

RESOLUTION NO. 239

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WATER DISTRICT NO. 8 OF WHATCOM COUNTY, WASHINGTON, CREATING UTILITY LOCAL IMPROVEMENT DISTRICT NO. 7 OF THE WATER DISTRICT AND ESTABLISHING THE BOUNDARIES THEREOF; ORDERING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN IMPROVEMENTS THEREIN; ADOPTING DETAILED PLANS THEREFOR; AND DECLARING THE ESTIMATED COST THEREOF.

WHEREAS, a comprehensive plan or scheme of sewer collection and treatment for Water District No. 8, Whatcom County, Washington (the "District") was adopted by the Board of Commissioners on June 3, 1971, by Resolution No. 28, which plan was amended by the Water District on August 25, 1977; and

WHEREAS, on August 25, 1977, the Board of Commissioners of the District adopted Resolution No. 226 (the "Resolution of Intention") wherein the Board declared its intention to create Utility Local Improvement District No. 7 ("ULID No. 7") and to improve the area within the proposed boundaries of ULID No. 7 by the acquisition, construction and installation of certain sewer collection and treatment facilities together with all appurtenances necessary therefor, all as provided in the comprehensive plan of the District; and

WHEREAS, pursuant to Resolution No. 226 of the District a time for public hearing on the Resolution of Intention was fixed and notice of the hearing was given by publication and mailing in the manner required by law; and

WHEREAS, as provided in Resolution No. 226 and the notices of hearing, a public hearing was held at 10:00 a.m., October 13, 1977, at the Grange Hall, Birch Bay, Washington, at which time and place the Board of Commissioners of the District heard and considered all objections made by persons affected by the formation of ULID No. 7;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Water District No. 8, Whatcom County, Washington, as follows:

Section 1: It is hereby found and determined that protests filed with the Secretary of the Board prior to the public hearing held October 13, 1977, were from the owners of less than 40% of the area of land within ULID No. 7. After due consideration of all of the oral and written protest made and filed to the creation of ULID No. 7 and to the ordering of the acquisition, construction and installation of the improvements provided in the comprehensive plan of the Water District as amended for the area therein, as such improvements are more particularly described in the Resolution of Intention and herein, it is hereby found and ordered that such protests should be overruled and that ULID No. 7 of Water District No. 8, Whatcom County, Washington should be and is hereby created as of the date of adoption of this resolution, and the boundaries thereof are hereby fixed as set forth in Exhibit A attached hereto and by this reference made a part hereto.

Section 2: The acquisition, construction and installation of the improvements described on Exhibit B attached hereto and by this reference made a part hereof, all of which will be of special benefit to the property within the boundaries of ULID No. 7, is hereby ordered. Such improvements shall be installed complete with all equipment necessary and commonly used or required for complete sewer collection and treatment systems, and shall be connected with each other.

The District shall acquire by purchase, franchise, lease or condemnation all property, both real and personal, or any interest therein and all rights or way, franchises and easements which may be found necessary to acquire, construct and install the above-described improvements which are all as more particularly set forth in the maps and plans prepared by URS Company, consulting engineers of Seattle, Washington.

It is hereby further provided that the hereinbefore authorized plan of improvements shall be subject to such changes as to details of pipe size and location or any other details not affecting the service to be provided thereby as shall be authorized by the Board of Commissioners either prior to or during the actual course of construction.

Section 3: The estimated cost and expense of carrying out said plan of improvements is hereby declared to be as near as may be the sum of \$365,000.00, of which sum all costs not provided for by grants received by the District for such purposes shall be borne by assessments levied against property within ULID No. 7 and specially benefited by said improvements.

Section 4: Assessments shall be made against property within ULID No. 7 in proportion to the special benefits to be derived from the improvements ordered by this resolution and all assessments shall be paid into the Revenue Bond Fund of the District.

PASSED by the Board of Commissioners of Water District No. 8 of Whatcom County, Washington, at a regular meeting thereof held this 27 day of October, 1977.

WATER DISTRICT NO. 8
WHATCOM COUNTY, WASHINGTON

William O. Vogt
C. R. O. Bennett
Jordan Sullivan, Jr.
COMMISSIONERS

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 281 of the Board of Commissioners, Whatcom County, Washington, passed at the regular meeting thereof held this 27 day of October, 1977.

Jordan Sullivan, Jr.
SECRETARY

Section 2: The acquisition, construction and installation of the improvements described on Exhibit B attached hereto and by this reference made a part hereof, all of which will be of special benefit to the property within the boundaries of ULID No. 7, is hereby ordered. Such improvements shall be installed complete with all equipment necessary and commonly used or required for complete sewer collection and treatment systems, and shall be connected with each other.

