2024-1466614
Page 1 of 7 **Easement**
JOHNS MONROE MITSUNAGA KOLOUSKOVA PLLC
Clallam County Washington 12/20/2024 02:13:05 PM
ELECTRONICALLY RECORDED

When Recorded, Return to:

JOHNS MONROE MITSUNAGA
KOLOUŠKOVÁ PLLC
ATTENTION: DEAN WILLIAMS
11201 SE 8TH ST., SUITE 120
BELLEVUE, WA 98004

CLALLAM COUNTY TREASURER
EXCISE TAX EXEMPT

DEC 20 2024

A Hulse

AUDITOR/RECORDER'S INDEXING FORM

DOCUMENT TITLE(S):	EASEMENT AGREEMENT AND RELEASE
GRANTOR/ RELEASEE:	BELLA VISTA ESTATES, LLC, a Washington limited liability company
GRANTEE/ RELEASOR:	HIGHLAND IRRIGATION DISTRICT, a political subdivision of the State of Washington
LEGAL DESCRIPTION: (abbreviated)	PTN SE QTR NW QTR SEC 29 TWN 30N R 3W CLALLAM COUNTY, WASHINGTON
ADDITIONAL LEGAL DESCRIPTION:	Exhibit A
ASSESSOR'S PROPERTY TAX PARCEL NUMBERS:	033029240100
REFERENCED RECORDING NOS.	20001057101

EASEMENT AGREEMENT

This Easement Agreement and Release (this "Agreement") is made this 16th day of December, 2024 (the "Effective Date"), by and between Bella Vista Estates, LLC, a Washington limited liability company ("Grantor" and "Releasee"), as the owner of the Burdened Property (described below), and Highland Irrigation District, a political subdivision of the State of Washington ("Grantee" and "Releasor").

RECITALS

A. Grantor is the owner of that certain real property in Clallam County legally described in **Exhibit A**, which is attached hereto and incorporated by reference herein ("the Burdened Property").

B. Grantee is the Highland Irrigation District, an irrigation district formed and operating under the laws of the State of Washington.

C. Grantor desires to grant an easement to Grantee for an existing irrigation ditch, and in exchange, Grantee desires to release any and all interest in the Burdened Property under a Deed for Right of Way for Irrigation Ditch recorded under Clallam County Recording Number 2000-1057101.

NOW, THEREFORE, Grantor and Grantee hereby covenant, agree, and declare as follows.

EASEMENT

1. **Grant of Easement.** Grantor, on behalf of itself and its heirs, successors, and assigns, as owner of the Burdened Property, hereby grants to Grantee, as of the Effective Date, a perpetual in gross easement for an irrigation ditch, including any and all rights necessary to the operation of the same, over, under, and upon the "Easement Area" legally described in **Exhibit B** and depicted in **Exhibit C**, which is attached hereto and incorporated by reference herein.

2. **Indemnification.** Grantee hereby agrees to indemnify, defend and hold harmless Grantor, its successors and assigns, from and against any and all claims, actions, suits, losses, expenses (including reasonable attorneys' fees), and damages which may accrue or be suffered by any persons or property to the extent arising from or relating to the activities of Grantee pursuant to this Agreement, except to the extent caused or contributed to by the negligence or willful misconduct of Grantor.

3. **Governing Law and Venue.** This Agreement shall be governed by and interpreted in accordance with the laws of the State of Washington. Any dispute shall be heard in Clallam County, Washington.

RELEASE

4. **Release of Prior Instrument.** Confirming that the prior instrument automatically released according to the terms therein with respect to the Burdened Property, Grantee/Releasor hereby releases to Grantor/Releasee any and all claim, right, or interest in the Burdened Property stemming from the "Deed for Right of Way for Irrigation Ditch" recorded under Clallam County Recording Number 2000-1057101. In every respect pertaining to real property other than the Burdened Property, Grantee/Releasor reserves all rights therein.

[*signatures on following page*]

Grantor/Releasee:

Bella Vista Estates, LLC

By: Chris Weymouth
Its: Member
Dated: 12/13/24

Grantee/Releasor:

HD Costello
Highland Irrigation District, a political subdivision of the State of Washington

By: H. D. COSTELLO
Its: PRESIDENT
Dated: 16 DEC 24

STATE OF WASHINGTON)
) ss.
COUNTY OF King)

On this 13th day of December, 2024, before me personally appeared Chris Weymouth, to me known to be the Managing Member of Bella Vista Estates, LLC, the limited liability company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said instrument.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written.

