




## MEMORANDUM

**TO:** Satpal Sidhu, County Executive

**FROM:** Bennett Knox, Director 

**RE:** Relinquishment of Foot Path Easement

**DATE:** April 1, 2026

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Please find the attached Relinquishment of Foot Trail Easement related to the Carrasco Property.

### Background and Purpose

Whatcom County purchased the Carrasco Property at 6324 Saxon Road in December 2023 for addition to the South Fork Park complex and to provide pedestrian access to the immediately adjacent County-owned Nessel Farm. In 2007, the previous property owners granted the Whatcom Land Trust a 10-year foot trail easement which was never utilized (Document 2070602895). Purchase of the Carrasco Property nullifies the need for this easement. Whatcom County has received a grant from the Washington State Recreation and Conservation Office (RCO) which will reimburse a portion of the acquisition costs associated with the Carrasco Property purchase. As a condition of the grant, RCO has requested that this encumbrance to the property be removed. This attached documentation fulfills that requirement.

### Recommendation

Approval and signature of the attached Relinquishment of Foot Path Easement

### Funding Amount and Source

n/a

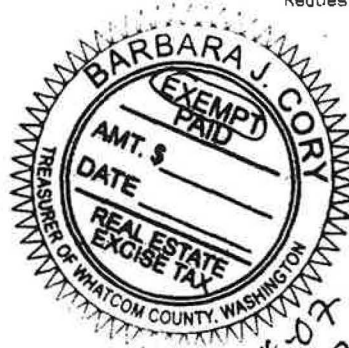


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Page: 1 of 6  
6/18/2007 1:54 PM  
EASE \$37.00  
Whatcom County, WA

Request of: WHATCOM LAND TRUST

Upon Recording Return to:  
Whatcom Land Trust  
P.O. Box 6131  
Bellingham, WA 98227



DOCUMENT TITLE: **EASEMENT**

GRANTORS: **Ken Carrasco and Mariann Brown**

GRANTEE: **WHATCOM LAND TRUST, a Washington nonprofit corporation**

ABBREVIATED LEGAL DESCRIPTION: **PNT GOVT 1-LESS ROADS, T37N, R5E, SEC 22.** (Additional legal description below)

ASSESSOR'S TAX PARCEL NUMBER: **370522199054**

### FOOT TRAIL EASEMENT

This Foot Trail Easement is created and granted this 11 day of June, 2007, by KEN CARRASCO AND MARIANN BROWN (Grantors) to Whatcom Land Trust or its assigns (Grantee).

#### Recitals

This Foot Trail Easement is granted with reference to the following facts:

A. Grantors own real property, (Grantors' Property), described as:

GOVERNMENT LOT 1, SECTION 22, TOWNSHIP 37 NORTH, RANGE 5 EAST OF W.M., EXCEPTING THEREFROM COUNTY ROAD NO. 566, ALSO KNOWN AS SAXON ROAD.

SITUATE IN COUNTY OF WHATCOM, STATE OF WASHINGTON  
APN 370522199054.

- B. Grantors wish to provide public access via a foot trail over a portion of Grantors' Property for a period of ten years, during which they will assess the impact of the trail and decide whether to grant a permanent foot trail easement.
- C. Grantee wishes to have a public access foot trail easement over a portion of Grantors' Property in order to provide public access to Nessel Farm Park, a Whatcom County Park.

### **Grant of Foot Trail Easement**

1. Grant of Easement. The Grantors hereby grants to Grantee a Foot Trail Easement for public use, as described below, across a portion of Grantors' Property. Grantors and Grantee agree that the public benefit created by this grant is good and adequate consideration.

2. Description of Easement. This Foot Trail Easement is a non-exclusive, public access easement granted for a period of ten years to allow a foot trail for public use over a portion of Grantors' Property. The easement is eight feet wide, four feet wide for the trail itself and an additional four feet for construction and clearing. Except for trail maintenance, medical emergencies and handicap access, only foot traffic will be allowed to use the trail constructed over this Foot Trail Easement. Maintenance will be scheduled after consultation with Grantors to minimize interference with wildlife and Grantor's guests. The trail will be constructed to US Forest Service standards to minimize environmental impact and maximize durability. Prior to the construction of the foot trail, Grantors may place one or more water pipes across the Foot Trail Easement after consultation with Grantee.

