



WASHINGTON STATE DEPARTMENT OF
Natural Resources

Peter Goldmark - Commissioner of Public Lands
Kyle Blum - Deputy Supervisor for State Uplands

TROMBETTA CANYON TRUST LAND TRANSFER 2013-2015

PROPOSAL

The Department of Natural Resources proposes to transfer 760 acres, more or less, of Common School Trust property located in Stevens County to Natural Area Preserve status.

Proceeds from the timber value will be deposited into the Common School Construction Account. The land value proceeds will be deposited to the Real Property Replacement Account and used to purchase replacement property desirable for the Common School Trust.

BENEFITS

The property asset base of the Common School Trust is improved by:

- Disposing of property that is inefficient to manage for timber harvest income.
- Disposing of an isolated ownership geographically separated from other trust holdings.
- Enabling replacement of the asset with property that has greater potential for income production to provide future revenue to support public schools statewide.
- Transferring the property to a program that will protect and manage for identified biological, ecological, and social values.

GENERAL LOCATION

The property is located approximately 3 miles southeast of Northport within Sections 16 and 17, Township 39 North, Range 40 East, W.M., in Northeast Region.

ENCUMBRANCES

The property is encumbered by one road easement.

IMPROVEMENTS None.

PRESENT INCOME None.

MARKET VALUE	Timber (6,284 Mbf)	\$1,350,000
	Land & Reprod.	<u>\$ 350,000</u>
	TOTAL	\$1,700,000

TERMS OF TRANSFER Cash.

JUSTIFICATION

The property is included in the 2013-2015 Biennium Trust Land Transfer Program. Approval and funding for the transfer is authorized by Section 3231, Ch. 19, Washington Laws of 2013, and RCW 79.17.200.

COMMENTS

Transfer will be by Commissioner's Order. Mineral rights will be retained in their existing trust ownership. As specified by legislation, permitted use will be restricted to Natural Area Preserve purposes.

