

RESOLUTION OF INTENTION
TO CREATE
UTILITY LOCAL IMPROVEMENT DISTRICT NO. 3

RESOLUTION NO. 93

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 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. 3." 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 \$240,000 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. 3
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. 93 declaring the intention of the Board of Commissioners of the Water District to create Utility Local Improvement District No. 3 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. 93.

That portion of the estimated total cost of constructing and installing said improvements attributable to U.L.I.D. No. 3 is \$240,000. 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.



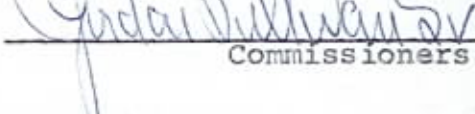
Gordon Sullivan, Sr., Secretary of the
Board of Commissioners, Whatcom County
Water District No. 8, Whatcom County,
Washington

Notice to Banks and Mortgage Companies

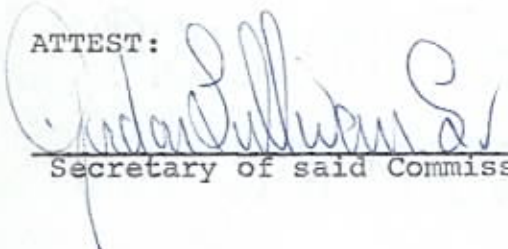
The state statutes require that this notice be mailed to you as the owner of record. The Commissioners of the District respectfully request that a copy of this notice be forwarded to the mortgagor as promptly as possible.

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.




Commissioners

ATTEST:


Secretary of said Commission

AREA I

South of Birch Bay-Lynden Road

Beginning at the east line of Section 30, Township 40 North, Range 1 East, W.M., Whatcom County, Washington at its intersection with the south line of the north 1/2 of the northeast 1/4 of said Section 30;

Thence west along said south line to its intersection with the west line of said northeast 1/4;

Thence north along said west line to its intersection with a line 180 feet south of and parallel to the north line of said Section 30;

Thence east along said parallel line to its intersection with the east line of said Section 30;

Thence south along said east line to its intersection with the south line of said north 1/2 and the Point of Beginning.

EXHIBIT A

AREA II

NORTH OF BIRCH BAY - LYNDEN ROAD

Beginning at the Southeast section corner of Section 19, Township 40 North, Range 1 East, W.M., Whatcom County, Washington;

Thence West along the South line of said Section 19 to its intersection with the West line of the Southeast 1/4 of said Section 19;

Thence Northerly along said West line to the North line of the South 660 feet of said Southeast 1/4;

Thence East along said North line to its intersection with the East line of the West 1208 feet of the SW 1/4 of the said Southeast 1/4;

Thence South along said East line to its intersection with the South line of said Section 19;

Thence East along said South line to its intersection with the West line of the East 903.45 feet of the said Section 19;

Thence Northerly along said West line to the North line of the South 230 feet of said Section 19;

Thence East along said North line to the West line of the East 693.45 feet of said Section 19;

Thence South along said West line to its intersection with the South line of said Section 19;

Thence East along said South line to its intersection with the West line of the East 266.5 feet of said Section 19;

Thence North along said West line to its intersection with a line 180 feet North of and parrallel with the South line of said Section 19;

Thence East along said parrallel line to the East line of said Section 19;

Thence South along said East line to the Southeast section corner of said Section 19 and the Point of Beginning.

AREA III

BIRCH BAY VILLAGE

Beginning on the North-South centerline of Section 23, Township 40 North, Range 1 West, W.M., Whatcom County, Washington at its intersection with the centerline of Birch Point Road;

Thence Southeasterly along said centerline of Birch Point Road, bearing South 34° East, to its intersection with the Northerly extension of the West line of Birch Bay Village Division 11A, according to the plat thereof recorded in Volume 12 of plats, page 23, records of Whatcom County, Washington;

Thence Southerly along said Northerly extension and said West line to the Southwest corner of Lot 1, said Division 11A;

Thence Southerly along the Southerly extension of said West line of Lot 1 to the centerline of a creek;

Thence Westerly along said creek to the said North-South centerline of said Section 23;

Thence Northerly along said North-South centerline to its intersection with the centerline of said Birch Point Road and the Point of Beginning.

ADDITIONS AND BETTERMENTS TO
WHATCOM COUNTY WATER DISTRICT NO. 8
U.L.I.D. NO. 3

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Birch Bay - Lynden Rd.	Harbor View Road	Blaine Road
Salish Road	Selder Road	Nootka Loop

EXHIBIT B