

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2007-52

**SUBJECT: Snowberry Enterprises Latecomer Agreement Final Assessment
Reimbursement Area and Pro Rata Share of Reimbursable Costs**

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 10/16/2007
- (X) Passed by the City Council: 10/17/2007
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 10/24/2007
- (X) Effective: 10/29/2007

DISTRIBUTED COPIES AS FOLLOWS: email all departments

- (K) NK Herald: Emailed by kj 10/18/2007
- (1) Ordinance or Resolution Book
- (K) Code Publishing - via email if in electronic format
- (1) City Attorney
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- (K) Clerk's Department: Original
- () City Council
- (1) Finance: Brown
- () Fire District #18
- () Mayor
- () Municipal Court
- () MRSC from website:
- () Parks/Recreation:
- () Planning/Building:
- () Police
- () Public Works:
- () Public Works/Engr Section:
- () Bookshelf Contracts Copy
- () Kitsap Humane Society

Kj
City Clerk

10/22/2007
Date

ORDINANCE NO. 2007-52

AN ORDINANCE OF THE CITY OF POULSBO,
WASHINGTON, DETERMINING THE FINAL
ASSESSMENT REIMBURSEMENT AREA AND PRO
RATA SHARES OF REIMBURSABLE COSTS IN
CONNECTION WITH THE SNOWBERRY
ENTERPRISES, LLC, LATECOMER AGREEMENT;
PROVIDING FOR SEVERABILITY AND
ESTABLISHING AN EFFECTIVE DATE

WHEREAS, chapters 35.72 and 35.91 of the Revised Code of Washington authorize cities to enter into latecomer agreements for the purpose of providing partial reimbursement of certain street, water and sewer improvement costs paid by a private party; and

WHEREAS, chapter 15.30 of the Poulsbo Municipal Code authorizes the City to enter into latecomer agreements for street and utility improvements; and

WHEREAS, Snowberry Enterprises, LLC, performed certain street, water and sewer improvements in conjunction with development of the Plat of Snowberry Bungalow Court, which improvements were required by ordinance to be constructed;

WHEREAS, Snowberry Enterprises, LLC applied to the City for a latecomer agreement for reimbursements of certain street, water and sewer improvements made in connection with the Plat of Snowberry Bungalow Court; and

WHEREAS, chapters 35.72 and 35.91 of the Revised Code of Washington, and chapter 15.30 of the Poulsbo Municipal Code, set forth the process for latecomer agreements; and

WHEREAS, the City Engineer determined that the application of Snowberry Enterprises, LLC met the criteria set forth in chapters 35.72 and 35.91 of the Revised Code of Washington, and PMC 15.30.060, and approved the application; and

WHEREAS, the City Engineer made a preliminary determination of the assessment reimbursement area and pro rata share of costs to affected property owners by selecting a method of cost apportionment based on the benefit of the improvements to the affected property owners; and

WHEREAS, in accordance with RCW 35.72.040(2) and PMC 15.30.080, the City provided notice by certified mail of the City Engineer's preliminary determination of the assessment reimbursement area and pro rata share of costs to affected property owners; and

WHEREAS, representatives of the affected property owners requested a public hearing before the City Council on the final determination of the assessment reimbursement area and pro rata share of costs; and

WHEREAS, the City Council held the public hearing to consider such preliminary determinations on October 10, 2007, and considered all testimony presented; now, therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON,
DO ORDAIN AS FOLLOWS:

Section 1. **Assessment Reimbursement Area.** The City Council hereby adopts as its final determination the preliminary determination of the assessment reimbursement area as recommended by the City Engineer and as identified on Exhibit A attached hereto and incorporated herein by this reference.

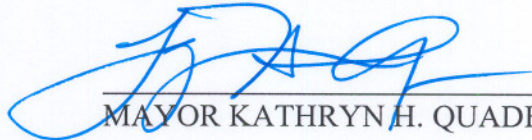
Section 2. **Reimbursable Costs.** The City Council hereby adopts as its final determination the total cost calculations, allocations among the benefited properties, and pro rata shares of reimbursable costs as recommended by the City

Engineer and as identified on Exhibit B attached hereto and incorporated herein by this reference.

