

COVER SHEET

SKAC KATHY HILL AUDITOR

'99 JAN 22 P3:28

RETURN TO:

City of Anacortes

P.O. Box 547

Anacortes, WA 98221

9901220116

DOCUMENT TITLE(S) (or transactions contained herein):

LATECOMERS AGREEMENT

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED: NONE

ADDITIONAL REFERENCE NUMBERS ON PAGE _____ OF DOCUMENT.

GRANTOR(S) (Last name, first name and initials):

1. CITY OF ANACORTES
- 2.
- 3.
- 4.

ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT.

GRANTEE(S) (Last name, first name and initials):

1. 41ST STREET WATERLINE ASSOCIATION
- 2.
- 3.
- 4.

ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT.

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, quarter, section, township and range):

SW 1/4 of 25-35-1

ADDITIONAL LEGAL(S) ON PAGE _____ OF DOCUMENT.

ASSESSOR'S PARCEL/TAX I.D. NUMBER: 350125-0-142-0008, 350125-0-142-0107
350125-0-089-0003, 350125-0-090-0000, 350125-3-010-0100

TAX PARCEL NUMBER(S) FOR ADDITIONAL LEGAL(S) ON PAGE 5 OF DOCUMENT.

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LATECOMERS AGREEMENT

This Agreement is made and entered into this 11th day of January, 1999 by and between the **CITY OF ANACORTES**, a municipal corporation, hereinafter referred to as "City," and the **41st Street Waterline Association**, the membership of which is listed on the attached Exhibit A, hereinafter referred to as "Developer";

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

**A waterline with hydrants, valves and appurtenances
along 41st Street from A-Avenue to Heart Lake Road.**

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

WHEREAS, the Developer is desirous of entering into a Latecomers 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 is installed and return said share to the Developer;

NOW, THEREFORE, it is agreed that:

1. The Developer will provide the City with the documentation of costs associated with the construction of the extension;
2. It is the Developer's duty to notify the City in writing of any change in address of the official representative;
3. If any assignment of the right of refund is made, the City may require proof of said assignment;
4. After ten (10) years from the date of this Agreement, the City shall be under no obligation to collect and/or refund any money connected with the extension;
5. If payment is made and any check is not cashed within five (5) years from the 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 improvement is made which was previously served by a waterline may be connected thereto without payment;

8. The extension and the parcels subject to the Latecomers charge, are shown on the attached drawing;
9. The Latecomers charge is \$6,125.00 per parcel.

The parcels to be assessed are represented on the attached map, labeled Exhibit B.

Dated at Anacortes, Washington this 11th day of January, 1999.

Developer's Representative: Norm Landerman-Moore
2204 41st Street
Anacortes, WA 98221
360-299-3731

Developer's Signature: *Norm Landerman-Moore*

This Agreement accepted by the City Council at its regular meeting of
March 16, 1998.

CITY OF ANACORTES

H. Dean Maxwell
H. Dean Maxwell, Mayor

ATTEST:

George Khtaian
George Khtaian, City Clerk Treasurer

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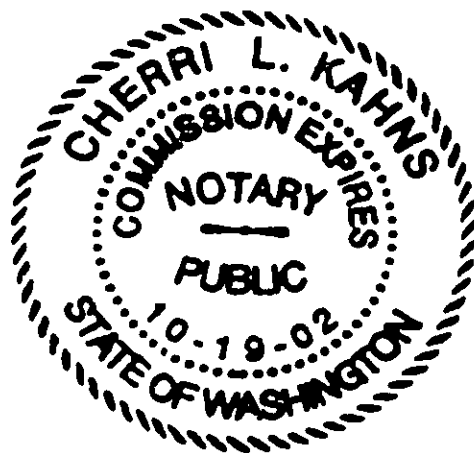
0 7 7 1 3 0 7 0

STATE OF WASHINGTON

COUNTY OF Skagit

I certify that I know or have satisfactory evidence that Norm Landerman-
Moore is the person who appeared before me, and
said person acknowledged that he signed this
instrument and acknowledged it to be his free and voluntary act for the uses and
purposes mentioned in the instrument.

DATED: 1-11-99



Cherril Kahns Cherril L.
Notary Public Kahns

My appointment expires 10-19-02

Latecomer Agreement for 41st Street Waterline
EXHIBIT "A"

