

UNOFFICIAL DOCUMENT



200101240012

, Skagit County Auditor

1/24/2001 Page 1 of 9 9:15:15AM

COVER SHEET

RETURN TO:

**Public Utility District No. 1 of Skagit County
P. O. Box 1436, 1415 Freeway Drive
Mount Vernon WA 98273-1436**

DOCUMENT TITLE: Resolution No. 1930-01

RE: Stackpole/Cedardale Road Local Utility District No. 25
Approving and Confirming Assessments and Assessment Roll

LEGAL DESCRIPTION:

That the boundaries of such local utility improvement district shall be as follows:

North half of the Northwest Quarter of the Northwest Quarter of Section 8, Township 33 North, Range 4 East, W.M., EXCEPT the East five (5) acres of said North half of the Northwest Quarter of the Northwest Quarter. TOGETHER WITH the Southwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 8, Township 33 North, Range 4 East, W.M., EXCEPT the East 283 feet of the South 231 feet of said Southwest Quarter of the Northwest Quarter of the Northwest Quarter.

Situate in the County of Skagit, State of Washington.

P16527	P16500	P105355	P16518	P16523
P16526	P16519	P16525	P16493	
P16492	P16520	P16495	P16491	

RESOLUTION NO. 1930-01

A RESOLUTION OF THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, APPROVING AND CONFIRMING THE ASSESSMENTS AND ASSESSMENT ROLL OF LOCAL UTILITY DISTRICT NO. 25 FOR THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF A WATER DISTRIBUTION SYSTEM IN THE STACKPOLE/CEDARDALE ROAD AREA OF THE DISTRICT, AS PROVIDED BY RESOLUTION NO. 1909-00, AND LEVYING AND ASSESSING THE COST AND EXPENSE THEREOF AGAINST THE SEVERAL LOTS, TRACTS, PARCELS OF LAND AND OTHER PROPERTY AS SHOWN ON THE ASSESSMENT ROLL.

WHEREAS, the assessment roll levying the special assessments against the property located in Local Utility District No. 25 ("LUD No. 25") in Public Utility District No. 1 of Skagit County, Washington (the "District"), has been filed with the Secretary of the Commission of the District as provided by law; and

WHEREAS, notice of the time and place of hearing thereon and making objections and protests to the roll was published at and for the time and in the manner provided by law fixing the time and place of hearing thereon for the 19th day of December, 2000, at the hour of 6:00 p.m., local time, at the District's Aqua Room, 1415 Freeway Drive, Mount Vernon, Washington, and further notice thereof was mailed by the Secretary of the Commission of the District to each property owner shown on the roll; and

WHEREAS, at the time and place fixed and designated in the notice the hearing was held, all written protests received prior to 12:00 noon on December 19, 2000, by mail or by personal delivery at the office of the District were considered and all persons appearing at the hearing who wished to be heard were heard, and the Commission of the District, sitting and acting as a Board of Equalization for the purpose of considering the roll and the special benefits to be received by each lot, parcel and tract of land shown upon such roll, including the increase and enhancement of the fair market value of each such parcel of land by reason of the improvement, overruled all such protests; NOW, THEREFORE,

BE IT RESOLVED BY THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, as follows:

Section 1. The Findings and Conclusions set forth in Exhibit A should be and are adopted and approved. All protests to assessments in LUD No. 25 should be and are overruled.

Section 2. The assessments and assessment roll of Local Utility District No. 25 which has been created and established for the purpose of the acquisition, construction and installation of a water distribution system in the Stackpole/Cedardale area within the District, as ordered by Resolution No. 1909, shall be and the same are approved and confirmed in all things and respects in the total amount of \$110,617.00.

Section 3. Each of the lots, tracts, parcels of land and other property shown upon the assessment roll is determined and declared to be specially benefited by this improvement in at least the amount charged against the same, and the assessment appearing against the same is in proportion to the several assessments appearing upon the roll. There is levied and assessed against each lot, tract or parcel of land and other property appearing upon the roll the amount finally charged against the same thereon.