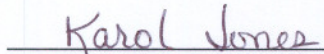
Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary, which is hereby approved.

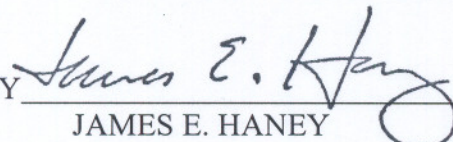
APPROVED:


MAYOR KATHRYN H. QUADE

ATTEST/AUTHENTICATED:


CITY CLERK KAROL JONES, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JAMES E. HANEY

FILED WITH THE CITY CLERK: 10/16/2007
PASSED BY THE CITY COUNCIL: 10/17/2007
PUBLISHED: 10/24/2007
EFFECTIVE DATE: 10/29/2007
ORDINANCE NO. 2007-52

EXHIBIT A
ASSESSMENT REIMBURSEMENT AREA
Pg 1 of 2

TAX PARCEL No.	OWNER AND TAXPAYER ADDRESS	LEGAL DESCRIPTION	LATECOMER'S ASSESSMENT
132601-2-017-2007	Poulsbo Group, LLC 5541 Perdemco Ave. SE Port Orchard, WA 98367	THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER SECTION 13, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M.; EXCEPT THE WEST 30 FEET THEREOF; TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES PURPOSES 30 FEET IN WIDTH BEING 15 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: BEGINNING AT A POINT WHICH IS 331 FEET NORTH AND 30 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; THENCE EAST 630 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER TO INTERSECT A POINT ON THE NORTH LINE OF THE SOUTH 993 FEET OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SAID POINT BEING THE TERMINUS OF SAID CENTERLINE; SUBJECT TO AN EASEMENTS AND THE TERMS AND CONDITIONS THEREOF AS DISCLOSED BY AUDITOR'S FILE NO. 921886.	\$ 85,849.19
132601-2-120-2001	Capstone Homes, Inc. P.O. Box 139 Maple Valley, WA 98038	RESULTANT PARCEL 6 OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 200411150156, RECORDS OF KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THAT PORTION OF RESULTANT PARCEL 6 PER A BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NUMBER 200401260134 AND 200401260135, BEING A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., IN THE CITY OF POULSBO, KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: THE NORTH HALF OF THE SOUTHWEST QUARTER	\$ 20,341.58

EXHIBIT A
ASSESSMENT REIMBURSEMENT AREA
Pg 2 of 2

TAX PARCEL No.	OWNER AND TAXPAYER ADDRESS	LEGAL DESCRIPTION	LATECOMER'S ASSESSMENT
		OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., IN THE CITY OF POULSBO, KITSAP COUNTY, WASHINGTON; EXCEPT THAT PORTION LYING WITHIN THE SOUTH 1052.44 FEET OF THE EAST 413.875 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13; AND EXCEPT THE WEST 30 FEET THEREOF FOR CALDART AVENUE NORTHEAST; AND EXCEPT THAT PORTION LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE SOUTH 88°01'54" EAST ALONG THE NORTH LINE THEREOF 795.16 FEET TO THE POINT OF BEGINNING OF THIS LINE; THENCE SOUTH 5°53'46" WEST 199.73 FEET TO THE POINT OF BEGINNING OF A 147.50 FOOT RADIUS CURVE WHOSE CENTER POINT BEARS SOUTH 27°30'59" EAST; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 39°05'36" FOR AN ARC DISTANCE OF 100.64 FEET; THENCE SOUTH 23°23'25" WEST 28.78 FEET; THENCE SOUTH 66°36'35" EAST 45.00 FEET; THENCE SOUTH 23°23'25" WEST 25.14 FEET; THENCE SOUTH 66°36'35" EAST 90.00 FEET; THENCE NORTH 23°23'25" EAST 26.02 FEET; THENCE NORTH 63°11'47" EAST 69.35 FEET TO THE WEST LINE OF THE EAST 413.875 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13 AND THE POINT OF TERMINATION OF THIS LINE; TOGETHER WITH AN EASEMENT FOR ACCESS AND UTILITIES AS DEPICTED ON THE ATTACHED EXHIBIT MAP. EXCEPT A PORTION CARRIED UNDER 132601-2-120-2100, THAT AREA LYING OUTSIDE THE PORT OF POULSBO DISTRICT AND TAXED UNDER DIFFERENT LEVY CODE	

