

LAKEHAVEN UTILITY DISTRICT
King County, Washington

Resolution No. 2001-955

A resolution of the Board of Commissioners of the Lakehaven Utility District, King County, Washington, approving the establishment of certain latecomer reimbursement areas.

WHEREAS, the District is authorized to establish latecomer agreements to provide for the reimbursement to parties installing water and/or sewer a portion of the cost of the extension of such facilities,

WHEREAS, the District periodically enters into agreements with developers to collect latecomer contributions from owners of property connecting to the improvements, and

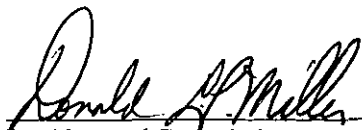
WHEREAS, the Board desiring to approve of such agreements and the latecomer reimbursement area designations established therein,

NOW, THEREFORE, **BE IT RESOLVED** as follows:


1. Latecomer agreements and the latecomer reimbursement area designations as described in Exhibits "A" through "C" are hereby approved.
2. This resolution shall be effective on the date of adoption below and all agreements and latecomer area designations shall be approved as of the date of execution of the agreement.

ADOPTED by the Board of Commissioners of Lakehaven Utility District, King County, Washington, at an open public meeting this 9th day of August, 2001.

ATTEST:



President and Commissioner Yea Nay Abstain



Vice President and Commissioner Yea Nay Abstain

Don Mayer ✓
Secretary and Commissioner Yea Nay Abstain

Beverly J. Twiddle ✓
Commissioner Yea Nay Abstain

Edward C. Stout ✓
Commissioner Yea Nay Abstain

Approved as to form:

A. H. Pugh
General Counsel

Return Address:

Lakehaven Utility District
 P. O. Box 4249
 Federal Way, WA 98063-4249

COVER SHEET

Document Title: Latecomer Agreement
Reference Number(s): 9902111367
Grantor(s): Schneider Homes, Inc.
Grantee(s): Lakehaven Utility District
Legal Description: Por NE 1/4 Section 34, T22N, R4E, WM, King County, Washington. Additional legal description is on Exhibit "A" of document.
Assessor's Property Tax Parcel/Account Number: 796760-0272, 796760-0273, 796760-253, 796760-0260, 796760-0262, 342204-9234, and 342204-9235

DISTRICT USE ONLY BELOW THIS LINE	
Account Number: 2.602.210.4941.000	Project Number: N/A
Fund: (circle one) WATER <u>SEWER</u> JOINT	Amount: \$12.00

LATECOMER AGREEMENT

THIS AGREEMENT, entered into in duplicate between the LAKEHAVEN UTILITY DISTRICT, a municipal corporation of the State of Washington, hereinafter referred to as the "District", and SCHNEIDER HOMES, INC., 6510 SOUTHCENTER BOULEVARD, TUKWILA, WA 98188, hereinafter referred to as the "Developer":

WITNESSETH:

WHEREAS, the Developer has entered into a Developer Extension Agreement, hereinafter "Agreement", recorded under King County Auditor's File No. 9902111367, to provide for the construction of certain sewer improvements to serve property owned by Developer, and

WHEREAS, a portion of the improvements constructed thereunder will, as determined by the District, provide benefit to realty described herein which is located adjacent to such improvements, and

WHEREAS, pursuant to District Resolution and state law, the parties are authorized to enter into an agreement under which the District would collect an amount representing a share of the cost of construction of the improvements from the owner of such benefited property, at the time of connection, and remit the same to Developer, and

WHEREAS, the parties agreeing that the terms for such collection and remittance contained herein are fair and equitable;

NOW, THEREFORE, IT IS AGREED as follows:

1. The District hereby agrees to charge the property described on Exhibit "A", attached hereto and by this reference incorporated herein, a proportional share of the cost of the sewer mains constructed pursuant to the Agreement. Reimbursement to Developer shall be conditioned upon payment by the Developer of the District's required deposit for administration of this latecomer reimbursement agreement and following the actual provision of service to such property through the facilities constructed therein. Payment to Developer shall be in further conformance with the provisions set forth in District Resolution No. 2000-939, Sections 2.v) and 3.C, as hereinbefore adopted and as may be subsequently modified or amended, and applicable laws of the State of Washington.

