

LAKEHAVEN UTILITY DISTRICT
King County, Washington

Resolution No. 2007-1097

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

WHEREAS, the District is authorized to establish latecomer agreements to reimburse 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

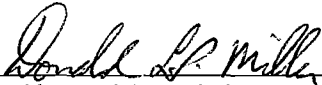
WHEREAS, the Board desiring to approve of such an agreement and the latecomer reimbursement area designation established therein,

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

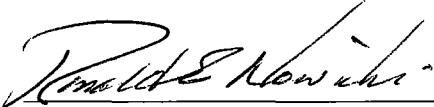
1. The latecomer agreement and the latecomer reimbursement area designation as described in Exhibit "A" is hereby approved.
2. This resolution shall be effective on the date of adoption below and the agreement and latecomer area designation covered hereby shall be approved as of the date of execution of the agreement.

ADOPTED by the Board of Commissioners of Lakehaven Utility District, King County, Washington, at an open public meeting this 20th day of November, 2007.

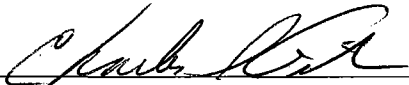
ATTEST:



President and Commissioner Yea Nay Abstain



Vice President and Commissioner Yea Nay Abstain



Secretary and Commissioner Yea Nay Abstain

Deverly J. Tweedle
Commissioner Yea Nay Abstain

Edward C. Stuart ✓
Commissioner Yea Nay Abstain

Approved as to form:

Robert H. Pritchard
General Counsel

Return Address:

05-625

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



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KING COUNTY AG 37.00
PAGE 001 OF 006
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KING COUNTY, WA

COVER SHEET

Document Title: Latecomer Agreement
Reference Number(s): 20060126000470
Grantor(s): Lange, Christen E & Susan M
Grantee(s): Lakehaven Utility District
Legal Description: Ptn E Tacoma Central Add and E Tacoma Central Add "A", all in SE 21-21-04 Additional legal description is on Exhibit "A" of document
Assessor's Property Tax Parcel/Account Number: 219160-0580, 219160-0610, 219160-0620, 219160-0635, 219160-0260, 219160-0245, 219160-0230, 219060-0250, 219060-0245, 219060-0243, 219060-0160, 219060-0170, 219060-0165, 219160-0575, 219160-0570, 219160-0560, 219160-0535, 219160-0510, 219160-0440, 219160-0300, 219160-0315, 219060-0405, 219060-0375, 219060-0295, 219060-0305, 219060-0340, 219060-0535, 219060-0525, 219060-0505, 219060-0475, 219060-0500, 219060-1035, 219060-1048, 219060-1151, 219060-1152, 219060-1150, 219060-1180, 219060-1170

DISTRICT USE ONLY BELOW THIS LINE	
Account Number: 2273.000.000	Project Number: 6205020
Fund: (circle one) WATER / <u>SEWER</u> / JOINT	Amount: \$ 37.00

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 **CHRISTEN E. AND SUSAN M. LANGE**, 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. 20060126000470, to provide for the construction of certain low-pressure sanitary 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 low-pressure sanitary 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. 2006-1077, 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. 2006-1077, 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

Christen E. Lange 4/10/07
Christen E. Lange (date)

[Signature]
Water Manager

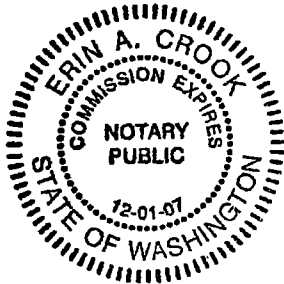
Susan M. Lange 4/10/07
Susan M. Lange (date)

Dated: 4/24/07

STATE OF WASHINGTON)
) ss.
County of King)

I certify that I know or have satisfactory evidence that CHRISTEN E. & SUSAN M. LANGE signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 4-10-07



[Signature]

Notary Public Notary
Title

My appointment expires 12-1-07

For recording in the State of Washington, the Notarial Seal must be fully legible and cannot intrude into document margins. Please affix seal in the space provided.

EXHIBIT "A"

Legal Property Description

Lots 1-6, inclusive, Block 5, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 7-8, inclusive, Block 5, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lot 9, Block 5, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 14-16, inclusive, Block 2, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 17-19, inclusive, Block 2, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 20-26, inclusive, Block 2, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 1-3, inclusive, Block 3, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 4-6, inclusive, Block 3, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 1-4, inclusive, Block 4, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 15-18, inclusive, Block 4, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 19-21, inclusive, Block 4, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 25-28, inclusive, Block 4, East Tacoma Central Addition "A", recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 1-4, inclusive, Block 2, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 5-8, inclusive, Block 2, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 9-13, inclusive, Block 2, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

All Lots 18-19, inclusive, plus north 17.5 feet of Lot 17, plus the south 12.5 feet of Lot 20, Block 2, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 20, except the south 12.5 feet, plus all Lots 21-22, plus the south 17.5 feet of Lot 23, inclusive, Block 2, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 23, except the south 17.5 feet, plus all Lots 24-26, inclusive, Block 2, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND

Lots 1-2, inclusive, Block 3, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lots 3-4, inclusive, Block 3, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lots 10-14, inclusive, Block 3, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lots 17-21, inclusive, Block 3, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lots 22-25, inclusive, Block 3, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lots 7-13, inclusive, Block 4, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lot 14, Block 4, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lots 15-18, inclusive, Block 4, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lots 19-20, inclusive, Block 4, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington; AND
Lots 21-24, inclusive, Block 4, East Tacoma Central Addition, recorded in Volume 4 of Plats, Page 42, records of King County, Washington.