EXHIBIT B

PRO RATA SHARES OF REIMBURSABLE COSTS

Pg 1 of 2

NOTE: All references to Snowberry Bungalow, Chateau Ridge and Talon Glen refer to Tax Parcel Nos. 132601-2-112-2001, 132601-2-120-2001 and 132601-2-017-2007, respectively. All lot designations refer to lots as designated in the respective final and preliminary plats as of the date of this Agreement.

The total cost of construction was \$186,555.96, which has been allocated among the participant parcels comprising the plats of Snowberry Bungalow, Chateau Ridge and Talon Glen as set forth below. The total assessment to the parcels described on Exhibit A will be \$106,190.78, allocated among the parcels in accordance with the allocations set forth herein.

Water Allocation- High Pressure Connection

Total Cost \$ 43,336.42

Participants	Number of Units	Cost per Unit	Allocation
Snowberry Bungalow	32	\$ 442.21	\$ 14,150.67
Chateau Ridge	46	\$ 442.21	\$ 20,341.58
Talon Glen	20	\$ 442.21	\$ 8,844.17
Totals	98		\$ 43,336.42

Water Allocation - Caldart Ave. to Lot 23

Total Cost \$ 34,529.67

Participants	Number of Units	Cost per Unit	Allocation
Snowberry Bungalow	32	\$ 664.03	\$ 21,249.03
Talon Glen	20	\$ 664.03	\$ 13,280.64
Totals	52		\$ 34,529.67

Street Allocation

Total Cost \$ 47,158.15

Participants	Number of Units	Total cost	Allocation
Talon Glen	20	\$ 47,158.15	\$ 47,158.15
Totals			\$ 47,158.15

Sewer Allocation - Talon Glen lots 6-10, 13-14

Total Cost \$ 61,531.72

Participants	Number of Units	Cost per Unit	Allocation
Snowberry Bungalow	19	\$ 2,366.60	\$ 44,965.49
Talon Glen	7	\$ 2,366.60	\$ 16,566.23
Totals	26		\$ 61,531.72

EXHIBIT B

PRO RATA SHARES OF REIMBURSABLE COSTS

Pg 2 of 2

Total Per Unit Allocation

Participants	Water	Street	Sewer	Total
Snowberry Bungalow	\$ 1,106.24	\$ -	\$ 2,366.60	\$ 3,472.85
Chateau Ridge	\$ 442.21	\$ -	\$ -	\$ 442.21
Talon Glen all Lots	\$ 1,106.24	\$ 2,357.91	\$ -	\$ 3,464.15
Talon Glen Lots 6-10, 13-14	\$ -	\$ -	\$ 2,366.60	\$ 2,366.60

Total Per Parcel Allocation

Participants	Water	Street	Sewer	Total
Snowberry Bungalow	\$ 35,399.69	\$ -	\$ 44,965.49	\$ 80,365.18
Chateau Ridge	\$ 20,341.58	\$ -	\$ -	\$ 20,341.58
Talon Glen	\$ 22,124.81	\$ 47,158.15	\$ 16,566.23	\$ 85,849.19
Total	\$ 77,866.09	\$ 47,158.15	\$ 61,531.72	\$186,555.96

SUMMARY OF ORDINANCE NO. 2007-52

of the City of Poulsbo, Washington

On the 17th day of October, 2007, the City Council of the City of Poulsbo, passed Ordinance No. 2007-52. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, DETERMINING THE FINAL ASSESSMENT REIMBURSEMENT AREA AND PRO RATA SHARES OF REIMBURSABLE COSTS IN CONNECTION WITH THE SNOWBERRY ENTERPRISES, LLC, LATECOMER AGREEMENT; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 18th day of October, 2007.

Karol Jones
CITY CLERK KAROL JONES, CMC