

After recording return document to:

Lummi Nation
2665 Kwina Road
Bellingham, WA 98226

Document Title: Bargain and Sale Deed
Reference Number of Related Documents: NA
Grantor: Whatcom County Flood Control Zone District
Grantee: Lummi Nation
Legal Description: A Ptn of the NW ¼ SW ¼, S8, T38N. R2E, W.M.
Assessor's Tax Parcel Number: 380208 042156 0000

BARGAIN AND SALE DEED

The Grantor, **WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT, A QUASI-MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON**, for and in consideration of TEN AND NO/100 Dollars and other valuable consideration, in hand paid, bargains, sells, and conveys to **LUMMI NATION**, the following described real estate, situated in Whatcom County, in the State of Washington:

The North 100 feet of the South 300 feet of that portion of the Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 8, Township 38 North, Range 2 East of W.M., lying westerly of the present channel of the Nooksack River, and south of the slough, except right-of-way commonly referred to as Ferndale Road, lying along the Westerly line of said premises, and less River Wash.

Situate in Whatcom County, Washington.

Subject to deed restrictions described in Exhibit A.

BARGAIN AND SALE DEED

Executed this _____ day of _____, 2021 for Grantor, WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT (FCZD), by:

Satpal Singh Sidhu, County Executive
Acting on behalf of the FCZD Board of Supervisors

Approved as to form:
Prosecuting Attorney's Office

Christopher Quinn

Civil Deputy Prosecutor
(approved electronically 7/7/2021)

Accepted this _____ day of _____, 2021 for Grantee, LUMMI NATION, by:

Lawrence Solomon, Chairman
Lummi Indian Business Council

Approved as to form:

Office of the Reservation Attorney

BARGAIN AND SALE DEED

Exhibit A

Deed Restrictions

- A. Compatible uses. The property shall be dedicated and maintained in perpetuity as open space for the conservation of natural floodplain functions. Such uses may include: outdoor recreational activities, restoration; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved, unpaved parking lots; unpaved access roads; and buffer zones.
- B. No permanent structures or improvements shall be erected on the property. Temporary structures associated with outdoor recreational activities shall be allowed subject to the approval of Grantor. Any improvements on the property shall be in accordance with proper floodplain management policies and practices.
- C. Any grading activities required to construct approved improvements or access roads on the property shall restore the grades to pre-project conditions so as to not affect the conveyance of floodwaters. Proposed grading activities must be approved by the Grantor prior to ground disturbance.
- D. The Grantee is responsible for obtaining all applicable permits for any proposed improvements or grading on the property.