

**HIGHLINE WATER DISTRICT
King County, Washington**

RESOLUTION 19-2-6E

**RESOLUTION ACCEPTING AN EXTENSION TO THE WATER DISTRICT SYSTEM
SEATAC HILTON GARDEN INN – 3056 S 188TH ST, SEATAC, 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 10/02/18 and executed by Aleem Kassam, 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 **6th** day of **February 2019**.


BOARD OF COMMISSIONERS



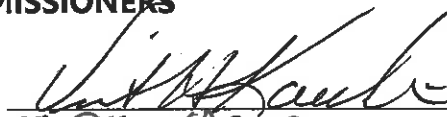
Kathleen Quong-Vermeire, President



Todd Fultz, Commissioner



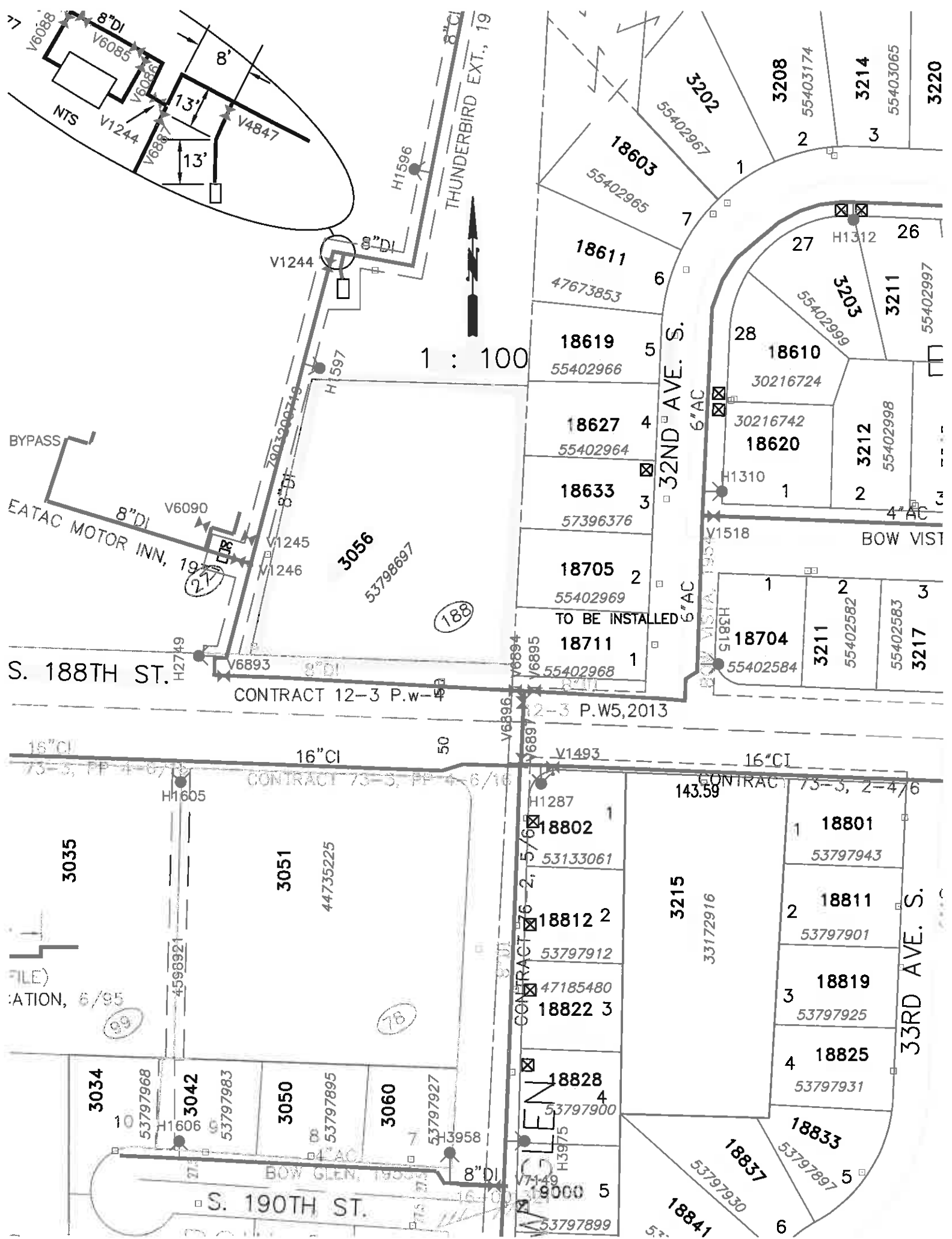
George Landon, Commissioner



Vince Koester, Secretary



Daniel Johnson, Commissioner



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W. S. GLEN

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S. 188TH ST.

CONTRACT 12-3 P.W-

CONTRACT 12-3 P.W5, 2013

CONTRACT 73-3, PP 4-6/16

CONTRACT 73-3, 2-4/6

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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.

