

**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**

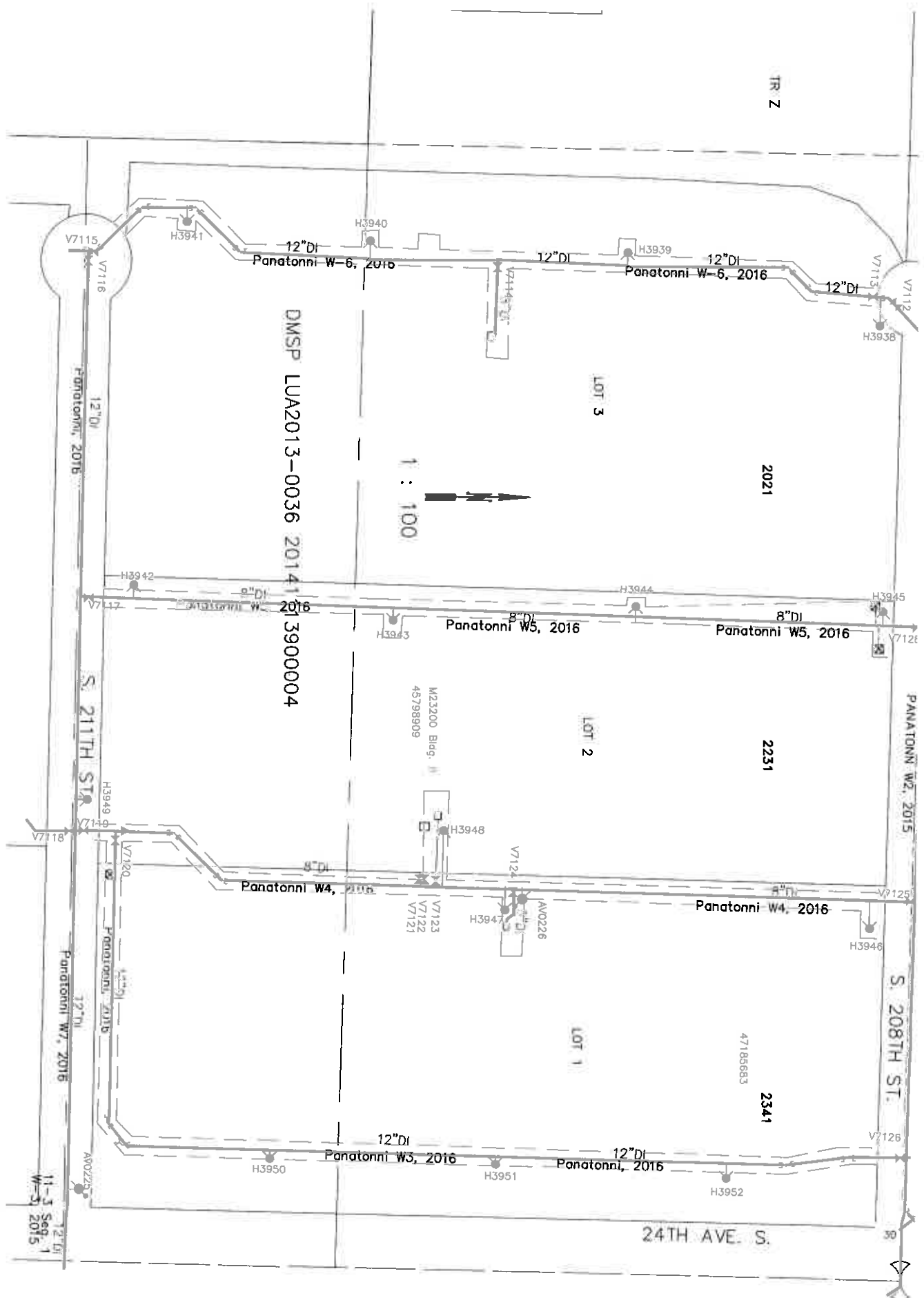
  
\_\_\_\_\_  
**Vince Koester**, President

  
\_\_\_\_\_  
**Daniel Johnson**, Commissioner

  
\_\_\_\_\_  
**Kathleen Quong-Vermeire**, Commissioner

  
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**Todd Fultz**, Secretary

  
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**George Landon**, Commissioner



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DMSP LUA2013-0036 2014 39000004

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LOT 3

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LOT 1

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Panattoni W3, 2016

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Panattoni, 2016

11-3 Seg. 1 W-3, 2015

S. 211TH ST

PANATTONI W2, 2015

S. 208TH ST

24TH AVE. S.

# 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**      **ONSITE**

<b>ALONG:</b>	S. 208th ST	<b>FROM:</b>	STA. 13+00	<b>TO:</b>	STA. 25+00
<b>ALONG:</b>	S. 211th ST	<b>FROM:</b>	STA. 31+00	<b>TO:</b>	STA. 43+00

### DESCRIBED WATER MAINS & APPURTENANCES

Appurtenance	Size/Type	Amount Installed	Unit Cost	Total Cost
Raw Water	12" DI	1210 LF	74	89540
Service Main	12" DI	5100 LF	63	321300
Fire Hydrants	5' 4" CLow Medallion	15	5400	81000
Gate Valves	12"	26	2600	67600
Water Service	2"	4	3500	14000
Service Main	6"	385	28	10780
Service Main	8"	1700	24	40800
<b>Total Cost of Water Improvements</b>				<b>\$ 625020</b>

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:

Six Hundred Twenth-Five Thousand and Twenty Dollars (\$ 625,020.00 Dollars (\$) ).

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

*[Handwritten Signature]*

Title: Local Partner

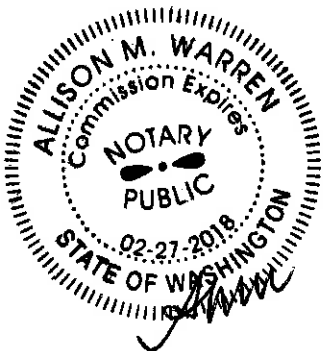
Title:

**CORPORATION ACKNOWLEDGEMENT**

STATE OF WASHINGTON )  
 )SS  
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.



*Allison M Warren*  
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 The Hanover Insurance Company, 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 <sup>Three Hundred Twelve Thousand</sup> Five Hundred Ten and No/100 Dollars (\$ 312,510.00) 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.

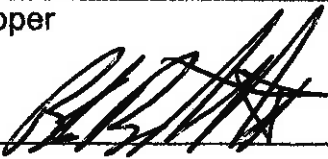
No change, extension of time, alteration or addition to the work to be performed under

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 16th 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 16<sup>th</sup> 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 Danover Insurance 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.

Kimberly Bragg  
Notary Public, Kimberly Bragg





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 place 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 writings obligatory 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 its 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 obligatory 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 regularly 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

  
Mark Fitzgerald, Vice President

THE COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF WORCESTER ) ss.

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  
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 therein 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

  
Glenn Margosian, Vice President

Agenda Item No.: 3.1  
Agenda Date: 04/06/16  
Reviewed By: ASD

**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 1/2" 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 Brynstad, Local Partner CMV Law Group, LLP

**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.