HIGHLINE WATER DISTRICT  
King County, Washington

RESOLUTION 18-7-18A

RESOLUTION ACCEPTING AN EXTENSION TO THE WATER DISTRICT SYSTEM  
DES MOINES CREEK BUSINESS PARK IV – 21215 PACIFIC HWY 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 05/03/18 and executed by Bart Brynestad, Local Partner, 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 18th day of July 2018.

BOARD OF COMMISSIONERS

Daniel Johnson, President

Kathleen Quong-Vermeire, Secretary

Todd Fultz, Commissioner

Vince Koester, Commissioner

George Landon, Commissioner
HIGHLINE WATER DISTRICT

BILL OF SALE

EXHIBIT A

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,

DMCBP Phase IV, 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 21202-21402 24th Avenue S, Des Moines, WA 98198

ALONG: on site FROM: on site TO: on site

ALONG:
FROM:
TO:

DESCRIBED WATER MAINS & APPURTENANCES

<table>
<thead>
<tr>
<th>Appurtenance</th>
<th>Size/Type</th>
<th>Amount Installed</th>
<th>Unit</th>
<th>Total Cost</th>
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<tbody>
<tr>
<td>Bldg A - DIP Fire</td>
<td>12&quot;</td>
<td>3092 LF</td>
<td>LF</td>
<td>$275,684</td>
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<tr>
<td>Bldg A - Fire Hydrant</td>
<td>1&quot;</td>
<td>5</td>
<td>EA</td>
<td>$61,104</td>
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<tr>
<td>Bldg A - Fire Service</td>
<td>10&quot; DI</td>
<td>10 LF</td>
<td>LF</td>
<td>$800</td>
</tr>
<tr>
<td>Bldg A - Domestic Service</td>
<td>1 1/4&quot;</td>
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<td>EA</td>
<td>$5,041</td>
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<tr>
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<td>570 LF</td>
<td>LF</td>
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<tr>
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<td>49 LF</td>
<td>LF</td>
<td>$3,920</td>
</tr>
<tr>
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<td>1 1/2&quot;</td>
<td>1</td>
<td>EA</td>
<td>$5,041</td>
</tr>
<tr>
<td>8&quot; Gate Valve</td>
<td>8&quot;</td>
<td>1</td>
<td>EA</td>
<td>$2,000</td>
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<tr>
<td>10&quot; Gate Valves</td>
<td>10&quot;</td>
<td>2</td>
<td>EA</td>
<td>$5,000</td>
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<td>12&quot; Gate Valves</td>
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<td>Hydrant Runs</td>
<td>6&quot; DI</td>
<td>298 LF</td>
<td>LF</td>
<td>$14,900</td>
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</table>

Total Cost of Water Improvements $513,817

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

3 Day Of May 2018

Bart Brynastad, Local Partner

Title: Title:

CORPORATION ACKNOWLEDGEMENT

STATE OF WASHINGTON )
COUNTY OF KING )SS

On this 3 day of May 2018, before me the undersigned, a Notary Public, personally appeared Bart Brynastad, 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.

Abby L Viessner
Signature of Notary

Abby L Viessner
Print or stamp name of Notary

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

My appointment expires 04/26/2021
Highline Water District

Name of Project: 21202 & 21402 24th Avenue South, Des Moines Creek Business Park Phase IV

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 September 20, 2017, with DMCBP Phase IV, LLC, hereinafter designated as "the developer", providing for construction of 21202 & 21402 24th Avenue South, Des Moines Creek Business Park Phase IV, 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 Atlantic Specialty Insurance Company, a corporation organized and existing under and by virtue of the laws of the State of New York 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 Two Hundred Fifty Six Thousand Nine Hundred Eight and Sixty-Seven Hundredth Dollars ($256,988.67) 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 3rd day of May, 2018.

DMCBP Phase IV, LLC
Developer

By Bart Brynestad
Local Partner
Title

Atlantic Specialty Insurance Company
Surety

By Joshua Sanford
Attorney-in-Fact
Title

Attorney-in-fact
NOTARY ACKNOWLEDGMENT OF SURETY:

State of Connecticut

County of Hartford ss.

On this the 3rd day of May, 2018, before me, Saykham Chanthasone, the undersigned officer, personally appeared Joshua Sanford, known to me (or satisfactorily proven) to be the person whose name is subscribed as Attorney-In-Fact for Atlantic Specialty Insurance Company, and acknowledged that s/he executed the same as the act of his/her principal for the purposes therein contained.

In witness whereof I hereunto set my hand.

[Signature]

Signature of Notary Public
Date Commission Expires: October 31, 2018
Saykham Chanthasone
Printed Name of Notary

SAYKHAM CHANTHASONE
NOTARY PUBLIC - CT 165366
MY COMMISSION EXPIRES OCT. 31, 2018
KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: Michelle Anne McMahon, Brian Peters, Stacy Rivera, Donna M Planet, Joshua Sanford, Aimee R Perondine, Aiza Lopez, Keri Ann Smith, Danielle D Johnson, Stephani A Trudeau, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: sixty million dollars ($60,000,000) and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an “Authorized Officer”) may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-In-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-In-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other writings obligatory in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this eighth day of December, 2014.

STATE OF MINNESOTA
HENNEPIN COUNTY

On this eighth day of December, 2014, before me personally came Paul J. Brein, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.

I, the undersigned, Assistant Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated___ 3rd ___ day of ___ May, ___ 2016.

This Power of Attorney expires October 1, 2019
RE: Developer Extension – Accept as Complete
Des Moines Creek Business Park IV (DMCBP IV)

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

BACKGROUND:

Name of DE: Des Moines Creek Business Park IV

Name of Developer: Des Moines Business Park IV, LLC

Plat or Subdivision: Scope of Work:
Provide and install approx. 333 lf 6" DI, 63 LF of 8" DI, 212 LF of 10" DI, and 3390 LF of 12" DI water main, two new 1 1/2" domestic services, One 2" irrigation service, 9 fire hydrants, two 10" DDCVA's, and related appurtenances necessary to provide domestic water service, irrigation, and fire suppression to 2 new warehouse facilities.

Resolution # Authorize DE: 17-9-20C

General Location of DE: 21215 Pacific Hwy S., Des Moines, WA 98198

Bill of Sale Dated: 05/03/2018

Signed by: Bart Brynestad, Local Partner

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.