

**RESOLUTION NO. 17-228  
CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON**

**A RESOLUTION OF THE CITY OF LIBERTY LAKE, WASHINGTON ACCEPTING WELLINGTON PARKWAY, A PUBLIC STREET LOCATED IN TRUTINA ADDITION, LOCATED IN THE NW QUARTER OF SECTION 10, TOWNSHIP 25N, RANGE 45 E.W.M, LIBERTY LAKE, WASHINGTON.**

WHEREAS, RCW 58.17 establishes the process by which land is divided and regulates the subdivision of land;

WHEREAS, The City of Liberty Lake adopted a Comprehensive Plan in September 2003 and a Development Code in December 2005;

WHEREAS, The approved Plat for Trutina Addition was filed with the Spokane County Auditor's office on July 1, 2016;

WHEREAS, Generally, all conditions from the Final Plat approval for Trutina Addition have been met or bonded;

WHEREAS, Trutina Addition is in conformance with all applicable land use controls;

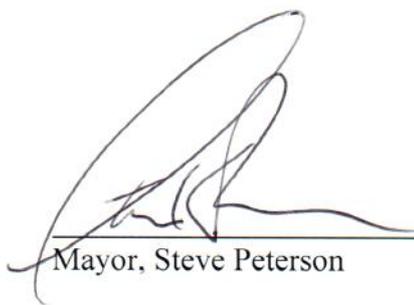
WHEREAS, Appropriate signatures and letters of acceptance have been obtained; and

WHEREAS, Property taxes and all required fees shall be paid prior to seeking reimbursement for eligible TIF/LIFT work.

THEREFORE, THE CITY COUNCIL OF THE CITY OF LIBERTY LAKE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

The Public Road shown as Wellington Parkway (Public Road) , within Trutina Addition, located in the NW Quarter of Section 10, Township 25N, Range 45 E.W.M., Liberty Lake, Washington, precisely described in the dedication, having met all conditions and requirements, is hereby taken as approved and as Public Right of Way.

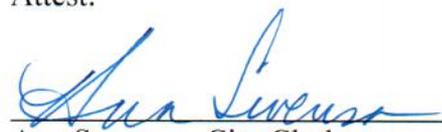
Passed by the City Council this 18<sup>th</sup> day of July, 20 17.



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Mayor, Steve Peterson

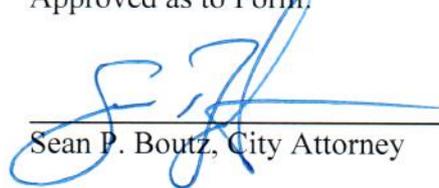
Attest:



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Ann Swenson, City Clerk

Approved as to Form:



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Sean P. Boutz, City Attorney

## **STREET DEDICATION AGREEMENT**

This MISSION ROUNDABOUT IMPROVEMENT DEDICATION AGREEMENT (this "Agreement") is by and between Spokane County, Washington (the "County"), River Crossing, LLC, a Washington corporation, as the developer ("River Crossing, LLC"), and The City of Liberty Lake, Washington (the "City") pursuant to chapters 39.89 and 39.102 RCW.

### **W I T N E S S E T H:**

WHEREAS, the County is a class A county duly organized and existing under and by virtue of the Constitution and the laws of the state of Washington (the "State");

WHEREAS, the County is authorized to create a tax increment financing area from which a portion of property taxes, defined as community revitalization financing, can be designated to finance certain public improvements, including street improvements, within the boundaries of such tax increment area pursuant to chapter 39.89 RCW (the "TIF Act");

WHEREAS, pursuant to Resolution No. 2005-1169, adopted by the Board of County Commissioners of the County (the "Board"), on December 22, 2005, the County designated a tax increment financing area known as "Spokane County Increment Area No. 2005-01" pursuant to the TIF Act (the "TIF Area");

WHEREAS, River Crossing, LLC has constructed certain street improvements within the TIF Area, a description and the location of which is attached hereto as Exhibit "B" (the "Improvements");

WHEREAS, pursuant to Resolution No. 2005-1169, the Board authorized the County to purchase public improvements, including the Improvements, within the TIF Area, and to finance the purchase of such improvements with community revitalization financing;

WHEREAS, the City owns and maintains public streets for the benefit of public within the TIF Area;

WHEREAS, the Board desires to have the City assume ownership, control, and maintenance of the Improvements as part of the City's transportation system to provide benefits to the public;

WHEREAS, the Board deems it in the best interest of the County and its residents to use funds from community revitalization financing to pay for the Improvements so long as River Crossing, LLC dedicates the Improvements to the District, and so long as the City accepts such dedication;

WHEREAS, the County is authorized to create a revenue development area from which a portion of revenues from various taxes, defined as local infrastructure financing, and certain proceeds of State excise taxes, can be designated to finance certain public improvements, including street improvements, within such revenue development area pursuant to chapter 39.102 RCW (the "LIFT Act");