EVANNA L CHARLOT NOTARY PUBLIC 23073 STATE OF WASHINGTON 7-09-27

Evanna Charlot
Evanna Charlot *(Print Name)*
In and for the State of Washington,
Notary Public, Residing at Snohomish WA
My appointment expires: 7-9-27

STATE OF WASHINGTON)
) ss.
COUNTY OF CLALLAM)

On this 16TH day of DECEMBER, 2024, before me personally appeared HAROLD D. COSTELLO, to me known to be the PRESIDENT of Highland Irrigation District 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 or she was authorized to execute said instrument.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

ALEXIS R TAYLOR
Notary Public
State of Washington
Commission # 21037547
My Comm. Expires Aug 22, 2025

Alexis R. Taylor
Alexis R. Taylor *(Print Name)*
In and for the State of Washington,
Notary Public, Residing at Port Angeles-Clallam Co.
My appointment expires: 08-22-2025

EXHIBIT A

August 19, 2024

LEGAL DESCRIPTION

FOR

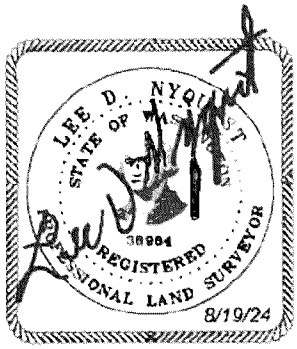
BELLA VISTA ESTATES, LLC

UNDERLYING BELLA VISTA ESTATES PROPERTY

That part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 30 North, Range 3 West, W.M., Clallam County, Washington, lying Northerly of the Highland Irrigation Ditch and Westerly of a line described as beginning at a point on the North line of said Southeast Quarter of the Northwest Quarter, South 87°37'45" East 58 feet from its Northwest corner;

Thence South 21°58'10" East 614.22 feet and South 10°56'17" East 538.93 feet, more or less, to said Highland Irrigation Ditch;

EXCEPT the North 30 feet thereof conveyed to the City of Sequim by Deed recorded August 27, 1996 under Auditor's File No. 744128.



23035 Underlying Bella Vista Property Legal Description 2024-08-16.docx
Page 1 of 1

Prepared by:	E. MALM
Checked by:	

GOLDSMITH
LAND DEVELOPMENT SERVICES

EXHIBIT B

August 19, 2024

LEGAL DESCRIPTION

FOR

BELLA VISTA ESTATES, LLC

HIGHLAND IRRIGATION DISTRICT EASEMENT AREA

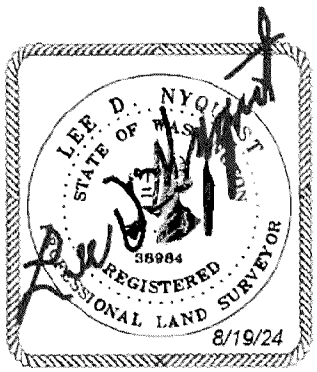
The South 10 feet of the following described parcel:

That part of the Southeast Quarter of the Northwest Quarter of Section 29, Township 30 North, Range 3 West, W.M., Clallam County, Washington, lying Northerly of the Highland Irrigation Ditch and Westerly of a line described as beginning at a point on the North line of said Southeast Quarter of the Northwest Quarter, South 87°37'45" East 58 feet from its Northwest corner;

Thence South 21°58'10" East 614.22 feet and South 10°56'17" East 538.93 feet, more or less, to said Highland Irrigation Ditch;

EXCEPT the North 30 feet thereof conveyed to the City of Sequim by Deed recorded August 27, 1996 under Auditor's File No. 744128.

Herein described Easement Area contains 5,057 square feet, more or less.



