

RESOLUTION NO. 2016-15

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF PEND OREILLE COUNTY DIRECTING THE PEND OREILLE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT TO WORK WITH THE WASHINGTON DEPARTMENT OF FISH AND WILDLIFE TO FACILITATE THE TRANSFER OF THE "ASHENFELTER BAY" RECREATIONAL PROPERTY (Township 31 North, Range 45 East W.M. Section 12: That part of Government Lot 5 of said Section 12 lying East and South of River Drive and North and East of the Public Park as shown on the plat of Phinney's Riverview Homes recorded in Book 2, Plats, page 96, Auditor's File #105474).

**WHEREAS**, the Washington Department of Fish and Wildlife ("WDFW"), as successor to the Department of Game, is the current owner of the above-described real property; and

**WHEREAS**, Pend Oreille County owns and manages the adjacent public park; and

**WHEREAS**, The adjacent public park is designated as a Pend Oreille River Water Trail site; and

**WHEREAS**, The Statutory Warranty Deed conveying ownership of said property from Harold and Elda Phinney to The State of Washington, Department of Game requires that the property be managed by the Department of Game or its successor as a public fishing and boat launching area with provisions for prohibiting overnight camping, discharge of firearms and commercial concessions of any type; and

**WHEREAS**, the state's purchase from Mr. and Mrs. Phinney was funded with state monies under a contract with certain obligations, including the requirement to never convert the property to uses other than public recreation, which funding contract is enforced by the state agency now known as the Washington Recreation and Conservation Office ("RCO"); and

**WHEREAS**, Pend Oreille County agrees to abide by the conditions and restrictions listed on the Statutory Warranty Deed and further agrees to assume all of WDFW's obligations on the RCO contract by entering into a new contract with RCO; and

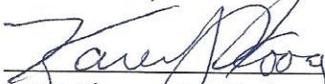
**WHEREAS**, it is in the public interest that one government entity manage and maintain the two public access properties.

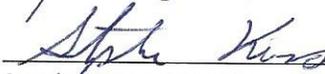
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Pend Oreille County as follows:

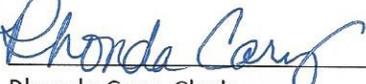
The Pend Oreille Community Development Department is hereby directed to work with WDFW and RCO to achieve a transfer of the WDFW property on Ashenfelter Bay to Pend Oreille County for use as a public park.

**PASSED AND ADOPTED** this 19<sup>th</sup> day of April, 2016

  
\_\_\_\_\_  
Mike Manus, Chair

  
\_\_\_\_\_  
Karen Skoog, Vice-Chair

  
\_\_\_\_\_  
Stephen Kiss, Member

Attest:  
  
\_\_\_\_\_  
Rhonda Cary, Clerk  
Board of County Commissioners