

4720078 COV

RecFee - \$65.00 Pages: 4 - DALE ANDERSON
Clark County, WA 11/23/2010 04:11

RETURN ADDRESS

Dale & Leta Anderson

14707 SE Rivershore Drive

Vancouver WA 98683

CONSERVATION COVENANT RUNNING WITH THE LAND

Grantor (owner): Dale & Leta Anderson
Grantee: Clark County
Abbreviated Legal Description: SE 1/4 of Sect. 8 T1 R3E of W.M.
Assessor's Property Tax
Parcel/Account Number(s): 127155-005
Project Case No.: HAB 2008-00016

A COVENANT to Clark County, State of Washington, hereinafter "County," by the owner(s) Dale and Leta Anderson of certain real property identified above on behalf of themselves and all their heirs, assigns and successors in interest into whose ownership said property may pass, agrees that this covenant shall run with the land. It is the purpose of this covenant that certain habitat areas and designated mitigation located within areas shown in Exhibit "A" will be maintained in a protected state as follows:

1. Consistent with the purpose of this covenant, no person, company, agency, or applicant shall alter a habitat area regulated under Clark County Code Title 40.440 except as exempted or as authorized by the Responsible Official through an approved Habitat Permit.
2. Exempt Activities. All exempted activities shall use reasonable methods to avoid potential impacts to habitat areas. Exemptions from permits are not exemptions from habitat stewardship responsibilities. Exempt activities listed in Title 40.440 shall be exempt from

the provisions of this covenant; provided, that they are otherwise consistent with other local, state, and federal laws and requirements:

3. Nothing in this covenant shall be construed to provide for public use of or entry into the habitat areas or designated mitigation areas shown on Exhibit "A". However, representatives and agents of Clark County are hereby authorized to make reasonable entry into designated mitigation areas upon such land for purposes related to administering this covenant, provided that:
 - a. Owners or their heirs, successors or assigns are given at least 24-hours advance notice of any such entry.
 - b. Access granted to representatives and agents of Clark County under this provision shall expire upon completion of required monitoring and final acceptance of the habitat mitigation by the Responsible Official.
4. The provisions of this covenant are enforceable in law or equity by Clark County and its successors.
5. This covenant and all of its provisions, and each of them, shall be binding upon the owners and any and all of their heirs, assigns and successors in interest into whose ownership the above-described real property may pass, and any obligations made herein by owners, shall be enforceable against all of their heirs, assigns and successors in interest into whose ownership the above-described real property may pass.

IN WITNESS WHEREOF, of parties hereto have caused this agreement to be executed the day and year indicated below.

Dated this 23rd day of November, 2010.

APPROVED AS TO FORM ONLY:
ARTHUR CURTIS
Prosecuting Attorney

CLARK COUNTY, WASHINGTON

By 
Chris Horne
Deputy Prosecuting Attorney


By 
Owner – Dale Anderson

By 
Owner – Leta Anderson

STATE OF WASHINGTON)
 : SS
COUNTY OF CLARK)

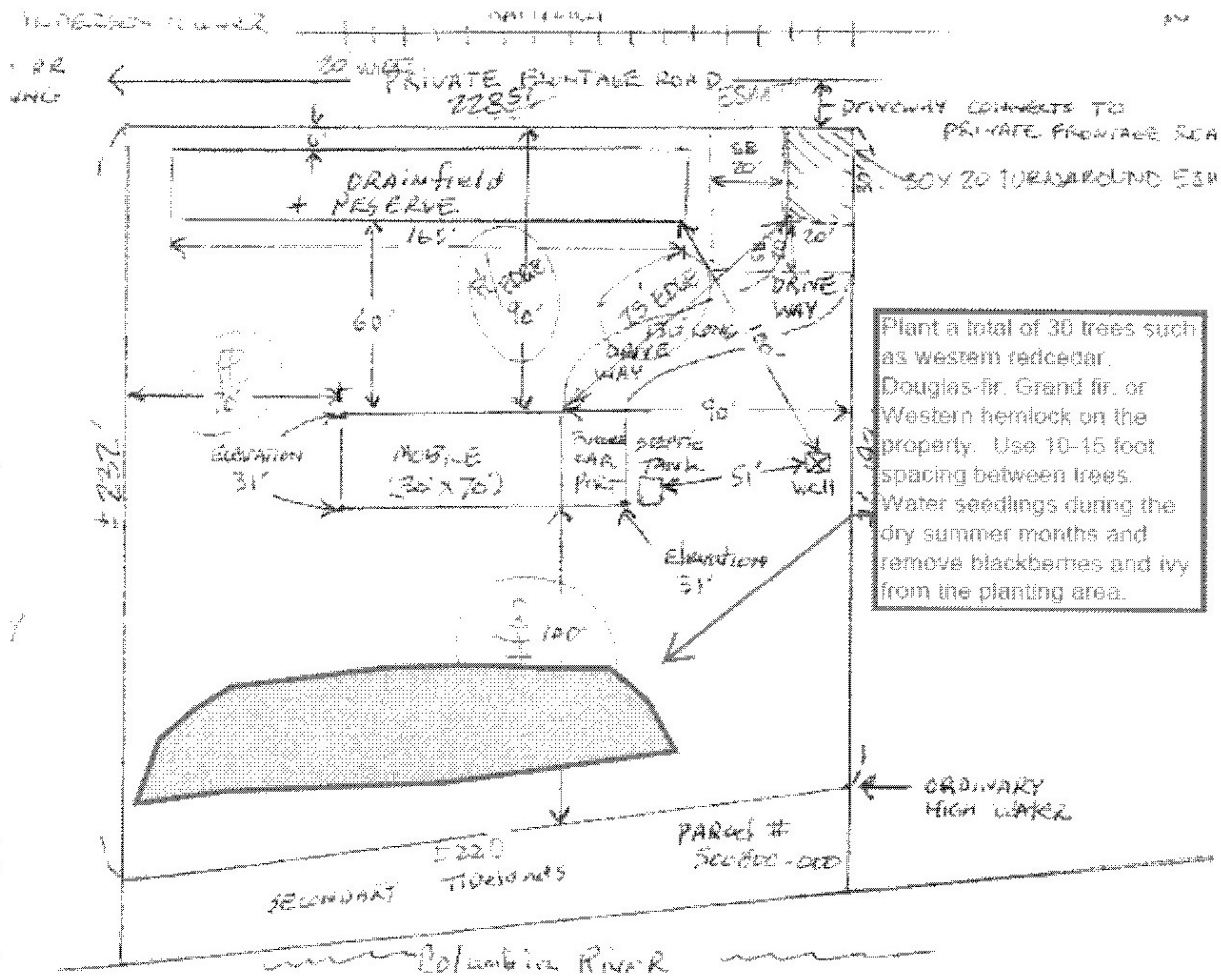
I hereby certify that I know or have satisfactory evidence that Dale and Leta Anderson signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Nov 23, 2010



THELMA W. KREMER
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
FEBRUARY 8, 2012

EXHIBIT A



Limitations:

This exhibit is intended to illustrate the approximate location of areas that are likely to contain habitats or have been designated for habitat mitigation. It does not represent a habitat delineation or survey of the property represented. There may be habitats outside the areas identified on this exhibit that could be subject to regulation by Clark County or State and Federal Agencies.