

RESOLUTION 1984

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING A LATECOMERS REIMBURSEMENT AGREEMENT WITH TRI POINTE, FORMERLY QUADRANT HOMES, FOR THE CEDAR LANDING SUBDIVISION SEWER LIFT STATION

WHEREAS, on March 3, 2016, Quadrant Homes, now known as Tri Pointe (“Developer”), received preliminary plat approval to construct 124 single family residential lots on a 35.87-acre site known as the Cedar Landing; and

WHEREAS, on August 18, 2017, the City and Developer executed a Developer Extension Agreement for the Cedar Landing subdivision’s sewer, sewer lift station, storm drainage, and street improvements; and

WHEREAS, in September 2019 construction commenced on the Cedar Landing Phase 1 subdivision; and

WHEREAS, the Developer constructed certain sewer, storm drainage, and street improvements for the Cedar Landing subdivision (“Improvements”); and

WHEREAS, the City has inspected the Improvements, received as-builts, and manuals for the lift station as required by North Bend Municipal Code (“NBMC”); and

WHEREAS, a Latecomers Agreement for the upsizing of the Cedar Landing sewer lift station has been provided in Exhibit “A”,

WHEREAS, Tri Pointe has provided cost breakdown for the sewer lift station improvements, an assessment of benefitting properties, and pro-rata shares of the costs of the improvements assigned to the benefitting properties as provided in Exhibits “B”, “C”, and “D” respectively; and

WHEREAS, the Developer has provided the City with the market value for the Improvements and a related Bill of Sale; 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 for said Improvements reflects a fair market value;

WHEREAS, the City Council held a public hearing on the proposed reimbursement agreement on July 20, 2021;

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 sewer lift station improvements as installed by Tri Pointe within the Cedar Landing Subdivision.

Section 2. The Mayor is authorized to enter into a 20-year Latecomers Reimbursement Agreement with Tri Pointe for the sewer lift station upsizing improvements in the form substantially the same as attached hereto as Exhibit "A" and as acceptable to the City Attorney.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 20TH DAY OF JULY, 2021.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Effective: July 20, 2021
Posted: July 21, 2021

Susie Oppedal, City Clerk