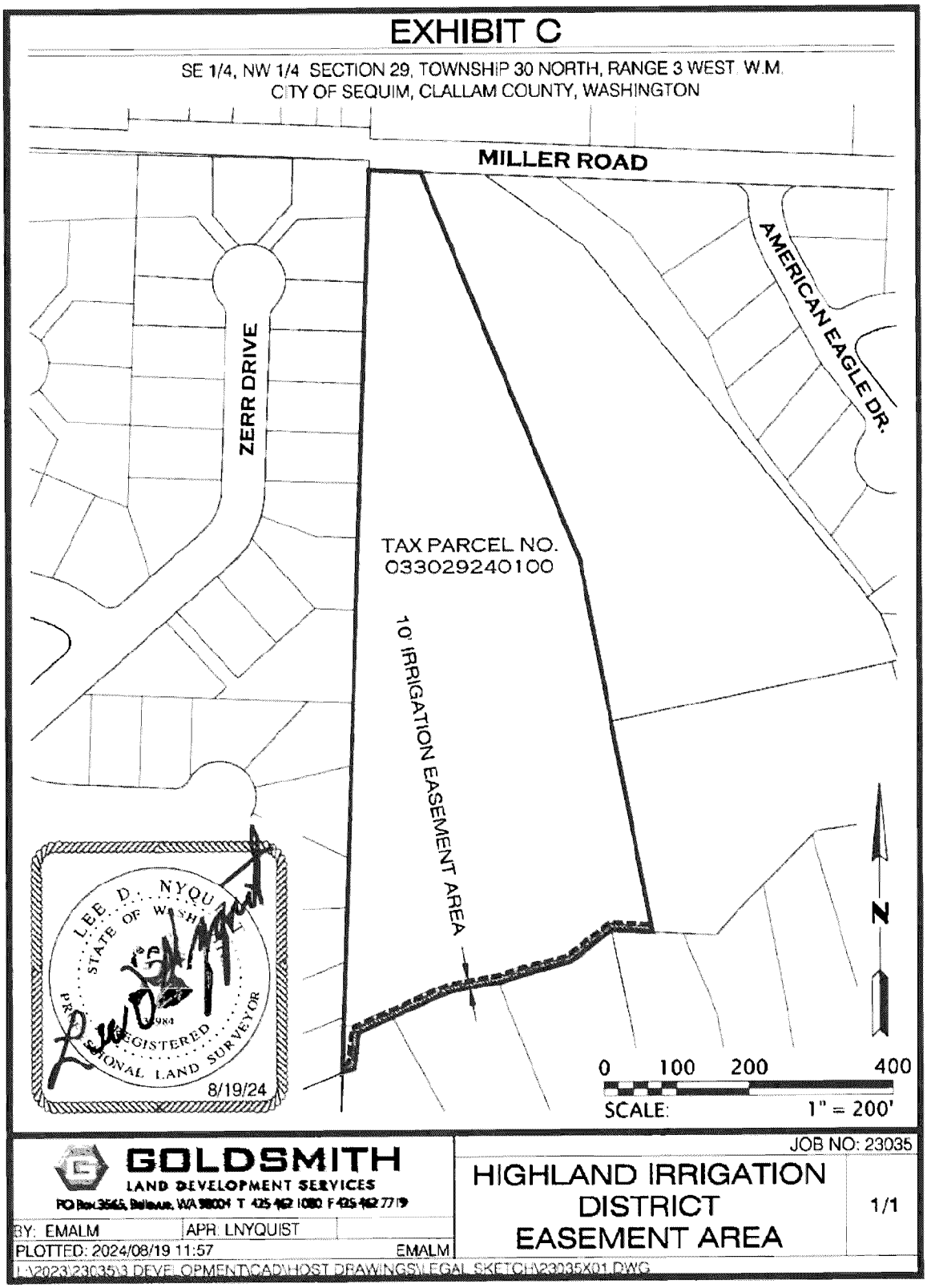
23035 Bella Vista Irrigation Easement Legal Description 2024-08-16.docx
Page 1 of 1

Prepared by:	*E. MALM*
Checked by:	

GOLDSMITH
LAND DEVELOPMENT SERVICES

EXHIBIT C

SE 1/4, NW 1/4 SECTION 29, TOWNSHIP 30 NORTH, RANGE 3 WEST W.M.
CITY OF SEQUIM, CLALLAM COUNTY, WASHINGTON



GOLDSMITH
LAND DEVELOPMENT SERVICES
PO Box 3565, Bellevue, WA 98004 T 425 462 1080 F 425 462 7719

JOB NO: 23035

HIGHLAND IRRIGATION DISTRICT EASEMENT AREA

1/1

BY: EMALM | APR: LNYQUIST

PLOTTED: 2024/08/19 11:57 EMALM

L:\2023\23035\3 DEVELOPMENT\CAD\HOST DRAWINGS\LEGAL SKETCH\23035X01.DWG