HIGHLINE WATER DISTRICT
King County, Washington

RESOLUTION 16-4-6A

RESOLUTION ACCEPTING AN EXTENSION TO THE WATER DISTRICT SYSTEM
DES MOINES CREEK BUSINESS PARK - S 208TH ST & 24TH AVE S, DES MOINES, WA

WHEREAS, the Board of Commissioners of Highline Water District has heretofore approved an application for the above-titled extension; and

WHEREAS, said extension has been found to have been constructed in accordance with the District’s standards; and

WHEREAS, pressure, bacteriological and other tests have been made and the results have proven satisfactory. The General Manager agrees with the recommendation for acceptance of said extension.

NOW, THEREFORE, BE IT RESOLVED:

1. The above-entitled extension to the District’s system is hereby accepted by the District, subject to the guarantee and other provisions of the Developer Extension Agreement on file at the District’s office.

2. The Bill of Sale, notarized on February 11, 2016 and executed by Bart Brynestad, Local Partner CMV Law Group, LLP, is hereby accepted and attached as Exhibit A, along with system map.

ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at an open public meeting held this 6th day of April 2016.

BOARD OF COMMISSIONERS

Vince Koester, President

Daniel Johnson, Commissioner

Kathleen Quong-Vermeire, Commissioner

Todd Fultz, Secretary

George Landon, Commissioner
HIGHLINE WATER DISTRICT

BILL OF SALE

Know all men by these presents that for and in consideration of the sum of One Dollar ($1.00) and other good and sufficient consideration, receipt whereof is hereby acknowledged, the undersigned grantor,

Des Moines Creek Business Park Phase 1, LLC

does by the presents hereby convey, set over, assign, transfer and sell to HIGHLINE WATER DISTRICT, King County, Washington, a municipal corporation, the following described water mains and all appurtenances thereto, situated in King County, Washington.

LOCATION

<table>
<thead>
<tr>
<th>ALONG</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. 208th ST</td>
<td>STA. 13+00</td>
<td>STA. 25+00</td>
</tr>
<tr>
<td>S. 211th ST</td>
<td>STA. 31+00</td>
<td>STA. 43+00</td>
</tr>
</tbody>
</table>

DESCRIPTED WATER MAINS & APPURTEENANCES

<table>
<thead>
<tr>
<th>Appurtenance</th>
<th>Size/Type</th>
<th>Amount Installed</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raw Water</td>
<td>12&quot; DI</td>
<td>1210 LF</td>
<td>74</td>
<td>89540</td>
</tr>
<tr>
<td>Service Main</td>
<td>12&quot; DI</td>
<td>5100 LF</td>
<td>63</td>
<td>321300</td>
</tr>
<tr>
<td>Fire Hydrants</td>
<td>5' 4&quot; CLow Medalli</td>
<td>15</td>
<td>5400</td>
<td>81000</td>
</tr>
<tr>
<td>Gate Valves</td>
<td>12&quot;</td>
<td>26</td>
<td>2600</td>
<td>67600</td>
</tr>
<tr>
<td>Water Service</td>
<td>2&quot;</td>
<td>4</td>
<td>3500</td>
<td>14000</td>
</tr>
<tr>
<td>Service Main</td>
<td>6&quot;</td>
<td>385</td>
<td>28</td>
<td>10780</td>
</tr>
<tr>
<td>Service Main</td>
<td>8&quot;</td>
<td>1700</td>
<td>24</td>
<td>40800</td>
</tr>
</tbody>
</table>

Total Cost of Water Improvements $625020

The said Grantor hereby certifies that it is the sole owner of all of the property above described; that it has full power to convey the same and that it will defend the said title of said water district against any and all persons lawfully making claim thereto. The total cost of installing the above described extension to the present water district system, including labor and materials is:
The Developer's Maintenance Bond will be for 50% of this amount.

IN WITNESS WHEREOF, the Grantor(s) has (have) executed these presents this 11th Day Of February, 2007

Title: Local Partner

Title:

CORPORATION ACKNOWLEDGEMENT

STATE OF WASHINGTON 

COUNTY OF KING 

On this 11th day of February, 2016, before me the undersigned, a Notary Public, personally appeared Bart Brynestad, to me known to be the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he (she or they) was (were) authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Signature of Notary

Allison M. Warren

Print or stamp name of Notary

Notary Public for the State of Washington, residing at Renton, WA

My appointment expires 02/27/2018
INDIVIDUAL ACKNOWLEDGEMENT

STATE OF WASHINGTON )
COUNTY OF KING )SS

On this _______ day of ______________________, _____, before me the undersigned, A Notary Public, personally appeared _____________________, to me known to be the individual or individuals described in and who executed the within and foregoing instrument, and acknowledged that it was signed as a free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

________________________________________
Signature of Notary

________________________________________
Print or stamp name of Notary

Notary Public for the State of Washington,
residing at ________________________________.

My appointment expires __________________
Highline Water District

Name of Project: Des Moines Creek Business Park Phase 1

Maintenance Bond

KNOW ALL MEN BY THESE PRESENTS that whereas Highline Water District, King County, Washington, a Washington municipal corporation, hereinafter designated as "the District" has entered into a contract dated January 14, 2016, with Des Moines Creek Business Park Phase I, LLC, hereinafter designated as "the developer", providing for construction of Des Moines Creek Business Park Phase I Water Improvements, which contract is on file at the District offices and by this reference is made a part hereof.

