

RESOLUTION OF INTENTION
TO CREATE
UTILITY LOCAL IMPROVEMENT DISTRICT NO. 4

RESOLUTION NO. 94

A RESOLUTION of the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, declaring the intention of the Board to order the formation of a utility local improvement district for the construction and installation of a portion of the Comprehensive Plan of the District applicable to and covering the area within the boundaries of said proposed utility local improvement district, setting forth the nature and territorial extent of such proposed improvements, designating the number of the utility local improvement district, describing the boundaries thereof, stating the estimated cost and expense of the improvement and the amount thereof proposed to be borne by the property within the proposed utility local improvement district, and fixing a date, time and place for a public hearing on the formation of such district.

WHEREAS, the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, have, by Resolution No. 27, adopted June 3, 1971, adopted a Comprehensive Plan for a system of sewerage; and

WHEREAS, the qualified electors of the water district did, at a special election on July 20, 1971, approve the issuance and sale of \$5,211,900 principal amount of revenue bonds of the district for the purpose of carrying out said comprehensive plan; and

WHEREAS, said Comprehensive Plan was amended by Resolution No. 92, adopted December 5, 1974; and

WHEREAS, it is deemed necessary, advisable, economically feasible and in the best interests of the district and its inhabitants that the acquisition, construction and installation of a portion of the improvements described in said Comprehensive Plan, as amended, be now ordered and that a utility local improvement district be created and assessments levied therein in order to pay the principal of and interest on the revenue bonds to be issued by the district to pay

the cost of the acquisition, construction and installation of such improvements;

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

Section 1. It is the intention of the Board of Commissioners of the district to order the improvement of the area within the district described in Exhibit A attached hereto and incorporated by reference herein, by the acquisition, construction and installation of the additions, betterments and improvements described in Section 2 of this resolution, and to form a utility local improvement district within such area.

Section 2. The nature and territorial extent of the proposed improvements for said area shall be as follows:

The district shall, in accordance with its Comprehensive Plan, acquire, construct and install sewer lines, a pumping station and laterals as described in Exhibit B attached hereto and incorporated by reference herein.

Such improvements shall be installed complete with all manholes, stub sewers, and other auxiliary equipment and appurtenances necessary to the proper operation of the sewer system of the district.

The district shall acquire by gift, purchase, franchise, lease or condemnation all property, both real and personal, or any interest therein and all rights of way, franchises, permits 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 detail 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. Said proposed utility local improvement district shall be designated "Utility Local Improvement District No. 4." The estimated cost of acquiring, constructing and installing said plan of improvements described in Section 2 hereof is hereby declared to be as near as can be, the sum of \$91,000⁰⁰ and it is proposed that 100% of such cost in excess of any state or federal grants attributable to such costs will be borne by assessments levied against property within the proposed utility local improvement district and specially benefited by said improvements. The district proposes to finance the cost of such improvements through the issuance of its revenue bonds.

Section 4. The boundaries of said utility local improvement district shall be as set forth in Exhibit A attached hereto and incorporated by reference herein.

Section 5. A public hearing upon the formation of the proposed utility local improvement district shall be had on the 9th day of January, 1975, at the hour of 7:30 o'clock P.M. at the Grange Hall, Birch Bay, Whatcom County, Washington.

Section 6. A notice of adoption of this resolution shall be published in two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the date of said hearing.

Section 7. The following form of the notice shall be mailed to the property owners within the proposed local district at least fifteen (15) days before the date set for said hearing.

NOTICE OF HEARING ON RESOLUTION OF INTENTION
TO CREATE UTILITY LOCAL IMPROVEMENT DISTRICT NO. 4
OF WHATCOM COUNTY WATER DISTRICT NO. 8 AND TO ORDER
THE CONSTRUCTION OF CERTAIN IMPROVEMENTS THEREIN

On December 5, 1974, the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, adopted Resolution No. 94 declaring the intention of the Board of Commissioners of the Water District to create Utility Local Improvement District No. 4 and to carry out the plan of improvements described in said Resolution, the nature of which is the construction and installation of that part of the comprehensive plan of the Water District for a system of sewers to serve said proposed Utility Local Improvement District as fixed in Resolution No. 94.

That portion of the estimated total cost of constructing and installing said improvements attributable to U.L.I.D. No. 4 is \$910,000. Not to exceed 100% of the actual cost of the proposed improvements, less any grant monies attributable to such cost, shall be borne by assessments against the property within the proposed utility local improvement district specially benefited by such improvements.

The Board of Commissioners will conduct a public hearing on the formation of the proposed District at 7:30 P.M., Pacific Standard Time, on January 9, 1975, at the Grange Hall, Birch Bay, Washington.