Division Manager



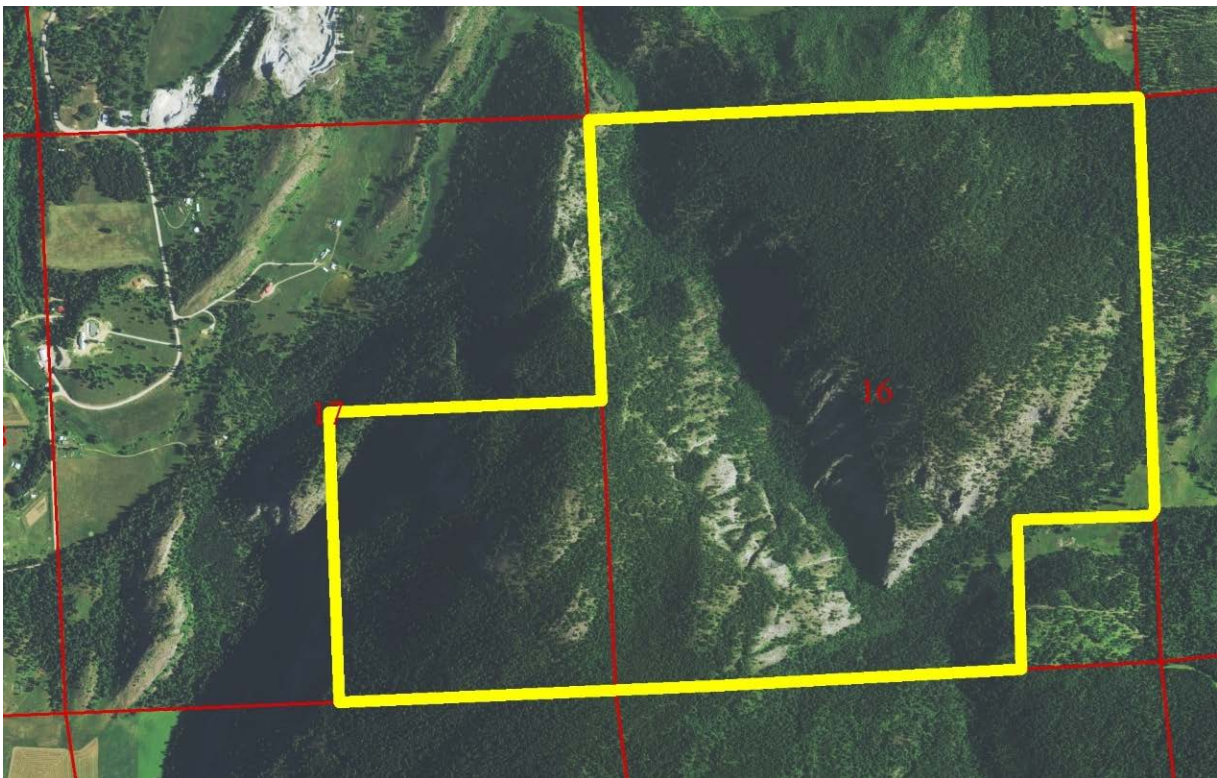
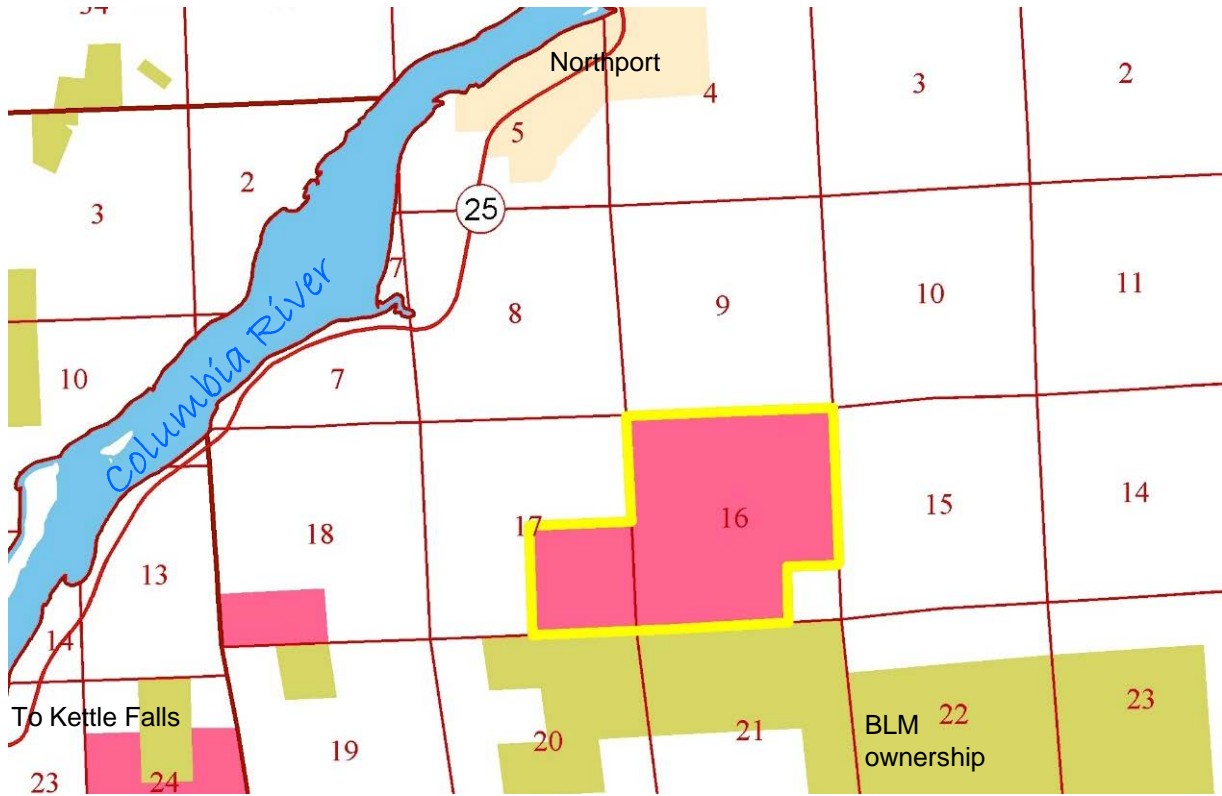
Deputy Supervisor for
State Uplands



Date of Board Approval

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
BOARD OF NATURAL RESOURCES

TROMBETTA CANYON TRUST LAND TRANSFER 02-090370



Within Portions of Sections 16, 17, Township 39 North, Range 40 East, W.M., Stevens County

**STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
BOARD OF NATURAL RESOURCES**

RESOLUTION NO. _____

A **RESOLUTION** relating to the compensation to the Common School Trust for the designation of Common School Trust property to be managed as a Natural Area Preserve as authorized by Section 3231, Ch. 19, Washington Laws of 2013 and RCW 79.70.040 under Department of Natural Resources Land Transfer File No. 02-090370.

