – Stabilization.

### **4.2 Excavation**

The near-surface soils at the site can be excavated with conventional earthwork equipment. Sloughing and caving should be anticipated. All excavations should be made in accordance with applicable Occupational Safety and Health Administration (OSHA) and state regulations. The contractor is solely responsible for

adherence to the OSHA requirements. Trench cuts should stand relatively vertical to a depth of approximately 4 feet bgs, provided no groundwater seepage is present in the trench walls. Open excavation techniques may be used provided the excavation is configured in accordance with the OSHA requirements, groundwater seepage is not present, and with the understanding that some sloughing may occur. Trenches/excavations should be flattened if sloughing occurs or seepage is present. Use of a trench shield or other approved temporary shoring is recommended if vertical walls are desired for cuts deeper than 4 feet bgs. If dewatering is used, we recommend that the type and design of the dewatering system be the responsibility of the contractor, who is in the best position to choose systems that fit the overall plan of operation.

#### **4.3 Structural Fill**

The extent of site grading is currently unknown; however, PBS estimates that cuts and fills will be on the order of about 5 feet. Structural fill should be placed over subgrade that has been prepared in conformance with the Site Preparation and Wet/Freezing Weather and Wet Soil Conditions sections of this report. Structural fill material should consist of relatively well-graded soil, or an approved rock product that is free of organic material and debris, and contains particles not greater than 3 inches nominal dimension.

The suitability of soil for use as compacted structural fill will depend on the gradation and moisture content of the soil when it is placed. As the amount of fines (material finer than the US Standard No. 200 Sieve) increases, soil becomes increasingly sensitive to small changes in moisture content and compaction becomes more difficult to achieve. Soils containing more than about 5 percent fines cannot consistently be compacted to a dense, non-yielding condition when the water content is significantly greater (or significantly less) than optimum.

If fill and excavated material will be placed on slopes steeper than 5H:1V (horizontal), these must be keyed/benched into the existing slopes and installed in horizontal lifts. Vertical steps between benches should be approximately 2 feet.

##### **4.3.1 On-Site Soil**

On-site soils encountered in our explorations are generally suitable for placement as structural fill during dry weather when moisture content can be maintained by air drying and/or addition of water. The fine-grained fraction of the site soils are moisture sensitive, and during wet weather, may become unworkable because of excess moisture content. In order to reduce moisture content, some aerating and drying of fine-grained soils may be required. The material should be placed in lifts with a maximum uncompacted thickness of approximately 8 inches and compacted to at least 92 percent of the maximum dry density, as determined by ASTM D1557 (modified proctor).

##### **4.3.2 Imported Granular Materials**

Imported granular material used during periods of wet weather or for haul roads, building pad subgrades, staging areas, etc., should be pit or quarry run rock, crushed rock, or crushed gravel and sand, and should meet the specifications provided in WSDOT SS 9-03.14(2) – Select Borrow. In addition, the imported granular material should be fairly well graded between coarse and fine, and of the fraction passing the US Standard No. 4 Sieve, less than 5 percent by dry weight should pass the US Standard No. 200 Sieve.

Imported granular material should be placed in lifts with a maximum uncompacted thickness of 9 inches and be compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

#### **4.3.3 Base Aggregate**

Base aggregate for floor slabs and beneath pavements should be clean crushed rock or crushed gravel. The base aggregate should contain no deleterious materials, meet specifications provided in WSDOT SS 9-03.9(3) – Crushed Surfacing Base Course, and have less than 5 percent (by dry weight) passing the US Standard No. 200 Sieve. The imported granular material should be placed in one lift and compacted to at least 95 percent of the maximum dry density, as determined by ASTM D1557.