2. Developer agrees to comply with and be subject to all terms of Lakehaven Utility District Resolution No. 2000-939, Sections 2.v) and 3.C, as may from time to time be amended, as a condition of receiving the latecomer benefits herein.

EXHIBIT "A"
LEGAL DESCRIPTIONS

PARCEL No. 796760 0272

THE NORTH 150.00 FEET OF LOT 1, KING COUNTY SHORT PLAT No. 286026 RECORDED UNDER RECORDING No. 8608151128, IN KING COUNTY, WASHINGTON, SAID SHORT PLAT DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE EAST 100.00 FEET OF THE SOUTH 174.00 FEET THEREOF; AND
EXCEPT COUNTY ROADS.

BEING A PORTION OF TRACT 27, STAR LAKE FIVE-ACRE TRACTS, UNRECORDED.

BOUNDED ON THE NORTH BY SOUTH 278th STREET.

PARCEL No. 796760 0273

THE NORTH 150.00 FEET OF LOT 2, KING COUNTY SHORT PLAT No. 286026 RECORDED UNDER RECORDING No. 8608151128, IN KING COUNTY, WASHINGTON, SAID SHORT PLAT DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE EAST 100.00 FEET OF THE SOUTH 174.00 FEET THEREOF; AND
EXCEPT COUNTY ROADS.

BEING A PORTION OF TRACT 27, STAR LAKE FIVE-ACRE TRACTS, UNRECORDED.

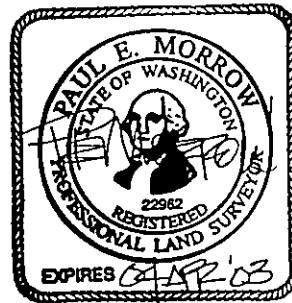
BOUNDED ON THE NORTH BY SOUTH 278th STREET.

PARCEL No. 796760 0253

THE SOUTH 115.00 FEET OF TRACT 25, STAR LAKE FIVE-ACRE TRACTS, UNRECORDED.

BEING A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT COUNTY ROADS.

BOUNDED ON THE EAST BY 46th AVENUE SOUTH AND BOUNDED ON THE SOUTH BY SOUTH 278th STREET.



15 MAR '01

EXHIBIT "A" CONTINUED
LEGAL DESCRIPTIONS

PARCEL No. 796760 0260

THE NORTH 1/5 (ONE-FIFTH) OF TRACT 26, STAR LAKE FIVE-ACRE TRACTS, UNRECORDED.
BEING A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST
QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 22 NORTH, RANGE 4
EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT COUNTY ROADS.
BOUNDED ON THE EAST BY 46th AVENUE SOUTH AND BOUNDED ON THE NORTH BY
SOUTH 278th STREET.

PARCEL No. 796760 0262

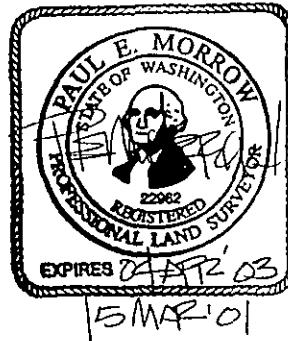
THE EAST 150.00 FEET OF THE NORTH 130.00 FEET OF THE SOUTH 4/5 (FOUR-FIFTHS) OF
TRACT 26, STAR LAKE FIVE-ACRE TRACTS, UNRECORDED.
BEING A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST
QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 22 NORTH, RANGE 4
EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT COUNTY ROADS.
BOUNDED ON THE EAST BY 46th AVENUE SOUTH.

PARCEL No. 342204 9234

LOT 1, KING COUNTY SHORT PLAT No. 674093 RECORDED UNDER RECORDING No.
7412020232, RECORDS OF KING COUNTY, WASHINGTON.
BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF
SECTION 34, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT COUNTY ROADS.
BOUNDED ON THE WEST BY 46th AVENUE SOUTH.

PARCEL No. 342204 9235

LOT 2, KING COUNTY SHORT PLAT No. 674093 RECORDED UNDER RECORDING No.
7412020232, RECORDS OF KING COUNTY, WASHINGTON.
BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF
SECTION 34, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT COUNTY ROADS.
BOUNDED ON THE WEST BY 46th AVENUE SOUTH.



