

# RESOLUTION 2059

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING OWNERSHIP FROM PULTE HOMES OF WASHINGTON, INC. OF THE WATER, SEWER, AND STREET IMPROVEMENTS CONSTRUCTED AS PART OF THE 109 DEGREES 23 UNIT MULTI-FAMILY PROJECT**

**WHEREAS**, on April 7, 2021, TCMM Sequoia, LLC (“TCMM”) received engineering plan approval to construct a 23-unit multi-family townhouse project, and on June 14, 2021, the City issued a Clearing and Grading Permit to begin construction; and

**WHEREAS**, in February 2022, TCMM sold the project originally named “Cade Vu 2 and 3” to Pulte Homes of Washington, Inc. (“Pulte”), and Pulte completed the civil sitework and renamed the project “109 Degrees”; and

**WHEREAS**, the Developer Extension Agreement originally approved for TCMM to construct water, sewer, and street improvements was reassigned to Pulte, and Pulte completed the water, sewer, and street extensions which are to be transferred to the City; and

**WHEREAS**, work at the project site is approximately 95% complete and the remaining private work left to complete includes final lift of pavement internal to the site, minor concrete work, and landscaping items; and

**WHEREAS**, Pulte currently has on file with the City a \$566,322.70 performance bond to complete the project, as-builts, and GIS files; and

**WHEREAS**, Pulte requests completion of the Bill of Sale process prior to full project completion; completion of the Bill of Sale is one of the remaining steps to enable the project to receive Binding Site Plan Approval; and

**WHEREAS**, the City inspected the improvements and found them to be constructed pursuant to Code and Public Works Standards;

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

**Section 1.** The City accepts ownership from Pulte Homes of Washington, Inc. of the infrastructure improvements identified in the construction cost schedule attached hereto as Exhibit A for the 109 Degrees 23-unit multi-family project.

**Section 2.** The Mayor is authorized to execute the Bill of Sale accepting the infrastructure improvements identified in Exhibit A 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 4<sup>TH</sup> DAY OF APRIL, 2023.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Rob McFarland, Mayor**

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**Lisa Marshall, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: April 4, 2023

Posted: April 5, 2023

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**Susie Oppedal, City Clerk**