

**NORTH BEACH WATER DISTRICT
PACIFIC COUNTY, WASHINGTON**

RESOLUTION _____

**A RESOLUTION OF THE NORTH BEACH WATER
DISTRICT OF PACIFIC COUNTY, WASHINGTON,
APPROVING AN AMENDMENT TO AN INGRESS,
EGRESS AND UTILITY EASEMENT**

WHEREAS, The North Beach Water District No. 3 (the "District") currently has an easement for ingress, egress and utilities allowing the District to access property owned by the District; and

WHEREAS, said easement straddles two (2) parcels of land owned by Geraldine J. McDaneld ("McDaneld") identified as Parcels 2 and 3 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington; and

WHEREAS, McDaneld has requested that the easement be amended so that the easement is located entirely on onto parcel 3 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington.

WHEREAS, the District's attorney, Brent Dillie, has reviewed and approved the revised Easement as to form; now, therefore

BE IT RESOLVED, by the Board of Commissioners of North Beach Water District, Pacific County, Washington, as follows:

1. That the amended easement is substantially the same for as presented to the Commissioners is hereby approved.
2. The General Manager is authorized to execute said amended easement.

Adopted by the Board of Commissioners of North Beach Water District, Pacific County, Washington at its regular meeting held on the 21st day of March, 2022.

Brian Sheldon, Commissioner
Position #1

Gwen Brake, Commissioner
Position #2

Glenn Ripley, Commissioner
Position #3

Filed at the Request of
and to be Returned to:

Brent F. Dille
DILLE LAW, PLLC
2010 Caton Way SW, Suite 101
Olympia, WA 98502

Parties:

McDanel, Geraldine J.
North Beach Water District No.3

AMENDMENT TO EASEMENTS

Legal Description (abbreviated), of affected properties – Pacific County, Washington	121133 8512-2; 121133 8512-3; 121133 8512-4
Legal Description of affected properties	Parcels 2, 3 and 4 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., Pacific County, State of Washington
Legal Description of easement area, after amendment	See Exhibits A and B
Pacific County Assessor's Tax Parcel ID No. of affected properties	12113385122, 12113385123, 12113385124
Reference Nos. of Related Documents	- Warranty Deed, Pacific County Auditor's Records, Book 220, Page 544 - Relinquishment of Easements, Pacific County Auditor's Records, Book 7868, page 70 - Jim McDanel Sh. Sub'd Pacific County Short Plat No. 85-12 - Utility Easement, Pacific County Auditor's File Number 3093509

COME NOW Geraldine J. McDanel, and North Beach Public Development Authority, now known as North Beach Water District No. 3, a publically owned water utility, for good and valuable consideration, and agree as follows:

RECITALS:

A. Easements for ingress, egress and utilities were created or reserved by document captioned as “Warranty Deed” recorded at Book 220 page 544 of Pacific County Auditor’s records.

B. Some of the easement rights were relinquished pursuant to document captioned as “Relinquishment of Easements” recorded at Book 7868, page 70 of Pacific County Auditor’s Records.

C. A 15’ utility easement is shown on the “Jim McDanel Sh. Sub’d”, running along the boundary line of Parcel 2 and Parcel 3 in an east - west direction a length of 386.13 feet as shown on Pacific County Short Plat No. 85-12. This easement burdens a portion of Parcel 2 and Parcel 3 of Short Plat 85-12.

D. The same 15’ utility easement is shown on page 5 of the “Utility Easement” recorded as Auditor’s Fee Number 3093509 Pacific County Records.

E. In addition, the Utility Easement shows on the page 5 map an easement running across what are identified as Parcel 3 and Parcel 4 in a north – south direction marked with an arrow and the legend ‘SUBJECT EASEMENT.’ The legal description at page 2 of the Utility Easement describes the same north – south easement.

F. Geraldine J. McDanel is the owner of the burdened property Parcels 2, 3 and 4 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington.

G. North Beach Water District No.3 is the owner of the property to the east and north of the burdened property, benefitted by all of the easements.

