

MASON COUNTY, WASHINGTON

RESOLUTION NO. 818

A RESOLUTION of the Board of Mason County Commissioners ordering the acquisition and construction of the Water General Plan for the Beard's Cove area of the County, as adopted on October 10, 1977, by Resolution No. 811, applicable to the utility local improvement district hereinafter described; creating Utility Local Improvement District No. 1; providing for the issuance and sale of approximately \$510,000 par value of water revenue bonds to obtain the funds to pay the costs of such improvement; creating a water construction fund; and providing for the issuance and sale of interest-bearing warrants pending the sale and delivery of such bonds.

WHEREAS, on October 10, 1977, the Board of County Commissioners of Mason County, Washington, duly adopted Resolution No. 812, setting forth the intention of the Board to order the acquisition and construction of water facilities to carry out the Water General Plan for the Beard's Cove area of the County, as adopted on October 10, 1977, and applicable to the utility local improvement district hereinafter described, and to form Utility Local Improvement District No. 1; and

WHEREAS, notice of Resolution No. 812 was duly published, and notice was duly mailed of the adoption of Resolution No. 812 to the owners or reputed owners of the property within the proposed district as required by law and that a public hearing on the formation of the proposed utility local improvement district would be held before the Board of County Commissioners at 2:00 p.m. (PST) on Monday, October 31, 1977, in the Board Chambers, County Courthouse, Shelton, Washington; and

WHEREAS, the hearing was duly and regularly held at that time and place, and the Board of County Commissioners heard all persons desiring to be heard on matters affecting the formation of the proposed

Utility Local Improvement District No. 1 and the acquisition and construction of the improvements therein, and duly considered the protests filed in writing with the Board, those protests being signed by the owners of less than 40% of the area of land within the proposed utility local improvement district, and the Board determined to overrule those protests and to proceed with the improvement; NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MASON COUNTY, WASHINGTON, as follows:

Section 1. The acquisition and construction of water facilities to carry out the Water General Plan for the Beard's Cove area of the County, as adopted on October 10, 1977, by Resolution No. 811, applicable to Utility Local Improvement District No. 1 hereinafter described is hereby ordered to be carried out, that improvement consisting of the purchase, design, acquisition, construction and installation of a system of water transmission mains and distribution lines, storage, wells, together with all necessary appurtenances thereto and by doing such other work as may be necessary in connection therewith in accordance with the plans and specifications as prepared by Gray & Osborne, Inc., P.S., Consulting Engineers, within Utility Local Improvement District No. 1 and outside the district where required to serve the facilities within the district, all as more specifically described in Exhibit A, attached hereto and by this reference made a part hereof, all to serve the area included in Utility Local Improvement District No. 1, the boundaries of which are hereafter described. The County reserves the right to make reasonable changes in the improvement which do not substantially alter the purpose thereof and to proceed with the construction and installation of the improvement specified in whole or in successive parts or units from time to time as may be advisable and as funds for the same become available.

Section 2. There is hereby created a utility local improvement district to be designated and known as Utility Local

Improvement District No. 1 of Mason County, Washington, the boundaries thereof consisting of the exterior line including only the following platted property:

Beard's Cove No. 3, described in Volume 8, page 75 of Plats, records of Mason County, Washington.

Beard's Cove No. 4, described in Volume 8, page 93 of Plats, records of Mason County, Washington.

Beard's Cove No. 5, described in Volume 8, page 115 of Plats, records of Mason County, Washington.

Beard's Cove No. 6, described in Volume 9, page 1 of Plats, records of Mason County, Washington.

Beard's Cove No. 7, described in Volume 9, page 20 of Plats, records of Mason County, Washington.

Beard's Cove No. 8, described in Volume 9, page 45 of Plats, records of Mason County, Washington.

All located in Sections 30 and 31, Township 23 North, Range 1 West, W.M.

Section 3. The estimated cost and expense of the improvement are hereby declared to be \$509,650, all of which will be paid by assessments levied against the property within the district specially benefited by the proposed improvement.

Section 4. Special assessments shall be made against the property within Utility Local Improvement District No. 1 in proportion to the special benefits to be derived by the property therein from the improvement.

Section 5. The cost of carrying out the improvement described in Section 1 shall be met and defrayed from the issuance and sale of approximately \$510,000 par value of water revenue bonds, which are hereby authorized.