#### **4.3.4 Foundation Base Aggregate**

Imported granular material placed at the base of excavations for spread footings, slabs-on-grade, and other below-grade structures should be clean, crushed rock or crushed gravel, and sand that is fairly well graded between coarse and fine. The granular materials should contain no deleterious materials, have a maximum particle size of 1½ inch, and meet WSDOT SS 9-03.12(1)A – Gravel Backfill for Foundations (Class A). The imported granular material should be placed in one lift and compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

#### **4.3.5 Trench Backfill**

Trench backfill placed beneath, adjacent to, and for at least 2 feet above utility lines (i.e., the pipe zone) should consist of well-graded granular material with a maximum particle size of 1 inch and less than 10 percent by dry weight passing the US Standard No. 200 Sieve, and should meet the standards prescribed by WSDOT SS 9-03.12(3) – Gravel Backfill for Pipe Zone Bedding. The pipe zone backfill should be compacted to at least 90 percent of the maximum dry density as determined by ASTM D1557, or as required by the pipe manufacturer or local building department.

Within pavement areas or beneath building pads, the remainder of the trench backfill should consist of well-graded granular material with a maximum particle size of 1½ inches, less than 10 percent by dry weight passing the US Standard No. 200 Sieve, and should meet standards prescribed by WSDOT SS 9-03.19 – Bank Run Gravel for Trench Backfill. This material should be compacted to at least 92 percent of the maximum dry density, as determined by ASTM D1557, or as required by the pipe manufacturer or local building department. The upper 2 feet of the trench backfill should be compacted to at least 95 percent of the maximum dry density, as determined by ASTM D1557.

Outside of structural improvement areas (e.g., roadway alignments or building pads), trench backfill placed above the pipe zone should consist of excavated material free of wood waste, debris, clods, or rocks greater than 6 inches in diameter and meet WSDOT SS 9-03.14 – Borrow and WSDOT SS 9-03.15 – Native Material for Trench Backfill. This general trench backfill should be compacted to at least 90 percent of the maximum dry density, as determined by ASTM D1557, or as required by the pipe manufacturer or local building department.

#### **4.3.6 Stabilization Material**

Stabilization rock should consist of pit or quarry run rock that is well-graded, angular, crushed rock consisting of 4- or 6-inch-minus material with less than 5 percent passing the US Standard No. 4 Sieve. The material should be free of organic matter and other deleterious material. WSDOT SS 9-13.1(5) – Quarry Spalls can be used as a general specification for this material with the stipulation of limiting the maximum size to 6 inches.

## **5 ADDITIONAL SERVICES AND CONSTRUCTION OBSERVATIONS**

In most cases, other services beyond completion of a final geotechnical engineering report are necessary or desirable to complete the project. Occasionally, conditions or circumstances arise that require additional work that was not anticipated when the geotechnical report was written. PBS offers a range of environmental, geological, geotechnical, and construction services to suit the varying needs of our clients.

PBS should be retained to review the plans and specifications for this project before they are finalized. Such a review allows us to verify that our recommendations and concerns have been adequately addressed in the design.

Satisfactory earthwork performance depends on the quality of construction. Sufficient observation of the contractor's activities is a key part of determining that the work is completed in accordance with the construction drawings and specifications. We recommend that PBS be retained to observe general excavation, stripping, fill placement, footing subgrades, and/or pile installation. Subsurface conditions observed during construction should be compared with those encountered during the subsurface explorations. Recognition of changed conditions requires experience; therefore, qualified personnel should visit the site with sufficient frequency to detect whether subsurface conditions change significantly from those anticipated.

## **6 LIMITATIONS**

This report has been prepared for the exclusive use of the addressee, and their architects and engineers, for aiding in the design and construction of the proposed development and is not to be relied upon by other parties. It is not to be photographed, photocopied, or similarly reproduced, in total or in part, without express written consent of the client and PBS. It is the addressee's responsibility to provide this report to the appropriate design professionals, building officials, and contractors to ensure correct implementation of the recommendations.

The opinions, comments, and conclusions presented in this report are based upon information derived from our literature review, field explorations, laboratory testing, and engineering analyses. It is possible that soil, rock, or groundwater conditions could vary between or beyond the points explored. If soil, rock, or groundwater conditions are encountered during construction that differ from those described herein, the client is responsible for ensuring that PBS is notified immediately so that we may reevaluate the recommendations of this report.

