



SQUAXIN ISLAND TRIBE

RESOLUTION NO. 15-11

of the

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

WHEREAS, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

WHEREAS, the Squaxin Island Tribal Council is empowered to acquire, manage, lease, or use Tribal real property under its Constitution, Article III, Section 1(b), and its inherent authority; and

WHEREAS, the Squaxin Island Tribal Council has the goal of making the Squaxin Island Reservation an economic, social, and cultural land base for the Squaxin Island Tribe; and

WHEREAS, it has been determined real property owned by the Tribe, as described in the attached Easement, has power lines on it, as constructed by Mason County Public Utility District No. 3; and

WHEREAS, the power lines predate the purchase of the property by the Tribe, and they were placed without any formal easement being entered; and

WHEREAS, the Tribe desires to formalize an easement agreement with the Mason County Public Utility District No. 3 in regards to the existing use of the property.

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby agrees to the purchase of the described real property on grant Mason County Public Utility District No. 3 an easement on the real property described, and pursuant to the terms and conditions, as set out in the attached easement; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Squaxin Island Tribal Council hereby authorizes Tribal Administrator Don Whitener to execute the easement on behalf of the Tribe.

CERTIFICATION

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at a meeting of the Squaxin Island Tribal Council, held on this 12th day of November, 2015, at which time a quorum was present and was passed by a vote of 4 for and 0 against, with 0 abstentions.



David Lopeman, Chairman

Attested by: 

Charlene Krise, Secretary



Arnold Cooper, Vice Chairman

Return to:

Mason County PUD 3
PO Box 2148
Shelton, WA 98584

WF243825

EASEMENT

The undersigned hereby grants and conveys to Public Utility District No. 3 a perpetual non-exclusive easement under, upon and over the following described property; for the purpose of installing, laying, constructing, renewing, replacing, upgrading, operating, and maintaining electric and communication utilities, public and private.

The utility facilities shall be installed in a good and workmanlike manner and the premises restored as nearly as practicable to the same condition it was prior to the utility facilities being placed. The Grantor shall retain the use of the land for purposes not inconsistent with installation, operation, or maintenance of the facilities, except that no structures will be constructed over, upon or under said facilities.

Property description:

PARCEL 1.

A TRACT OF LAND IN THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION NINETEEN (19), TOWNSHIP NINETEEN (19) NORTH, RANGE THREE (3) WEST, W.M., IN MASON COUNTY, WASHINGTON, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SECTION LINE BETWEEN SECTION NINETEEN (19) AND TWENTY (20), TOWNSHIP NINETEEN (19) NORTH, RANGE (3) WEST, W.M., SAID POINT BEING 508 FEET SOUTH OF THE SECTION CORNER COMMON TO SECTIONS 17, 18, 19 AND 20, TOWNSHIP NINETEEN (19) NORTH, RANGE THREE (3) WEST, W.M.; THENCE NORTH ALONG THE SECTION LINE 152.2 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT-OF-WAY OF OLD OLYMPIC HIGHWAY, COUNTY ROAD NO. 14010 AS LOCATED ON DECEMBER 23, 1940; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 55 DEGREES WEST 96.5 FEET, TO THE NORTHWESTERLY CORNER OF A TRACT OF LAND CONVEYED TO DAHLE R. ROESSEL, ET UX, IN DEED RECORDED UNDER AUDITOR'S FILE NO. 89007, AND THE POINT OF BEGINNING OF THE TRACT OF LAND HEREBY DESCRIBED; THENCE CONTINUING NORTH 55 DEGREES WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 223.5 FEET TO AN IRON PIPE; THENCE SOUTH 310 FEET TO AN IRON PIPE, THENCE EAST 84.75 FEET; THENCE IN THE NORTHEASTERLY DIRECTION 203 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; EXCEPTING THEREFROM, ALL THAT PORTION THEREOF, IF ANY, WHICH LIES WITHIN SAID ROESSEL TRACT.

PARCEL 2.

