

# **RESOLUTION 2136**

## **A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, ACCEPTING WATER DISTRIBUTION, WASTEWATER COLLECTION AND STORM DRAINAGE SYSTEM IMPROVEMENTS, AND CURB AND STREET PAVING IMPROVEMENTS, FROM JOHN DAY HOMES, LLC FOR THE 23-LOT MALONEY ESTATES SUBDIVISION**

**WHEREAS**, John Day Homes, LLC (“Developer”) has completed construction of the 23-lot Maloney Estates Subdivision Project (“Project”); and

**WHEREAS**, a SEPA DNS for the Project was issued on May 6, 2015; and

**WHEREAS**, the hearing examiner issued a decision on June 16, 2015 approving the Maloney Estates Subdivision subject to conditions; and

**WHEREAS**, the City authorized a Developer Extension Agreement on June 1, 2021, under Resolution No. 1977; and

**WHEREAS**, engineering plan approval occurred on July 19, 2021; and

**WHEREAS**, final plat approval occurred on April 19, 2022; and

**WHEREAS**, the Developer has constructed the required water distribution, wastewater collection, and storm drainage system improvements, as well as curb and street paving improvements (collectively “Infrastructure Improvements”); and

**WHEREAS**, City staff inspected the Infrastructure Improvements and the City accepts transfer of ownership of Developer-constructed Infrastructure Improvements; and

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

**WHEREAS**, the City Council of the City of North Bend finds that the Infrastructure 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 accepts the water distribution, wastewater collection, and storm drainage system improvements, as well as the curb and street paving improvements constructed for the 23-lot Maloney Estates Subdivision Project as depicted in the attached Exhibit A to this Resolution and which is incorporated herein by reference.

**Section 2.** The Mayor is authorized to execute the Bill of Sale accepting the water distribution, wastewater collection, and storm drainage system improvements, as well as the curb and street paving improvements for the 23-lot Maloney Estates Subdivision Project on behalf of the City of North Bend, in the form attached hereto as Exhibit B or in a final form substantially similar and acceptable to the City Attorney.

**PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,  
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 3<sup>RD</sup> DAY OF  
DECEMBER, 2024.**

**CITY OF NORTH BEND:**

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**Mary Miller, Mayor**

**APPROVED AS TO FORM:**

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**Kendra Rosenberg, City Attorney**

**ATTEST/AUTHENTICATED:**

Effective: December 3, 2024  
Posted: December 4, 2024

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**Susie Oppedal, City Clerk**