

**CITY OF WEST RICHLAND
RESOLUTION NO. 29-16**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
AUTHORIZING THE MAYOR TO SIGN AND EXECUTE A
TRANSPORTATION IMPACT FEE MITIGATION AGREEMENT WITH THE
OWNER / DEVELOPER OF THE PLAT OF BELMONT HEIGHTS
SUBDIVISION AND REPEALING RESOLUTION 26-12**

WHEREAS, the City Council has adopted Ordinance No. 12-92 codified as West Richland Municipal Code Chapter 16.14 to insure that impacts on the City's transportation system will be mitigated as development occurs so that the citizens of the City, both those present and those moving into the City, will continue to enjoy the high quality of life and living environment which currently exists, and

WHEREAS, the expansion and improvement of the City's transportation system are necessary to meet demands prompted by development; and

WHEREAS, the City Council has adopted Ordinance 02-10, establishing and implementing requirements and formulas for use in mitigating development impacts on the City's transportation system; and

WHEREAS, Ordinance 2-10, section 7, Credits, establishes credits against the Developer's Transportation Impact Fee for the value of dedicated land and constructed roadway improvements that are included in the city's Six-Year Transportation Improvement Plan and/or serve the goals and objectives of the Transportation Element of the Capital Improvement Plan;

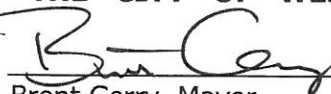
NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF WEST RICHLAND, WASHINGTON, does hereby resolve as follows:

Section 1. The City Council of West Richland, Washington authorizes the Mayor to sign and execute the Transportation Impact Fee Mitigation Agreement as shown in exhibit 'A' for the Plat of Belmont Heights.

Section 2. Resolution 26-12 is hereby repealed in its entirety.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, the 6th day of September, 2016.




Brent Gerry, Mayor

ATTEST:



Julie Richardson, City Clerk

APPROVED AS TO FORM:



Jared Hanson, City Attorney

**TRANSPORTATION IMPACT FEE
MITIGATION AGREEMENT
Plat of Belmont Heights
Parcel #1-0197-202-0001-000**

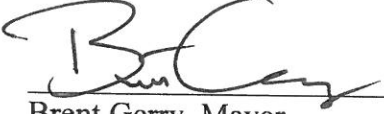
THIS AGREEMENT is entered into this 20 day of September, 2016, by and between the **City of West Richland**, Hereinafter referred to as the "City", and P & R Construction LLC, referred to as the "Owners / Developers" of the Plat of Belmont Heights.

Under the terms of this agreement, the parties do hereby agree as follows:

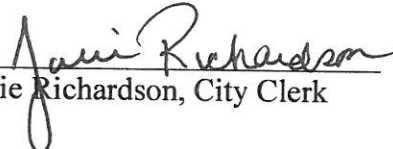
- 1) The Developer shall receive a credit against the developments Transportation Impact Fee, as defined by Ordinance 02-10, or as amended by Council for the following items;
 - a) Before the final Plat of Belmont Heights Phase 1, the Owner / Developer shall design and construct a 6" deep by 10' wide concrete pathway/sidewalk along the east side of a portion of Belmont Blvd within Belmont Heights Phase 1.
 - b) The Owners/Developers previously deeded over to the City of West Richland approximately 5.52 acres of road right-of-way located within the E 1/2 of the NW 1/4 of Section 1, T 9 N, R 27 E, W.M. for Belmont Blvd. and Van Giesen per Resolution 26-12.
- 2) The City and the Owner / Developer agree that the total credit value for the aforementioned items in section 1 is estimated to be \$34,290.20 (\$27,160.70 for item 1B and \$7,129.50 for item 1A).
- 3) The City shall issue the Owner / Developer a \$34,290.20 credit against the Transportation Impact Fee for the 108 lots in the Belmont Heights Subdivision as follows:
 - a) The City shall issue the Developer a Transportation Impact Fee credit of \$497.35 per lot for the 13 lots in Phase 1, 8 lots in Phase 2 and 8 lots in Phase 3 of Belmont Heights.
 - b) The City shall issue the Developer a Transportation Impact Fee credit of \$251.48 per lot for the 79 lots in Phases 4 through 11 of Belmont Heights.

- 4) The Transportation Impact Fee Mitigation Agreement authorized by Resolution 26-12, between the City of West Richland and the previous owners of the preliminary plat of Belmont Heights, Allied Activities, shall become null and void.


City of West Richland


Brent Gerry, Mayor


ATTEST:


Julie Richardson, City Clerk

APPROVE TO FORM:


Bronson Brown, City Attorney

PLAT OF BELMONT HEIGHTS
DEVELOPER / LAND OWNER


STEVE BAUMAN GENERAL MANAGER AUG 11TH 2016
P & R Construction, LLC

STATE OF)
) :SS
County of)

On this day personally appeared before me STEVE BAUMAN, to me known to be the GENERAL MANAGER of P & R, LLC, Washington State limited liability company that executed the foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument on behalf of said limited liability company.

GIVEN under my hand and official seal this 11 day of August, 2016

NOTARY PUBLIC in and for the State of Washington
residing at West Richland
My Commission Expires: 9-29-2018