H. The parcels are referred to herein variously by both their legal descriptions and their assessors tax parcel identification numbers which have the following equivalence:

Assessors Tax Parcel Identification Number	Legal Description
12113385122	Parcel 2 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington.
12113385123	Parcel 3 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington.
12113385124	Parcel 4 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington.

I. North Beach Water District No 3 and Geraldine J. McDanel, as the owners of the burdened and benefitted parcels in the foregoing documents, have agreed that the easement rights be amended with regard to the description and location of ONEs part of said Easements.

AGREEMENT:

1. This Amendment to Easements has no effect on the Utility Easement, other than the map.

2. Whatever their source, North Beach Water District No. 3 gives up its easements affecting Parcel 2 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington.

3. The legal description of the 15' easement along the boundary line of Parcel 2 and Parcel 3 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington, is amended to be as set forth on **Exhibit A** and **Exhibit B** attached hereto. The location of the easement as set forth on **Exhibits A** and **Exhibit B** amends and supersedes any maps of this easement only in the above referenced documents.

4. The use of the 15' easement as set forth on **Exhibit A** and **Exhibit B** shall be for ingress, egress, and placement of utilities.

5. In aid of understanding of the foregoing, it is the intent of the parties by this Amendment that:

a) the new legal description in Exhibit A and the map in Exhibit B identify the same property; and

b) the easement rights that ran along the boundary of Parcel 2 and Parcel 3 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington, as modified in this document, shall henceforth be located along the most northern part of Parcel 3 of Short Plat 85-12 Section 33, Township 12N, Range 11 West, W.M., in Pacific County, Washington.

6. All the remaining terms and provisions of all of the above referenced documents shall remain in full force and effect except as expressly amended hereby.

DATED this ____ day of _____, 2022.

Geraldine J. McDanel

NORTH BEACH WATER DISTRICT No. 3

Rick Gray, General Manager

STATE OF WASHINGTON)
) ss.
COUNTY OF PACIFIC)

On this day personally appeared before me Geraldine J. McDanel, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 2022.

NOTARY PUBLIC - State of Washington
Commission expires:_____

STATE OF WASHINGTON)
) ss.
COUNTY OF PACIFIC)

On this day personally appeared before me Rick Gray, to me known to be the General Manager of North beach Water District No. 3, the municipal corporation that executed the within and foregoing instrument, and acknowledged said 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 he is authorized to execute said instrument.

GIVEN under my hand and official seal this _____ day of _____, 2022.

NOTARY PUBLIC - State of Washington
Commission expires:_____

EXHIBIT A
Description of Easement

Beginning at the northwest corner of tax parcel number 12113385123 Township 12 North, Range 11 West, Section 33 W.M.

Thence fifteen feet south following the west line of said tax parcel number 12113385123, Township 12 North, Range 11 West, Section 33 WM.

Thence east following a line parallel to the north line of said tax parcel number 12113385123, Township 12 North, Range 11 West, Section 33 WM. and extended to a point that intersects the west line of tax parcel number 12113312120, Township 12 North, Range 11 West, Section 33 WM.

Thence fifteen feet (more or less) north following the west line of said tax parcel number 12113312120, Township 12 North, Range 11 West, Section 33 WM. to the northeast corner of said tax parcel number 12113385123, Township 12 North Range 11 West Section 33 WM.

Thence westerly following the north line of said tax parcel number 12113385123, Township 12 North, Range 11 West, Section 33 WM to the point of beginning.

EXHIBIT B

PARCEL 1

PARCEL 2

PARCEL 3

PARCEL 4

TAYLOR CEMETERY ATTACHMENT

OCEAN BAY WATER CO.
200' R

Old Easement

NEW EASEMENT

10' wide 200' westerly from well 10' wide 200' easterly from well

20' in width, beginning at the well, south to 26' easement

South 26 feet of the east 700 feet

30' strip to be reserved for public dedication when County acquires hookup to "Z" ST.

FF

BROADWAY ("U" ST.)

U ST