A TRACT OF LAND IN THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION NINETEEN (19), TOWNSHIP NINETEEN (19) NORTH, RANGE THREE (3) WEST, W.M., IN MASON COUNTY, WASHINGTON, PARTICULARLY DESCRIBED AS FOLLOWS:

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PARCEL NUMBERS: 31919-11-00030 AND 31919-11-00040

THE APPROXIMATE LOCATION OF THE EASEMENT IS AS SHOWN ON EXHIBIT A:

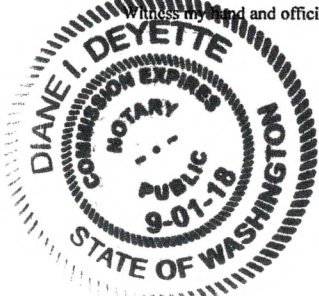
IN WITNESS WHEREOF, we have hereunto set our hands and seals.

[Signature]
SQUAXIN ISLAND TRIBE

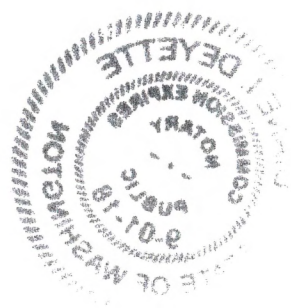
Donald Whitener
SQUAXIN ISLAND TRIBE

STATE OF WASHINGTON,
County of Mason

On this 23rd day of November, 2015, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Donald Whitener and [Signature], to me known to be the Tribal Administrator and [Signature] of Squaxin Island Tribe, the Tribe that executed the foregoing instrument, and acknowledged that I signed and sealed said instrument as the free and voluntary act and deed of said Tribe for the uses and purposes therein mentioned, and on oath stated that I am authorized to execute said instrument.



Diane I. Deyette
Notary Public in and for the State of
Washington residing at Mason County
Diane I Deyette
9/1/2018 - Expires



Return to:
Mason County PUD 3
PO Box 2148
Shelton, WA 98584

WF243825

EASEMENT

The undersigned hereby grants and conveys to Public Utility District No. 3 a perpetual non-exclusive easement under, upon and over the following described property: for the purpose of installing, laying, constructing, renewing, replacing, upgrading, operating, and maintaining electric and communication utilities, public and private.

The utility facilities shall be installed in a good and workmanlike manner and the premises restored as nearly as practicable to the same condition it was prior to the utility facilities being placed. The Grantor shall retain the use of the land for purposes not inconsistent with installation, operation, or maintenance of the facilities except that no structures will be constructed over, upon or under said facilities.

