

LAKEHAVEN UTILITY DISTRICT
King County, Washington

Resolution No. 2002-982

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 facilities 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 "B" 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 10 day of October, 2002.

ATTEST:



President and Commissioner Yea Nay Abstain



Vice President and Commissioner Yea Nay Abstain

Edward G. Stewart ✓
Secretary and Commissioner Yea Nay Abstain

Beverly J. Tweedle ✓
Commissioner Yea Nay Abstain

Donald L. Miles ✓
Commissioner Yea Nay Abstain

Approved as to form:

Heidi R. Pritchard
General Counsel

Exhibit "A"



20020812001391

LAKEHAVEN UTIL AG
PAGE 001 OF 004
08/12/2002 12:58
KING COUNTY, WA

22.00

Return Address:

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

COVER SHEET

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|--|
| Document Title: Latecomer Agreement (Woodbrook Div 1) |
| Reference Number(s): 9709220733 |
| Grantor(s): Schneider Homes Inc |
| Grantee(s): Lakehaven Utility District |
| Legal Description: S 1/2 of E 1/2 of SW 1/4 of SW 1/4 of STR 35-22N-04E, WM, King Co, WA Additional legal description is on Exhibit "A" of document |
| Assessor's Property Tax Parcel/Account Number: 352204-9097 & 9044 |

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|---|-----------------------------------|
| DISTRICT USE ONLY BELOW THIS LINE | |
| Account Number: 1.245.100.2000.000 / 2.245.100.2000.000 | Project Number: 6396140 |
| Fund: (circle one) WATER / SEWER <u>JOINT</u> | Amount: \$ 22.00 |

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, SUITE 1, 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. 9709220733, to provide for the construction of certain water 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 water 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. 2001-962, 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. 2001-962, Sections 2.v) and 3.C, as may from time to time be amended, as a condition of receiving the latecomer benefits herein.

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EXHIBIT "A"

Latecomer Legal Descriptions

**Woodbrook Division No. 1
Agreement No. 96-354**

Tax Parcel No. 352204 9097

The South half of the East half of the Southwest quarter of the Southwest quarter of Section 35, Township 22 North, Range 4 East, Willamette Meridian, in King County, Washington;

EXCEPT the West 150 feet thereof;

AND EXCEPT that portion as deeded to King County for 55th Avenue South under recording no. 2702902;

AND EXCEPT that portion lying East of 55th Avenue South.

Tax Parcel No. 352204 9044

The South half of the East half of the Southwest quarter of the Southwest quarter of Section 35, Township 22 North, Range 4 East, Willamette Meridian, in King County, Washington;

EXCEPT the West 150 feet thereof;

AND EXCEPT that portion as deeded to King County for 55th Avenue South under recording no. 2702902;

AND EXCEPT that portion lying West of 55th Avenue South.

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Return Address:

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



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 KING COUNTY, WA

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COVER SHEET

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|---|
| Document Title: Latecomer Agreement (Silverwood & Rosewood Lane) |
| Reference Number(s): 20010606000371 |
| Grantor(s): 9280 Partners LLC |
| Grantee(s): Lakehaven Utility District |
| Legal Description: Portions W 1/2 and E 1/2 STR 30-21N-04E, WM, King Co, WA Additional legal description is on Exhibit "A" of document |
| Assessor's Property Tax Parcel/Account Number: 440560-0190, 195 and 200 440561-0270, 0010, 0020, 0030, 0040, 0050, 0060, 0160 and 0170 768390-0010, 0120, 0130, 0200 and 0210 302104-9149, 9111, 9119 and 9113 |

| DISTRICT USE ONLY BELOW THIS LINE | |
|---|-----------------------------------|
| Account Number: 1.245.100.2000.000 / 2.245.100.2000.000 | Project Number: 6301002 |
| Fund: (circle one) WATER / SEWER (JOINT) | Amount: \$ 22.00 |

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 **9280 PARTNERS, L.L.C., C/O NOVASTAR DEVELOPMENT, INC., 18215 72ND AVENUE SOUTH, KENT, WA 98032**, 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. 20010606000371, 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. 2001-962, 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. 2001-962, Sections 2.v) and 3.C, as may from time to time be amended, as a condition of receiving the latecomer benefits herein.

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EXHIBIT "A"

**LATECOMER LEGAL DESCRIPTIONS
FOR SILVERWOOD AND ROSEWOOD LANE
Agreement No. 01-491**

Lot 2, the East half of Lot 3, and the East half of Lot 4, Block 3, L'Origan Manor, according to the plat thereof recorded in Volume 45 of Plats, Pages 33 and 34, inclusive, records of King County, Washington.

(Tax Parcel Nos. 440560-0190, 440560-0195, and 440560-0200)

TOGETHER WITH Tract "A" and Lots 1, 2, 3, 4, 5, 6, 16, and 17, L'Origan Manor No. 2, according to the plat thereof recorded in Volume 91 of Plats, Page 14, records of King County, Washington.

(Tax Parcel Nos. 440561-0270, 440561-0010, 440561-0020, 440561-0030, 440561-0040, 440561-0050, 440561-0060, 440561-0160, and 440561-0170)

AND TOGETHER WITH Lots 1, 12, 13, 20, and 21, Secoma Terrace, according to the plat thereof recorded in Volume 86 of Plats, Page 39, records of King County, Washington.

(Tax Parcel Nos. 768390-0010, 768390-0120, 768390-0130, 768390-0200, and 768390-0210)

AND TOGETHER WITH the West 150 feet of Lot 2 of King County Short Plat No. 577043, as recorded under Auditor's File No. 7711221020, records of King County, Washington.

(Tax Parcel No. 302104-9149)

AND TOGETHER WITH Lot 1 of King County Short Plat No. 1178122, as recorded under Auditor's File No. 7908170998, records of King County, Washington.

(Tax Parcel No. 302104-9111)

AND TOGETHER WITH the West 150 feet of the West half of the South half of the South two-thirds of the South half of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 30, Township 21 North, Range 4 East, W.M., in King County, Washington;

EXCEPT that portion of said premises conveyed to the City of Federal Way by deed recorded under Auditor's File No. 9802170431, records of King County, Washington.

(Tax Parcel No. 302104-9119)

AND TOGETHER WITH the West 150 feet of the West 314 feet of the North one-third of the North half of the Northwest quarter of the Northwest quarter of the Southeast quarter of Section 30, Township 21 North, Range 4 East, W.M., in King County, Washington;

EXCEPT the West 30 feet thereof.

(Tax Parcel No. 302104-9113)

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