Unanticipated fill, soil and rock conditions, and seasonal soil moisture and groundwater variations are commonly encountered and cannot be fully determined by merely taking soil samples or completing explorations such as test pits. Such variations may result in changes to our recommendations and may require additional funds for expenses to attain a properly constructed project; therefore, we recommend a contingency fund to accommodate such potential extra costs.

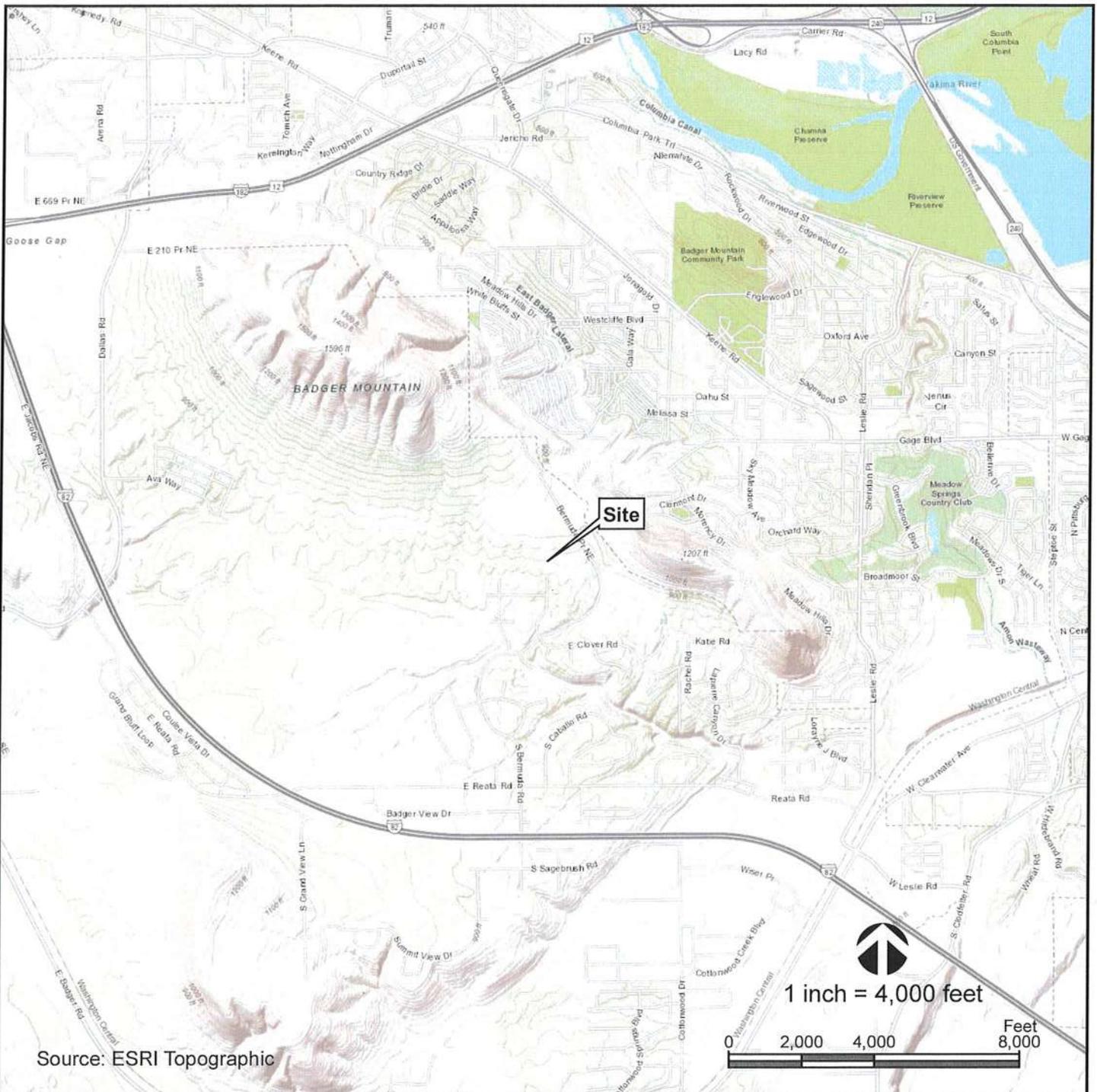
The scope of work for this subsurface exploration and geotechnical report did not include environmental assessments or evaluations regarding the presence or absence of wetlands or hazardous substances in the soil, surface water, or groundwater at this site.