Whereas said contract and the "contract documents" composing it are on file at the water district office and are incorporated herein by reference, and made a part hereof as though fully set forth; and

Whereas said Developer is required under the terms of said contract to furnish a Maintenance Bond for 50% of the actual and total documented costs for the installation of water main and related appurtenances and faithful performance thereof for a period of two (2) years, or until the District inspects and releases said project.

Now Therefore we, the undersigned Developer, as principal, and New Hampshire, a corporation organized and existing under and by virtue of the laws of the State of New Hampshire and duly authorized to do a surety business in the State of Washington, as surety, are held and firmly bound unto said water district in the sum of Five Hundred Ten and No/100 — $510.00 for the payment of which we do jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns by these presents.

The conditions of this obligation are such that the Developer, his heirs, representatives or successors or assigns shall well and truly keep and observe all of the covenants, conditions and agreements in said contract, and contract documents, and shall faithfully perform all of the provisions of the said contract and contract documents, and pay all contractors, laborers, mechanics, sub-contractors and material men and all persons who shall supply such person or subcontractors with provisions and supplies for carrying on such work, and shall pay all obligations arising under the said contract, including taxes, and shall indemnify and save harmless the District, its officers and agents, from any pecuniary loss, including legal fees and expense, resulting from the breach of any of the covenants, conditions or agreements to be performed by the developer.

No change, extension of time, alteration or addition to the work to be performed under
this contract shall in any way affect the Developer’s or Surety’s obligation on this bond, & Surety does hereby waive notice of any change, extension of time, alteration or additions to the work.

This bond is furnished in pursuance of the requirements of the said contract and contract documents, and is in accord with the provisions of Section 39.08.010 et. seq. of the Revised Code of Washington (RCW), and in addition to the other obligations herein contained, is made, executed and delivered by the Developer and Surety to the Owner for the laborers, mechanics, sub-contractors and material men, and all persons who supply such person(s) with provisions and supplies for the carrying on of the work covered by the said contract and contract documents.

IN WITNESS WHEREOF the said Developer and the said Surety caused this bond to be signed and sealed by their duly authorized officers or agents this ___th day of

February __________, 2016 __________.

Des Moines Creek Business Park Phase I, LLC

Developer

By

Local Partner

Title

CVM Law Group, LLP

Attorney-in-fact

The Hanover Insurance Company

Surety

By

Susan K. Landreth, Attorney-in-Fact

Title
ACKNOWLEDGEMENT OF SURETY

STATE OF ILLINOIS
COUNTY OF COOK

On this 16th day of February, 2016, before me personally came Susan K. Landreth to me known, who being by so duly sworn, did depose and say:

that he/she is Attorney-In-Fact of

The Denoyer Assurance Company

The Corporation described in and which executed the foregoing instrument; that he/she knows the seal of said Corporation; that the seal affixed by authority granted to him/her in accordance with By-Laws of the said Corporation, and that he/she signed his/her name thereto by like authority.

Notary Public, Kimberly Bragg

"OFFICIAL SEAL"
KIMBERLY BRAGG
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 8/31/2017
THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

Susan K. Landreth

of Chicago, IL and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any piece within the United States, or, if the following line be filled in, only within the area therein designated

any and all bonds, recognizances, undertakings, contracts of Indemnity or other writing obligation in the nature thereof, as follows:

Surety Bond Number: 1848122
Principal: Des Moines Creek Business Park Phase 1, LLC
Obligee: Highline Water District

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in whose name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of Indemnity, waivers of citation and all other writings obligation in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regular elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 6th day of October 2011.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

Robert Thomas, Vice President

THE COMMONWEALTH OF MASSACHUSETTS )
COUNTY OF WORCESTER )

On this 6th day of October 2011 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.

Barbara A. Garlick,
Notary Public
Commonwealth of Massachusetts
My Commission Expires September 21, 2018

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures thereto were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 16th day of February 2016.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

John Margosian, Vice President
**Subject:** Developer Extension – Des Moines Creek Business Park Phase 1, LLC
Accept Project as Complete

**ATTACHMENTS:**

1. Resolution
2. Map
3. Bill of Sale
4. Maintenance Bond

**BACKGROUND:**

**Name of DE:** Des Moines Creek Business Park

**Name of Developer:** Des Moines Creek Business Park Phase 1, LLC

**Plat or Subdivision:** Des Moines Creek Business Park

**Scope of Work:** Provide and install approx. 4,676 LF 12” DI, 1,872 LF 8” DI water main, and 1,145 LF 12” DI for Angle Lake transmission main; 15 fire hydrants, two 1 ½” services, one 3” service and three 2” services; twelve 12” valves, eight 6” valves, eight 8” valves, and related appurtenances necessary to provide domestic water service, irrigation and fire suppression to 3 new warehouse facilities.

**Resolution # Authorize DE:** 14-8-6C

**General Location of DE:** S 208th St and 24th Ave S., Des Moines, WA 98198

**Bill of Sale Dated:** February 11, 2016

**Signed by:** Bart Brynestad, Local Partner CMV Law Group, LLP

**Requesting Latecomers Payback Agreement?:** Yes [ ] No [x] N/A [ ]

**Deposit Paid?:** Yes [x] No [ ] N/A [ ]

**Amt. of Deposit:** $10,000

**Explanation:** This is the final step in the developer extension process. This resolution authorizes acceptance of the developer extension, and staff has verified that it is complete in accordance with the District’s standards.