All persons desiring to object to the formation of the proposed Utility Local Improvement District must file their written protests with the undersigned at the office of the District, Birch Bay, Washington, before 7:30 o'clock P.M., of the evening fixed for said public hearing.

The estimated amount of cost and expense in such improvement to be borne by and assessed against the following described lot,

tract, or parcel of land, located in Whatcom County, Washington, is shown on the reverse side of this notice.

Gordon Sullivan, Sr., Secretary of the
Board of Commissioners, Whatcom County
Water District No. 8, Whatcom County,
Washington

Notice to Banks and Mortgage Companies

The state statutes require that this notice be mailed to you as the owner of record. The Commissioners of the District respectfully request that a copy of this notice be forwarded to the mortgagor as promptly as possible.

OWNERSHIP
ADDRESS
LEGAL DESCRIPTION
PRELIMINARY ASSESSMENT

ADOPTED at a regular meeting of the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, held on the 5th day of December, 1974.

William O. Vogt
Mike J. Connor
Gordon Sullivan Sr
Commissioners

ATTEST:

Gordon Sullivan Sr
Secretary of said Commission

AREA I

BIRCH BAY VILLAGE

Beginning at the intersection of the West line of the East 1/2 of the Northeast 1/4 of Section 27, Township 40 North, Range 1 West, W.M., Whatcom County, Washington with the line of mean higher high water of Birch Bay;

Thence Northerly along said West line to the South line of Section 22, Township 40 North, Range 1 West.;

Thence continuing Northerly along the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 22 to the South line of Birch Bay Village Division 7, according to the plat thereof recorded in Volume 10 of plats, page 43, records of Whatcom County, Washington;

Thence Easterly along said South line to the Southeast corner of Lot 55, said Division No. 7;

Thence Northerly along the East margin of Lots 56 and 57, said Division 7 and the East line of Salish Road to angle point therein;

Thence Easterly along the South margin of said Salish Road to the Northwest corner of Lot 73, Birch Bay Village, Division 4, according to plat thereof recorded in Volume 9 of plats, page 106, records of said Whatcom County;

Thence Southerly along the West line of said Division 4 to its intersection with the Southeasterly margin of Quinault Road;

Thence Northerly along said Southeasterly margin to the South line of Lot 7, said Division 4;

Thence Easterly along said South line to the West line of Lot 6, said Division 4;

Thence Southerly along said West line and the West line of Birch Bay Village, Division 8, according to the plat thereof recorded in Volume 9 of plats, page 142, records of said Whatcom County, to the North line of Birch Bay Village, Division 12B according to the plat thereof recorded in Volume 13 of plats, page 1, records of said Whatcom County;

Thence continuing Southerly along said West line of Division 12B to the North line of the Lake as delineated in said Division 12B;

Thence Southeasterly along said Northerly and Easterly line to the most Southerly corner of said Lake;

Thence Northwesterly along the East line of Tract "A", and Lots 3 thru 14, said Division 12B to the Northeast corner of said Lot 14;

Thence Southwesterly along the North line of said Lot 14 to the East margin of Skeena Way;

Thence Northerly along said East margin to the Northwesternly line of Birch Bay Village, Division No. 9 according to the plat thereof recorded in Volume 10 of plats, page 38, records of said Whatcom County;

Thence Southwesterly and Southerly along said Northwesternly and Westerly line to the SW corner of Lot 103, said Division 9;

Thence continuing Southerly along the West line of Lots 63, 62, and 61, Birch Bay Village, Division 12 according to the plat thereof recorded in Volume 12 of plats, page 79 and 80 records of said Whatcom County, to the intersection of the Southerly extension of the West line of said Lot 61 with the centerline of Nakat Way;

Thence Easterly along the centerline of said Nakat Way to its intersection with the North extension of the East line of Lot 1, said Division 12;

Thence Southerly along said Northerly extension and the East line of said Lot 1 and its Southerly extension to its intersection with the line of mean higher high water of Birch Bay;

Thence Northwesternly along said line of mean higher high water to its intersection with the West line of the East 1/2 of the Northeast 1/4 of said Section 27 and the Point of Beginning.

EXHIBIT A

AREA II

BIRCH BAY WEST END ESTATES ADDITION NO. 1

Beginning at the West 1/4 corner of Section 24, Township 40 North, Range 1 West, W.M., Whatcom County, Washington;

Thence North along the West line of said Section 24 to the North line of the West 1/2 of the SW 1/4 of the NW 1/4 of said Section 24;

Thence East along said North line to the East line of the said West 1/2 of the SW 1/4 of the NW 1/4 of Section 24;

Thence South along said East line to the North line of Birch Bay West End Estates according to the plat thereof recorded in Book 8 of the Plats, Page 76, records of Whatcom County, Washington;

Thence continuing South along the West line of said Birch Bay West End Estates to the South line of the said West 1/2 of the SW 1/4 of the NW 1/4 of Section 24;

Thence West along the said South line to the said West 1/4 corner of Section 24 and the point of beginning.

