

Return to: Skagit Surveyors & Engineers
806 Metcalf Street
Sedro-Woolley, WA 98284
Phone: (360) 855-2121



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COVER SHEET: Notice to Future Property Owners

GRANTOR: Daniel H. Peck and Rebecca J. Peck

GRANTEE: Current and future owners Lot 1 and Lot 2 of Short Plat PL13-0390

LEGAL DESCRIPTION

Ptn of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 32, Township 35 North, Range 03 East, W.M.

ASSESSOR'S PROPERTY TAX PARCEL NUMBER: P112774

**TWO CONNECTION RESIDENTIAL GROUP B PUBLIC WATER SYSTEM
NOTICE TO FUTURE PROPERTY OWNER**

Short Plat PL13-309	Lot 1
Short Plat PL13-309	Lot 2

PUBLIC SYSTEM

This property is served by a public water system, Peck public system, with the DOH ID# AD083J, which is subject to the requirements in Chapter 246-291 Washington Administrative Code and Chapter 12.48 Skagit County Code. The system purveyor is responsible for maintaining this system in compliance with these regulations. Chapter 246-291-030 (3) WAC allows the Skagit County Public Health Department, at its discretion, to reduce the design requirements for two connection residential public water systems. Skagit County has approved this system based on water quality and quantity data provided by the owner, but did not review or approve the design or construction of this system.

WATER SYSTEM PURVEYOR REQUIREMENTS

The purveyor of the water system is the person listed as the "primary contact" person on the Water Facilities Inventory Form (provided by the Washington State Department of Health). The purveyor is responsible for ensuring submission of all necessary water samples as required in the Chapter 246-291 WAC and properly addressing emergencies such as system shutdown, repair, and bacteria contamination. The purveyor is required to provide his/her name, address, and telephone number to the Skagit County Public Health Department. The purveyor is required to organize and maintain the water system records. The purveyor must make all water system records available for review and inspection. Prior to purchasing one of these two properties, it is recommended that the proposed purchaser contact the Skagit County Public Health Department to determine whether this system is in compliance with applicable regulations.

EXEMPT WELL AND FLOW-SENSITIVE BASIN REQUIREMENTS

The Department of Ecology has not issued a Water Right Permit for this well. The purveyor is required to adhere to the requirements in RCW 90.44.050 and is not allowed to pump more than 5,000 gallons per day from this well and cannot use water from this well to irrigate more than 1/2 acre of land in total without a Water Right Permit issued by the Department of Ecology. All public water systems expanding after April 14, 2001, for areas subject to Chapter 173-503 WAC or after September 26, 2005, for areas subject to Chapter 173-505 WAC shall install and maintain water source meters.

This well is located in a flow-sensitive basin established in Washington Administrative Code 173-503-074 and 173-505-090. The water system purveyor (manager) shall provide an annual report of monthly water use data to the Skagit County Public Health Department Health Officer.

After construction of a home on either lot, water quality monitoring will be required for the well and the results will be submitted to the Skagit County Public Health Department Health Officer within 30 days of the date of the test. Monitoring shall consist of:

- Coliform bacteria must be monitored at least once every 12 months
- Nitrate must be tested at least every 36 months



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- Chlorides must be tested quarterly for the first year after the first home is constructed in January, April, July, and October. The Skagit County Public Health Department will review the data and determine if any further chloride testing is required after that.

The Skagit County Health Department has indicated that due to its location and depth, the well has an increased potential for seawater intrusion. To lessen the potential for seawater intrusion, the well must be limited to a pump rate of 8 gallons per minute or less.

WATER SYSTEM OWNERSHIP AND EQUAL FINANCIAL BURDEN

Each of the short plat lots (Lot 1 and Lot 2 of Short Plat PL13-0390) shall be and is hereby granted an undivided one-half interest in and the use of the well and water system to be constructed. Each short plat lot shall be entitled to receive a supply of water for one residential dwelling and shall be furnished a reasonable supply of potable and healthful water for domestic purposes.

COST OF MAINTENANCE OF WATER SYSTEM

Maintenance and operational costs of the well and water system herein described and the expense of water quality sampling as required by Skagit County shall be shared equally between the owners of Lot 1 and Lot 2 of Short Plat PL13-0390. An account at a mutually agreed upon banking institution shall be established and maintain a reserve. The owner of each lot shall be entitled to receive an annual statement from said banking institution regarding the status of the reserve account. The monetary funds in the reserve account shall be utilized for the sole purpose of submitting water samples for quality analysis and maintaining, repairing, or replacing the well and common waterworks equipment or appurtenance thereto.

