

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

RESOLUTION NO. _____

A **RESOLUTION** relating to the compensation to the State Forest Trust for the designation of State Forest Trust property to be managed as a natural resources conservation area as authorized by Laws of 2013, Ch. 19, Section 3239 and RCW 79.22.060 under Department of Natural Resources Land Transfer File No. 02-090669.

**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 State Forest Trust property described in Exhibit A.

SECTION 2. The real property described in Exhibit A and known as Skamania State Forest Trust Transfer is authorized for transfer for the purpose of replacing State Forest Trust lands encumbered by endangered species-based harvest restrictions with productive, working forest lands, by Washington Laws of 2013, Ch. 19, Section 3239 and RCW 79.22.060.

SECTION 3. The Board of Natural Resources finds that it is in the best interest of the State Forest Trust to transfer and set aside the real property described in Exhibit A to natural resources conservation area status.

SECTION 4. The Board of Natural Resources finds the appraised market value of the real property described in Exhibit A to be \$500,000, consistent with the valuation method used to establish the value of the fee simple interest of the property without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act.

SECTION 5. The Board of Natural Resources approves of the use of the Declaration of Covenants, Conditions, and Restrictions related to the Dedication of Skamania State Forest Trust Transfer as a Natural Resources Conservation Area and Management Commitment, set forth in Exhibit B, as evidence of the transfer of the property described in Exhibit A to natural resources conservation area 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 Exhibit B and take whatever steps are necessary to designate the property described in Exhibit A as a Natural Resources Conservation Area. Use shall be restricted for purposes consistent with Ch. 79.71 RCW.

All oils, gases, coals, ores, minerals, and fossils were not included and will be reserved in their existing trust ownership. The property shall be retained as Permit Lands as defined in the Department of Natural Resources' Habitat Conservation Plan. The term of the natural resources conservation area status shall be perpetual.

- B. Disburse the proceeds from the transfer to natural resources conservation area status as follows:
1. In accordance with RCW 79.64.110, deposit \$109,062 of timber value into the Forest Development Account, and the remaining \$327,188 of timber value to Skamania County; and
 2. Deposit the land value of \$63,750 into the Park Land Trust Revolving Account and hold said funds, together with accrued interest, for the purpose of acquiring desirable replacement property for the State Forest Transfer 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 _____, 2014.

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 _____ day
of _____, 2014.

Assistant Attorney General

EXHIBIT A

LEGAL DESCRIPTION

Government Lot 4 of Section 3, Township 3 North, Range 7 East, W.M., Skamania County, Washington.

EXCEPT the W1/2 of the W1/2 of the W1/2 of the acreage of Government Lot 4 of Section 3, Township 3 North, Range 7 East, W.M., Skamania County, Washington.

ALSO EXCEPT the East 275 feet of Government Lot 4 of Section 3, Township 3 North, Range 7 East, W.M., Skamania County, Washington.

TOGETHER WITH

The West half of Government Lot 1 and the East 240.00 feet of Government Lot 2 of Section 5, Township 3 North, Range 7 East, W.M., Skamania County, Washington.

Rynea L. Edwards, PLS 45158
Land Description & R/W Specialist
State Land Survey Unit
PO Box 47030
Olympia, WA 98504-7030

Dated _____

EXHIBIT B

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

THIS DECLARATION is made this ____ day of _____, 2014, 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 and Exhibit B attached hereto 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 resources conservation area pursuant to the requirements of Ch. 79.71 Revised Code of Washington; and

WHEREAS, DNR desires to place a Declaration of Covenants, Conditions, and Restrictions declaring that the Property shall be utilized perpetually as a natural resources conservation area 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 resources conservation area only subject to further restrictions of use as set forth herein.

Section 1. Restriction on Use of Property. The Stevenson Ridge Natural Resources Conservation Area was established for the Property to protect for public benefit an area that is important for 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 resources conservation area, and subject to any management plan that is adopted pursuant to RCW 79.71.070. Any other use or activity on the Property which is or may become inconsistent with the purposes of the Stevenson Ridge Natural Resources Conservation Area, 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. Applicability of Habitat Conservation Plan. The Property is located within an area that is subject to the State of Washington, Department of Natural Resources Habitat Conservation Plan and amendments thereto adopted in connection with Incidental Take Permit No. PRT-812521, as supplemented by Permit No. 1168, and the Implementation Agreement for the Washington State Department of Natural Resources Habitat Conservation Plan dated January 30, 1997, and any amendments to said permits and agreement. The Property is also to be used consistent with management as "PERMIT LANDS" as defined in the Habitat

Conservation Plan Implementation Agreement as long as the Habitat Conservation Plan Implementation Agreement is in effect.

Section 3. 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 Stevenson Ridge Natural Resources Conservation Area.

Section 4. The covenants and restriction of this Declaration shall run with the land and bind the Property in perpetuity.

Section 5. 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 Skamania County.

Section 6. 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 7. This Declaration shall be governed by and construed in accordance with the laws of the State of Washington.

Section 8. This Declaration shall take effect when recorded.

This Declaration is executed and delivered pursuant to RCW 79.71.050 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 _____, 2014.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

PETER GOLDMARK
Commissioner of Public Lands

Approved as to form this _____ day
of _____, 2014.

Assistant Attorney General

EXHIBIT B-1

**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
EXHIBIT A**

LEGAL DESCRIPTION

Government Lot 4 of Section 3, Township 3 North, Range 7 East, W.M., Skamania County, Washington.

EXCEPT the W1/2 of the W1/2 of the W1/2 of the acreage of Government Lot 4 of Section 3, Township 3 North, Range 7 East, W.M., Skamania County, Washington.

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Rynea L. Edwards, PLS 45158
Land Description & R/W Specialist
State Land Survey Unit
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Dated _____

EXHIBIT B-2

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
EXHIBIT B

LEGAL DESCRIPTION