Return Address:

Lakehaven Utility District
 P. O. Box 4249
 Federal Way, WA 98063-4249

COVER SHEET

Document Title: Latecomer Agreement
Reference Number(s): 9609200708
Grantor(s): McCammant Construction
Grantee(s): Lakehaven Utility District
Legal Description: S 160' Lot 3, Secoma Suburban Tracts Additional legal description is on Page 1 of document.
Assessor's Property Tax Parcel/Account Number: 768380-0030

DISTRICT USE ONLY BELOW THIS LINE	
Account Number: 2.602.210.4941.000	Project Number: N/A
Fund: (circle one) WATER / <u>SEWER</u> / JOINT	Amount: \$10.00

LATECOMER AGREEMENT

THIS AGREEMENT, entered into in duplicate between the LAKEHAVEN UTILITY DISTRICT, a municipal corporation of the State of Washington, hereinafter referred to as the "District", and MCCAMMANT CONSTRUCTION, 8917 258TH STREET EAST, GRAHAM, WA 98338, hereinafter referred to as the "Developer":

WITNESSETH:

WHEREAS, the Developer has entered into a Developer Extension Agreement, hereinafter "Agreement", recorded under King County Auditor's File No. 9609200708, to provide for the construction of certain sewer improvements to serve property owned by Developer, and

WHEREAS, a portion of the improvements constructed thereunder will, as determined by the District, provide benefit to realty described herein which is located adjacent to such improvements, and

WHEREAS, pursuant to District Resolution and state law, the parties are authorized to enter into an agreement under which the District would collect an amount representing a share of the cost of construction of the improvements from the owner of such benefited property, at the time of connection, and remit the same to Developer, and

WHEREAS, the parties agreeing that the terms for such collection and remittance contained herein are fair and equitable;

NOW, THEREFORE, IT IS AGREED as follows:

1. The District hereby agrees to charge the property described as follows:


The South 160 feet of Lot 3, Secoma Suburban Tracts, according to the plat thereof recorded in Volume 39 of Plats, Page 20, records of King County, Washington:

a proportional share of the cost of the sewer mains constructed pursuant to the Agreement. Reimbursement to Developer shall be conditioned upon payment by the Developer of the District's required deposit for administration of this latecomer reimbursement agreement and following the actual provision of service to such property through the facilities constructed therein. Payment to Developer shall be in further conformance with the provisions set forth in District Resolution No. 99-904, Section 2.v), as hereinbefore adopted and as may be subsequently modified or amended, and applicable laws of the State of Washington.

2. Developer agrees to comply with and be subject to all terms of Lakehaven Utility District Resolution No. 99-904, Section 2.v), as may from time to time be amended, as a condition of receiving the latecomer benefits herein.

Return Address:

Lakehaven Utility District
 P. O. Box 4249
 Federal Way, WA 98063-4249



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 LAKEHAVEN UTIL AG
 PAGE 001 OF 005
 05/09/2001 08:21
 KING COUNTY, WA
 12.00

COVER SHEET

2001 05 09 000002

Document Title: Latecomer Agreement
Reference Number(s): 19991222001596
Grantor(s): Niven, Julie and Sabotka, Carol & Chet
Grantee(s): Lakehaven Utility District
Legal Description: Por SW 1/4 of Section 33, T22N, R4E, WM, King County, Washington. Additional legal description is on Exhibit "A" of document.
Assessor's Property Tax Parcel/Account Number: 332204-9123 and 332204-9155

DISTRICT USE ONLY BELOW THIS LINE	
Account Number: 2.602.210.4941.000	Project Number: N/A
Fund: (circle one) WATER / <u>SEWER</u> / JOINT	Amount: \$12.00

LATECOMER AGREEMENT

THIS AGREEMENT, entered into in duplicate between the LAKEHAVEN UTILITY DISTRICT, a municipal corporation of the State of Washington, hereinafter referred to as the "District", and JULIE NIVEN, 25426 30TH AVENUE SOUTH, KENT, WA 98032, AND CAROL AND CHET SABOTKA, 2436 SW 325TH STREET, FEDERAL WAY, WA 98023, hereinafter referred to as the "Developer":

WITNESSETH:

WHEREAS, the Developer has entered into a Developer Extension Agreement, hereinafter "Agreement", recorded under King County Auditor's File No. 19991222001596, to provide for the construction of certain sewer improvements to serve property owned by Developer, and

WHEREAS, a portion of the improvements constructed thereunder will, as determined by the District, provide benefit to realty described herein which is located adjacent to such improvements, and

