

RESOLUTION NO. 31

A RESOLUTION of the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, creating Utility Local Improvement District No. 1 of the 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, on October 4, 1971, the Board of Commissioners (hereinafter called the "Board") of Whatcom County Water District No. 8 (hereinafter called the "District") adopted its Resolution No. 30, wherein the Board declared its intention to create a utility local improvement district of the District and improve the area within the proposed boundaries of said utility local improvement district by the acquisition, construction and installation of water system facilities with all connections and appurtenances necessary to the use and operation thereof, all as provided in the Comprehensive Plan for the District, as amended, as applicable to the area within such boundaries; and

WHEREAS, notice of the hearing on said Resolution No. 30 was given by publication and mailing as provided by law and as provided in said notice said hearing was held at 8:00 o'clock P.M. on the 4th day of November, 1971, at the offices of LeCocq, Simonarson & Durnan at Blaine, Washington, at which time, date and place the Board heard objections from all persons affected by the formation of said utility local improvement district.

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

Section 1. After due consideration of all the oral and written objections and protest made and filed against the creation

of a utility local improvement district of the District as described in Resolution No. 30 of the Board and the ordering of the construction and installation of the improvements provided in the Comprehensive Plan of the District for the area in such utility local improvement district, and as set forth in said Resolution No. 30, it is hereby found and ordered;

A. That all of said objections and protests should be and they are hereby denied.

B. That Utility Local Improvement District No. 1 of the District is hereby created as of the date of adoption of this resolution and the boundaries thereof shall be and are hereby fixed as set forth in Exhibit A, attached hereto and incorporated by reference herein.

Section 2. The acquisition, construction and installation of the following described additions and betterments to the water system of the District, all of which will be of special benefit to the property within the boundaries of the above-described utility local improvement district, is hereby ordered:

The District shall acquire, construct and install water lines with the sizes and in the locations described as follows:

<u>PIPE SIZE</u>	<u>ON</u>	<u>FROM</u>	<u>TO</u>
6"	Leeside Drive	Alderson Road	Easterly Extension of Broadway
6"	Rob-Lee Drive	Leeside Drive	Leeside Drive
6"	Broadway & Esmt. Easterly	Woolridge Ave.	Leeside Drive
6"	Woolridge Ave.	Key Street	Broadway
6"	Sunset Drive	Key Street	Broadway
6"	Key Street	Woolridge Ave.	Sunset Drive
6"	Bay Street	Birch Bay Drive	Woolridge Ave.

Such improvements shall be installed complete with all auxiliary equipment and appurtenances necessary and commonly used or required for a complete and operating water system, including necessary connections to existing water facilities.

The District shall acquire by purchase, franchise, lease or condemnation all property, both real and personal or any interest therein, and all rights of way, franchises and easements which may be found necessary to acquire, construct and install the above described improvements.

It is hereby further provided that the hereinbefore authorized plans of improvement shall be subject to such changes as to details of pipe size and location or any other details of said plans not affecting the service to be provided by the main general plan 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 the sum of \$60,000 all of which will be borne by assessments levied against property within Utility Local Improvement District No. 1 specially benefited by said improvements. The assessments herein provided to be levied shall be for the sole purpose of payment into the revenue bond fund of the district to secure the payment of revenue bonds to be hereafter issued to pay the cost of said improvements.

Section 4. The nature of the improvements authorized herein is such that the special benefits conferred on the lots, tracts and parcels of land within the area described in Exhibit A, attached hereto are not in all cases fairly reflected in the use of the zone and termini method of computing assessments and therefore, the



assessments to be made against such lots, tracts and parcels of land shall be made in accordance with the special benefits such property will derive from such improvements without regard to the zone and termini method of computing assessments.

ADOPTED by the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, at a regular meeting of said Board held the 4<sup>th</sup> day of Nov., 1971.

WHATCOM COUNTY WATER DISTRICT NO. 8  
WHATCOM COUNTY, WASHINGTON

by William J. Jozl  
President and Commissioner  
Robert S. Sandgren  
Commissioner  
Gooder  
Commissioner

ATTEST:

Robert S. Sandgren  
Secretary of said Commission

Beginning on the North line of the SE 1/4 of the NW 1/4 of Section 31 Township 40 North, Range 1 East, W.M. at its intersection with the Northerly extension of a line 120 feet Easterly of and parallel to the West line of Tract "A", Birch Crest Estates Division No. 1 according to the plat thereof recorded in Volume 9 of plats, page 95 and 96, records of Whatcom County, Washington;

Thence Southerly along said parallel line to its intersection with the Southwesterly line of said Tract "A";

Thence Southerly along said Southwesterly line and the Westerly line of said Tract "A" to its intersection with the Southwesterly line of lot 20 Block 1 said Birch Crest Estates Division No. 1;

Thence Southerly along a line parallel to the East line of said SE 1/4 of the NW 1/4 to its intersection with the North line of the NE 1/4 of the SW 1/4 said Section 31;

Thence continuing Southerly along a line parallel to the East line of the NE 1/4 of the SW 1/4 to its intersection with the South line of the North 150 feet of said NE 1/4 of the SW 1/4;

Thence Westerly along said South line to its intersection with the East line of Government Lot 3, said Section 31;

Thence continuing Westerly along the South line of the North 150 feet of said Government Lot 3 to its intersection with the East line of Birch Bay Park according to the plat thereof recorded in Volume 6, page 16 thru 21 inclusive records of Whatcom County, Washington;

Thence Southwesterly along said East line and its Southerly extension to its intersection with the North line of Government Lot 4 said Section 31;

Thence continuing Southerly along a line parallel to the West line of said Government Lot 4 to its intersection with the South line of the North 150 feet of said Government Lot 4;

Thence Westerly along said South line to its intersection with the West line of said Government Lot 4, which is also the East line of Government Lot 1, Section 36, Township 40 North, Range 1 West, W.M.;

Thence Northerly along said West line to a point which is 1219 feet North of the South line of said Government Lot 1;

Thence West 200 feet;

Thence Northwesterly 150 feet more or less to a point on the centerline of Terrill Creek which is 75 feet Southwesterly of the intersection of the centerline of said Terrill Creek with a line which bears West from a point on the East line of said Government Lot 1 which is 1339 feet North of the South line thereof;

Thence Northeasterly along said centerline of Terrill Creek 75 feet;

Thence East 350 feet more or less to a point on the East line of said Government Lot which is 1339 feet north of the South line thereof;

Thence continuing East to the Easterly margin of Wooldridge Ave.;

Thence Northerly along said Easterly margin to its intersection with the North line of said Government Lot 3;

Thence Easterly along said North line and the North line of said NE 1/4 of the SW 1/4 of Section 31 to its intersection with the Westerly line of said Birch Crest Estates Division No. 1;

Thence Northerly along said Westerly line to the most Westerly corner of Lot 9, Block 3, said Birch Crest Estates;

Thence North  $15^{\circ}25'00''$  West along said West line to the most Westerly corner of Lot 1 said Block 9;

Thence South  $63^{\circ}39'10''$  West to a line which is 120 feet Westerly of and parallel with the Westerly margin of Leaside Drive;

Thence North  $26^{\circ}20'50''$  West along said parallel line to its intersection with the West line of said SE 1/4 of the NW 1/4 Section 31;

Thence Northerly along said West line to its intersection with the North line of said SE 1/4 of the NW 1/4;

Thence Easterly along said North line to its intersection with the Northerly extension of a line 120 feet Easterly of and parallel to the West line of said Tract "A" and the Point of Beginning.