

RESOLUTION 2032

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING WATER, SEWER, AND STREET IMPROVEMENTS FROM NBL, LLC RELATING TO THE PHOENIX PLAZA MIXED-USE PROJECT

WHEREAS, on July 18, 2018, NBL, LLC (“Developer”) received engineering plan approval to construct a three story mixed use building that contains a ground floor with 1,300 sf leasing office, 3,900 sf general retail and second and third floors containing 32 residential apartments project (“Project”) on a 0.77-acre site in the City of North Bend; and

WHEREAS, on April 18, 2017, the City of North Bend executed a Developer Extension Agreement with the Developer for construction of the project’s water, sewer, and street improvements (“Improvements”); and

WHEREAS, the Developer constructed the project improvements; and

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

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

WHEREAS, the Developer has provided the City with the market value assignment 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, and street improvements constructed for the Phoenix Plaza Mixed-Use Project as described in the attached **Exhibit A**, which is incorporated herein by reference.

Section 2. The Mayor is authorized to execute the Bill of Sale accepting the water, sewer, 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, and 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 2ND DAY OF
AUGUST, 2022.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective: August 2, 2022

Posted: August 3, 2022

Susie Oppedal, City Clerk