If there is a substantial lapse of time between the submission of this report and the start of work at the site, if conditions have changed due to natural causes or construction operations at or adjacent to the site, or if the basic project scheme is significantly modified from that assumed, this report should be reviewed to determine the applicability of the conclusions and recommendations presented herein. Land use, site conditions (both on and off site), or other factors may change over time and could materially affect our findings; therefore, this report should not be relied upon after three years from its issue, or in the event that the site conditions change.

## 7 REFERENCES

- Derkey, R. E., Stradling, D. F., Lindsey, K. A., and Tolan, T. L. (2006). Geologic map of the College Place and Walla Walla 7.5-minute quadrangle, Walla Walla County, Washington, and Umatilla County, Oregon: Washington Division of Geology and Earth Resources, Geologic Map GM-62, scale 1:24,000.
- Gomberg, J., Sherrod, B., Trautman, M., Burns, E., and Snyder, D. (2012). Contemporary seismicity in and around the Yakima fold-and-thrust belt in eastern Washington. *Bulletin of the Seismological Society of America*, Vol. 12, No., 1, pp. 309-320.
- IBC. (2015). International Building Code. Country Club Hills, IL: International Code Council, Inc. Washington State Amendments to the International Building Code 2009 Edition, Effective July 1, 2010.
- Palmer, S. P., Magsino, S. L., Bilderback, E. L., Poelstra, J. L., Folger, D. S., and Niggemann, R. A. (2004). Liquefaction Susceptibility Map of Benton County, Washington. Washington Division of Geology and Earth Resources, open file report 2004-20, scale 1:125,000.
- McCaffrey, R., King, R. W., Wells, R. E., Lancaster, R., and Miller, M. M. (2016). Contemporary deformation in the Yakima fold and thrust belt estimated with GPS.
- Riedel, Stephen P., Fecht, Karl R. (1994). Geologic Map the Richland 1:100,000 Quadrangle, Washington State Division of Geology and Earth Resources.
- Reidel, S. P. (2004). The Geologic Development of the Pasco Basin, South-Central Washington. Northwest Geological Society. Society Field Trips in Pacific Northwest Geology.
- Schuster, J. E. (1994). Geologic map of the Walla Walla 1:100,000 quadrangle, Washington: Washington Division of Geology and Earth Resources, Open File Report 94-3, scale 1:100,000.
- USGS. (2019). Quaternary faults and fold database. U.S. Geological Survey, USGS website: <http://earthquake.usgs.gov/hazards/qfaults/>, accessed June 4, 2019.
- Washington State Department of Ecology (2004). Stormwater Management Manual for Eastern Washington, publication number 04-10-076.
- WADNR. (2019). Washington Geologic Information Portal. Washington Department of Natural Resources, Washington Division of Geology and Earth Resources, WADNR website: <https://www.dnr.wa.gov/geologyportal>, accessed June 4, 2019.
- Washington State Department of Transportation (WSDOT SS). (2018). Standard Specifications for Road, Bridge, and Municipal Construction, M 41-10, Olympia, Washington.
- Yeats, R. S., Graven, E. P., Werner, K. S., Goldfinger, Chris, and Popowski, T. A. (1996). Tectonics of the Willamette Valley, Oregon, in Rogers, A. M., Walsh, T. J., Kockelman, W. J., and Priest, G. R., eds., *Assessing earthquake hazards and reducing risk in the Pacific Northwest: US Geological Survey Professional Paper 1650*, v. 1, p. 183–222.

## Figures



Source: ESRI Topographic

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<b>VICINITY MAP</b>	
<b>SIENNA HILLS RICHLAND, WASHINGTON</b>	
DATE: JUN 2019 · PROJECT: 66150.000	
	<b>FIGURE</b> <b>1</b>



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