



200604240144

Skagit County Auditor

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**CHICAGO TITLE CO.**

**LATECOMERS AGREEMENT NO. \_\_\_\_\_**

**City Project PW #03-078-ADM-001**

This Agreement is made and entered into this 8<sup>th</sup> day of March, 2006 by and between the **CITY OF ANACORTES**, a municipal corporation, hereinafter referred to as "City," and **VINTAGE INVESTMENTS, INC.**, hereinafter referred to as "Developer";

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

STREET, SANITARY SEWER, STORM WATER, POTABLE WATER, AND UTILITY IMPROVMENTS ON H AVENUE FROM 28<sup>TH</sup> STREET TO BAKER VIEW AND 28<sup>TH</sup> STREET FROM G AVENUE TO H AVENUE

**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 extensions that should be paid by other properties to be served by the improvements; and

**WHEREAS**, the City has agreed to collect said proportionate share of the cost of the extension before any services are 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 improvements;
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 FIFTEEN (15) years from the date of final Plat, the City shall be under no obligation to collect and/or refund any money connected with the extension; the date of final Plat is March 23, 2005 under AF#200503230134 therefore the date of expiration shall be March 23, 2020.
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 improvements;
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 the improvements may be connected thereto without payment;
8. It shall be the responsibility of the Beneficiary of any Latecomer Agreement to record a notice thereof, including the legal description of all properties, as determined herein, subject to the charge in the records of the Auditor of Skagit County, Washington. In addition, a copy of each Latecomer Agreement is to be mailed to each owner of record of all property subject to the latecomer charge authorized hereunder;
9. The costs and the parcels subject to the Latecomers charge, are

- **Block 9, McKinley Tract P58664**

	Block 9, Lots 11-20	Block 9, lots 1, 2, East 1/2 of 3
Street	\$41,107.56	\$10,276.89
Sewer	\$10,777.50	No sewer
Storm	\$11,640.00	\$2910.00
Water	\$11,422.20	\$2855.55
Utility	\$7580.00	\$1895.00
Engineering	\$5626.68	\$1406.67
<b>Total</b>	<b>\$88,153.94</b>	<b>\$19,344.11</b>

Lot 1, 2, and east one-half of lot 3, and all lots 11 through 20, block 9, "PLEASANT SLOPE ADDITION TO ANACORTES", according to the plat thereof recorded in volume 1 of Plats, page 40, records of Skagit County Washington

Total P58664 Latecomer Allocation \$107,498.05

- **Block 12, Franulovich Tract P58667**

	Block 12, Lots 1-10
Street	\$41,107.56
Sewer	\$10,777.50



Storm	\$11,640.00
Water	\$11,422.20
Utility	\$7580.00
Engineering	\$5626.68
<b>Total</b>	<b>\$88,153.94</b>

Lots 1 to 10 inclusive, Block 12 "PLEASANT SLOPE ADDITION TO ANACORTES", according to the plat thereof recorded in Volume 1 of Plats, page 40, records of Skagit County, Washington.

Total P58667 Latecomer Allocation \$88,153.94

Dated at Anacortes, Washington this 8 day of MARCH, 2006.

Developer's Representative:

DEBBIE HENDRICK  
P.O. BOX 473  
ANACORTES, WA 98221

VINTAGE INVESTMENTS, INC.

Developer's Signature:

Steph M. Maxwell  
 AUTHORIZED SIGNER

This Agreement was accepted by the City Council at its regular meeting of February 2, 2004.

CITY OF ANACORTES

H. Dean Maxwell  
 H. Dean Maxwell, Mayor

ATTEST:

Wanda Johnson  
 Wanda Johnson, City Clerk Treasurer

Ian M. Muncie  
 Ian Muncie, City Attorney



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Pleasant Slope  
Latecomer Agreement  
City of Anacortes, WA

REVISED: 00-00-00	DATE: March 6, 2006
CREATED BY: Jeff Miller	COMPUTER NAME: CITY OF ANACORTES ENGR. DEPT. 904 6TH STREET ANACORTES, WA 98221



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ACKNOWLEDGMENT

STATE OF WASHINGTON )  
COUNTY OF SKAGIT..... ) ss.

On this 8<sup>th</sup> day of MARCH, 2006, before me personally appeared STEPHEN R. MANSFIELD, to me known to be the \_\_\_\_\_ of the corporation that executed the within and foregoing instrument, and acknowledged the 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/they is/are authorized to execute said instrument.

GIVEN under my hand and official seal this 8<sup>th</sup> day of MARCH, 2006.



Rhonda McNett  
Notary Public in and for the State of Washington  
Residing at ANACONNE

My commission expires: 11/29/09



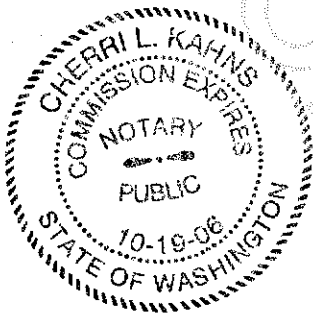
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Skagit County Auditor

ACKNOWLEDGEMENT

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT..... )

On this 20th day of March before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared H. Dean Maxwell, Mayor of the City of Anacortes, and executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he were authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and seal hereto affixed the day and year first above written.



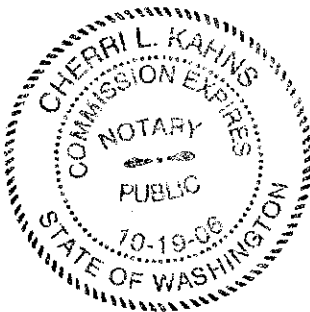
Cheri L. Kahns  
Notary Public in and for the State of  
Washington, residing at Mount Vernon  
Printed Name Cheri L. Kahns  
My commission expires: 10-19-06

ACKNOWLEDGEMENT

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT..... )

On this 20th day of March before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Wanda Johnson, City Clerk of the City of Anacortes, and executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he were authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and seal hereto affixed the day and year first above written.



Cheri L. Kahns  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_  
Printed Name Cheri L. Kahns  
My commission expires: \_\_\_\_\_



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