

RESOLUTION 2023-08-02

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
SOUTHWEST SUBURBAN SEWER DISTRICT, KING COUNTY,
WASHINGTON, ACCEPTING AS COMPLETE
THE FOLLOWING DESCRIBED DEVELOPER EXTENSION**

WHEREAS, Southwest Suburban Sewer District has entered into a Developer Extension Agreement with the following described Developer (A), and the Developer Extension was completed on the following date (B):

A. Kinect Burien Apartments 631 SW 150th Street

B. August 1, 2023

Project Description: New construction – 230 Unit Multi-Family Apartment Complex

Bill of Sale Assets: 159 Feet of 8 inch PVC Pipe and (1) Saddle Manhole

WHEREAS, the staff has determined that the Developer Extension is complete and has met the terms and conditions of the contract to date, and,

WHEREAS, the contributions in aid of construction have been recorded in the Bill of Sale in the amount of \$78,110.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, as follows:

1. The Developer Extension and improvements as described herein are accepted by the District, and the District's staff is directed to adjust the Comprehensive Plan to reflect the addition of the improvements.

2. The District's staff is directed to take the necessary steps to conclude the Developer Extension Agreement.


SOUTHWEST SUBURBAN SEWER DISTRICT
KING COUNTY, WASHINGTON

Individual Commissioner's
Vote on Resolution

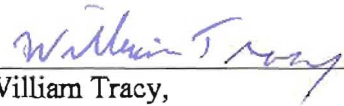
In Favor of: ☒
Opposed: ☐
Abstained: ☐

In Favor of: ☒
Opposed: ☐
Abstained: ☐

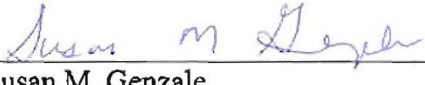
In Favor of: ☒
Opposed: ☐
Abstained: ☐



Scott Hilsen,
President and Commissioner



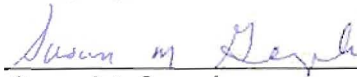
William Tracy,
Vice-President and Commissioner



Susan M. Genzale
Secretary and Commissioner

CERTIFICATE

I, Susan Genzale, Secretary of the Board of Commissioners of Southwest Suburban Sewer District, King County, Washington, DO HEREBY CERTIFY that the foregoing resolution is a true and correct copy of Resolution 2023-08-02 of said Board, duly adopted at a regular meeting thereof held on the 1st Day of August, 2023 signed by the members of such Board in attendance at such meeting and attested by myself in authentication of such adoption.



Susan M. Genzale
Secretary of the Board of Commissioners
Southwest Suburban Sewer District

FORM J
BILL OF SALE

THIS BILL OF SALE is entered onto this 15 day of June, 2023, between Kinect & Burien Apartments, LLC (hereinafter termed Grantor) and **SOUTHWEST SUBURBAN SEWER DISTRICT**, King County, Washington, a municipal corporation (hereinafter termed Grantee).

WITNESSETH:

WHEREAS, the Grantor has constructed certain sewerage facilities more particularly described herein; and

WHEREAS, these facilities were constructed pursuant to a Developer Extension Agreement for Kinect & Burien Apartments, LLC.

NOW, THEREFORE AND IN CONSIDERATION OF the mutual covenants between the parties recited herein:

1. Grantor hereby grants, conveys, bargains, sells and transfers to Grantee, its successors and assigns forever, all Grantor's right, title and interest in the following described sewage facilities:

New sewer connection to the new the new apartment building located at
631 SW 150th Street, Burien WA 98166.
Installed 59' of 8" pipe and one Type 1 saddle manhole.

2. The Grantee agrees to accept and maintain the aforementioned sewerage facilities and to integrate these facilities into its sewerage system.

3. Grantor warrants that it is the lawful owner of said sewer line and that said sewer line is free from all encumbrances, that all claims for labor and material therefor have been paid, that Grantor has the right to transfer same, and that Grantor will warrant and defend the same against lawful claims and demands of all persons.

