

Please return to:

*Executive Assistant
Kennewick Irrigation District
12 West Kennewick Avenue
Kennewick, WA 99336*

**KENNEWICK IRRIGATION DISTRICT
RESOLUTION 2015-04**

A RESOLUTION OF KENNEWICK IRRIGATION DISTRICT RELATING TO LID No. 192; APPROVING AND CONFIRMING THE ASSESSMENTS AND ASSESSMENT ROLL OF LOCAL IMPROVEMENT DISTRICT NO. 192 FOR THE IMPROVEMENT OF THE RED MOUNTAIN SOUTH IRRIGATION IMPROVEMENTS, AS PROVIDED BY RESOLUTION NO. 2009-26; LEVYING AND ASSESSING A PART OF THE COST AND EXPENSE OF THE IMPROVEMENTS AGAINST THE LOTS, TRACTS, PARCELS OF LAND AND OTHER PROPERTY AS SHOWN ON THE ASSESSMENT ROLL; AND, PROVING FOR COLLECTION OF ASSESSMENTS.

BE IT RESOLVED by the Board of Directors of the Kennewick Irrigation District, as follows.

Section 1. Findings and Conclusions.

1.1 The Legislature expressly authorizes Kennewick Irrigation District (“KID”) to fund improvements through use of local improvement districts. Chapter 87.03 RCW. And, KID may follow such procedures as used by cities for the local improvement district process. RCW 87.03.527.

1.2 Following property owners’ petition, community meetings and public hearings, Local Improvement District No. 192 (“LID No. 192” or the “LID”) was formed by Resolution No. 2009-26 of the KID Board of Directors (“Board”). The assessment roll levying the special assessments against the property located in the LID has been filed with the KID Treasurer. The assessment roll is attached and incorporated in this Resolution as Exhibit A.

1.3 The LID was created and established for the purpose of providing for the improvement of the properties within the area described in Exhibit B, by the improvement of the KID irrigation systems. The new Red Mountain South project is a pressurized irrigation water system, including a new intake on the Yakima River at Kiona; two reservoirs (810 and 1070 BPS); distribution systems; easements, permits and other approvals; systems for water filtration and monitoring and

control; and, necessary appurtenances (collectively, the “Improvements”). The amount of costs charged to the LID is \$19,214,552.

1.4 KID has worked continuously with the Red Mountain community in the preparation of and ongoing work on the Red Mountain South Irrigation Improvements, including formation and meeting with a design committee regarding the Improvements. On June 2, 2014, KID sent advance notice letter to all properties advising of the upcoming hearing on the final assessment roll.

1.5 The LID includes 1,785 irrigated acres, many of which did not have available irrigation water. Other properties within the LID are experiencing lower ground water levels and resulting inadequate or poor quality well water. The LID provides for 1.5 acre feet per year per acre of land included in the LID. Each property within the LID executed a waiver under RCW 84.34.320 in order to receive water from the Improvements and be subject to assessments.

1.6 The Board set January 8, 2015 at the hour of 7:00 p.m., local time, in the Board Chambers in Kennewick, Washington as the time and place of hearing on the final assessment roll. Notice of the time and place of hearing on the LID No. 192 assessment roll, and for making objections and protests to the roll was published on December 9 and 16, 2014, and January 2, 2015 and posted according to law. Further notice of the hearing was mailed on December 10, 2014 according to law to each property owner shown on the roll, according to the most recent records of Benton County assessor.

1.7 At the time and place fixed and designated in the notices the hearing was held; no written protests were received; and, all persons appearing at the hearings who wished to be heard were heard. Following the close of the hearing, the Board, sitting and acting as a Board of Equalization for the purpose of considering the roll and the special benefits to be received by each lot, parcel and tract of land shown upon such roll, including the increase and enhancement of the fair market value of each such parcel of land by reason of the improvement, found no protests and directed the preparation of this resolution.

Section 2. Confirmation.

2.1 Each of the lots, tracts, parcels of land and other property shown upon the assessment roll attached as Exhibit A is determined and declared to be specially benefited by LID No. 192 Improvements in at least the amount charged against the same, and the assessment appearing against the same is in proportion to the several assessments appearing upon the roll. There is levied and assessed against each lot, tract or parcel of land and other property appearing upon the roll the amount finally charged against the same thereon.

2.2 The assessments and assessment roll for LID No. 192, as they now stand shall be and the same are approved and confirmed in all things and respects in the total amount of \$18,923,219. The assessment roll as hereby approved and confirmed shall be filed with the District Treasurer for collection, and filed of record with Benton County.

Section 3. Collection.

3.1 The District Treasurer is authorized and directed to publish notice as required by law stating that the roll is in her hands for collection and that payment of any assessment thereon or any

portion of such assessment can be made at any time within sixty (60) days from the date of first publication of such notice without penalty, interest or cost, and that thereafter the sum remaining unpaid may be paid in fifty (50) equal semi-annual installments of principal together with interest due on the unpaid balance. The interest rate is stated to be 2.93% per annum; and, as determined by the Board by motion at its regular meeting on January 6, 2015, the rate of 2.93% includes the 0% charged on the Washington Department of Ecology financing and the rate charged on the remaining debt at 6.1%.

The first installment of assessments on the assessment roll shall become due and payable on October 31, 2015, and semi-annually thereafter each succeeding installment shall become due and payable in like manner on April 30 and October 31.


3.2 If the whole or any portion of the assessment remains unpaid after the first sixty (60) day period, interest upon the whole unpaid sum shall be charged at the rate as determined under Section 3.1, and each year thereafter the installments of principal together with interest due on the unpaid balance, shall be collected. Any installment not paid prior to installment due date shall thereupon become delinquent. Each delinquent installment shall be subject, at the time of delinquency, to a charge together with interest upon that installment and all delinquent installments in the amount and at the rate maintained by KID for other delinquent payments on assessment installments. The collection of such delinquent installments shall be enforced in the manner provided by law.

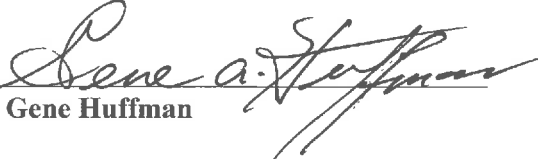
This Resolution 2015-04 is adopted by the Board of Directors of the Kennewick Irrigation District, Benton County, Washington at a meeting with a quorum present in open public session, the 20th day of January, 2015.


Kirk Rathbun, President


Patrick McGuire


David McKenzie, Vice President


Dean Dennis


Gene Huffman