The water revenue bonds herein authorized to be issued shall be entitled "Water Revenue Bonds, 1978," with series designation following, if issued in series, except that such bonds may be combined with any other water revenue bonds heretofore or hereafter authorized to be issued. The bonds shall be numbered from "one" upward, consecutively, within each series as issued, and shall be payable out of

such special bond redemption fund as the County shall hereafter establish by resolution. The bonds shall be issued in such series; shall be in such denominations and form; shall bear such date or dates and interest rate or rates; shall be payable at such place or places; shall mature serially in accordance with such schedule or shall be term bonds; shall have such option of payment prior to maturity; shall guarantee such coverage and collection of rates; shall provide for such additional funds and accounts; and shall contain and be subject to such provisions or covenants as shall be hereafter provided by resolution.

Section 6. The gross revenues from the water utility of the County are hereby pledged to the payment of the principal of and interest on the bonds herein authorized to be issued and any additional parity bonds hereafter authorized to be issued under such terms and conditions as the Board of County Commissioners shall by resolution hereafter prescribe, and such bonds shall have a charge or lien upon such revenues with the priority to be hereafter established by resolution.

Section 7. The proceeds from the sale of the foregoing bonds shall be used for the sole purpose of paying the costs of carrying out the improvement described in Section 1 and of paying the cost of issuance of the bonds, and the County, through its proper officials and agents, shall proceed with the making of those improvements. To the extent that such officials and agents have heretofore taken any action or let any contracts to proceed with such improvements, such action and contracts are hereby ratified and approved.

Section 8. There is created in the office of the Mason County Treasurer a construction fund, hereinafter to be defined and designated as the "Water Construction Fund - ULID No. 1," to be used solely for the purpose of paying for the costs of the improvement described in Section 1, the financing thereof and the payment of the

cost of issuing the bonds. There shall be deposited into the construction fund the principal proceeds of the revenue bonds and of any other bonds issued to pay part of the costs of such improvement and any and all other money received by or available to the County and to be used for such purposes.

Pending the issuance and delivery of the bonds to the purchaser thereof, and the deposit of the principal proceeds thereof or other money into the construction fund, warrants may be issued and drawn upon the construction fund for payment of duly authorized and proper costs and expenses and the repayment of loans chargeable to that fund, which warrants shall be presented to the County Treasurer marked "Not paid for want of funds," and shall bear interest at such rate as shall hereafter be determined as provided by law or resolution from the date of presentment until the date called for payment. Such warrants shall be paid in full from the first money deposited in the construction fund available for such purpose.

Money in the construction fund may be invested until needed in any investments permitted to the County by law, but in no event shall any investment be made in any obligation maturing later than one year after the investment therein or later than such money is needed for the purpose of the construction fund, whichever is the lesser time. Income from such investments shall be deposited in the construction fund.

ADOPTED by the Board of Mason County Commissioners at an open public meeting this 7th day of November, 1977.

BOARD OF COUNTY COMMISSIONERS
OF MASON COUNTY, WASHINGTON

ATTEST:

RUTH E. (BOYSEN) WERMER
COUNTY AUDITOR

Ruth E. Wermers

John Barckman
Chairman

Tom Taylor
Commissioner

APPROVED AS TO FORM:

Floyd C. Cole
Commissioner

Byron E. McCausker
Prosecuting Attorney

EXHIBIT A

1. Purchase the existing water system located in the Plats of Beard's Cove 3, 4, 5, 6, 7 and 8.

2. Acquire and construct water facilities in the Plats Beard's Cove 4, 5, 7 and 8, consisting of the following:

a. Water Mains

A 6" water main located in Larson Boulevard beginning at an existing water main at the intersection of Clemens Road and Larson Boulevard, and extending southerly to the intersection of Larson Boulevard and Trouncer Boulevard, a distance of 700 feet more or less.

A 6" water main located in Trouncer Boulevard beginning at the intersection of Larson Boulevard and extending easterly to the intersection of Trouncer Boulevard and Larson Lake Road, a distance of 550 feet more or less.

A 6" water main located in Marie Lane beginning at the intersection of Trouncer Boulevard and Marie Lane, and extending northerly to a point located 200 feet northerly of the intersection of Marie Lane and Clemens Road, a distance of 1,400 feet more or less.

A 6" water main located in Larson Lake Road beginning at the intersection of Trouncer Boulevard and Larson Lake Road, and extending southerly a distance of 160 feet more or less.