4. In accordance with the terms of the said Developer Extension Contract between the undersigned and Southwest Suburban Sewer District, the undersigned hereby certifies that the costs of construction of the facility being conveyed to the District pursuant to said Developer Extension Contract are as follows:

| | | |
|-----------------------------------|------------------|---------------------|
| A. | Materials | \$ 27,244.00 |
| B. | Labor | \$ 40,866.00 |
| C. | Engineering | \$ 10,000.00 |
| D. | Permits and Fees | \$ _____ |
| E. | Other Costs | \$ _____ |
| F. | Legal | \$ _____ |
| G. | Bond & Insurance | \$ _____ |
| TOTAL COST OF CONSTRUCTION | | \$ 78,110.00 |

5. Grantor further warrants that for a period of one year from the date of this Bill of Sale and Conveyance, the said sewer line will remain in perfect working order and condition except where abused or neglected by the District, and that Grantor will repair or replace at its own expense any work or material that may prove to be defective during said one-year period of warranty.

6. Grantee, by accepting and recording this instrument, binds itself, its successors and assigns to incorporate said sewer line into its sewerage system, and to maintain said sewer line at its own cost and expense on the terms and conditions generally common with other uses of the sewer facilities of Grantee.

SOUTHWEST SUBURBAN SEWER DISTRICT

By: _____
General Manager

By: See page 3 for signatures
Developer

Print Name

By: _____
Developer

Print Name

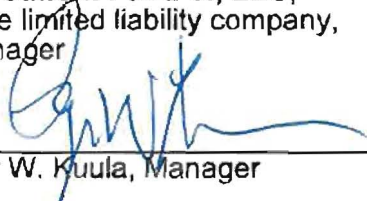
KINECT @ BURIEN APARTMENTS LLC,
a Delaware limited liability company

By: **Burien Apartments JV LLC,**
a Delaware limited liability company,
its Sole Member

By: **ACG OZ Burien, LLC,**
a Delaware limited liability company,
its Administrative Managing Member

By: **Rock Investment Fund VI, LLC,**
a Delaware limited liability company,
its Co-Manager

EL

By: 

Roger W. Kuula, Manager

By: **Global Silver Lining LLC,**
a Washington limited liability company,
its Co-Manager

EL

By: 

Benjamin J. Kuula, Sole Member and Managing Agent

STATE OF WASHINGTON

COUNTY OF King

} ss.)

On this 19 day of June, 2023, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared **Roger W. Kuula**, known to me to be the Manager of **Rock Investment Fund VI, LLC**, the Co-Manager of **ACG OZ Burien, LLC**, the Administrative Managing Member of **Burien Apartments JV LLC**, the Sole Member of **KINECT @ BURIEN APARTMENTS LLC**, the limited liability company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company, for the purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.



Brian Nelson
Signature

Brianne Nelson
Print Name

NOTARY PUBLIC in and for the State of
Washington, residing at North Bend

My commission expires 9-12-26

STATE OF WASHINGTON

COUNTY OF King

} ss.)

On this 19 day of June, 2023, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared **Benjamin J. Kuula**, known to me to be the Sole Member and Managing Agent of **Global Silver Lining LLC**, the Co-Manager of **ACG OZ Burien, LLC**, the Administrative Managing Member of **Burien Apartments JV LLC**, the Sole Member of **KINECT @ BURIEN APARTMENTS LLC**, the limited liability company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company, for the purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

