



200606140126

Skagit County Auditor

6/14/2006 Page

1 of

5 3:43PM

LATECOMERS AGREEMENT

City Project PW #05-050-ADM

This Agreement is made and entered into this 15th day of May, 2006 by and between the **CITY OF ANACORTES**, a municipal corporation, hereinafter referred to as "City," and **Habitat Construction**, hereinafter referred to as "Developer";

WHEREAS, the Developer has installed certain improvements which consist of the following: Parcel #P 58291 #P 58297 #P 124359 Block 1304
LOTS 6, 7, East 1/2
of 8

STREET, SANITARY SEWER, STORM WATER, POTABLE
WATER, AND UTILITY IMPROVMENTS ON WEST 2ND
FROM NEW YORK AVENUE TO MINNESOTA 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:

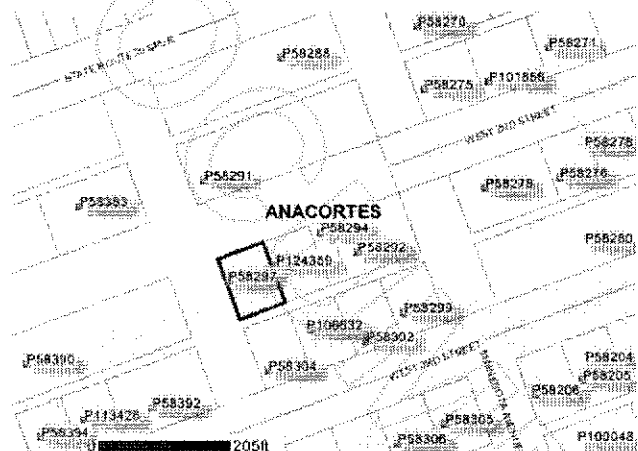
1. The Developer will provide the City with the documentation of costs associated with the construction of the improvements;
2. It is the Developer's duty to notify the City in writing of any change in address of the official representative;
3. If any assignment of the right of refund is made, the City 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 May 3, 2006 under AF#200505030185 therefore the date of expiration shall be May 2, 2021.
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

- **RKL Construction, Parcel 58297 and Parcel 124359**

RKL CONSTRUCTION LLC
P O BOX 2355
Friday Harbor, Wa 98250

	Block 1304, Lots 9, 10, West ½ of 8	Block 1304, Lots 6, 7, East ½ of 8
Street	\$9202.50	\$9202.50
Sewer	\$6752.50	\$6752.50
Storm	\$5802.50	\$5802.50
Water	\$3005.00	\$3005.00
Other	\$7080.00	\$7080.00
Total	\$31,842.50	\$31,842.50



PARCEL 58297: PARCEL "B" OF SURVEY RECORDED UNDER AF#200511010118

This Agreement was accepted by the City Council at its regular meeting of
November 07, 2005.

CITY OF ANACORTES

H. Dean Maxwell
H. Dean Maxwell, Mayor

ATTEST:

Wanda Johnson
Wanda Johnson, City Clerk Treasurer

Ian P. Munce
Ian Munce, City Attorney



200606140126
Skagit County Auditor

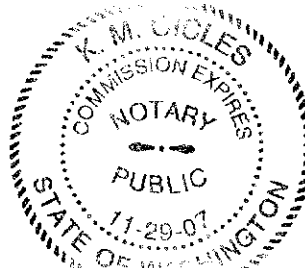
6/14/2006 Page

4 of

5 3:43PM

ACKNOWLEDGMENT

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



On this 15th day of May 2006 before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Donald O. Peterson, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

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

K.M. Cycles
Notary Public in and for the State of
Washington, residing at Anacortes, WA
Printed Name: K.M. Cycles
My commission expires: 11-29-06



Skagit County Auditor

6/14/2006 Page

5 of

5 3:43PM