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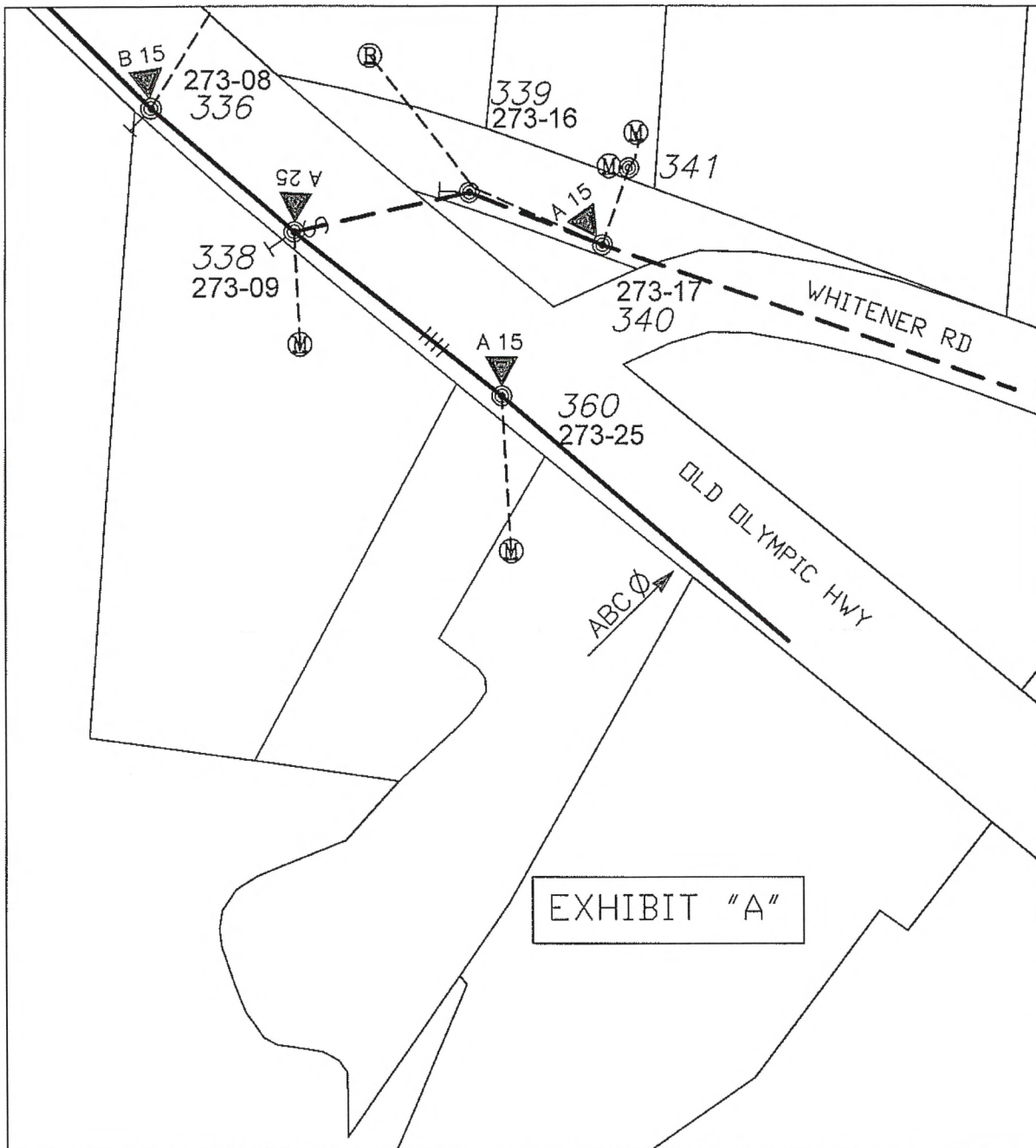
Don Whitener
Tribal Administrator
Squaxin Island Tribe

STATE OF WASHINGTON,
County of Mason,

On this ____ day of _____, 2015, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the _____ of Squaxin Island Tribe, the Tribe that executed the foregoing instrument, and acknowledged that he signed the said instrument as the free and voluntary act and deed of said Tribe for the uses and purposes therein mentioned, and on oath stated that he authorized to execute said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the
State of Washington
residing at _____.



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SCALE NTS	SQUAXIN ISLAND TRIBE 3781 OLD OLYMPIC HWY EXHIBIT "A" DEPARTMENT of ENGINEERING PUBLIC UTILITY DISTRICT NO.3 of MASON COUNTY SHELTON, WASHINGTON	DSGN. BY	MJD
DATE 4/13/15		DR. BY	MJD
APPROVED BY		CH. BY	
WF 243825		SHEET	OF
		DRAWING NO:	REV.

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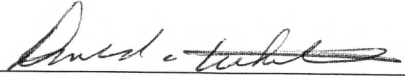
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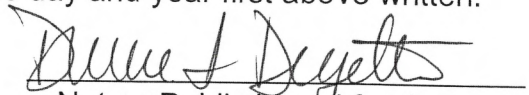