**BE IT RESOLVED BY THE BOARD OF NATURAL RESOURCES,
DEPARTMENT OF NATURAL RESOURCES, STATE OF WASHINGTON, THAT:**

SECTION 1. The State of Washington, acting by and through the Department of Natural Resources, has title to and holds in trust under the provisions of Title 79 RCW the Common School Trust property described in Exhibit A, attached hereto and by this reference is made a part hereof.

SECTION 2. The real property described in Exhibit A and known as Trombetta Canyon Trust Land Transfer is among the properties identified for transfer in Section 3231, Ch. 19, Washington Laws of 2013.

SECTION 3. The Board of Natural Resources finds that it is in the best interest of the Common School Trust to transfer and set aside the real property described in Exhibit A to Natural Area Preserve status.

SECTION 4. The Board of Natural Resources finds the appraised market value of the real property described in Exhibit A to be \$1,700,000 consistent with the valuation method used to evaluate the value of the fee simple interest of the property described in Exhibit A.

SECTION 5. The Board of Natural Resources approves of the use of the Declaration of Covenants, Conditions, and Restrictions related to the Dedication of Trombetta Canyon Trust Land Transfer as a Natural Area Preserve and Management Commitment, attached hereto as Exhibit B and by this reference made a part hereof, as evidence of the transfer of the property described in Exhibit A to Natural Area Preserve status.

SECTION 6. Should the transfer authorized by this resolution be consummated, the State of Washington, Department of Natural Resources shall:

- A. Upon receiving payment of the value stated in SECTION 4 above, properly authorize and record the Declaration of Covenants, Conditions, and Restrictions related to the Dedication of Trombetta Canyon Trust Land Transfer as a Natural

Area Preserve and Management Commitment, and take whatever steps are necessary to designate the property described in Exhibit A as a Natural Area Preserve. Use shall be restricted for purposes consistent with Ch. 79.70 RCW. All oils, gases, coals, ores, minerals, and fossils were not included and will be reserved in their existing trust ownerships as provided under RCW 79.11.210. Easement rights will be reserved as provided under RCW 79.36.370. The term of the Natural Area Preserve status shall be perpetual.

B. Disburse the proceeds as a result of the transfer to Natural Area Preserve status as follows:

1. Deposit the timber value of \$1,350,000 into the Common School Construction Account; and
2. Deposit the land value of \$350,000 into the Real Property Replacement Account and hold said funds, together with accrued interest, for the purpose of acquiring desirable replacement property for the Common School Trust in future purchases to be approved by the Board.

APPROVED AND ADOPTED by the Board of Natural Resources, Department of Natural Resources, State of Washington, this _____ day of _____, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Commissioner of Public Lands.

PETER GOLDMARK
Commissioner of Public Lands

Approved as to form this 10 day
of Feb., 2015.

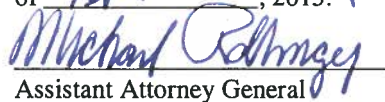

Assistant Attorney General

EXHIBIT A
LEGAL DESCRIPTION

Section 16, Township 39 North, Range 40 East, Willamette Meridian, Stevens County, Washington, EXCEPT the SE1/4 of the SE1/4 of said Section 16, according to U.S. Government subdivision procedures.

AND

The SE1/4 of Section 17, Township 39 North, Range 40 East, Willamette Meridian, Stevens County, Washington, according to U.S. Government subdivision procedures.

