

## RESOLUTION NO. 1398

A RESOLUTION of the Port Commission of Moses Lake, Washington, declaring the intention of the Commission to order the formation of a local improvement district for the construction and installation of improvements within the boundaries of said proposed local improvement district; setting forth the nature and territorial extent of such proposed improvements; describing the boundaries thereof; and fixing a date, time and place for a public hearing on the formation of the proposed local improvement district.

WHEREAS, the Port Commission of the Port of Moses Lake, Washington (Grant County Port District No. 10) (herein referred to as the "Port"), has received petitions from more than 51.0% of the property owners (excluding property owned by the Port) in an area known as the Westside Employment Center, has determined that it is necessary to provide for additions and betterments, including road, water, sewer and electric power improvements; and

WHEREAS, the Port now desires to proceed with the carrying out of said improvements and to establish a local improvement district in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY THE PORT COMMISSION OF THE PORT OF MOSES LAKE, WASHINGTON, as follows:

Section 1. It is the intention of the Commission to order the improvement of the area shown on Exhibit A attached hereto and incorporated herein by this reference, by the acquisition, design, construction and installation of the following improvements:

1. Connector road from Highway 17 to Route 10; and
2. Water and sewer access lines to all parcels within the proposed LID.

Section 2. The Port shall acquire by gift, purchase, franchise, lease or condemnation all property, both real and personal, or any interest therein and all rights-of-way, franchises, permits and easements which may be found necessary to acquire, construct, and install the above-described improvements.

Section 3. It is hereby further provided that the authorized plan of improvements shall be subject to such changes as to details of said plan, not affecting the service to be provided by the plan of improvements, as shall be authorized by the Commission either prior to or during the actual course of construction.

Section 4. The cost of improvements described in Section 1 and costs of interim financing, if any, and bonds shall be assessed against the property specifically benefited by such improvements, on the basis of the amount of the special benefits to such property. The assessments shall be for the sole purpose of payment into such local improvement district bond fund as may be specified by the Port Commission for the payment of local improvement district bonds to be issued in part to defray the costs of such improvements.

Section 5. All persons who may desire to object to such improvements and the formation of a local improvement district are hereby notified to appear and present such objections at the meeting of the Port Commission to be held in the Commission Meeting Room, 7810 Andrews Street NE, Suite 200, Moses Lake, Washington, at 10:00 a.m. on April 8, 2019, which time and place are hereby fixed for hearing all matters relating to said proposed improvements and all objections thereto and for determining the method of payment of said improvements. The Secretary of the Port Commission is hereby directed to give notice in the form of Exhibit B of said hearing by publication of this resolution in at least two consecutive issues of a newspaper of general circulation within the proposed improvement district, with the date of the first publication to be at least 15 days prior to the date of said hearing, and to mail a notice of such hearing setting forth the nature of the proposed improvements, the total estimated cost, the estimated benefits of improvements to the particular lot, tract or parcel of land, the time and date of said hearing, at least 15 days before the date thereof, to each owner or reputed owner of any lot,

tract, parcel of land, or other property specially benefited by said improvements, at the address shown on the tax rolls of the Grant County Assessor.

Section 6. The Commission hereby repeals Resolution No. 1397 in its entirety.

ADOPTED AND APPROVED at a regular meeting of the Port Commission of Moses Lake, Washington, held on the 11th day of March, 2019.

PORT OF MOSES LAKE, WASHINGTON

By   
Darrin M. Jackson, President

By   
Stroud W. Kunkle, Vice President

By   
David K. Jones, Secretary

ATTEST:

  
Secretary of the Port Commission

EXHIBIT A

**PORT OF MOSES LAKE - Proposed LID Areas**

Port of Moses Lake	19	17-0983-000	634.72	5418
Port of Moses Lake	30 (SE)	17-1025-001	160.00	3336
Port of Moses Lake	31 (NE)	17-1026-000	28.70	100
Port of Moses Lake	17 (NW)	17-0977-000	117.97	2516
Port of Moses Lake	17,20,29	11-0069-518	168.84	4707
Port of Moses Lake	20 (W)	17-0986-000	122.23	5417
Port of Moses Lake	29 (W)	17-0123-000	24.86	1516
			<b>TOTAL</b>	1257.32
			<b>% of Overall</b>	65%
				23010
				74%