Section 4. The assessment roll as approved and confirmed shall be filed with the District Treasurer for collection and the District Treasurer is authorized and directed to publish and mail notice as required by law stating that the roll is in his hands for collection and that payment of any assessment thereon or any portion of such assessment can be made at any time within thirty days from date of first publication of such notice without penalty, interest or cost, and that thereafter the principal sum remaining unpaid may be paid in 15 equal annual installments. The interest rate is stated to be and fixed at 6.25% per annum. The first installment of assessments on the assessment roll shall become due and payable during the thirty-day period succeeding the date one year after the date of first publication

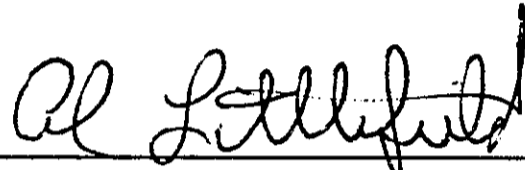


by the District Treasurer of notice that the assessment roll is in his hands for collection and annually thereafter each succeeding installment shall become due and payable in like manner. If the whole or any portion of the assessment remains unpaid after the first thirty-day period, interest upon the whole unpaid sum shall be charged at the rate as determined above, and each year thereafter one of the installments together with interest due on the unpaid balance, shall be collected. Any installment not paid prior to expiration of the thirty-day period during which such installment is due and payable shall thereupon become delinquent. Each delinquent installment shall be subject, at the time of delinquency, to a charge of 12% penalty levied on both principal and interest due upon that installment, and all delinquent installments also shall be charged interest at the rate as determined above. The collection of such delinquent installments shall be enforced in the manner provided by law.

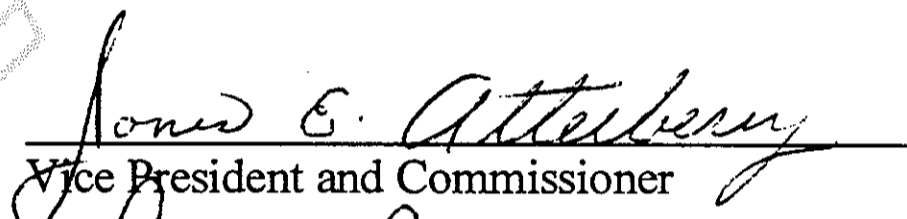
Assessments when collected shall be deposited into such fund of the District as the Commission may direct.

ADOPTED by the Commission of Public Utility District No. 1 of Skagit County, Washington, at a regular open public meeting thereof this 16th day of January, 2001.

PUBLIC UTILITY DISTRICT NO. 1 OF
SKAGIT COUNTY, WASHINGTON



President and Commissioner



Vice President and Commissioner



Secretary and Commissioner

ATTEST



200101240012

, Skagit County Auditor

FINDINGS

1. By Resolution No. 1909-00, Public Utility District No. 1 of Skagit County, Washington (the "PUD"), after proper notice and hearing, created Local Utility District No. 25 (the "LUD"), to provide for the improvement of a portion of the District by the acquisition, construction and installation of a water distribution system in the Stockpile/Cedardale area within the District.

2. The total cost of the project is \$110,617 (Project Cost).

3. Without the improvements constructed pursuant to the LUD, the properties within the LUD would be without an adequate supply of potable water. With these improvements, the property may be fully utilized and lawfully permitted purposes.

4. The hearing on the LUD assessment roll was commenced shortly after 6 p.m. on Tuesday, December 19, 2000 by President Bode. All witnesses at the hearing testified under oath or affirmation. Following the testimony of Robert Powell, Operations Manager, and Mark Fredlund, PUD Treasurer, the District Commission considered protests.