A 6" water main located in Clemens Road beginning at the intersection of Clemens Road and Larson Boulevard, and extending easterly along Clemens Road to Beverly Lane, a distance of 1,330 feet more or less.

A 6" water main located in Beverly Lane beginning at the intersection of Clemens Road and extending northerly a distance of 200 feet more or less.

A 6" water main located along the southerly property line of Lots 18 and 19, Beard's Cove No. 7, extending from Beverly Lane to Cora Drive, a distance of 300 feet more or less.

A 4" water main located in Larson Lake Road beginning at the intersection of Larson Lake Road and Trouncer Boulevard, and extending northerly a distance of 700 feet more or less.

A 4" water main located in Twain Lane beginning at the intersection of Twain Lane and Clemens Road, and extending southeasterly to the intersection of Twain Lane and Marie Lane, a distance of 800 feet more or less.

A 4" water main located in Mark Drive beginning at the intersection of Clemens Road and Mark Drive, and extending southeasterly to the intersection of Mark Drive and Marie Lane, a distance of 650 feet more or less.

A 6" water main located in Larson Lake Road beginning at the intersection of Larson Boulevard and extending northerly to the extension of the north property line of Lot 61 of Beard's Cove No. 5, a distance of 600 feet more or less.

A 6" water main located along the north property line of Lot 61, Beard's Cove No. 5 and Lot 51, Beard's Cove No. 4 extending from Larson Lake Road to Mason Boulevard, a distance of 250 feet more or less.

A 6" water main located in Mason Boulevard beginning at the intersection of Mason Ct. and Mason Boulevard and extending easterly to the intersection of Bowden Drive and Mason Boulevard, a distance of 780 feet more or less.

A 6" water main located in Bowden Drive beginning at the intersection of Larson Boulevard and Bowden Drive and extending northerly to the intersection of Mason Boulevard and Bowden Drive, a distance of 800 feet more or less.

b. Well and Pumping Facilities

Well No. 1, located on Lot 71, Beard's Cove No. 3, described in Volume 8, page 75 of Plats, Records of Mason County, located in Sections 30 and 31, Township 23 North, Range 1 West, W.M.

Well No. 2, located on Lot 19, Beard's Cove No. 8, described in Volume 9, page 45 of Plats, Records of Mason County, located in Sections 30 and 31, Township 23 North, Range 1 West, W.M.

c. Storage and Transmission Main

A 400,000 gallon standpipe located on the following described property:

Portion of the southeast quarter, southwest quarter, Section 30, Township 23 North, Range 1 West, W.M., described as follows: Beginning at the northwest corner of said southeast quarter, southwest quarter; thence south 0-54-22 east 328.95'; thence south 89-59-03 west 5.48' to the northwesterly right of way of Lincoln Boulevard; thence along said right of way on a curve to the left with a radius of 316.48' whose center bears south 58-30-05 a distance of 20.98' to the northeast corner Lot 57 Beard's Cove No. 6; thence south 62-17-58 east 30' to the centerline of Lincoln Boulevard; thence along proposed centerline of Lincoln Boulevard on a curve to the right with a radius of 286.48', a distance of 383' more or less to the true point of beginning; thence north 69-50 east 10'; thence south 20-10 east 70'; thence south 69-50 west 70'; thence north 20-10 west 70'; thence north 69-50 east 60' to the point of beginning.

An 8" water main from the end of Lincoln Boulevard in Beard's Cove No. 6 to the storage site a distance of 350' more or less, located on the following described easement:

A 30' water line easement, together with a right to maintain and repair the water line and ingress and egress to the tank site, whose centerline is described as follows: Beginning at the Northwest corner of the southeast 1/4 of the southwest 1/4, Section 30, Township 23 North, Range 1 West, W.M., thence south 0-54-22 east 328.95'; thence south 89-59-03 west 5.48' to the northwesterly right of way of Lincoln Boulevard; thence

along said right of way on a curve to the left with a radius of 316.48' whose center bears south 58-30-05 east, a distance of 20.98' to the northeast corner of Lot 57, Beard's Cove No. 6; thence south 62-17-58 east 30' to the centerline of Lincoln Boulevard and the true point of beginning of said water line easement; thence along proposed centerline of Lincoln Boulevard on a curve to the right with a radius of 286.48' a distance of 383'; more or less to the terminus of said water line easement.

3. The acquisition of all rights of way, easements and property rights necessary for the construction of the water facilities described above.