**Private Ownership**

Owner	Section	Parcel No.	Acres	Frontage (L.F.)	Acres	Frontage (L.F.)
Jansen Etal, Victor C	30 (SW)	17-1024-002	47.79	N/A	30.9%	33.9%
Jansen Etal, Victor C	30 (NE)	17-1024-006	41.64	N/A		
Jansen Etal, Victor C	30 (NE)	17-1024-003	41.61	N/A		
Jansen Etal, Victor C	30 (NE)	17-1024-005	41.30	1281		
Jansen Etal, Victor C	30 (NE)	17-1024-004	41.27	1476		
Chang Chun Wu	30 (NW)	17-1025-010	40.00	N/A	5.8%	0.0%
Chang, Hsin-Lung	30 (NW)	17-1025-030	40.00	N/A	5.8%	0.0%
Chang, Peter	30 (NW)	17-1025-000	38.90	N/A	5.6%	0.0%
Chang, Chun Hao	30 (NW)	17-1025-020	39.10	N/A	5.7%	0.0%
Carson, Michael H	18 (N)	17-0980-002	40.00	N/A	23.1%	30.9%
Carson, Michael H	18 (N)	17-0979-000	40.00	N/A		
Carson, Michael H	18 (NE)	17-0982-001	40.00	1215		
Carson, Michael H	18 (NE)	17-0980-001	40.00	1301		
Central Terminals, LLC	18 (W)	17-0980-000	60.00	N/A	23.1%	35.2%
Central Terminals, LLC	18 (SW)	17-0981-000	100.00	2870		
			<b>TOTAL</b>	691.61	8143	
			<b>% of Overall</b>	35%	26%	

EXHIBIT B

NOTICE OF ADOPTION OF RESOLUTION OF INTENTION TO  
CREATE AND NOTICE OF HEARING ON CREATION OF  
LOCAL IMPROVEMENT DISTRICT

YOU ARE NOTIFIED that on March 11, 2019, the Port Commission of Moses Lake, Washington (the "District"), adopted Resolution No. 1398 declaring its intention to create a local improvement district ("LID") and to order the construction of certain improvements within said LID. The boundaries of the proposed LID are as set forth in that resolution.

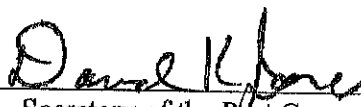
The proposed improvements consist of the following:

1. Connector road from Highway 17 to Route 10; and
2. Water and sewer access lines to all parcels within the proposed LID.

The estimated cost of these improvements, and other expenses in connection with the improvements, is \$5,000,000 to \$6,500,000, all of which shall be paid by special assessments levied against the property within the proposed LID specifically benefited by the proposed improvements. Actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

You are notified that a meeting of the Port Commission will be held at 7810 Andrews Street NE, Suite 200, Moses Lake, Washington, at 10:00 a.m., on April 8, 2019, which time and place are fixed for hearing all matters relating to such formation and improvements and for determining the method of payment thereof. Persons desiring to object to the improvements and the formation of the proposed LID may appear at the hearing to state their views.

The estimated amount of the cost and expense of such improvements to be borne by and assessed against the described lot, tract or parcel of land located within the Port of Moses Lake, Washington, of which you are the owner or reputed owner as shown on the tax rolls of the Grant County Assessor, is as stated below.

  
Secretary of the Port Commission

Name of Owner:

Legal Description of Property:

Estimated Amount of Assessment

Against the Foregoing Property:

**[Publish resolution of intent in the newspaper of general circulation, in two consecutive issues, first publication to be at least 15 days prior to the hearing. Mail the notice to each property owner within the assessment district at least 15 days prior to the hearing; mail to the address for each property owner as shown on the property tax rolls of the Grant County Assessor.]**

**CERTIFICATE**

I, the undersigned, the duly chosen, qualified and acting Secretary of the Port Commission of Moses Lake, Washington (the "Port"), and keeper of the records of the Port Commission (the "Commission") DO HEREBY CERTIFY:

1. That the attached is a true and correct copy of Resolution No. 1398 (the "Resolution") of the Commission as finally adopted at a meeting of the Commission held on the 11th day of March 2019, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Commission voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of March, 2019.

PORT OF MOSES LAKE, WASHINGTON

By David K. Jones  
David K. Jones, Secretary  
Secretary of the Port Commission