

RESOLUTION NO. 562

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM
COUNTY, WASHINGTON, ACCEPTING RONALD MACE
BILL OF SALE AND LATECOMERS AGREEMENT

WHEREAS, Birch Bay Water and Sewer District has previously entered into Latecomers Agreement for Prorata Refunds of Water Distribution Main Extension Costs with RONALD MACE d/b/a Maple Leaf Trailer Park, (hereinafter "Developer"); and

WHEREAS, Developer has completed and the District has received from Developer a Bill of Sale for said water distribution main extension line; now, therefore,

BE IT RESOLVED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: The District hereby accepts the water lines and appurtenances transferred to the District by Developer's Bill of Sale, a copy of which is attached hereto as EXHIBIT A.

Section 2: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

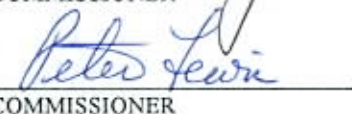
Section 3: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 4: This Resolution shall be in full force and effect on Aug 10, 1995.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the 10th day of AUG, 1995.


COMMISSIONER


COMMISSIONER


COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 562 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on AUG 10, 1995.


SECRETARY

**BILL OF SALE
FOR WATERMAIN EXTENSION
IN ACCORDANCE WITH CONDITIONS AND STANDARDS
FOR OWNER OF WATER AND SEWER EXTENSIONS**

THIS BILL OF SALE is made this 24th day of July, 1995, by and between the developers of RONALD MACE, d/b/a Maple Leaf Trailer Park, hereinafter referred to as "Owner", and BIRCH BAY WATER AND SEWER DISTRICT, a municipal corporation, hereinafter referred to as "District".

In consideration of the District agreeing to the Owner's extension of the District's water system, the Owner, by this Bill of Sale, hereby transfers and conveys in all respects the extended watermain as described herein to the District as follows:

1. Transfer and Description of Watermain Extension. The Owner does hereby transfer, convey and assign all right, interest and title to the District by way of this Bill of Sale to that property described on Exhibit A attached hereto and incorporated fully herein by this reference.

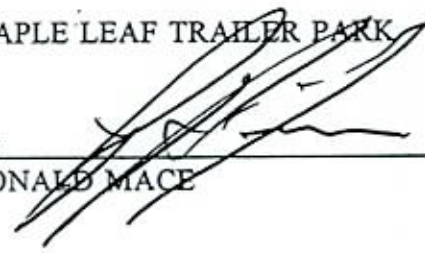
2. Costs. The total cost, including administration, legal engineering and construction for the watermain extension is outlined on Exhibit B attached hereto and incorporated fully herein by this reference.

3. Representations. The Owner hereby represents that they are the true and lawful owners of said property and that watermain extension as described above is free and clear of all encumbrances; that all bills for labor and materials have been paid in full by the Owner; that the Owner has the right to transfer said title and will warrant and defend the same against any lawful claims and demands of all persons for a period of one (1) year from the date of this Bill of Sale; and that the Owner hereby warrants and represents that this Bill of Sale is hereby executed and the watermain extension is hereby transferred, assigned and conveyed in all respects to the District in consideration of incorporating the extension into the overall water system of the District.

4. Warranties. The Owner warrants that for a period of one (1) year from the date of this Bill of Sale the water system will remain in perfect working order and condition except where abused and neglected by the District, and the Owner will repair or replace at its cost and expense any work or material that may prove to be defective during the one (1) year period of said warranty.

DATED the day and year first written above.

MAPLE LEAF TRAILER PARK

By 
RONALD MACE

STATE OF WASHINGTON)
)ss.
COUNTY OF WHATCOM)

On this 24th day of July, 1995, before me personally appeared RONALD MACE, to me known to be the owner of the MAPLE LEAF TRAILER PARK that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year shown above.

