

RESOLUTION NO. 1568-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON, DECLARING ITS INTENTION TO ORDER THE CONSTRUCTION OF A SANITARY SEWER SYSTEM LOCATED ALONG THE FOLLOWING STREETS: "H STREET" FROM APPROXIMATELY 550 FEET WEST OF ALLAN STREET TO APPROXIMATELY 213 FEET EAST OF TERRACE AVENUE; "ALLAN STREET" FROM H STREET, TO APPROXIMATELY 300 FEET NORTH OF VISTA AVENUE; "VISTA AVENUE" BETWEEN ALLAN STREET AND VISTA TERRACE DRIVE; "VISTA TERRACE DRIVE" BETWEEN TERRACE AVENUE AND THE CUL-DE-SAC; AND TO CREATE A LOCAL IMPROVEMENT DISTRICT TO ASSESS THE COST OF DESIGN, CONSTRUCTION AND FINANCING OF THE SANITARY SEWER SYSTEM IMPROVEMENTS AGAINST THE PROPERTIES SPECIALLY BENEFITTED THEREBY; AND NOTIFYING ALL PERSONS WHO DESIRE TO COMMENT ON, OR OBJECT TO, THE IMPROVEMENTS TO APPEAR AND PRESENT THEIR COMMENTS AT A HEARING BEFORE THE CITY COUNCIL, TO BE HELD ON JANUARY 24, 2011.

WHEREAS, the City Council intends to order the construction of a public sanitary sewer collection system for properties along H Street, Allan Street, Vista Avenue, and Vista Terrace Drive, (hereinafter referred to as "Allan and Vista Terrace Area"); and

WHEREAS, the City intends to create a Local Improvement District to pay for the system improvements; and

WHEREAS, the City is constructing roadway improvements to H Street that include an extension of the sanitary sewer system as far as Terrace Avenue; and

WHEREAS, there are failing onsite septic systems in this area; and

WHEREAS, the City Council finds that taking such action is in the health, safety, and welfare interests of the City and this particular neighborhood; and

WHEREAS, the City Council now desires to fix a time and place for a for a public hearing thereon;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLAINE:

Section 1. It is the intention of the City Council of the City of Blaine, Washington, to order the improvement of the properties within the area described in Exhibit "A," attached hereto and by this reference made a part hereof, by the improvement of properties described in Exhibit "A," by means of the installation of approximately 4,600 lineal feet of eight-inch diameter sanitary sewer main.

All of the foregoing improvements shall be in accordance with the plans and specifications therefore prepared by the Director of Public Works of the City and may be modified by the City as long as that modification does not affect the purpose of the improvements.

Section 2. The total cost of the improvements is estimated to be approximately \$692,000, of which one hundred percent of the cost and expense of the improvements shall be borne by and assessed against the properties specially benefited by the improvements to be included in a local improvement district to be established embracing, as nearly as practicable, all the property specially benefited by the

improvements. Actual assessments may vary from estimated assessments as long as they do not exceed a figure equal to the increased true and fair value the improvements add to the property.

Section 3. The Public Works Department is authorized and directed to give notice of the adoption of this resolution and of the date, time and place fixed for the public hearing to each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed local improvement district by mailing such notice at least fifteen days before the date fixed for public hearing to the owner or reputed owner of the property as shown on the tax rolls of the Whatcom County Assessor at the address shown thereon, as required by law.

This resolution shall also be published in at least two consecutive issues of the Northern Light, a newspaper of general circulation, the date of the first publication to be at least fifteen days prior to the date fixed for the public hearing.

Section 4. All persons who may desire to comment on or object to the proposed Vista Terrace Area Sewer Local Improvement District improvements are notified to appear and present those comments or objections at a hearing before the City Council to be held in the Blaine Council Chambers on January 24, 2011, at 7:00 p.m. at the City Hall, 344 H Street, in the City of Blaine, Washington, which time and place are fixed for hearing all matters relating to the improvements and all comments thereon or objections thereto, and for determining the method of payment for the improvements. All persons who may desire to comment thereon or object thereto should appear and present their comments or objections at that hearing. Any person who may desire to file a written protest with the City Council must do so within 30 days after the date of passage of the ordinance ordering the improvements in the event the local improvement district is formed. The written protest must be delivered to the City Clerk and be signed by the property owner or their legal representative; the protest should include the legal description of the property for which the protest is filed and the grounds of objection. Failure to timely submit an objection as required herein will be conclusively presumed to have been waived and will not be considered.

Section 5. The City's Director of Public Works is directed to submit to the City Council on or prior to the date fixed for hearing, all data and information required by law to be submitted.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF BLAINE, WASHINGTON on the 13th day of December, 2010, and approved by the Mayor on the same day.

