

**HIGHLINE WATER DISTRICT  
King County, Washington**

**RESOLUTION 23-9-26B**

**RESOLUTION ACCEPTING AN EXTENSION TO THE WATER DISTRICT SYSTEM  
ALEXAN GATEWAY**

**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 08/21/2023 and executed by Mark Hoyt, is hereby accepted and attached as Exhibit A.

**ADOPTED BY THE BOARD OF COMMISSIONERS** of Highline Water District, King County, Washington, at an open public meeting held this **26th** day of **September 2023**.

**BOARD OF COMMISSIONERS**

DocuSigned by:  
*Daniel Johnson*  
 Daniel Johnson, President




DocuSigned by:  
*Polly Daigle*  
 Polly Daigle, Commissioner

DocuSigned by:  
*Vince Koester*  
 Vince Koester, Commissioner

DocuSigned by:  
*Kathleen Quong-Vermeire*  
 Kathleen Quong-Vermeire, Secretary

DocuSigned by:  
*Todd Fultz*  
 Todd Fultz, Commissioner



					<b>Highline Water District</b> 23828 30th Ave S. Kent, WA 98032 <i>Serving the Southwest Metropolitan Area since 1948</i>	<b>Highline Water District GIS</b>	Sheet: _____ of _____
DATE: 9/29/2023	SCALE: AS SHOWN	TWP: _____	R: _____				

## Highline Water District

Name of Project: Alexan Gateway  
Bond number K41731977

### 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 May 26, 2020 with AG Kent Apartments LLC, hereinafter designated as "*the developer*", providing for construction of Water Mains and Appurtenances, 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 Westchester Fire Insurance Company, a corporation organized and existing under and by virtue of the laws of the State of Indiana 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 One Hundred Forty-Seven Thousand Four Hundred Nineteen & 50/100 Dollars (\$ 147 419.50) 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 1<sup>st</sup> day of September, 2023

AG Kent Apartments, LLC

Developer



By Mark Hoyt

Vice President

Title

Westchester Fire Insurance Company

Surety



By Laura E. Sudduth

Attorney-In-Fact

Title



Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company  
Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Mario Arzamendi, Madison Diaz, Mary Ann Garcia, Jennie Goonie, Stephanie Gross, Teuta Luri, Cristina Nino, Barbara Norton, Jessica Richmond, Javier Romo, Laura E. Sudduth, Amanda R. Turman-Avina and Misty Witt of Houston, Texas -----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than ball bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 14th day of June 2023.

*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

*Stephen M. Haney*

Stephen M. Haney, Vice President



STATE OF NEW JERSEY  
County of Hunterdon

ss.

On this 14th day of June 2023 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros and Stephen M. Haney, being by me duly sworn, severally and each for herself and himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal



Albert Cortusi  
NOTARY PUBLIC OF NEW JERSEY  
No 50202369  
Commission Expires August 22, 2027

*Albert Cortusi*  
Notary Public

CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 1st of September, 2023



*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:  
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

## 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.

AG Kent 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: 23000 Military Road S., Kent, WA 98032

ALONG: Military Road S. FROM: S.229th TO: Veterans Drive

ALONG: Veterans Drive FROM: Military Road S. TO: Grandview Apartments

## DESCRIBED WATER MAINS &amp; APPURTENANCES

Appurtenance	Size/Type	Amount Installed	Unit Cost	Total Cost
Offsite Water Main	8" DIP	28 LF	\$68.25	\$1911.00
Offsite Fire Hydrant	6" DIP	1 EA	\$9,350.00	\$9,350.00
Water Main	8" DI	1,941 LF	\$45.00	\$87,345.00
Domestic Service	3" DIP	1 EA	\$17,000.00	\$17,000.00
Domestic Service	4" DIP	2 EA	\$17,000.00	\$34,000.00
Fire Hydrant	6" DIP	8 EA	\$6,000.00	\$48,000.00
Irrigation Service	1.5"	1 EA	\$5,300.00	\$5,300.00
Fire Lines	6" DIP	3 EA	\$21,000.00	\$63,000.00
Gate Valve	4"	6 EA	\$498.00	\$2,988.00
Gate Valve	6"	3 EA	\$665.00	\$1,995.00
Gate Valve	8"	6 EA	\$1,700.00	\$10,200.00
Gate Valve	12"	5 EA	\$2,750.00	\$13,750.00
Total Cost of Water Improvements				\$294,839.00

Bill of Sale Date: 08/21/2023

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:

Two Hundred Ninety-Four Thousand Eight Hundred Thirty-Nine and 00/100 Dollars (\$ 294,839.00 )

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

**IN WITNESS WHEREOF**, the Grantor(s) has (have) executed these presents this 21st day of August, 2023

 Mark Hoyt  
Title: Vice President 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 21st day of August, 2023, before me the undersigned, a Notary Public, personally appeared Mark Hoyt 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.

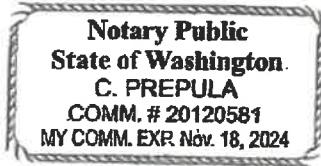
IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

*C. Prepula*

Signature of Notary

C. PREPULA

Print or stamp name of Notary



Notary Public for the State of Washington,  
residing at Redmond, WA

My appointment expires Nov. 18, 2024



Agenda Item No.: 3.1  
Agenda Date: 9/26/2023  
Reviewed By: *zN*

**Subject:** Developer Extension – Accept Project as Complete  
Alexan Gateway

**ATTACHMENTS:**

1. Resolution 23-9-26B
2. Map
3. Maintenance Bond
4. Bill of Sale

**BACKGROUND:**

**Name of DE:** Alexan Gateway  
**Name of Developer:** AG Kent Apartments, LLC  
**Plat or Subdivision:**

**Scope of Work:** Provide and install approximately 1900 LF 8" DI water main, two 4" domestic meters, one 3" domestic meter, three fire hydrants, one 1.5" irrigation meter and related appurtenances necessary to provide domestic water service, and fire suppression to three new mixed multi-unit Apartment units / commercial units.

**Resolution # Authorize DE:** 20-5-26B

**GENERAL LOCATION OF DE:** 23000 Military Road S, Kent, WA 98032

**Bill of Sale Dated:** 8-21-2023  
**Signed by:** Mark Hoyt

**Requesting Latecomers:** No

**Payback Agreement?:** Yes  No  N/A

**Deposit Paid?:** Yes  No  N/A

**Amt. of Deposit:** \$10,000.00

**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.