Don Whitener
Tribal Administrator
Squaxin Island Tribe

STATE OF WASHINGTON,
County of Mason,

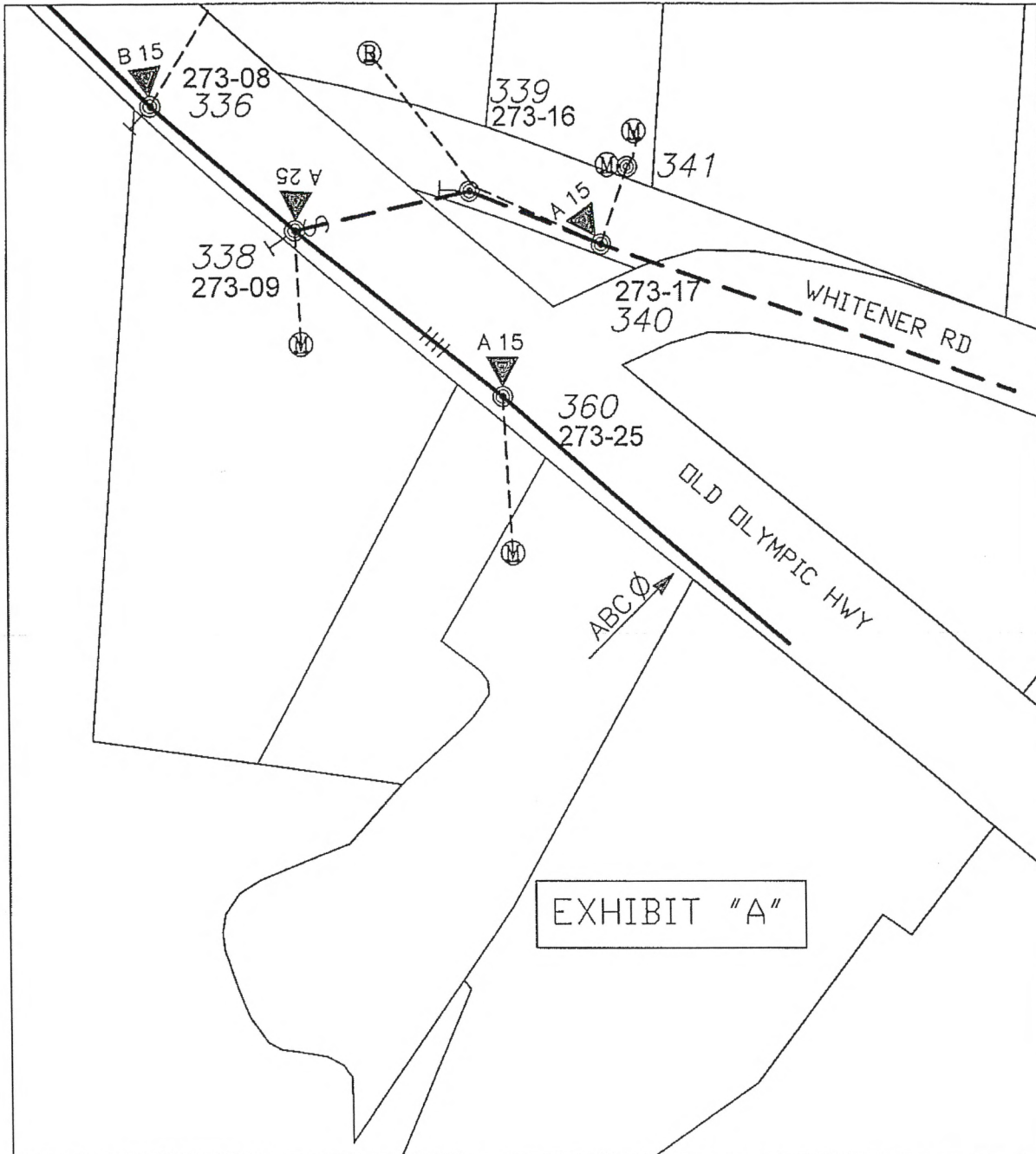
On this 18th day of November, 2015, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Donald Whitener, to me known to be the Tribal Administrator of Squaxin Island Tribe, the Tribe that executed the foregoing instrument, and acknowledged that he signed the said instrument as the free and voluntary act and deed of said Tribe for the uses and purposes therein mentioned, and on oath stated that he authorized to execute said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Notary Public in and for the
State of Washington
residing at Mason County
Expire: 9/1/2018





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