Participating Properties

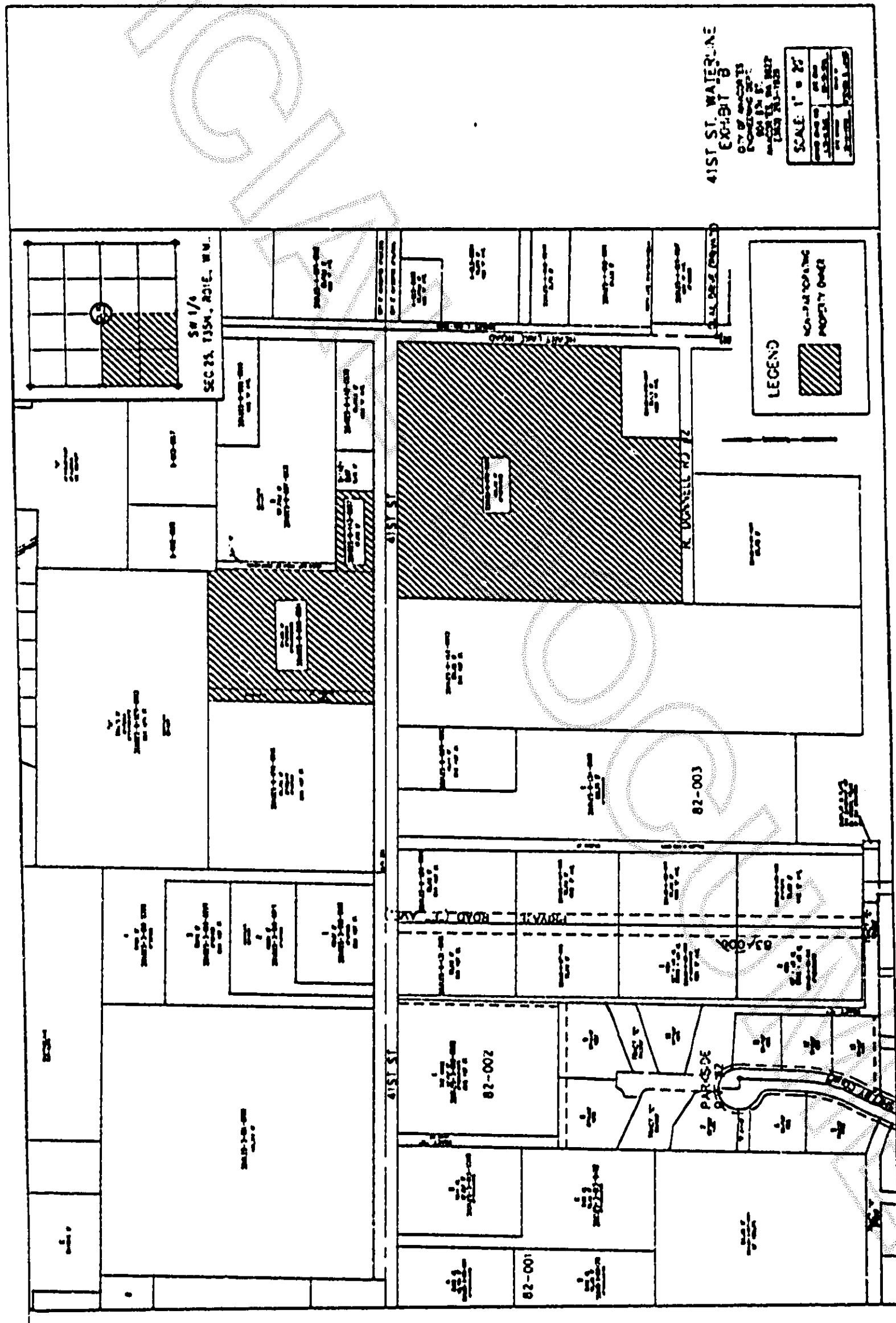
| Tax ID | Owner's Name | Property Description |
|-------------------|--|---|
| 350125-0-142-0008 | Greg Haynes | 1920-B Rexville Rd. Mt. Vernon, WA 98273 |
| 350125-0-142-0107 | Lawrence D. Nelson Amber L. Nelson | 1902 41 st Street Anacortes, WA 98221 |
| 350125-0-089-0003 | Pat D. Mooney Betty A. Mooney | 2019 40 th Street Anacortes, WA 98221 |
| 350125-0-090-0000 | Vernon C. Thomas Mona M. Thomas | 2020 41 st Street Anacortes, WA 98221 |
| 350125-3-010-0100 | Robert W. Cameron Lauri L. Cameron | 2120 41 st Street Anacortes, WA 98221 |
| 350125-3-010-0019 | Malcolm J. McPhee Michelle C. McPhee | 4109 R Avenue Anacortes, WA 98221 |
| 350125-3-010-0209 | Landerman-Moore N/M Trust Landerman-Moore Trust | P.O. Box 6 Anacortes, WA 98221 |
| 350125-3-010-0308 | Laurie Ann Gere | 4011 West 3 rd Street Anacortes, WA 98221 |
| 350125-3-011-0000 | William W. Wooding | 251 Rosario Anacortes, WA 98221 |
| 350125-3-015-0402 | Woolworth Development | P.O. Box 973 Anacortes, WA 98221 |
| 350125-3-015-0303 | Vintage Investments, Inc. | P.O. Box 973 Anacortes, WA 98221 |
| 350125-3-018-0003 | Edward Parrish, Jr. Fayrene Parrish | 2215 41 st Street Anacortes, WA 98221 |
| 350125-0-131-0001 | Roger A. Mertens Lavon M. Mertens | 2121 41 st Street Anacortes, WA 98221 |
| 350125-0-128-0006 | Jack B. Tobien Sarah Tobien | 2019 41 st Street Anacortes, WA 98221 |
| 350125-0-134-0008 | Edith Hjort | 2015 41 st Street Anacortes, WA 98221 |
| 350125-0-162-0003 | Conrad C. Levesen | 2001 41 st Street Anacortes, WA 98221 |

Non-Participating Properties

| Tax ID | Owner's Name | Property Description |
|-------------------|---------------------------------------|---|
| 350125-0-143-0007 | Lawrence D. Nelson Amber L. Nelson | 1902 41 st Street Anacortes, WA 98221 |
| 350125-0-088-0004 | Pat D. Mooney Betty A. Mooney | 2019 40 th Street Anacortes, WA 98221 |
| 350125-0-092-0008 | Glenn E. Hjort, et. al | 2501 Francis Road Mt. Vernon, WA 98273 |

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