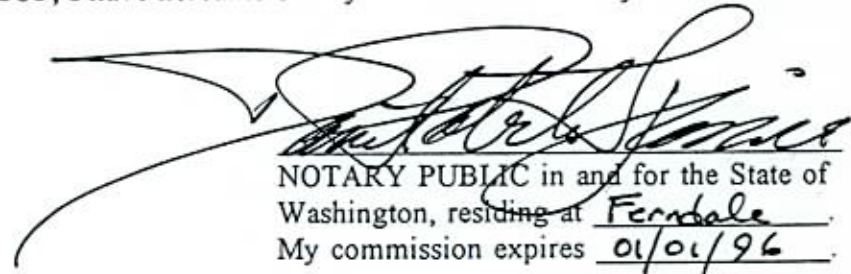
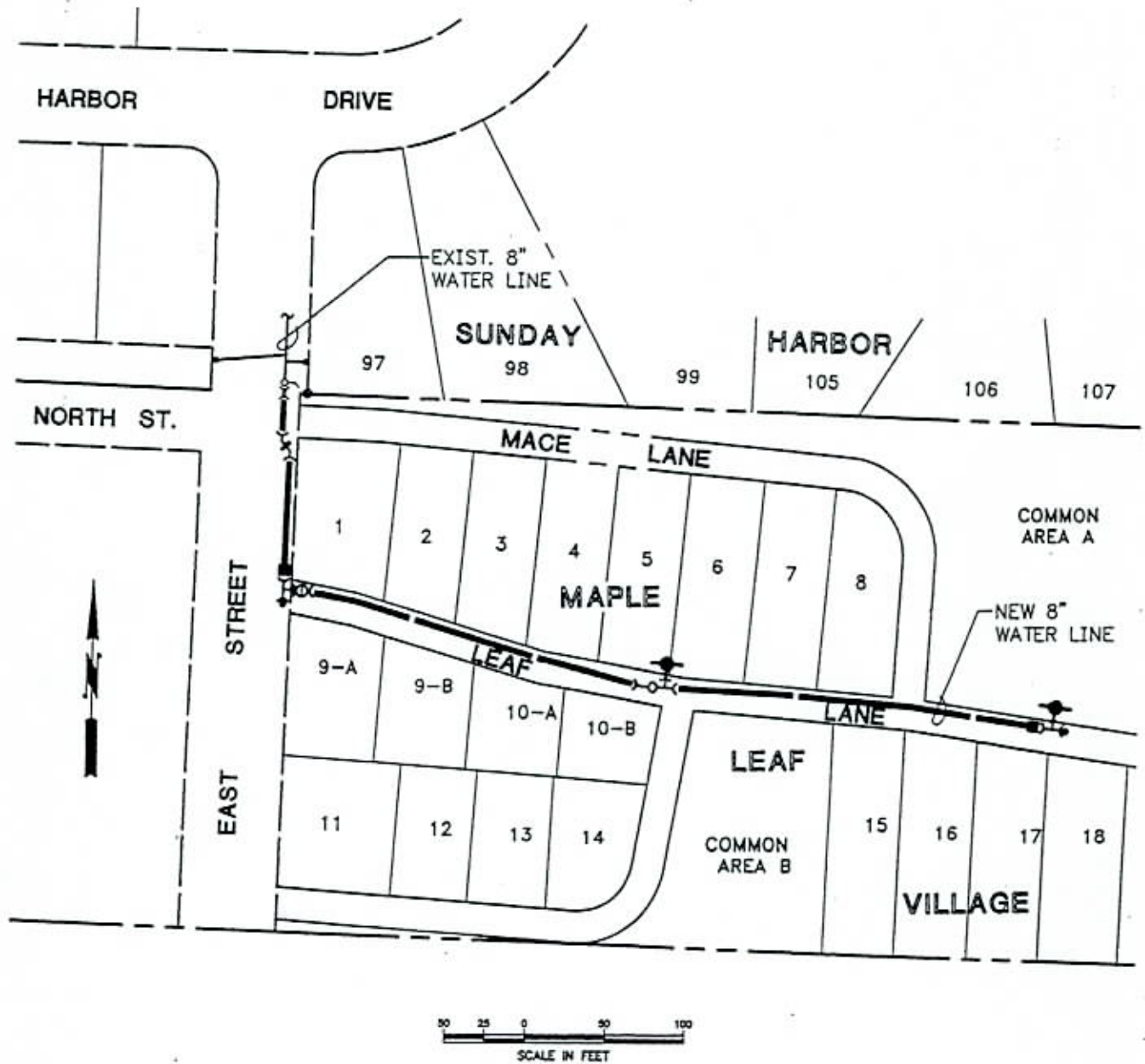

NOTARY PUBLIC in and for the State of
Washington, residing at Ferndale.
My commission expires 01/01/96.

EXHIBIT A

Approximately 620 lineal feet of 8" water line. Beginning 175 feet south of Harbor Drive and East Street and extending therefrom approximately 125 feet south along East Street and then approximately 495 feet east of the private road known as Leaf Lane.



Bill of Sale Exhibit A -- Maple Leaf Village Water Developer Extension

EXHIBIT B

TOTAL COSTS:

including administration, legal, engineering and construction - **\$26,200**