Dennis J. Gelvin, PLS 21674
Land Description & R/W Specialist
State Land Survey Unit
PO Box 47060
Olympia, WA 98504-7060

Dated: October 13, 2013

EXHIBIT B

AFTER RECORDING RETURN TO:

Department of Natural Resources
Conservation, Recreation and Transactions Division
ATTN: Trust Land Transfer Program
PO Box 47014
Olympia, WA 98504-7014

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS RELATED TO THE DEDICATION OF TROMBETTA CANYON TRUST LAND TRANSFER AS A NATURAL AREA PRESERVE AND MANAGEMENT COMMITMENT

Stevens County

Grantor: State of Washington, by and through the Department of Natural Resources

Grantee: State of Washington, by and through the Department of Natural Resources, Natural Areas Program

Abbreviated Legal Desc.: NE1/4, NW1/4, SW1/4, NE1/4NE1/4, W1/2SE1/4 of S16, T39N, R40E; SE1/4 of S17, T39N, R40E

Tax Parcel #: Those portions of 8000367 that correspond to the above referenced legal descriptions

THIS DECLARATION is made this ____ day of _____, 2015, by the State of Washington, Department of Natural Resources (DNR).

RECITALS

WHEREAS, the State of Washington owns that certain real property legally described as set forth on Exhibit A attached hereto and shown on Exhibit B and incorporated herein by this reference (the Property);

WHEREAS, Peter Goldmark, Commissioner of Public Lands, following the approval of the Board of Natural Resources, designated the Property as a natural area preserve pursuant to the requirements of Ch. 79.70 Revised Code of Washington and Ch. 332-60 Washington Administrative Code (WAC); and

WHEREAS, this instrument is intended to be consistent with the purposes and requirements of Section 3231, Ch. 19, Washington Laws of 2013; and

WHEREAS, WAC 332-60-150 requires the landholder of a designated natural area preserve to describe the legal commitment to manage the land for the protection of the natural heritage resource; and

WHEREAS, DNR desires to place a Declaration of Covenants, Conditions, and Restrictions declaring that the Property shall be utilized perpetually as a natural area preserve and desires this Declaration to be recorded as a covenant running with the land to bind the Property according to the terms of this instrument.

NOW, THEREFORE, DNR hereby declares that the Property shall be used perpetually as a natural area preserve only subject to prior reservations and to further restrictions of use as set forth herein.

Section 1. Restriction on Use of Property. The Trombetta Canyon Natural Area Preserve was established for the Property because of scenic and ecological values. No uses are to be made of the Property except those consistent with its designation for the term specified herein. No additional or future restrictions may be placed on the Property without the approval of the Commissioner of Public Lands. DNR shall manage the Property consistent with its designation as a natural area preserve, and subject to any management plan that is adopted pursuant to RCW 79.70.030(1) (b). Any other use or activity on the Property which is or may become inconsistent with the purposes of the Trombetta Canyon Natural Area Preserve, the preservation of the Property in its natural condition, or the protection of its ecological features, or any management plan that is adopted, is prohibited.

Section 2. This Declaration does not convey to the public the right to enter the Property for any purpose whatsoever, except as is set forth in any management plan adopted for the Trombetta Canyon Natural Area Preserve.

Section 3. The covenants and restriction of this Declaration shall run with the land and bind the Property in perpetuity.

Section 4. This Declaration, and any future changes duly authorized in writing by the Commissioner of Public Lands, shall be recorded in the Auditor's Office of Stevens County.

Section 5. Each covenant, condition, and restriction contained in this Declaration may be enforced by DNR or any owner of the Property if the Property is subsequently transferred from the State of Washington to another person or entity.

Section 6. This Declaration shall be governed by and construed in accordance with the laws of the State of Washington.

Section 7. This Declaration shall take effect when recorded.

This Declaration is executed and delivered pursuant to RCW 79.70.040 pursuant to Commissioner's Order No. _____, dated _____, entered by the Commissioner of Public Lands with the approval of the Board of Natural Resources, State of Washington.

IN WITNESS WHEREOF, this _____ day of _____, 2015.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

PETER GOLDMARK
Commissioner of Public Lands

Approved as to form this _____ day
of _____, 2015.

Assistant Attorney General

**STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
PETER GOLDMARK, Commissioner of Public Lands**

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PETER GOLDMARK, Commissioner of Public Lands

EXHIBIT B

[NOTE: MAP INSERTED ON THE ORIGINAL SIGNED VERSION]