RESOLUTION NO. 543

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

FORKS APPROVING A DEVELOPER REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND RICK AND KATHY JACOBY FOR REIMBURSEMENT FOR THE COST OF CONSTRUCTING A REQUIRED PUBLIC UTILITY IMPROVEMENT.

WHEREAS, the City approved a short plat creating seven lots that required the providing of water and the Jacoby's undertook the costs associated with private development to make infrastructure improvements; and

WHEREAS, Chapter 35.91 RCW provides that, at the owner's request, a municipality must contract with the owner of real estate for the construction or improvement of water or sewer facilities that the owner elects to install solely at the owner's expense; and

WHEREAS, FMC 13.20 authorizes the City to enter into agreements with the property owner and to execute an agreement for the development of water main extensions; and

WHEREAS, the Jacoby's paid the City to install and extend water mainlines to where the seven (7) lots of the Jacoby Short Plat could access city water services; and

WHEREAS, the Jacoby's have requested that developer reimbursement agreement be executed that includes a description of the methodology and the pro rata share for each property to the City;

WHEREAS, this agreement would create an obligation on each lot within the short plat to partially compensate the Jacoby's for the pro rata share of the paid for improvements; and

WHEREAS, the City undertook, installed, and accepted the improvement as complete on 11/23/26;

WHEREAS, the Jacoby's are the registered owners of the seven lots of the Jacoby Short Plat and are also the ones making this request; and

WHEREAS, the City Council took action on this without a public hearing as all lots associated with the proposed Reimbursement Agreement are owned by the Jacoby's and no other property owner would be impacted by this decision at this time;

NOW THEREFORE BE IT RESOLVED the City Council of the City of Forks hereby approves the Jacoby Developer Reimbursement Agreement with Exhibits attached hereto and incorporated by this reference as if set forth in full.

Passed this 23rd day of November 2026 by the City Council of Forks

Mayor Tim Fletcher

Attested to:

Caryn DePew, Clerk/Treasurer

Approved as to Form:

William R. Fleck, Attorney/Planner