

# RESOLUTION 1913

## A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING PARTIAL TERMINATION OF SEWER EASEMENT FOR THE CASCADE CANYON PLAT BETWEEN THE CITY OF NORTH BEND AND TOLL BROTHERS, INC.

**WHEREAS**, in 2009, the City of North Bend constructed ULID No. 6 and received a Public Sewer Access and Maintenance Easement (Recording #20091230000701) on the property located at Tax Parcel No. 132308-9007 for the portion of public sewer main that was constructed on said property; and

**WHEREAS**, in September 2019, the City approved Resolution 1907 granting Final Plat Approval to Toll Brothers, Inc., for the Cascade Canyon Subdivision Phase 1; and

**WHEREAS**, as a portion of plat infrastructure improvements, a portion of the existing sanitary sewer main was rerouted through the property to coincide with newly dedicated right-of-way and public street system; and

**WHEREAS**, the City has determined that the new sewer facilities will adequately serve the Cascade Canyon Development and that the portion of the Toll Property no longer required by the City should be released from the Easement; and

**WHEREAS**, Toll Brothers will pay the City of North Bend an amount of \$16,128 to the City's Sewer Fund for the partial sewer easement relinquishment;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Authorization.** The City Council finds that a portion of the existing Public Sanitary Sewer Easement Recording No. 20091230000701 no longer serves the public interest and is partially terminated. The Mayor is hereby authorized to sign the Partial Release of Public Easement in a final form substantially the same as that attached hereto as Exhibit A upon the City's receipt of payment from Toll Brothers.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 5<sup>TH</sup> DAY OF NOVEMBER, 2019.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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Kenneth G. Hearing, Mayor

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Eileen M. Keiffer, City Attorney

**ATTEST/AUTHENTICATED:**

Effective: November 5, 2019  
Posted: November 6, 2019

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Susie Oppedal, City Clerk