

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 04-70**

**A RESOLUTION OF THE CITY OF LIBERTY LAKE, WASHINGTON
AUTHORIZING CITY PARTICIPATION IN THE IMPROVEMENT OF MISSION
AVENUE.**

WHEREAS, Mission Avenue is an arterial street located within the City of Liberty Lake;

WHEREAS, pursuant to RCW 35.22.280 the City is authorized to improve public right-of-way for the benefit of the public and private property owners;

WHEREAS, through RCW 35.72.050 the City may join in the financing of street improvement projects constructed by private parties in the same manner as adjacent property owners who receive benefit from the improvement;

WHEREAS, the City recognizes that the improvement and reconstruction of Mission Avenue to provide for two travel lanes, a center turn lane, curbs, gutter, sidewalks and property storm drainage results in a benefit to the public, as well as, private property owners who are directly served by the improvement;

WHEREAS, to facilitate the development of Mission Avenue as set forth on plans filed with the City Director of Community Development, it is necessary for the City to contribute monies from the City Street Fund with the expectation that some or all of the funds will be recovered from adjoining property owners at the time they use or otherwise receive benefit from the street improvement.

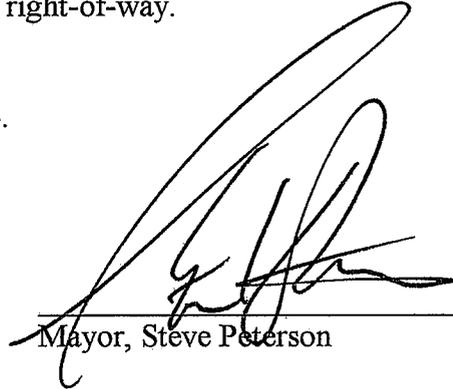
NOW THEREFORE, it is hereby resolved by the Liberty Lake City Council as follows:

The City shall participate in the improvement of Mission Avenue by contributing an amount not-to-exceed Fifty Thousand Dollars (\$50,000) toward the cost of construction Mission Avenue as set forth in the plans on file with the City of Liberty Lake that are generally identified as Molter Road/Mission Road Improvements. The total amount of the City contribution may be transferred from the City Street fund to the individual or entity who has provided for the construction provided: (1) the City receives a verified invoice that the requested funds were expended in the construction of Mission Avenue; (2) all labor or material liens or encumbrances are waived or released; and (3) the City determines the street has been properly constructed in conformance with City Street Standards. Following the above determination, the City Finance Director is authorized to make payment to the party or the representative who constructed the above identified street.

The City shall attempt to recover from adjoining property owners some or all of the above City funds in an amount that is equal to the benefit received by the adjacent property as a result of the constructed improvement. A contract for such reimbursement or a lien upon the adjoining property may be executed by the Mayor and approved by the City Attorney.

The City recognizes and declares that construction of the above identified public improvement is an enhancement to the city street system and promotes the orderly movement of pedestrians and vehicles within the public right-of-way.

Adopted this 6th day of July, 2004.



Mayor, Steve Peterson

ATTEST:



City Clerk, Arlene Fisher

APPROVED AS TO FORM:

City Attorney, Stanley M. Schwartz