5. One written protest was received by the PUD before noon on the date of the hearing. That protest letter was received by the Commission and admitted into the record. There is no evidence at the hearing challenging the special benefit to properties within the LUD resulting from the construction of the new water system. No protest presented qualified appraisal information. No protest was sufficient to overcome the presumption of special benefit equal to or in excess of the amount of the assessment. Nonetheless, the Commission addresses the protest as follows:

Parcel 7 (Morrissey). By correspondence dated December 19, 2000 received by the PUD on that date, Loren and Elizabeth Morrissey expressed dissatisfaction with the method of assessment. Neither of the Morrissey's appeared at the hearing or presented any evidence.

6. The improvements were necessary and proper for purposes of providing water in quality and quantity to serve the properties within the LUD.

7. The assessments in LUD No. 25 are uniform and ratable for all properties within the LUD. The assessments are on a "per connection" basis with all properties subject to an assessment based on Equivalent Residential Units of available service. This assessment methodology is the fairest and most appropriate methodology for this LUD and the properties therein.

CONCLUSIONS

1. All properties benefited by the improvements are included in the LUD.

2. All the properties within the LUD are specially benefited in at least the amount each is assessed.

3. The assessment methodology employed by the PUD is fair, equitable and ratable, and it is the most appropriate means of assessing the properties in the Stackpole/Cedardale area, included in the LUD.

4. The protest to the assessment roll should be overruled as not challenging the special benefits to the affected property set forth on the roll. Having considered the protest, the Commission finds no basis for modifying the assessments set out on the roll.




CERTIFICATION

I, the undersigned, Secretary to the Commission of Public Utility District No. 1 of Skagit County, Washington, hereby certify as follows:

1. The attached copy of Resolution No. 1930-01 (the "Resolution") is a full, true and correct copy of a resolution duly passed at a regular meeting of the Commission of the District No. 1 held at the regular meeting place thereof on January 16, 2001, as that resolution appears on the minute book of the District and the Resolution is now in full force and effect; and
2. A quorum of the members of the Commission was present throughout the meeting and a majority of those members present voted in the proper manner for the passage of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of January, 2001.


Robbie Robertson, Secretary of the
Commission of Public Utility District No. 1
of Skagit County, Washington



200101240012
, Skagit County Auditor

1/24/2001 Page 5 of 9 9:15:15AM

STACKPOLE/CEDARDALE RD LUD#25
 Final Assessment Roll
 01/16/01

Page: 1

Roll Account	Property Owner's Name and Address	Legal Description	Assessment
1 P16527	KINGERY, JAMES 19057 MORRISON RD MOUNT VERNON, WA 98274	S 231FT OF SW1/4 NW1/4 NW1/4 EXC E 283FT DT 17 DK 3 EXC ST HWY ALG W LI & EXC S 10FT CONVD TO SK CO FOR RD	8509.00
2 P16526	LARSON, JACOB PO BOX 615 MOUNT VERNON, WA 98273	SW1/4 NW1/4 NW1/4 LESS N 144FT & S 231FT DT 17 DK 3	8509.00
3 P16492	MARKUS, VICTOR 19031 CEDARDALE RD MOUNT VERNON, WA 98274	TAX 3 BEG ON W LI SD SEC 456FT N OF SW CDT 17 DK 3 N1/2 NW1/4 NW1/4 SD SEC TH N 80FT E 250 FT S 80FT W 250FT TPB LESS HWY	8509.00
4 P16500	MERRIMAN, TIMOTHY P MERRIMAN, KAROLYN M 19042 E STACKPOLE RD MOUNT VERNON, WA 98274	TAX 11 PTN N1/2 NW1/4 NW1/4 BEG 536FT N DT 17 DK 3 & 250FT E OF SW C SD SUB TH N PLW W LI SD SUB TO N LI THOF TH W ALG SD N LI 110FT TH S PLW W LI SD SUB TAP W OF POB TH W 110FT M/L TPB EXC RD ALG N LI THOF	8509.00
5 P16519	MORRISON LAND CO LP 19208 MORRISON ROAD MOUNT VERNON, WA 98274	N1/2 NW1/4 NW1/4 LESS E 5AC & TRS & TAX DT 17 DK 3 6 & LESS E1/2	8509.00
6 P16520	MORRISON LAND CO LP 19208 MORRISON ROAD MOUNT VERNON, WA 98274	E1/2 OF FDP N1/2 NW1/4 NW1/4 EXC W 330FT DT 17 DK 3 THOF & W 5AC THOF & EXC CO RD & DT R/W	8509.00
7 P105355	MORRISSEY, LOREN PO BOX 424 MOUNT VERNON, WA 98273	SW1/4 NW1/4 NW1/4 AKA TR B S/P#101-78 AF#7904090019 EXC RDS DT17 DK3	8509.00
8 P16525	MORRISSEY, LOREN PO BOX 424 MOUNT VERNON, WA 98273	SW1/4 NW1/4 NW1/4 AKA TR A S/P#101-78 AF#7904090019 EXC RDS DT17 DK3	8509.00
9 P16495	RAITZ, KEITH C RAITZ, KATHY L 19076 E STACKPOLE RD MOUNT VERNON, WA 98274	TAX 6 W 2AC OF N1/2 NW1/4 EXC E SAC & W DT 17 DK 3 330FT THOF & RD & DTCH R/W	8509.00
10 P16518	SUMMERS, CLIFFORD L SUMMERS, PATRICIA K 6954 STEELHEAD LN BURLINGTON, WA 98233	S/N 50109 VILLAWEST 1971 52X24 (TITLE ELIMINATION) AUDITOR FILE #9509200014 TH PTN N1/2 NW1/4 NW1/4 SEC 8 DAF BAAP 536FT N OF SW COR SD SUB TH E 250FT TH N PLT W	8509.00



