

RESOLUTION 2109

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AND ADMINISTER A DEVELOPER EXTENSION AGREEMENT AND RELATED CONTRACT DOCUMENTS WITH SB X, LLC FOR THE BIO- THERAPEUTICS COMMERCIAL DEVELOPMENT

WHEREAS, SB X, LLC submitted an application to the City of North Bend (“City”) for a commercial development known as “Bio-Therapeutics” located at 44901 SE North Bend Way, North Bend, Washington; and

WHEREAS, construction of certain public infrastructure improvements are required prior to certificate of occupancy, including extensions of the City’s stormwater and street systems; and

WHEREAS, pursuant to North Bend Municipal Code 19.01.200, SB X, LLC must enter into a Developer Extension Agreement (“DEA”) with the City to design and construct these improvements, post the necessary bonds, and pay for all City expenses related to the review, inspection, and administration of the DEA; and

WHEREAS, following construction of the stormwater and street system improvements, a Bill of Sale shall be executed by SB X, LLC to transfer ownership and maintenance of the improvements;

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

Section 1. The Mayor is authorized to execute and administer the Developer Extension Agreement and related contract documents, generally in the form as attached hereto as Exhibit A, with SB X, LLC related to the construction of stormwater and street system extension improvements for the Bio-Therapeutics commercial development.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 16TH DAY OF
JULY, 2024.**

CITY OF NORTH BEND:

Mary Miller, Mayor

APPROVED AS TO FORM:

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Effective: July 16, 2024

Posted: July 17, 2024

Susie Oppedal, City Clerk