EXHIBIT A

AREA III

BIRCHMONT

Beginning at the intersection of the Shoreline (line of ordinary high tide) of Birch Bay with the Northeast line of Sunset Reserve, of See-Haven, according to the plat thereof recorded in Volume 8, Page 68, Records of Whatcom County, Washington;

Thence Southeasterly along said Northeast line to the North Margin of Priester Drive of Birchmont, according to the plat thereof recorded in Volume 8, Page 53, Records of Whatcom County, Washington;

Thence Southwesterly along said North margin to the Northeast corner of Lot 1, said See-Haven;

Thence Westerly along the North line of said Lot 1 and the North line of Lots 2 and 3, said See-Haven to the Northwest corner of said Lot 3;

Thence Southeasterly along the West line of said Lot 3 and its Southerly extension to its intersection with the centerline of Holeman Avenue, said See-Haven;

Thence Northeasterly along said centerline to its intersection with the Northwesterly extension of the West line of Lot 50, said See-Haven;

Thence Southeasterly along said extension and the West line of said Lot 50 to the Southwest corner thereof;

Thence Easterly along the South line of said Lot 50 and the South line of Lot 51 and 52, said See-Haven to the most Easterly corner thereof;

Thence Northeasterly perpendicular to the centerline of said Holeman Road to a line which is 180 feet Easterly of and parallel with the centerline of Holeman Avenue;

Thence Northwesterly along said parallel line to its intersection with a line which is 190 feet Southeasterly of and parallel with the Northwesterly margin of said Priester Drive;

Thence Northeasterly along said line to its intersection with the centerline of Jill Street, of said Birchmont;

Thence Northwesterly along said centerline to its intersection with the Southwesterly extension of the centerline of Block 10, said Birchmont;

EXHIBIT A

Thence Northeasterly along said Southeasterly extension and along said centerline of Block 10, and its Northeasterly extension to the most Easterly corner of Lot 5, Block 14, said Birchmont;

Thence Northeasterly along the Northeasterly extension of the centerline of said Block 14 to its intersection with the centerline of Point Whitehorn Road No. 736;

Thence Northerly along said centerline to its intersection with the South line of Government Lot 1, Section 2; Township 39 North, Range 1 West, W.M.,

Thence along the centerline of Birch Bay Drive as described in Auditor's File No. 782504, according to the records of Whatcom County, Washington, North 172.0 feet; Thence North 37°02' East 225.1 feet; Thence North 18°46' East 169.0 feet; Thence North 30°39' East 78.0 feet; Thence North 59°21' West along a line which is at Right Angles to said centerline to its intersection with the Shoreline of Birch Bay;

Thence Southwesterly along said Shoreline to its intersection with the Northeast line of said Sunset Reserve and the Point of Beginning.

EXHIBIT A

ADDITIONS AND BETTERMENTS TO
WHATCOM COUNTY WATER DISTRICT NO. 8

U.L.I.D. NO. 4

BIRCH BAY VILLAGE

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Skeena Way	Kispiox Road	Salish Road
Comox Loop West of Comox Road	Comox Road, Westerly and Northerly	Comox Road
Quinault Road	Kispiox Road	Skeena Way
Kayak Way	Quinault Road	Quinault Road
Kitamat Way	Kayak Way	Quinault Road
Quinault Loop North of Quinault Road	Quinault Road	Skeena Way
Cul-de-Sac	Quinault Loop	120 ft. Northerly
Salish Loop East Salish Road	Salish Road	Salish Road
<u>Easements:</u>		
250 ft. South of Salish Road	Salish Loop	Skeena Way

BIRCH BAY WEST END ESTATES

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Pheasant Drive West	Fawn Crescent Road	Grouse Crescent
Pheasant Drive East	Fawn Crescent Road	Grouse Crescent

EXHIBIT B

Birch Bay West End Estates (Cont.)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Grouse Crescent	Pheasant Drive West	Pheasant Drive East
<u>Easement:</u>		
300 ft. South of Pheasant Drive	Deer Trail	400 ft. Westerly
<u>Birchmont:</u>		
Birch Bay Drive	Birch Bay State Park	Priester Drive
Priester Drive	Birch Bay Drive	County Road
County Road	Priester Drive	Holeman Avenue
Holeman Avenue	County Road	300 ft. West

Pump Station on Birch Bay Drive at State Park

EXHIBIT B