200101240012

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STACKPOLE/CEDARDALE RD LUD#25

Page: 2

Final Assessment Roll

01/16/01

Roll Account	Property Owner's Name and Address	Legal Description	Assessment
		LINE OF SD NW1/4, NW1/4 TO N LINE OF SD SUB TH W ALG SD N LINE TO NW COR OF SD SUB TH S TO POB EXC RDS ALG N & W LINE THOF ALSO EXC E 110FT THOF DR17 DK3	
11 P16493	VIGUE, BUDD M VIGUE, BARBARA 3605 OREGON DR #2 ANCHORAGE, AK 99517	TAX 4 E 80FT OF W 330FT OF N 240FT OF N DT 17 DK 3 1/2 NW1/4 NW1/4	8509.00
12 P16491	WING, T E PO BOX 2777 MOUNT VERNON, WA 98273	TAX 2 BEG ON W LI SD SEC 16RDS N OF SW CDT 17 DK 3 OF N1/2 NW1/4 NW1/4 TH N ALG W LI 192FT TH E 330FT S 192FT W 330FT TPB	8509.00
13 P16523	ZAVALA, GUADALUPE GARCIA, JOSE H 10983 CEDARDALE ROAD MOUNT VERNON, WA 98274	S 264FT OF W 330FT IN SW COR OF W1/2 OF N1/2 NW1/4 NW1/4 EXC RD & 1 AC TR & HOUSE	8509.00

ASSESSMENT ROLL TOTAL

\$110,617.00



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1/24/2001 Page 7 of 9 9:15:15AM

STACKPOLE/CEDARDALE ROAD LUD NO. 25

The boundaries of such local utility district shall be as follows:

North half of the Northwest Quarter of the Northwest Quarter of Section 8, Township 33 North, Range 4 East, W.M., EXCEPT the East five (5) acres of said North half of the Northwest Quarter of the Northwest Quarter. TOGETHER WITH the Southwest Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 8, Township 33 North, Range 4 East, W.M., EXCEPT the East 283 feet of the South 231 feet of said Southwest Quarter of the Northwest Quarter of the Northwest Quarter.

Situate in the County of Skagit, State of Washington.



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STACKPOLE/CEDARDALE ROAD LUD NO. 25 BOUNDARY MAP