WHEREAS, the LIFT Act identifies the Spokane River District Project at Liberty Lake, located within the County, as a “demonstration project”;

WHEREAS, the Board previously determined that the demonstration project at Liberty Lake identified in the LIFT Act is the best opportunity for the State excise tax revenues to be made available for a local infrastructure financing project within the County;

WHEREAS, the Board adopted Resolution No. 07-0223 on March 20, 2007, designating a revenue development area pursuant to the LIFT Act, to be known as the “Spokane County River District Revenue Development Area at Liberty Lake” (the “Revenue Development Area”) and agreeing to act as the “sponsoring local government” thereof within the meaning of the LIFT Act;

WHEREAS, the City Council of the City of Liberty Lake (the “City Council”) adopted Resolution No. 07-103 on February 6, 2007, authorizing the city of Liberty Lake (the “City”) to be a “participating local government and participating taxing district” of the Revenue Development Area within the meaning of the LIFT Act;

WHEREAS, the City Council adopted Resolution No. 105 on April 3, 2007, and the Board adopted Resolution No. 07-0311 on April 10, 2007, authorizing the execution of a Local Infrastructure Financing Agreement, dated as of April 10, 2007, for the use of dedicated amounts of local excise tax allocation revenues and local property tax allocation revenues, in whole or in part, for local infrastructure financing authorized pursuant to the LIFT Act (the “Local Infrastructure Financing Agreement”);

WHEREAS, the Board adopted Resolution No. 07-0531 on June 19, 2007, creating and establishing the Revenue Development Area pursuant to the LIFT Act (“Resolution No. 07-0531”) and describing the boundaries thereof; describing public improvements to be made in the Revenue Development Area; stating the estimated cost of such public improvements and the portion thereof to be borne by local infrastructure financing; estimating the time during which local excise tax allocation revenue and local property tax allocation revenue are to be apportioned to pay for the costs of such public improvements; and providing the date when such apportionment of local excise tax allocation revenue and local property tax allocation revenue will commence;

WHEREAS, River Crossing, LLC has constructed certain street improvements within the Revenue Development Area, a description and the location of which is attached hereto as Exhibit “B” (the “Improvements”);

WHEREAS, the Improvements are included in the definition of “Public Improvements” approved by the Board to be financed with local infrastructure financing pursuant to Resolution No. 07-0531;

WHEREAS, the Improvements are included in the public improvements set forth in Attachment “D” attached to the Local Infrastructure Financing Agreement, in which the City agreed that the portion of its local property tax allocation revenue and local excise tax allocation revenue generated within the Revenue Development Area that is necessary to enable the County to obtain the full amount of the tax distributions from the State each year in accordance with the LIFT Act shall be used to assist in local infrastructure financing for the public improvements set forth in such Attachment “D”;

WHEREAS, the City has approved the use of local infrastructure financing to pay the public improvement costs of the Improvements;

WHEREAS, River Crossing, LLC has submitted TIF Reimbursement Request No. 9 to the County, requesting \$225,241.26 in community revitalization financing to pay a portion of the public improvement costs of the Improvements;

WHEREAS, River Crossing, LLC has submitted LIFT Reimbursement Request No. 9 to the County, requesting \$525,562.93 in local infrastructure financing to pay a portion of the public improvement costs of the Improvements;

WHEREAS, the City owns and operates public street systems for the public benefit within the Revenue Development Area;

WHEREAS, the Board desires to have the City assume ownership, control and maintenance of the Improvements as part of the city's transportation system to provide benefits to the public;

WHEREAS, the Board adopted Resolution No. 19-1587 on Dec. 17, 2019, which deemed it in the best interest of the County and its residents to use funds from both community revitalization financing and local infrastructure financing to pay for the Improvements so long as River Crossing, LLC dedicates the Improvements to the City, and so long as the City accepts such dedication; and

WHEREAS, pursuant to Resolution No. 19-1587, the Board approved the use of community revitalization financing to pay a portion of the public improvement costs of the Improvements and authorized the payment of \$225,241.26 of community revitalization financing to River Crossing, LLC pursuant to TIF Reimbursement Request No. 9, and authorized the execution of this Agreement;

WHEREAS, pursuant to Resolution No. 19-1587, the Board approved the use of local infrastructure financing to pay a portion of the public improvement costs of the Improvements and authorized the payment of \$525,562.93 of local infrastructure financing to River Crossing, LLC pursuant to LIFT Reimbursement Request No. 9, and authorized the execution of this Agreement;

NOW, THEREFORE, each of the County, River Crossing, LLC and the City mutually agree as follows:

*Section 1.* The County agrees to reimburse River Crossing, LLC \$750,804.19 as the cost of constructing, acquiring and installing the Improvements. The County shall use both community revitalization financing funds collected in the TIF Area and local infrastructure financing funds collected in the Revenue Development Area to pay for the Improvements. The County shall make the reimbursement using \$225,241.26 of community revitalization financing and \$525,562.93 of local infrastructure financing.

