

When recorded return to:

City of Wenatchee
Public Works
1350 McKittrick Street, Suite A
P.O. Box 519
Wenatchee, WA 98807-0519

WATER AND/OR SEWER CONNECTION AGREEMENT
WITH POWER OF ATTORNEY

Reference numbers of related documents:

Grantor(s): Chelan County Fire Protection District No. 1

Grantee(s): CITY OF WENATCHEE, a Municipal Corporation

Legal Description:

1. TOWNSHIP 22 N RANGE 20 E SECTION 14
2. A portion of Government lot 6, in Chelan County, Washington.
3. Additional legal description on page 5 of this document as Exhibit "A"

Assessor's Property Tax Parcel Account Number(s): 22 20 14 842 327

THIS AGREEMENT made and entered into this 20 day of November,
(MONTH)

2017, by and between the City of Wenatchee, a municipal corporation, hereinafter
(YEAR)

referred to as "City", and Chelan County Fire Protection District No. 1
(printed name(s) of grantee(s))

Owner(s) of property addressed:

1836 South Mission Street

Wenatchee, WA 98801

(Address)

, hereinafter referred to as the "Applicant".

WITNESSETH:

WHEREAS, Applicant has made a request to the City for water and / or sewer connection for Applicant's Property which is located outside the city limits of the City of Wenatchee, and

WHEREAS, City wishes for the immediate annexation of said property if feasible, or in the alternative may wish to annex said property in the future,

NOW, THEREFORE, in consideration of the mutual covenants herein contained, including the furnishing of water and/or sewer service, and other good and valuable consideration, receipt of which is hereby acknowledged, it is hereby agreed as follows:

1. Applicant agrees, on behalf of Applicant, Applicant's successors in interest and Applicant's heirs or assigns, as a condition precedent to the receipt of water and / or sewer services from the City, to annex to the City, if lawful and feasible. In the alternative, Applicant is executing this Agreement, which constitutes a covenant running with the land, to the force and effect that a petition to annex to the City of Wenatchee shall be signed by the applicant at such time as Applicant is requested to do so by the City, the property for which services are sought. Applicant, on behalf of Applicant, Applicant's successors in interest and Applicant's heirs or assigns, further waives any and all right to protest an annexation of such property by the City of Wenatchee. As Evidence of Applicant's agreement to annex Applicants property to the City and the Applicant's waiver of any right to protest the future annexation of the Applicant's property by the City, said property being described on Exhibit "A", attached hereto and incorporated herein as though fully set forth; Applicant has signed a "Non-Revocable Special Power of Attorney" attached hereto as Exhibit "B" and made a part hereof as though fully set forth, granting to the City Clerk power of Attorney to sign Applicant's name, or Applicant's heirs, successors or assigns name, to any


documents required for annexation by the city of the property described on Exhibit "A", in the event Applicant or Applicant's heirs, successors or assigns refuses to sign annexation documents at the time annexation is proposed.

2. Applicant agrees to pay City, when due, all connection charges, service fees, future local improvement district assessments, if any, and any and all other charges and fees required by law to be paid for the services sought.

3. This agreement and the promises made herein constitute a covenant running with the land described in Exhibit "A" attached hereto and incorporated herein as though fully set forth, and shall be binding on the Applicant, Applicant's successors in interest, Applicant's heirs or assigns, to such property. This agreement shall be filed for record in the office of the Chelan County Auditor.

DATED THIS 20 day of November, 2017.
(MONTH) (YEAR)

CITY OF WENATCHEE, a Municipal Corporation

By: 
Mayor

ATTEST:


By: 
City Clerk

Exhibit "A" Legal Description

Land in the Southwest quarter of the Southwest quarter of Section 14, Township 22 N, Range 20 E., W. M. described as follows:

Lots 6 – 9, Block 8, and portion of lots 1 – 3, Block 10, Simmons Heights, Chelan County, Washington, according to the plat thereof recorded in Volume 4 of Plats, page 60;

EXCEPT the east 90 feet of lot 6, and the east 120 feet of lot 7, Block 8;

EXCEPT the east 40 feet of lot 3, Block 10, of said Simmons Heights;

ALSO EXCEPT that portion conveyed to Chelan County by deed recorded December 12, 2011, under Auditor's No 2353167;

ALSO EXCEPT road right of way;

TOGETHER WITH that portion of vacated Squilchuck Road which attached by operation of law, vacated in Final Order of Vacation, recorded December 12, 2011, under Auditor's No 2353166.

