

**9610040046**

**LATECOMER'S AGREEMENT**

KATHY HILL  
SKAGIT COUNTY CLERK

3/10-96 OCT -4 P1:13

This Agreement is made and entered into this day of August, 1996, by and between the CITY OF ANACORTES, a municipal corporation, hereinafter referred to as "City", and ~~Robert~~ Robert Cunningham and Lance Williams, hereinafter referred to as "Developer";

WHEREAS, the Developer has installed certain improvements which consist of the following:

Waterline extension on Harrison Avenue between Shannon Point Road and Morton Avenue.

WHEREAS, the improvements have been accepted by the City; and

WHEREAS, the Developer is desirous of entering into a Latecomer's Agreement with the City; and

WHEREAS, the City has calculated the proportionate share of the cost of the extension that should be paid by other properties to be served by the extension; and

WHEREAS, the City has agreed to collect said proportionate share of the cost of the extension before any water service, sewer side service, or in the case of streets before any building permit is issued for new construction, and return said share to the Developer; now, therefore,

**IT IS AGREED THAT;**

- 1) The Developer will provide the City with documentation of costs associated with the construction of extension.
- 2) It is the Developer's duty to notify the City in writing of any change in address.
- 3) If any assignment of the right of refund is made, then the City may require proof of said assignments.
- 4) After ten (10) years from date of this Agreement, the City shall be under no obligation to collect and/or refund any monies connected with the extension.
- 5) If payment is made and any check not cashed within five (5) years from date of mailing, then the City may place said sum in the appropriate utility or street fund.
- 6) No refund shall be collected for any property owned by the Developer and abutting the extension.
- 7) It is agreed by the Developer that any existing dwelling unit abutting the right-of-way where the

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[REDACTED]

[REDACTED]

improvement is made which was previously served by a utility or street may be connected thereto without payment.

8) Pursuant to Section 12.20.090 of the City Code, developer hereby releases and agrees to hold the City harmless from all claims arising from the establishment, administration and enforcement of the latecomer agreement and from all liability for failure to make any collections of monies required to be paid hereunder.

9) The extension is as shown on the attached drawing.

10) The latecomer's charge is calculated as shown below:

Total Construction Cost: \$12,942.00

Approximate Length of Extension: 178 L.F.

Length of Assessed Front Footage:

Area of Assessed Square Footage: 40,280 S.F.

Number of Building Sites Served: 4

Latecomer Assessment: \$3,235.50

Legal Description of property to be assessed Latecomer's charge:

(See Exhibit A Attached)

Dated at Anacortes, Washington this \_\_\_\_\_ day of 1996

Developer: Dawni Cunningham and Lance Williams

Return Address: P.O. Box 521, Anacortes, WA 98221

Phone: \_\_\_\_\_

Developer's Signature: \_\_\_\_\_

Developer's Signature: \_\_\_\_\_

This Agreement accepted by the City Council at its regular meeting of \_\_\_\_\_

CITY OF ANACORTES

BY: \_\_\_\_\_

Dean Maxwell, Mayor

ATTEST: \_\_\_\_\_

George Khtanian, City Clerk Treasurer

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CUNNINGTON\WILLIAMS  
LATECOMER AGREEMENT  
WATERLINE EXTENSION

REVISED:  
00-00-00  
STAND. I.D.  
576

DATE: 08-27-1996  
COMPUTER NAME: LATCCNWL.DWG  
CITY OF ANACORTES ENGR. DEPT.  
904 6TH STREET  
ANACORTES, WA 98221

