



PLEASE RETURN COMPLETED FORM TO:
CITY CLERKS OFFICE, CITY OF BLAINE
435 MARTIN STREET, SUITE#3000
BLAINE, WA 98230
PH (360) 332-8311 FAX (360) 332- 8330

OUTSIDE UTILITIES AGREEMENT

WHEREAS, the Blaine Municipal Code requires property outside the city boundaries to support annexation to the City of Blaine as a condition for receiving city utilities [BMC 13.04.191(B)]; and

WHEREAS, the City of Blaine has a primary obligation to its citizens to allocate limited service resources for adequate growth and development within the City; and

WHEREAS, service to the property with utilities for use at this time are temporary or do not meet the standards of the City; and

WHEREAS, the undersigned, as owner of a parcel outside the City of Blaine, has made application for city utilities;

NOW, THEREFORE, the undersigned owner (hereinafter "Owner") of property located at _____, Whatcom County, Washington, (hereinafter "Property"), legally described as _____, Assessor's Tax Parcel # _____, and the City of Blaine (hereinafter "City"), in consideration of the mutual covenants set forth herein including the furnishing of utilities services by the City of Blaine, do hereby promise and agree as follows:

1. Services provided. City of Blaine shall provide utility services consistent with service areas defined by the City's comprehensive utility plans as amended, and terms and conditions of a current Letter of Availability from the Blaine Utilities Department.
2. Rates and charges. Owner shall pay when due all connection charges, assessments and rates established for city utilities services by city ordinance for the Owner's user class.
3. Use. Development of the property described above shall comply with the uses and development standards of the City of Blaine Comprehensive Land Use Plan adopted pursuant to RCW 35.13.177 and any adopted subdivision and street standards of the City of Blaine.
4. Utility improvements. Owner, by signing below grants to the City of Blaine a limited power of attorney to include this agreement as Owner's consent to participate in future capital improvement to the utility system providing service to the property and thereby waive his/her/their rights to protest except for the method of assessment.
5. Annexation. Owner, by signing below, grants to the City of Blaine a Limited Power of Attorney to include this Agreement as Owner's consent to the annexation of the Property as part of any Notice of Intent for Petition for Annexation presented to the City of Blaine.

The annexation petition supported by this Power may include proportional assumption of the city indebtedness by the area to be annexed. The petition shall require the concurrent adoption of land uses designated in any urban fringe comprehensive plan uses designated in any urban fringe comprehensive plan approved for the annexation area pursuant to RCW 35.13.177, or if none has been adopted, the land uses for annexed property as set forth in the Blaine Zoning Code as amended.

This Power of Attorney is nonrevocable.

6. Enforcement. Violation of this Agreement may result in the immediate termination of utilities services to the above-described property as well as other remedies provided by law.

7. Covenants. The undersigned further agree(s) that this Agreement and the promise made herein constitute a covenant running with the land and shall be binding upon the undersigned and his heirs, successors, and assigns, and that this Agreement shall be filed for record in the office of the Whatcom County Auditor. Owner agrees that any sale or transfer of the above-described property will be conditioned on execution and filing of a duplicate copy of this outside utility agreement by the purchaser or transferee.

DATE _____

BY _____

DATE _____

BY _____

STATE OF WASHINGTON)
) ss.
COUNTY OF WHATCOM)

On this day personally appeared before me _____
_____, to me known to be the individual(s) described in and who executed the
within and foregoing instrument, and acknowledged that he/she/they signed the same as his/her/their free and
voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 200__.

Notary Public in and for the State of Washington residing
at: _____
My commission expires: _____

CITY OF BLAINE:

Dated: _____ By: _____
Gary R. Tomsic, City Manager

ATTEST:

Sheri Sanchez, City Clerk

APPROVED AS TO FORM:

PUBLIC WORKS APPROVAL:

Jonathan Sitkin, City Attorney

Stephen R. Banham, Public Works Director

STATE OF WASHINGTON)
) ss.
COUNTY OF WHATCOM)

On this day personally appeared before me, Gary R. Tomsic, City Manager, and Sheri Sanchez, City
Clerk, of the City of Blaine, the municipal corporation described in and that executed instrument to be the free
and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated
that they were authorized to execute said instrument on behalf of said corporation.

Given under my hand and official seal this _____ day of _____, 200__.

Notary Public in and for the State of Washington residing
at: _____
My Commission expires: _____