WHEREAS, pursuant to District Resolution and state law, the parties are authorized to enter into an agreement under which the District would collect an amount representing a share of the cost of construction of the improvements from the owner of such benefited property, at the time of connection, and remit the same to Developer, and

WHEREAS, the parties agreeing that the terms for such collection and remittance contained herein are fair and equitable;

NOW, THEREFORE, IT IS AGREED as follows:

1. The District hereby agrees to charge the property described on Exhibit "A", attached hereto and by this reference incorporated herein, a proportional share of the cost of the sewer mains constructed pursuant to the Agreement. Reimbursement to Developer shall be conditioned upon payment by the Developer of the District's required fee for administration of this latecomer reimbursement agreement and following the actual provision of service to such property through the facilities constructed therein. Payment to Developer shall be in further conformance with the provisions set forth in District Resolution No. 2000-939, Sections 2.v) and 3.C, as hereinbefore adopted and as may be subsequently modified or amended, and applicable laws of the State of Washington. Based on agreement for participation between the parties, reimbursement shall be divided proportionally, as follows:

Julie Niven	65%
Carol and Chet Sabotka	35%

The above percentages shall only apply following collection of the first \$6,048.08, which shall be reimbursed to Julie Niven in total. This amount constitutes the difference between the proportion of benefit to the Sabotkas (\$26,048.08) and the amount they contributed to the construction (\$20,000.00).

2. Developer agrees to comply with and be subject to all terms of Lakehaven Utility District Resolution No. 2000-939, Sections 2.v) and 3.C, as may from time to time be amended, as a condition of receiving the latecomer benefits herein.

3. This writing constitutes the full and only agreement between the parties, there being no promises, agreements, or understandings, written or oral, except as herein set forth, or as hereinafter may be amended in writing.

4. It is agreed that the Developer is not an agent of the District under the terms of this Agreement and no act or omission of the Developer shall be deemed an act or omission of the District by virtue of the laws of agency.

WITNESS our hands and seals.

LAKEHAVEN UTILITY DISTRICT
King County, Washington

2001 050 9000002

Julie Niven 2-20-01
Julie Niven (date)

Bettina T. Ross
Engineering Manager

Dated: Mar. 15, 2001

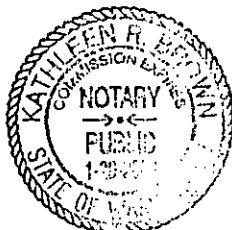
AND
Carol Sabotka 3/10/01
Carol Sabotka (date)

Chet Sabotka 3/15/01
Chet Sabotka (date)

STATE OF WASHINGTON)
) ss:
County of King)

I certify that I know or have satisfactory evidence that Julie Niven signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 2/20/01



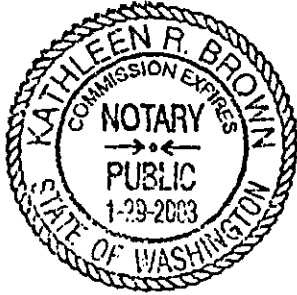
Kathleen R. Brown
Notary Public
Title

My appointment expires 1/29/03

STATE OF WASHINGTON)
) ss:
County of King)

I certify that I know or have satisfactory evidence that Carol Sabotka and Chet Sabotka, husband and wife, signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 3/15/01



Kathleen R Brown

Notary Public

Title

My appointment expires 1/29/03

2001 050 9000007

EXHIBIT "A"

LATECOMER LEGAL DESCRIPTIONS

**Julie's Sewer Extension
Agreement No. 99-440**

PARCEL NO. 1

The North 38 feet of the South 395 feet, as measured along the west margin of State Highway No. 1, of the Southwest quarter of the Southwest quarter of Section 33, Township 22 North, Range 4 East, W.M., in King County, Washington; lying West of said State Highway No. 1 (SR 99/Pacific Highway South).

(Tax Parcel No. 332204-9123)

PARCEL NO. 2

The South 46 feet of the North 194 feet of the South 505 feet, as measured along the west margin of State Highway No. 1, of the Southwest quarter of the Southwest quarter of Section 33, Township 22 North, Range 4 East, W.M., in King County, Washington; lying West of said State Highway No. 1 (SR 99/Pacific Highway South).

(Tax Parcel No. 332204-9155)

2001 050 9000002