

CITY OF GIG HARBOR

RESOLUTION NO. 336

A RESOLUTION OF THE CITY COUNCIL OF GIG HARBOR, WASHINGTON, DECLARING THE INTENTION OF THE COUNCIL TO ORDER THE FORMATION OF A UTILITY LOCAL IMPROVEMENT DISTRICT FOR THE CONSTRUCTION AND INSTALLATION OF SEWER IMPROVEMENTS WITHIN THE BOUNDARIES OF SAID PROPOSED DISTRICT; SETTING FORTH THE NATURE AND TERRITORIAL EXTENT OF SUCH PROPOSED IMPROVEMENTS; DESIGNATING THE NUMBER OF THE UTILITY LOCAL IMPROVEMENT DISTRICT; DESCRIBING THE BOUNDARIES THEREOF; STATING THE ESTIMATED COST AND EXPENSE OF THE IMPROVEMENTS AND THE AMOUNT THEREOF PROPOSED TO BE BORNE BY THE PROPERTY WITHIN THE PROPOSED UTILITY LOCAL IMPROVEMENT DISTRICT; AND FIXING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE FORMATION OF THE PROPOSED DISTRICT.

WHEREAS, a petition (the "Petition") has been filed with the City Council (the "Council") of the City of Gig Harbor, Washington (the "City"), requesting the formation of a local improvement district for the purpose of making sewer improvements; and

WHEREAS, RCW 35.43.120 provides for the initiation of an improvement district by the petition method; and

WHEREAS, the Council finds that the sewer improvements will be of special benefit to the properties hereinafter described; and

WHEREAS, the City Engineer determined that the Petition has been signed by the owners, according to the records of the County Auditor, of 93.7% of the area within the limits of the district to be created therefor and that the improvements appear to be feasible;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, as follows:

Section 1. It is the intention of the Council to order improvements which benefit the area outside the City limits north of the City. The boundaries of the proposed district and extent of the proposed improvements are shown on Exhibit A attached hereto and incorporated herein by this reference.

Section 2. The nature and territorial extent of the proposed improvements for said area shall be as follows: acquire, construct, and install sewer utility collection system extending from and including the Wood Hill pump station to the City's sewer treatment plant including the construction of force mains and sewer gravity lines and the upgrading of existing sewer lines on Burnham Drive.

Such improvements shall be installed complete with all auxiliary valves, fittings, equipment, and appurtenances necessary to the proper operation of the sewer system of the City.

Section 3. The City shall acquire by gift, purchase, franchise, lease, or condemnation all property, both real and personal, or any interest therein and all rights-of-way, franchises, permits, and easements which may be found necessary to acquire, construct, and install the above-described improvements.

Section 4. It is hereby further provided that the hereinbefore authorized plan of improvements shall be subject to such changes as to details of said plan, not affecting the service to be provided, as shall be authorized by the Council either prior to or during the actual course of construction.

Section 5. Said proposed local improvement district shall be designated "Utility Local Improvement District No. 3." The cost of the improvements described in Section 2 shall be assessed against the property specially benefitted by such improvements, on the basis of the amount of the special benefits to such property. The assessments shall be for the sole purpose of payment into such revenue bond fund as may be specified by the City Council for the payment of revenue bonds to be issued in part to defray the costs of such improvements.

Section 6. All persons who may desire to object to such improvements and the formation of a utility local improvement district are hereby notified to appear and present such objections at the meeting of the City Council to be held in the Council Chambers of the City Hall at 3105 Judson Street, Gig Harbor, Washington, at 7:00 p.m. on January 13, 1992, which time and place are hereby fixed for hearing all matters relating to said proposed improvements and all objections thereto and for determining the method of payment of said improvements. The City Clerk is hereby

directed to give notice of said hearing in the manner required by law, with the date of the first publication to be at least fifteen days prior to the date of said hearing, and to mail a notice of such hearing setting forth the nature of the proposed improvements, the total estimated cost, the estimated benefits of the improvements to the particular lot, tract or parcel of land, and the time and date of said hearing, at least fifteen days before the date thereof, to each owner or reputed owner of any lot, tract, parcel of land, or other property specially benefitted by said improvements, at the address shown on the tax rolls of the County Assessor.

ADOPTED at a regular meeting of the City Council of the City of Gig Harbor, Washington, and approved by its mayor on this 25th day of November, 1991.

Gretchen Wilbert
Gretchen A. Wilbert, Mayor

ATTEST:

Dennis Richards
Dennis Richards
Acting City Clerk/Treasurer

Filed with city clerk: 11/21/91
Passed by city council: 11/25/91

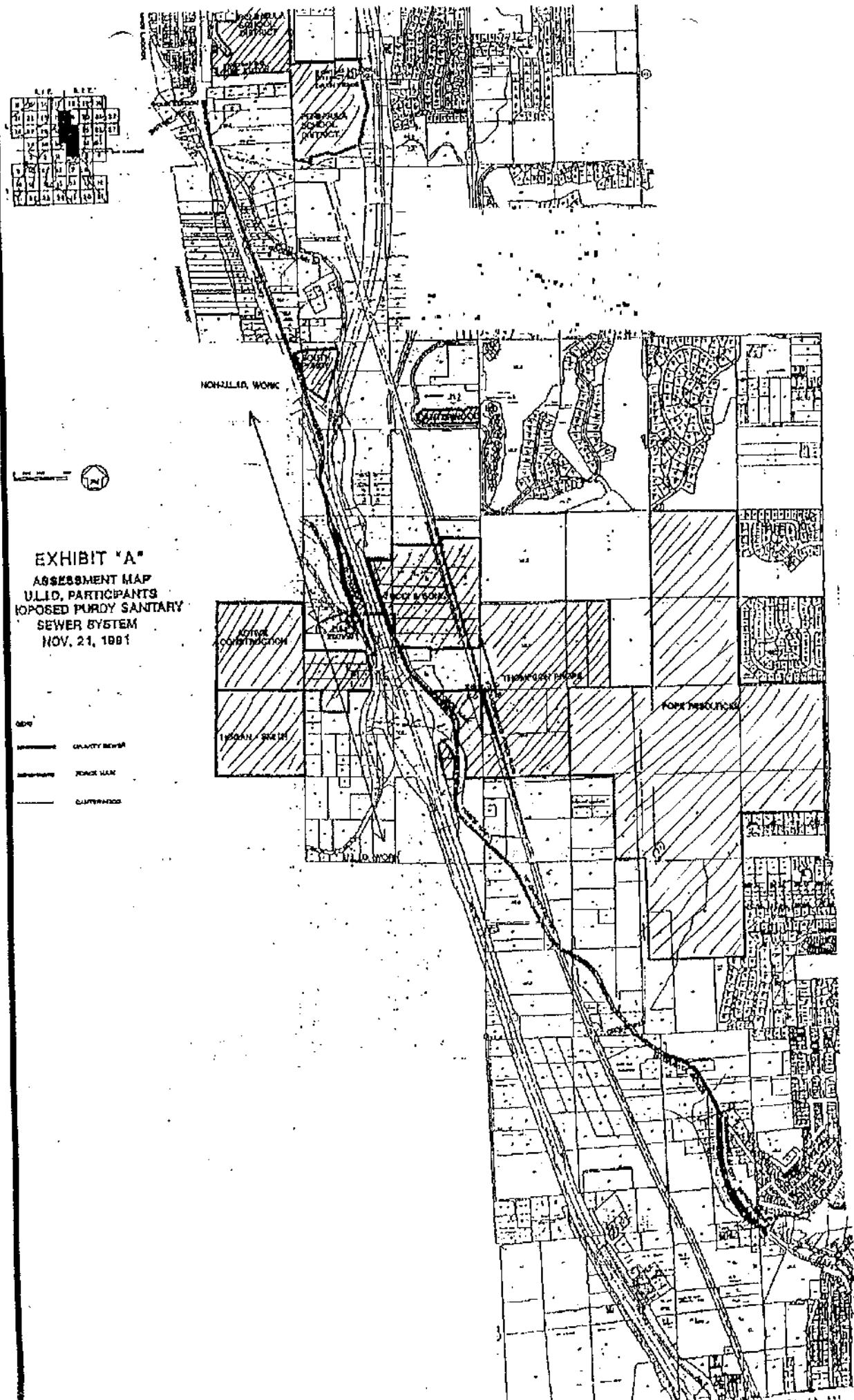


EXHIBIT "A"
ASSESSMENT MAP
ULLD, PARTICIPANTS
POSED PURDY SANITARY
SEWER SYSTEM
NOV. 21, 1981

EXHIBIT B

NOTICE OF RECEIPT OF PETITION AND ADOPTION OF RESOLUTION OF
INTENTION TO CREATE AND NOTICE OF HEARING ON CREATION OF
UTILITY LOCAL IMPROVEMENT DISTRICT NO. 3

YOU ARE NOTIFIED that the City of Gig Harbor, Washington, received a petition from a majority of property owners requesting the City to create a local improvement district for the construction of sewer improvements. On November 25, 1991, the City Council of the City of Gig Harbor adopted Resolution #336 declaring its intention to create Utility Local Improvement District ("ULID") No. 3 and to order the construction of certain improvements to the sewer system of the City within said ULID No. 3. The boundaries of the proposed ULID are as set forth in that resolution.

The proposed improvements consist of a sewer collection system extending from and including the Wood Hill pump station to the City's sewer treatment plant including the construction of force mains and sewer gravity lines and upgrade of existing sewer lines on Burnham Drive.

The estimated cost of these improvements, and other expenses in connection with the improvements, is \$ _____, of which 100% of such costs shall be paid by special assessments levied against the property within the proposed ULID specially benefitted by the proposed improvements. Actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property. The assessments levied in ULID #3 shall be for the sole purpose of payment into such revenue bond fund as may be specified by the City Council for the payment of revenue bonds to be issued to defray the costs of the above improvements.

You are notified that a meeting of the City Council will be held at City Hall, City Council Chambers, 3105 Judson Street, Gig Harbor, at 7:00 p.m., on January 13, 1992, which time and place are fixed for hearing of matters relating to such formation and improvements and for determining the method of payment thereof. Persons desiring to object to the improvements and the formation of the proposed ULID may appear at the hearing to state their views.

The estimated amount of the cost and expense of such improvements to be borne by and assessed against the

The estimated amount of the cost and expense of such improvements to be borne by and assessed against the described lot, tract or parcel of land of which you are the owner or reputed owner as shown on the tax rolls of the Pierce County Assessor is as stated below.

Dennis R. Richards
Acting City Clerk

Name of Owner:

Estimated Amount of Assessment Against the Foregoing Property:

Legal Description of Property:

CLERK'S CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Clerk of Gig Harbor, Washington (the "City"), and keeper of the records of the City Council (herein called the "Council") DO HEREBY CERTIFY:

1. That the attached is a true and correct copy of Resolution No. 336 (herein called the "Resolution") of the Council as finally adopted at a meeting of the Council held on the 25th day of November, 19 91, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of December, 1991.

John R. Witz
City Clerk

[CITY SEAL]