

SPOKANE COUNTY ENVIRONMENTAL SERVICES
WRIA55 WATER BANK
I/O

Document Title: Declaration of Property Covenant
Grantor(s): _____
Grantee: Government, County of Spokane
Location: _____
Assessor's Tax Parcel #: _____

DECLARATION OF PROPERTY COVENANT

THIS DECLARATION OF PROPERTY COVENANT (“Declaration”) made this _____ day of _____, 20__ by _____ (“Owner(s)”) in favor of Spokane County a political subdivision of the State of Washington (“County”).

WITNESSETH

WHEREAS, the Owner(s) hold fee simple title to certain property in Spokane County, Washington, identified as Assessor Parcel Number _____, legally described in **Exhibit “A”**, attached hereto and made a part hereof (“Property”) which Property is located in Water Resource Inventory Area 55 described in Chapter 173-555 WAC (WRIA 55”); and

WHEREAS, County operates a water bank known as the Little Spokane Water Bank which is used to provide mitigation sources to off-set consumptive water use and allow for new permit exempt and permitted uses of water within WRIA 55; and

WHEREAS, the Owner(s) have obtained a Mitigation Certificate in the form of a document entitled “Little Spokane Water Bank Stream Flow Mitigation Certificate” (“Mitigation Certificate”) from County in conjunction with their application or intended application for a building permit on the Property, a copy of which is set forth in **Exhibit “B”** attached hereto and made a part hereof. The Mitigation Certificate will act as a legal document recognized by the Washington State Department of Ecology and Spokane County Department of Building and Planning that the application or intended application for a building permit has established a sufficient right to a designated quantity of water for purposes of RCW 19.27.097 which is senior to WAC 173-555; and

WHEREAS, County regulations require that the Owner(s) in conjunction with obtaining a Mitigation Certificate sign a property covenant limiting domestic water use and associated noncommercial outdoor irrigation from a groundwater source exempt from permitting requirements of RCW 90.44.050; and

WHEREAS, the Owner(s) are desirous of making a binding commitment to the County consistent with its regulations that they will limit domestic water use and associated non-commercial outdoor irrigation from a groundwater source exempt from permitting requirements of RCW 90.44.050 to the quantities designated on the Mitigation Certificate.

NOW, THEREFORE, the Owner(s) covenant and agree that they will limit domestic water use and associated noncommercial irrigation from a groundwater source exempt from the permitting requirements of RCW 90.44.050 on the Property to the quantities designated on the Mitigation Certificate.

The recitals set forth in the preamble of this Declaration are hereby adopted by reference thereto and incorporated herein as if fully set forth.

This Declaration shall remain in full force and effect and shall be binding on the Owner(s) of the Property, their successor in interest and assigns until released by the County.

EXHIBIT "A"

Grantor's Property