

RESOLUTION NO. 912

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT WITH RUSH-TALMO, LLC.

WHEREAS, RCW 36.70B.170 authorizes the execution of a development agreement between a local government and a person having ownership or control of real property within its jurisdiction; and

WHEREAS, a development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement; and

WHEREAS, for the purposes of this development agreement, “development standards” includes, but is not limited to, all of the standards listed in RCW 36.70B.170(3); and

WHEREAS, a development agreement must be consistent with the applicable development regulations adopted by a local government planning under chapter 36.70A RCW (RCW 36.70B.170(1)); and

WHEREAS, the Developer has a fee simple or other substantial beneficial interest in the real property located at the intersection of 72nd Street NW and 46th Avenue NW (parcel numbers 0221074082 and 0221074083), Gig Harbor, Washington, which is legally described in Exhibit A of the Development Agreement, attached hereto and incorporated herein by this reference; and

WHEREAS, the Mitigated Determination of Nonsignificance (MDNS) dated

8/24/06 described in Exhibit B of the Development Agreement requires a "Development Agreement for Street Improvement Monetary Contributions" for payment of a pro-rata share of the cost for a traffic signal at the intersection of Wollochet Drive and Wagner Way; and

WHEREAS, on September 10, 2012, the City Council held its public hearing on the development agreement during a regular public meeting; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,
HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Council hereby authorizes the Mayor to execute the Development Agreement attached hereto as Exhibit A, with Rush-Talmo LLC.

Section 2. The City Council hereby directs the City Clerk to record the Development Agreement against the Property legally described in Exhibit A to the Development Agreement, pursuant to RCW 36.70B.190.

PASSED by the City Council this 10th day of September, 2012.

APPROVED:

MAYOR, CHARLES L. HUNTER

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY M. TOWSLEE

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

BY: _____
ANGELA S. BELBECK

FILED WITH THE CITY CLERK: 09/4/12
PASSED BY THE CITY COUNCIL: 09/10/12
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