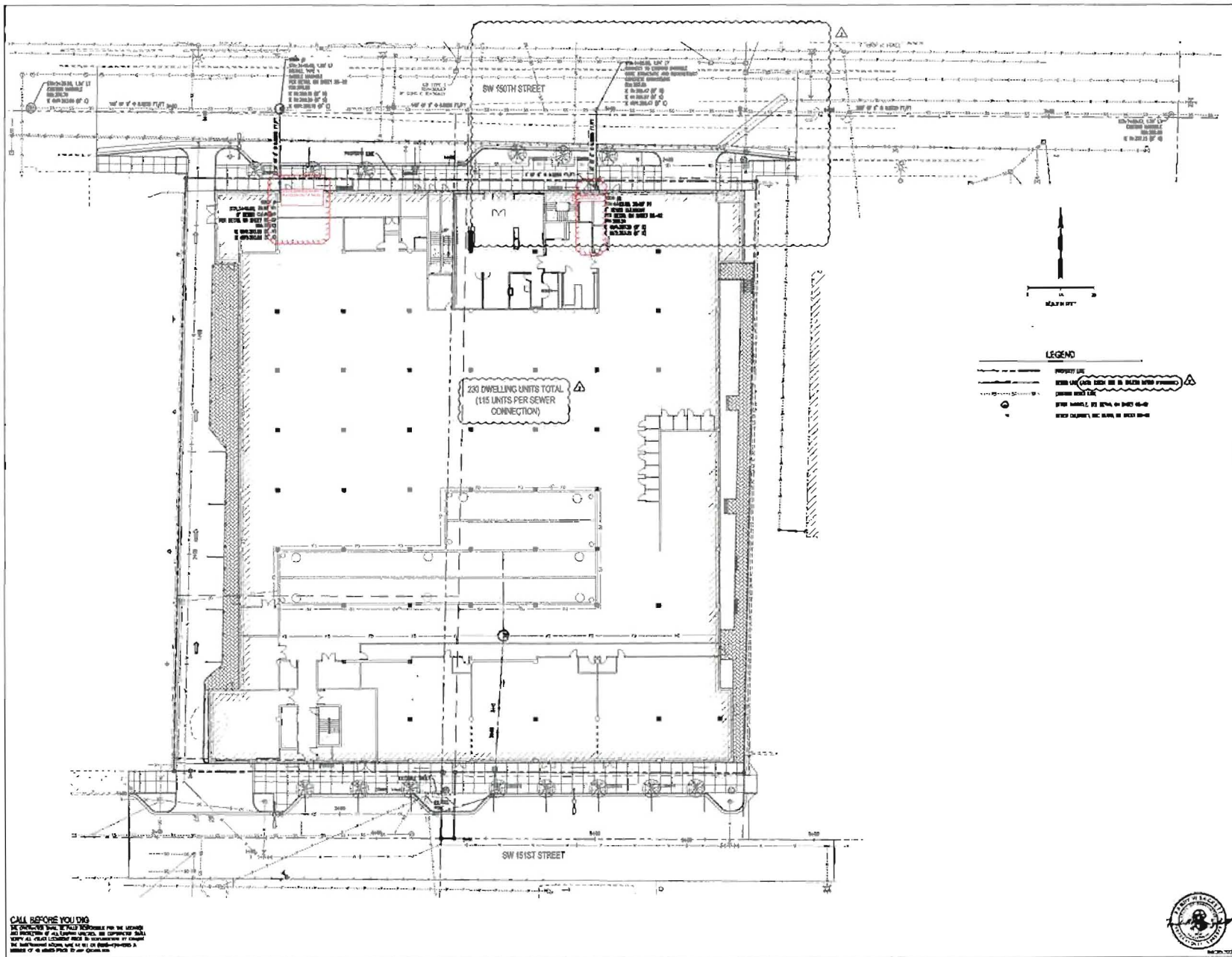
WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.



Brianne Nelson
Signature

Brianne Nelson
Print Name

NOTARY PUBLIC in and for the State of
Washington, residing at North Bend.
My commission expires 9-12-26.



CALL BEFORE YOU DIG
 THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL UTILITIES LOCATED, OR CONSIDERED TO BE LOCATED, PRIOR TO EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED, OR CONSIDERED TO BE LOCATED, PRIOR TO EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES LOCATED, OR CONSIDERED TO BE LOCATED, PRIOR TO EXCAVATION.