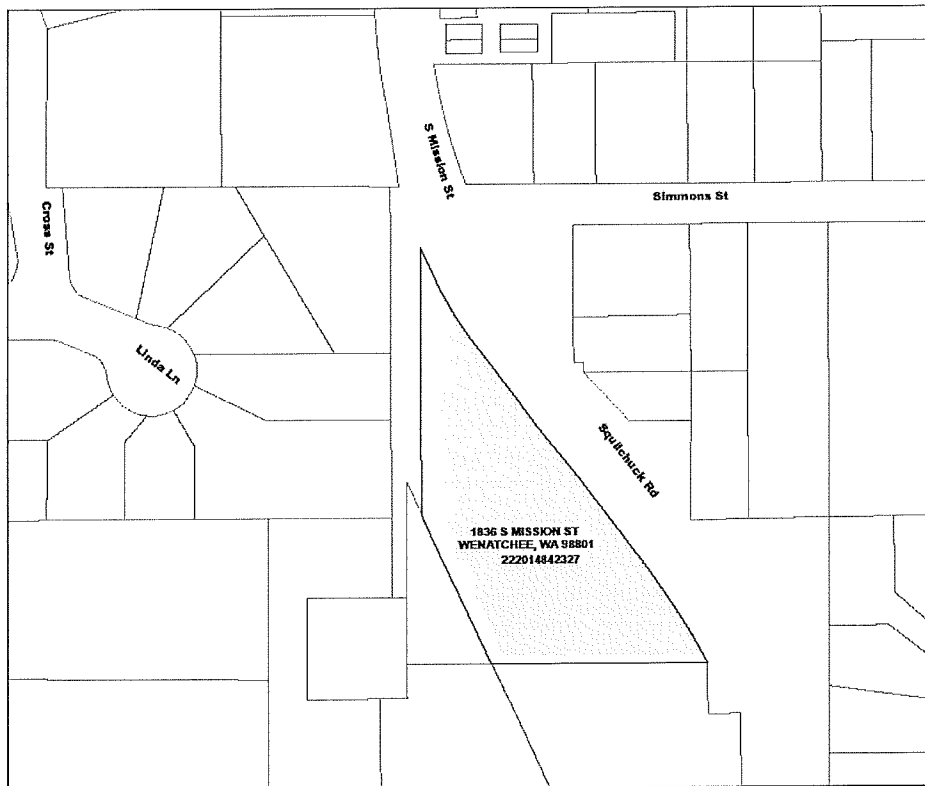


Exhibit “B”
Non-Revocable Special Power of Attorney
For Annexation

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, Chelan County Fire Protection District No. 1, herein referred to as the “Applicant”, in consideration of the City of Wenatchee granting to Applicant the right to connect to the City of Wenatchee’s sewerage and/or water system to serve Applicant’s property described on Exhibit “A” attached hereto and incorporated herein as though fully set forth, do hereby:

Grant and convey to the City of Wenatchee Clerk or the Clerk’s designee;

A Non-Revocable Special Power of Attorney to execute any and all rights on behalf of said Applicant, Applicant’s heirs or assigns, and any successors in interest to said Applicant, including any purchasers, mortgage holders, lien holders or other persons who may claim an interest in said property, hereinafter referred to as “successors in interest”, to accomplish the following:

1. To petition the City of Wenatchee for annexation of any and all of the property of Applicant described on Exhibit “A”, which petition shall conform to the provision of Paragraph 2 herein.
2. To accomplish all steps necessary or proper for the annexation under the laws of the State of Washington, Chelan County and the City of Wenatchee for annexation of the property described on Exhibit “A”, to the City of Wenatchee, with zoning consistent with the City of Wenatchee pre-annexation zoning map and assumption of no more than a fair share of the City’s indebtedness.
3. To sign any and all letters, petitions and other documents necessary to accomplish said annexation on behalf of the Applicant or any successors in interest as defined above.

This power of attorney is granted in consideration of the City providing the above-described access to sewerage and/or water systems and shall be a power coupled with an interest

which may not be terminated except at such time as the property described on Exhibit "A" is annexed to the City of Wenatchee.

This power of attorney touches and concerns the real property described on Exhibit "A", and so long as the property is served by the sewerage and/or water systems of the City of Wenatchee, shall run with the land binding all who derive an interest therein.

DATED THIS 15th day of November, 2017.
(MONTH) (YEAR)

Applicant(s):
Chelan County Fire Protection District No. 1

By: [Signature] Mike Compton,
Chairman / Commissioner

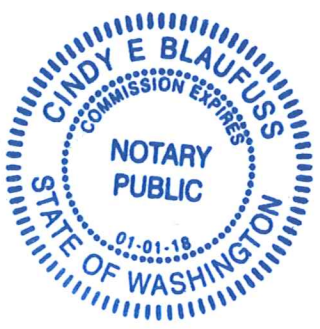
By: [Signature] Herb Troxel,
Commissioner

By: [Signature] Phil Dormaier,
Commissioner

State of Washington)
County of Chelan) ss:

I certify that I know or have satisfactory evidence that Mike Compton, Herb Troxel, and Phil Dormaier, are the persons who appeared before me, and said persons acknowledged that they signed this instrument, on oath stated that they are authorized to execute the instrument and acknowledged it as the Commissioners of Chelan County Fire Protection District No. 1 to be the free and voluntary act of said Fire Protection District for the uses and purposes mentioned in the instrument.

DATED 15th day of November, 2017.



[Signature]
(Signature)
Cindy E. Blaufus
(printed name)

NOTARY PUBLIC in and for the State of
Washington, residing at Chelan County
My commission Expires: 1-1-2018