EASEMENT OF WELL SITE , PUMP HOUSE & WATER LINE

There shall be an easement for the purpose of maintaining or repairing the well and appurtenances thereto, within 30 feet of the well site in any direction. Said easement shall allow the installation of well house, pumps, water storage reservoirs, pressure tanks, and anything necessary to the operation of the water system. Attachment A shows the locations of easement for water lines, the pump house, and other held-in-common components of the water system. Building permanent structures on the water line easements is prohibited except as needed for the operation of the well and water system.

MAINTENANCE AND REPAIR OF PIPELINES

All pipelines in the water system shall be maintained so that there will be no leakage or seepage, or other defects which may cause contamination of the water, or injury, or damage to persons or property. Cost of repairing or maintaining common distribution pipelines shall be borne equally by the owners of each lot. The owners of Lot 1 and Lot 2 shall be responsible for the maintenance, repair, and replacement of pipe supplying water from the common water distribution piping to their own particular dwelling and property.

WELL SANITARY CONTROL AREA

The parties herein, their heirs, successors, and/or assigns, will not construct, maintain or suffer to be constructed or maintained upon the said land and within 100 feet of the well herein described, so long as the same is operated to furnish water for two or more connections, anything that may contaminate the well. Perpetual adherence to the minimum well location and sanitary control area requirements stated in WAC 173-160 for individual water systems is required.

PROVISIONS FOR CONTINUATION OF WATER SERVICE



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The parties agree to maintain a continuous flow of water from the well and water system, herein described in accordance with public water supply requirements of the State of Washington and Skagit County. In the event that the quality or quantity of water from the well becomes unsatisfactory as determined by the Skagit County Public Health Department, the parties shall develop a new source of water. Prior to development of, or connection to a new source of water, the parties shall obtain written approval from the Skagit County Public Health Department. This system is not required to have back-up facilities to cover power outages or other system failures. Contact the system purveyor for information regarding the reliability of this system.

RESTRICTION ON FURNISHING WATER TO ADDITIONAL PARTIES

It is further agreed by the parties hereto that they shall not furnish water from the well and water system herein above described to any other persons, properties or dwellings other than one residence on Lot 1 and Lot 2 of Short Plat PL13-0390 without prior consent of the owners of each lot and written approval from Skagit County Public Health Department.

RENTERS

If either residence is rented the owner of the lot where the rental is located will provide a copy of this notice to the renter.

HEIRS, SUCCESSORS AND ASSIGNS

These covenants and agreements shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in this land described herein or any part hereof, and it shall pass to and be for the benefit of each owner thereof.

ENFORCEMENT OF AGREEMENT ON NON-CONFORMING PARTIES AND PROPERTIES

The parties herein agree to establish the right to make reasonable regulations for the operation of the system, such as the termination of service if bills are not paid.

SYSTEM DISSOLUTION

If a dispute arises between the users which cannot be resolved, they may dissolve this water user's agreement and develop a second water system so that each of the two properties is served by their own individual water systems. In this case, the second well may be drilled in the designated reserved well site area. If the public system is dissolved, the property owners are required to promptly notify the Skagit County Public Health Department of the dissolution.



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WITNESS our hands this 23rd day of January, 2014.

Daniel H Peck

Daniel H. Peck

Rebecca J. Peck

Rebecca J. Peck

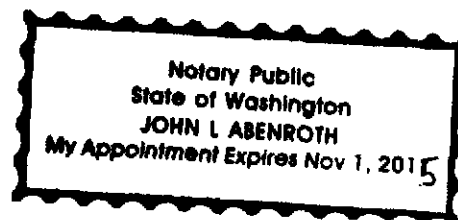
State of Washington
County of Skagit

I certify that I know or have satisfactory evidence that Daniel H Peck and Rebecca J Peck are the persons who signed this instrument, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 1/23/14

Signature: [Signature]

(print name) John L. Abenroth



NOTARY PUBLIC IN AND FOR THE STATE OF Washington

My appointment expires 11/1/2015



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