APD

APPROVED FOR CONSTRUCTION

KINECT @ BURIEN

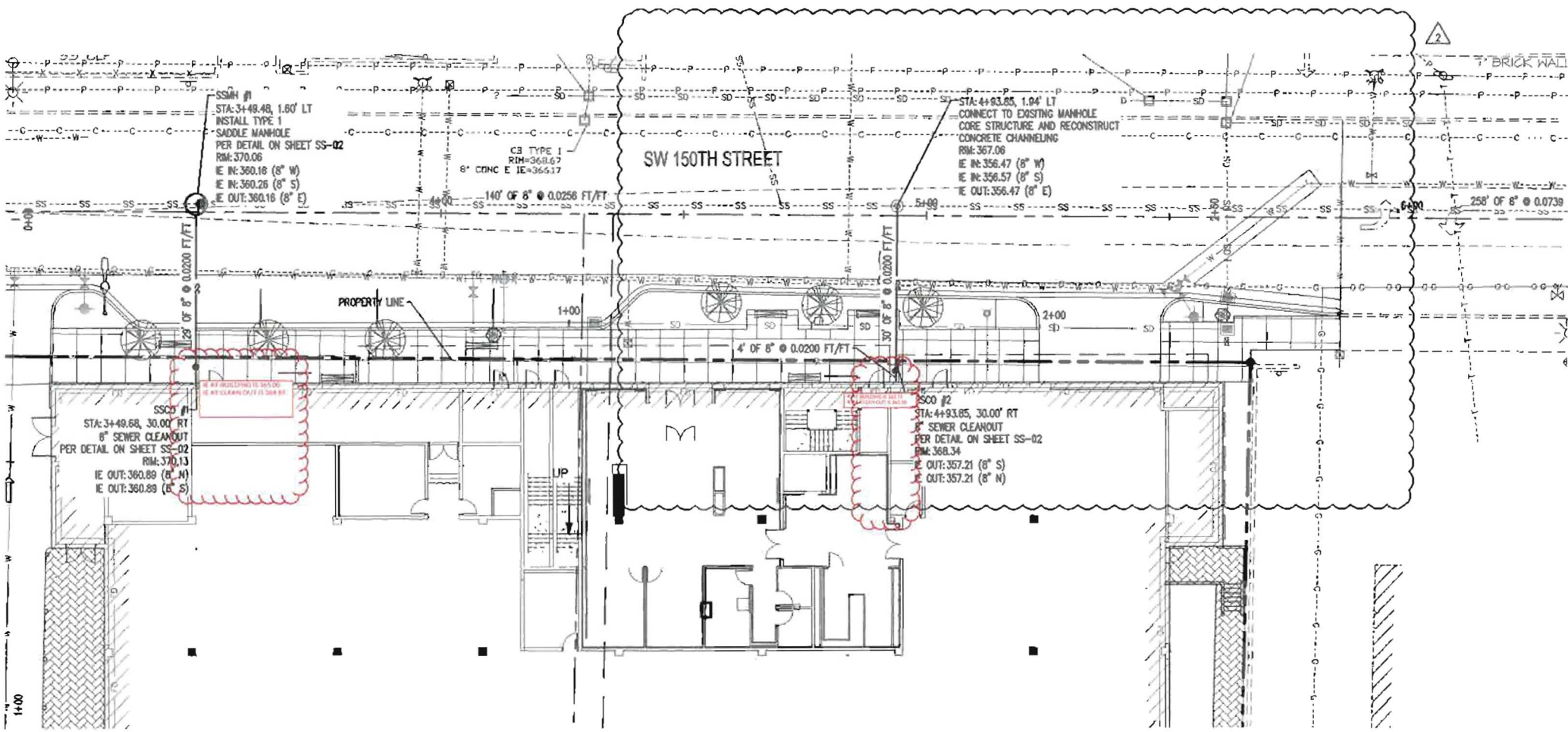
831 SW 150TH ST

BURIEN, WA 98148

SEWER PLAN

SS-01

Revision 3 Issued for Construction 09.03.2021



King County iMap



The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

Date: 7/26/2023

Notes:



King County