CITY OF BLAINE COUNCIL



Bonnie Onyon, Mayor

ATTEST/AUTHENTICATE:



Sheri Sanchez, City Clerk

EXHIBIT "A"

ALLAN AND VISTA TERRACE AREA LID

LEGAL DESCRIPTION

LOTS 1 THROUGH 38, PLAT OF VISTA TERRACE, WHATCOM COUNTY, WASHINGTON AS PER THE MAP THEREOF RECORDED IN BOOK 8 OF PLATS, PAGE 51, IN THE OFFICE OF THE AUDITOR OF WHATCOM COUNTY, WASHINGTON AND;

LOTS 1 THROUGH 3, ANGEL REICHHARDT SHORT PLAT PER THE MAP THEREOF RECORDED IN BOOK 6 OF SHORT PLATS, PAGE 77 IN THE OFFICE OF THE AUDITOR OF WHATCOM COUNTY, WASHINGTON AND;

LOTS 1 AND 2, LLA ROS FOR CHARTER TITLE INSURANCE CORP. RECORDED UNDER AUDITORS FILE NO. 1980202550 IN THE OFFICE OF THE AUDITOR OF WHATCOM COUNTY, WASHINGTON AND;

LOTS 8 AND 9, HANSON'S SUBDIVISION AS PER THE MAP THEREOF RECORDED IN VOL. 4 OF PLATS, PAGE 127 IN THE OFFICE OF THE AUDITOR OF WHATCOM COUNTY, WASHINGTON AND;

THE SOUTH 515 FEET MORE OR LESS OF A TRACT DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 41 NORTH, RANGE 1 EAST, WM; THENCE NORTH 660 FEET MORE OR LESS TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE WEST 170 FEET 5 INCHES; THENCE SOUTH 660 FEET MORE OR LESS; THENCE EAST 170 FEET 5 INCHES TO THE POINT OF BEGINNING. LESS ROAD AND;

THE FOLLOWING PARCELS IDENTIFIED BY THE WHATCOM COUNTY ASSESSOR GEOGRAPHIC ID AND ABBREVIATED LEGAL DESCRIPTION:

4101320790400000; S 3/4 ACRE OF TR DAF-BEG AT BOAT SPIKE MARKING SE COR OF SW SW-TH W 461.40 FT ALG S SEC LI-TH N 00 DEG 07'50" E 272 FT TO POB-TH W 208.67 FT TO W LI OF SE SW SW-TH N 01 DEG 14'34" W 248.83 FT ALG W;

4101320980300000; TR IN SW SE DAF-BEG AT SE COR OF SW SW- TH W ALG S LI OF SW SW 451.35 FT-TH N 01 DEG 23'00" W PAR TO E LI OF SW SW 206.19 FT TO TPOB-TH N 66 DEG E 171.67 FT-TH N 01 DEG 23'00" W 100 FT-TH S 66 DEG W;

4101320990400000; BEG AT SE COR OF SW SW-TH W ALG S SEC LI 451.33 FT-TH N 01 DEG 23'00" W 306.19 FT TO TPOB-TH N 66 DEG W 171.67 FT-TH N 01 DEG 23'00" W 90 FT-TH S 66 DEG W 171.67 FT-TH S 01 DEG 23'00" E 90 FT TO POB-TR;

EXHIBIT "A"

4101320990480000; TR IN SW SE DAF-BEG AT SE COR OF SW SW- TH W ALG S LI SEC LI
451.33 FT-TH N 01 DEG 23'00" W 306.19 FT TO TPOB-TH N 66 DEG E 171.67 FT-TH N 01 DEG
23'00" W 150 FT-TH S 66 DEG W 171.57 FT-TH S 01 DEG;

4101321060150000; BEAP 170.4 FT W OF SE COR OF SW SW-TH W 281 FT-TH N 01 DEG 12'00"
W PAR TO E LI OF SW SW 206.19 FT-TH N 66 DEG E TAP 170.4 FT W OF E LI OF SW SW-TH S
TO POB- EXC TR DAF-BEG AT SE COR OF SW SW-TH W;

4101321150380000; TR IN SW SE DAF-BEG AT SE COR OF SW SW- TH W ALG S LI OF SW SW
170.53 FT-TH N 01 DEG 23'00" W PAR TO E LI OF SW SW 330 FT TO TPOB-TH S 66 DEG W
110.98 FT-TH N 01 DEG 23'00" W 100 FT-TH N 66 DEG E;

4101321150480000; TR IN SW SW DAF-BEG AT SE COR OF SD SUBDIV-TH W ALG S LI OF SD
SUBDIV 170.33 FT-TH N 01 DEG 23'00" W PAR TO E LI OF SD SUBDIV 430 FT TO TPOB-TH S 66
DEG W 110.98 FT-TH N 01 DEG 23'00" W 130 FT-TH;

ALL SITUATE IN THE SOUTH ONE HAL F OF THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 41 NORTH, RANGE 1 EAST OF WILLAMETTE MERIDIAN, WHATCOM COUNTY,
WASHINGTON.