

RESOLUTION 1924

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING WATER, SEWER, STORM DRAINAGE, AND STREET IMPROVEMENTS FROM CEDAR FALLS WAY LLC RELATING TO THE CEDAR FALLS 142-LOT SUBDIVISION

WHEREAS, on February 24, 2011, Cedar Falls Way LLC (“Developer”) received preliminary plat approval to construct 142 single family residential lots on a 35.52-acre site; and

WHEREAS, on March 9, 2011, a Developer Extension Agreement with the Developer was executed for the Cedar Falls water, sewer, storm drainage, and street improvements; and

WHEREAS, in July 2011 construction commenced on the Cedar Falls subdivision; and

WHEREAS, the Developer constructed certain water, sewer, storm drainage, and street improvements (“Improvements”); and

WHEREAS, the City has inspected the Improvements, received mylar as-builts, and a GIS disk as required by North Bend Municipal Code (“NBMC”); and

WHEREAS, the NBMC requires certain improvements of the subdivision to be dedicated to the City for operation and maintenance; and

WHEREAS, per the recorded Final Plat certain improvements of the subdivision such as the frontage bio-infiltration swales shall be maintained by the HOA; and

WHEREAS, the Developer has provided the City with the market value assignment for the Improvements and a Bill of Sale for the Improvements; and

WHEREAS, the City Council of the City of North Bend finds that the improvements meet the standards of the City, and that the value assigned by the Developer reflects a fair market value;

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

Section 1. The City Council of the City of North Bend hereby accepts the water, sewer, storm drainage, and street improvements built for the Cedar Falls subdivision as depicted in the attached **Exhibit A** to this resolution, which is incorporated herein by reference.

Section 2. The Mayor is authorized to execute the Bill of Sale accepting the water, sewer, storm drainage, and street improvements on behalf of the City of North Bend, in the form attached hereto as **Exhibit B** or in a substantially similar form, in a final form acceptable to the City Attorney.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 4TH DAY OF FEBRUARY, 2020.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Effective: February 4, 2020
Posted: February 5, 2020

Susie Oppedal, City Clerk