*Section 2.* River Crossing, LLC hereby agrees to dedicate the Improvements to the City to be used to provide transportation benefits to the public. Such dedication shall be evidenced by a bill of sale, the form of which is attached hereto as Attachment "B". River

Crossing, LLC covenants that the Improvements meet all state, local, and City construction specifications.

*Section 3.* The City hereby: (A) agrees to accept the dedicated Improvements; (B) agrees to maintain the Improvements; and (C) agrees to use the Improvements to provide transportation benefits to the public. Such acceptance is conditioned upon the Improvements meeting all state, local and City construction specifications.

*Section 4.* This Agreement contains all the terms and conditions agreed upon by the County, River Crossing, LLC and the City with respect to the subject matter hereof. No other understanding, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind the County, River Crossing, LLC or the City hereto, other than those imposed by this Agreement or operation of law.

*Section 5.* This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute one Agreement.

*Section 6.* This Agreement will be effective only when signed by the County, River Crossing, LLC and the City.

*[Signature page follows]*

IN WITNESS WHEREOF, the County, River Crossing, LLC and City of Liberty Lake, Washington have each executed this Agreement on the date opposite their signature blocks with the effective date being the date of the last signature.

DATED: 12.17.19

SPOKANE COUNTY, WASHINGTON



Mary L. Kuney  
Mary L. Kuney, Chair

Al French  
Al French, Vice Chair

Josh Kerns  
Josh Kerns, Commissioner

ATTEST:

Ginna Vasquez  
Ginna Vasquez, Clerk of the Board  
of County Commissioners

(SEAL)

DATED: 6/19/19

River Crossing, LLC  
a Washington Corporation

By: [Signature]

Title: President

DATED: 7/3/19

City of Liberty Lake, Washington

[Signature]  
Steve Peterson, Mayor





SPokane County Auditor's Office  
 AND FOR RECORD AND FOR THE PURPOSES OF THE  
 RECORDS OF THE COUNTY

*[Signature]*  
 PUBLIC COUNTY AUDITOR

LINE	AREA	ACRES	SECTION	TOWNSHIP	RANGE	EASTING	NORTHING
1	1	1.00	10	25N	45E	1000000	1000000
2	2	1.00	10	25N	45E	1000000	1000000
3	3	1.00	10	25N	45E	1000000	1000000
4	4	1.00	10	25N	45E	1000000	1000000
5	5	1.00	10	25N	45E	1000000	1000000
6	6	1.00	10	25N	45E	1000000	1000000
7	7	1.00	10	25N	45E	1000000	1000000
8	8	1.00	10	25N	45E	1000000	1000000
9	9	1.00	10	25N	45E	1000000	1000000
10	10	1.00	10	25N	45E	1000000	1000000

LINE	AREA	ACRES	SECTION	TOWNSHIP	RANGE	EASTING	NORTHING
11	11	1.00	10	25N	45E	1000000	1000000
12	12	1.00	10	25N	45E	1000000	1000000
13	13	1.00	10	25N	45E	1000000	1000000
14	14	1.00	10	25N	45E	1000000	1000000
15	15	1.00	10	25N	45E	1000000	1000000
16	16	1.00	10	25N	45E	1000000	1000000
17	17	1.00	10	25N	45E	1000000	1000000
18	18	1.00	10	25N	45E	1000000	1000000
19	19	1.00	10	25N	45E	1000000	1000000
20	20	1.00	10	25N	45E	1000000	1000000

LINE	AREA	ACRES	SECTION	TOWNSHIP	RANGE	EASTING	NORTHING
21	21	1.00	10	25N	45E	1000000	1000000
22	22	1.00	10	25N	45E	1000000	1000000
23	23	1.00	10	25N	45E	1000000	1000000
24	24	1.00	10	25N	45E	1000000	1000000
25	25	1.00	10	25N	45E	1000000	1000000
26	26	1.00	10	25N	45E	1000000	1000000
27	27	1.00	10	25N	45E	1000000	1000000
28	28	1.00	10	25N	45E	1000000	1000000
29	29	1.00	10	25N	45E	1000000	1000000
30	30	1.00	10	25N	45E	1000000	1000000



FINAL PLAT OF  
**TRUTINA ADDITION**  
 2015 PL0001

PORTIONS OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND GOVERNMENT LOT 6 OF SECTION 10, AND A PORTION OF GOVERNMENT LOT 9, OF SECTION 9 TOWNSHIP 25 NORTH, RANGE 45 EAST, W.M. CITY OF LIBERTY LAKE, SPOKANE COUNTY, WASHINGTON

RFK LAND SURVEYING INC.	DATE	9/18/18	SCALE	1"=50'	PROJECT	16-171
1425 WEST CASKLAND AVENUE	BY	9/18/18	DATE	9/18/18	FIELD BOOK	87
SPOKANE, WA 99202	DATE	9/18/18	SCALE	3 OF 3		
TEL (509) 344-7981						
E-Mail: <a href="mailto:trutina@rfkland.com">trutina@rfkland.com</a>						