3. Location of Foot Trail Easement. The Foot Trail Easement is located in the eastern portion of the Grantor's property and generally follows an existing foot path along an abandoned roadway beginning 8 feet west of the

southeastern corner of the property, then runs northerly to a point in the northern portion of the property where the Foot Trail Easement leaves the existing foot path and ascends up-hill towards the northern property boundary, exiting the property 528 feet west of the northeast corner of the property, as depicted in Exhibit A attached. The final location of the easement is as built.

4. Grantee Responsibilities. Grantee is solely responsible for construction, maintenance and repair of the trail. Grantee will construct the trail to US Forest Service standards to minimize environmental impact and maximize durability. Grantee will indemnify and hold harmless Grantors from any claims arising out of the use of the trail by the public unless those claims are based on the negligence of Grantors.

5. Assignment. Grantee may assign this Foot Trail Easement to Whatcom County, Whatcom County Parks and Recreation Department, or the Nessel Foundation. All references in this easement to Grantee apply equally to Grantee's successors and assigns.

6. Effectiveness. This easement permits trail construction to begin upon execution of this easement, and the ten year term of the easement begins upon completion of construction. Grantee will notify Grantors in writing as to the completion date of trail construction.

DATED this 11 day of June, 2007.



GRANTORS:

[Signature]  
KEN CARRASCO

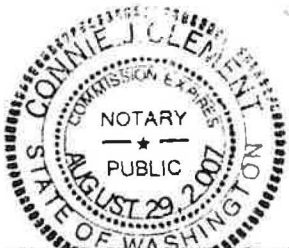
STATE OF WASHINGTON )  
County of WHATCOM ) ss.

On this day personally appeared before me KEN CARRASCO, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 11<sup>th</sup> day of June, 2007

Connie J. Clement

NOTARY PUBLIC in and for the State of Washington  
Residing at Bellingham  
My commission expires: 8-29-07



[Signature]  
MARIANN BROWN

STATE OF WASHINGTON )  
County of WHATCOM ) ss.

On this day personally appeared before me MARIANN BROWN, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 11<sup>th</sup> day of June, 2007

Connie J. Clement

NOTARY PUBLIC in and for the State of Washington  
Residing at Bellingham  
My commission expires: 8-29-07

**GRANTEE:**

WHATCOM LAND TRUST

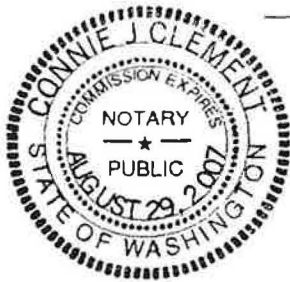
By: Christopher Moench

Its: President

STATE OF WASHINGTON )  
County of WHATCOM ) ss.

On this day personally appeared before me Christopher Moench to me known to be the President of the WHATCOM LAND TRUST who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 13<sup>th</sup> day of June, 2007



Connie J. Clement

NOTARY PUBLIC in and for the State of Washington

Residing at Bellingham

My commission expires: 8-29-07






# Exhibit A



Legend

1:5,000



-  Conservation Easement
-  Land Trust Ownership
-  Trail Easement
-  Trail through State Land
-  Existing Trails / Skid Trails / Old Rail Road Grade

## Blue Mountain Trail Easement



**WHATCOM LAND TRUST**  
 Datum: NAD83 JTM Zone 10  
 Data Sources: July 2005 Air Photo - USDA  
 20' contours and Roads - WCPDS  
 Sections and Water - DNR  
 Tax Parcels - Whatcom County  
 CE Boundary: Existing Trails  
 and Trail Easement - WLT April 2007 etc