

**HIGHLINE WATER DISTRICT
King County, Washington**

RESOLUTION 17-6-27A

**RESOLUTION ACCEPTING AN EXTENSION TO THE WATER DISTRICT SYSTEM
GRANDVIEW APARTMENTS – 3900 VETERANS DRIVE, KENT, 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:

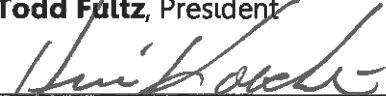
1. The above-entitled extension to the District's system is hereby accepted by the District, subject to the guarantee and other provisions of the Developer Extension Agreement on file at the District's office.
2. The Bill of Sale, notarized on 2/10/17 and executed by Evan J. Hunden, Managing Member, 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 **27th** day of **June 2017**.

BOARD OF COMMISSIONERS



Todd Fultz, President



Vince Koester, Commissioner



Kathleen Quong-Vermeire, Commissioner



Daniel Johnson, Secretary



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,

Grandview Apartments, 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 3900 Veterans Drive, Kent WA 98032

ALONG:	Easement	FROM:	Military Road	TO:	3900 Veterans Drive
ALONG:		FROM:		TO:	

DESCRIBED WATER MAINS & APPURTENANCES

Appurtenance	Size/Type	Amount Installed	Unit Cost	Total Cost
Water Main	12" D.I.	2,243 LF	\$127.79	\$286,627.50
Water Main	8" D.I.	747 LF	\$52.84	\$39,471.52
Water Main	4" D.I.	245 LF	\$51.49	\$12,615.05
Gate Valve	12"	5 EA	\$1,914.82	\$9,574.10
Gate Valve	8"	5 EA	\$1,193.44	\$5,967.20
Gate Valve	4"	3 EA	\$685.57	\$2,056.71
Fire Hydrants w/GVs	6"	13 EA	\$6,506.79	\$84,588.25
Domestic Service	1"	5 EA	\$2,836.35	\$14,181.75
Domestic Service	2"	11 EA	\$4,807.68	\$52,884.50
Fire Service	2"	11 EA	\$1,914.47	\$21,059.22
Fire Service	4"	3 EA	\$2,913.86	\$8,741.58
Air Relief Valves	2"	2 EA	\$1,823.43	\$3,646.86
Blow Off Assembly	2"	1 EA	\$2,188.00	\$2,188.00
Irrigation Service	1 1/2"	1 EA	\$2,562.00	\$2,562.00
Total Cost of Water Improvements				\$ 546,164.24

Five Hundred Forty Six Thousand One Hundred Sixty Four and 24/100 Dollars (\$ 546,164.24).

The Developer's Maintenance Bond will be for 50% of this amount.

IN WITNESS WHEREOF, the Grantor(s) has (have) executed these presents this

10th Day Of February, 2017
2007

Per: Grandview Manager, LLC, Managing Member

Evan J. Hunden Evan J. Hunden

Title: Managing Member

Title:

CORPORATION ACKNOWLEDGEMENT

STATE OF WASHINGTON)
)SS
COUNTY OF KING)

On this 10th day of February, 2017, before me the undersigned, a Notary Public, personally appeared Evan J. Hunden, 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.



K M C
Signature of Notary

Karen M Collins
Print or stamp name of Notary

Notary Public for the State of Washington,
residing at Redmond

My appointment expires 4/9/19

Highline Water District

Name of Project: Grandview Apartments, 3900 Veterans Drive, Kent WA 98032

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 15th, 2016, with Grandview Apartments, LLC, hereinafter designated as "*the developer*", providing for construction of Grandview Apartments, 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 Developers Surety and Indemnity Company, a corporation organized and existing under and by virtue of the laws of the State of California 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 Seventy Three Thousand Eighty Two and 12/100 Dollars. (\$ 273,082.12) 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 16 day of May, 2017.

Grandview Apartments, LLC

Developer

Per: Grandview Manager, LLC
Managing Member

Evan J. Hunden Evan J. Hunden
By

Managing Member

Title

Attorney-in-fact

Developers Surety and Indemnity Company

Surety

Elizabeth R. Hahn
By Elizabeth R. Hahn

Attorney-in-Fact

Title

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Jana M. Roy, Guy P. Armfield, Scott McGilvray, Jill A. Boyle, Elizabeth R. Hahn, Susan B. Larson, Scott Fisher, Deanna M. French, Roger Kaltenbach, Ronald J. Lange, Mindee L. Rankin, John R. Claeys, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this 8th day of February, 2017.

By: *Daniel Young*
Daniel Young, Senior Vice-President

By: *Mark Lansdon*
Mark Lansdon, Vice-President



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On February 6, 2017 before me, Lucille Raymond, Notary Public
Date Here Insert Name and Title of the Officer

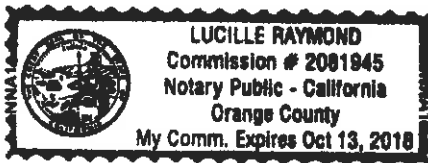
personally appeared Daniel Young and Mark Lansdon
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Lucille Raymond*
Lucille Raymond, Notary Public



Place Notary Seal Above

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 16 day of May 2017

By: *Cassie J. Berrisford*
Cassie J. Berrisford, Assistant Secretary



Agenda Item No.: 3.1
Agenda Date: 6/27/17
Reviewed By: AD

Subject: Developer Extension - Grandview Apartments, LLC
Accept as Complete

ATTACHMENTS:

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

BACKGROUND:

Name of DE: Grandview Apartments, LLC

Name of Developer: DevCo, Inc.

Plat or Subdivision: Grandview Apartments

Scope of Work: Provide and install approximately 2243 lf 12" water main, 747 lf 8" water main, 245 lf 4" water main, 13 fire hydrants, three 4" fire services, sixteen 2" services, eleven 1" services, and related appurtenances needed to supply fire suppression, domestic and irrigation water to thirteen multi-family buildings, totaling 261 units plus a recreation building.

Resolution # Authorize DE: 16-3-2B

General Location of DE: 3900 Veterans Drive, Kent, WA 98032

Bill of Sale Dated: February 10, 2017

Signed by: Evan J. Hunden, Managing Member

Requesting Latecomers

Payback Agreement?: Yes No N/A

Deposit Paid?: Yes 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.