Hilton Garden Inn

_____ 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: Street frontage of 3056 S. 188th Street

ALONG: _____ FROM: _____ TO: _____
 ALONG: _____ FROM: _____ TO: _____
 ALONG: _____ FROM: _____ TO: _____

DESCRIBED WATER MAINS & APPURTENANCES

| Appurtenance | | Size/ Type | Amount Installed | Unit Cost | Total Cost |
|--------------|--------------------------------------|------------|------------------|-------------|---------------|
| West Side | | | | | |
| | Water Main | 8" DI | 20 | \$ 250.00 | \$ 5,000.00 |
| | Fire Line Extension to property | 6" DI | 18 | \$ 250.00 | \$ 4,500.00 |
| | Domestic Water extension to property | 4" DI | 18 | \$ 100.00 | \$ 1,800.00 |
| | Domestic Water extension to property | 2" Copper | 18 | \$ 85.00 | \$ 1,530.00 |
| | Fire Hydrant Line | 6" DI | 18 | \$ 250.00 | \$ 4,500.00 |
| | Fire Hydrant | 6" | 1 | \$ 7,500.00 | \$ 7,500.00 |
| | Domestic Vault | | 1 | \$ 5,000.00 | \$ 5,000.00 |
| | 4" Gate Valve | | 2 | \$ 1,500.00 | \$ 3,000.00 |
| | 6" Gate Valve | | 2 | \$ 1,750.00 | \$ 3,500.00 |
| | 8" Gate Valve | | 1 | \$ 2,000.00 | \$ 2,000.00 |
| East Side | | | | | |
| | Fire Hydrant Line | 8" DI | 207.5 | \$ 250.00 | \$ 51,875.00 |
| | Fire Hydrant Line | 6" DI | 16 | \$ 250.00 | \$ 4,000.00 |
| | Fire Hydrant | | 1 | \$ 9,250.00 | \$ 9,250.00 |
| | 8" Gate Valve | | 1 | \$ 2,000.00 | \$ 2,000.00 |
| Sub Total | | | | | \$ 105,455.00 |
| Tax | | | | 10.1% | \$ 10,650.96 |
| Total | | | | | \$ 116,105.96 |

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:

One Hundred Sixteen Thousand One Hundred Five and Ninty-six Cents. Dollars (\$ \$116,105.96)

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

IN WITNESS WHEREOF, the Grantor(s) has (have) executed these presents this _____ day of January 3rd, 2015-2019

 Title: _____ Title: _____

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF WASHINGTON)
) SS
 COUNTY OF KING)

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

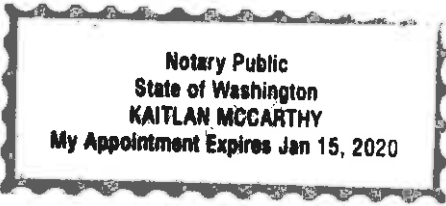
 Print or stamp name of Notary
 Notary Public for the State of Washington,
 residing at _____
 My appointment expires _____

CORPORATION ACKNOWLEDGEMENT

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

On this 3rd day of January, 2019, before me the undersigned, a Notary Public, personally appeared Ahem Kassam, 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.



Kaitlan McCarthy

Signature of Notary

Kaitlan McCarthy

Print or stamp name of Notary

Notary Public for the State of Washington,
residing at BELLEVUE

My appointment expires 1-15-2020

Highline Water District

Name of Project: Legacy Seatac, LLC

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 18, 2017, with _____, hereinafter designated as "*the developer*", providing for construction of Water Utilities, 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 Legacy Seatac, LLC, a corporation organized and existing under and by virtue of the laws of the State of Washington 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 Fifty-Eight Thousand Fifty-Two and 98/100 Dollars (\$ 58,052.98) 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 9th day of January, 2019.


Legacy Seatac, LLC
Developer

By _____

Title _____

Attorney-in-fact _____

Developers Surety and Indemnity Agreement
Surety


By Ryan Brennan

Attorney-in-Fact
Title _____

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

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY, does hereby make, constitute and appoint:
Gabriel A. Portillo, Frederic J. Brennan, William F. Raskob, Keith Yeager, Ryan Brennan, Kathy Yeager, John Hansen, jointly or severally

as its true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporation, as surety, 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 said corporation could do, but reserving to said corporation 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 Board of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY, 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 Vice-President of the corporation 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 corporation, bonds, undertakings and contracts of suretyship, and that the Secretary or any Assistant Secretary of the corporation 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 corporation 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 has caused these presents to be signed by its officers and attested by its Secretary or Assistant Secretary this 4th day of October, 2018.

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 October 4, 2018 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, 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 Board of Directors of said corporation 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 9th day of January 2019

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



Agenda Item No.: 3.1
Agenda Date: 02/06/19
Reviewed By: SP

Subject: Developer Extension – Accept as Complete
SeaTac Hilton Garden Inn

ATTACHMENTS:

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

BACKGROUND:

Name of DE: Seatac Hilton Garden Inn

Name of Developer: Legacy Seatac, LLC

Plat or Subdivision:

Scope of Work: Provide and install approx. 274 lf 8"DI water main, one 3" domestic service, one 6" fire device, 2 fire hydrants and related appurtenances necessary to provide domestic water service, irrigation, and fire suppression to a new 152 room Hotel.

Resolution # Authorize DE: 17-4-19F

General Location of DE: 3056 S 188th St., Seatac, WA 98188

Bill of Sale Dated: 10/02/2018

Signed by: Aleem Kassam, Partner

**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.