

RESOLUTION NO. 96

A RESOLUTION of the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, creating Utility Local Improvement District No. 3 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 December 5, 1974, the Board of Commissioners (hereinafter called the "Board") of Whatcom County Water District No. 8 (hereinafter called the "District") adopted its Resolution No. 93, 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 sewer 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 applicable to the area within such boundaries; and

WHEREAS, notice of the hearing on said Resolution No. 93 was given by publication and mailing as provided by law and as provided in said notice said hearing was held at 7:30 o'clock P.M. on the 9th day of January, 1975, at the Grange Hall, Birch Bay, Whatcom County, 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 protests made and filed against the creation of a utility local improvement district of the District as described in Resolution No. 93 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. 93, it is hereby found and ordered:

A. That all said objections and protests to the formation of such utility local improvement district should be and they are hereby denied.

B. That Utility Local Improvement District No. 3 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 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.

Implementation of the aforesaid plan shall be subject to compliance by the district with all applicable state laws including the State Environmental Protection Act. The district shall not proceed with such plans unless such environmental impact statements as are necessary or required by law shall first be prepared and considered.

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.

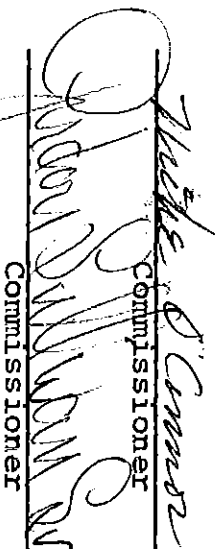
It is hereby further provided that the hereinbefore authorized plans of improvement shall be subject to such changes as to details of pipe size and location or any other detail of said plans not affecting the service to be provided by the main general plan as shall be authorized by the Board of Commissioners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

Section 3. 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 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 Utility Local Improvement District No. 3 and specially benefited by said improvements.

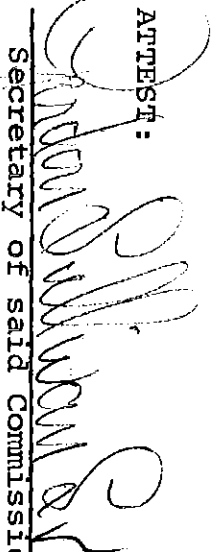
ADOPTED by the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, at a regular meeting of said Board held January 16, 1975.



President and Commissioner



Commissioner

ATTEST:


Secretary of said Commission

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 parallel with the South line of said Section 19;

Thence East along said parallel 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.

EXHIBIT A

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;

Fence Southeasterly along said centerline of Birch Point Road, bearing South 84° 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;

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

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

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

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

EXHIBIT A

AREA 1

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

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	Seider Road	Nootka Loop

EXHIBIT B