The District shall acquire by purchase, franchise, lease or condemnation all property, both real and personal, or any interest therein and all rights or way, franchises and easements which may be found necessary to acquire, construct and install the above-described improvements which are all as more particularly set forth in the maps and plans prepared by URS Company, consulting engineers of Seattle, Washington.

It is hereby further provided that the hereinbefore authorized plan of improvements shall be subject to such changes as to details of pipe size and location or any other details not affecting the service to be provided thereby as shall be authorized by the Board of Commissioners either prior to or during the actual course of construction.

Section 3: The estimated cost and expense of carrying out said plan of improvements is hereby declared to be as near as may be the sum of \$365,000.00, of which sum all costs not provided for by grants received by the District for such purposes shall be borne by assessments levied against property within ULID No. 7 and specially benefited by said improvements.

Section 4: Assessments shall be made against property within ULID No. 7 in proportion to the special benefits to be derived from the improvements ordered by this resolution and all assessments shall be paid into the Revenue Bond Fund of the District.

PASSED by the Board of Commissioners of Water District No. 8 of Whatcom County, Washington, at a regular meeting thereof held this 27th day of October, 1977.

WATER DISTRICT NO. 8
WHATCOM COUNTY, WASHINGTON

William D. Vogt
C. R. D. Bennett
Jordan Sullivan, Jr.
COMMISSIONERS

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 271 of the Board of Commissioners, Whatcom County, Washington, passed at the regular meeting thereof held this 27 day of October, 1977.

Jordan Sullivan, Jr.
SECRETARY



AN INTERNATIONAL PROFESSIONAL SERVICES ORGANIZATION

URS COMPANY

FOURTH AND VINE BUILDING
SEATTLE, WASHINGTON 98121
TEL: (206) 623-6000

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August 23, 1977

Whatcom County Water District No. 8
4895 Birch Bay-Lynden Road
Blaine, Washington 98230

Re: Proposed Sewer U.L.I.D. 77-A

Gentlemen:

We have checked the signed Petition for proposed Sewer U.L.I.D. 77-A and hereby certify that it contains the signatures of at least fifty-one percent (51%) of the area within the boundaries of said U.L.I.D. as described in said Petition.

Ownerships were checked from the records of the Pioneer National Title Company.

Very truly yours,

James P. Olson, P.E.
Project Director

KRL/am

cc: Pete Visser, Attorney ✓

PROPOSED SEWER U.L.I.D. 77-A

LEGAL DESCRIPTION

Beginning at the Northwest corner of Section 19, Township 40 North, Range 1 East, W.M.,

thence South $87^{\circ}16'14''$ East, 1,485.00 feet along the North line of said Section 19;

thence South $02^{\circ}43'46''$ West, 527.68 feet;

thence South $17^{\circ}30'46''$ East 77.08 feet;

thence South $87^{\circ}16'14''$ East 230.00 feet;

thence South $49^{\circ}32'03''$ East 91.34 feet;

thence South $19^{\circ}00'00''$ East 170.00 feet;

thence South $02^{\circ}33'52''$ West 385.00 feet;

thence South $87^{\circ}26'08''$ East 11.85 feet;

thence South $02^{\circ}33'52''$ West 120.00 feet to the South line of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 19;

thence North $87^{\circ}26'08''$ West 550.02 feet along said South line to the Northeast corner of Government Lot 2 of said Section 19;

thence Southerly along the East line of said Government Lot 2 to its intersection with the South line of the North 10 acres of said Government Lot 2;

thence Westerly along said South line to its intersection with the Northerly extension of the West line of the East 320 feet of the West 15 acres of the South 20 acres of said Government Lot 2;

thence Southerly along said Northerly extension and said West line to its intersection with the North line of Government Lot 3 of said Section 19;

thence Westerly along said North line to its intersection with the East line of the West 330 feet of said Government Lot 3;

thence Southerly along said East line to its intersection with the South line of said Government Lot 3;

thence Westerly along said South line and the South line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 24, Township 40 North, Range 1 West, W.M. to its intersection with the West line of the East 330 feet of said Northeast $\frac{1}{4}$;

thence Northerly along said West line to its intersection with the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 24;

thence Westerly along said South line to its intersection with the West line of said Southeast $\frac{1}{4}$;

thence Northerly along said West line to its intersection with the North line of the South 15 acres of said Southeast $\frac{1}{4}$;

thence Easterly along said North line to its intersection with the West line of the East 330 feet of the Northeast $\frac{1}{4}$ of said Section 24;

thence Northerly along said West line to its intersection with the North line of said Section 24;

thence Easterly along said North line to the Northeast corner of said Section 24, which is also the Northwest corner of said Section 19 and the Point of Beginning.