

ORDINANCE NO. 2013- 934

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, FORMING LOCAL IMPROVEMENT DISTRICT NO. 2013-01 FOR THE PURPOSE OF FINANCING A PORTION OF COSTS TO DESIGN AND CONSTRUCT INFRASTRUCTURE IMPROVEMENTS, INCLUDING WATER, SEWER, STREET LIGHTING, STORM WATER, SIDEWALKS, AND ROAD CONSTRUCTION IMPROVEMENTS ON 6TH STREET AND THE NEW CEDAR ROAD AS IDENTIFIED IN DOCUMENTS ON FILE AT THE CITY AND PREPARED BY THE CITY CONSULTING ENGINEERS, J-U-B ENGINEERS, INC., AND AS PROVIDED BY THE CITY TO THE UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION AND RELATED TO FINANCIAL ASSISTANCE AWARD NO. 07-01-06818; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, on August 1, 2012, at a regular Open Public Meeting, the City Council of the City of Deer Park, Washington, was presented with an "Agreement to Donate Land and/or Easements for City Right-of-Way" and "Unanimous Request for Formation of a Local Improvement District, City of Deer Park, WA" by individuals and entities who later formed and executed City of Deer Park Local Improvement District No. 2013-01 Amended Petition and submitted it to the City (hereinafter the "LID Petition"); and

WHEREAS, following August 1, 2012, the owners of real property, subject to the LID Petition, transferred property to the City by Dedication Deeds which property is necessary for construction of the project that is the subject of the LID Petition and the right-of-way was accepted by the City Council by passage of Ordinance No. 2013-925 on April 17, 2013; and

WHEREAS, the City Council and City staff have held numerous meetings and workshops with the LID area property owners and/or their representatives and the LID area property owners all executed the LID Petition and submitted the same to the City; and

WHEREAS, the City Council considered the LID Petition on November 6, 2013 at a regular Open Public Meeting of the City Council and by motion unanimously approved by the City Council,

accepted the LID Petition and directed the City Clerk/Treasurer to cause Notice of a Hearing to be scheduled to consider formation of City of Deer Park Local Improvement District No. 2013-01 beginning at 7:00 p.m. or as soon thereafter as the same may be held on December 18, 2013; and

WHEREAS, the Notice of Hearing, together with a copy of the LID Petition, was sent via U.S. Mail by the City Clerk/Treasurer on November 8, 2013 as required by RCW 35.43.125 and RCW 35.43.150 “. . . to the owners or reputed owners of all lots, tracts, and parcels of land or other property to be specially benefitted by the proposed improvement, as shown on the rolls of the county assessor, directed to the address thereon shown” (RCW 35.43.150); and

WHEREAS, on December 18, 2013, at the regular Meeting of the Deer Park City Council, a Public Hearing was held pursuant to the aforementioned Notice of Hearing; and

WHEREAS, following the Public Hearing, the City Council determined that passage of this Ordinance is in the best interests of the citizens of the City of Deer Park, Washington; now, therefore,

THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. That certain local improvement district to be known as “City of Deer Park Local Improvement District No. 2013-01” (the “LID”), as requested to be formed by the LID Petition of the owners of property to be specially benefitted by the Improvements as that local improvement district is more specifically described in Section 2 of this Ordinance should be and hereby is formed and established.

Section 2. The LID is formed for the purpose of financing a portion of the costs to design and construct infrastructure improvements, including water, sewer, street lighting, storm water, sidewalks, and road construction improvements on 6th Street and the new Cedar Road as identified in documents on file at the City and prepared by the City Consulting Engineers, J-U-B Engineers, Inc., and as provided by the City to the United States Department of

Commerce Economic Development Administration and related to Financial Assistance Award No. 07-01-06818 (hereinafter collectively referred to as the "LID Improvement Project"). The improvements comprising the LID Improvement Project are hereby ordered. The LID Improvement Project estimated cost of design and construction is approximately \$3,600,000. Exhibit "1" to this Ordinance, the LID Petition, including Exhibits "A," "B," and "C" thereto, are made a part of this Ordinance as if set forth in full herein. Exhibit "B" to the LID Petition contains the legal descriptions of the properties specially benefitted by the LID Improvement Project and to which the LID assessments will apply. The boundaries of the LID are depicted in Exhibit "C" to the LID Petition.

Section 3. RCW 35.43.100 provides that the decision of the City Council on passage of this Ordinance establishing the LID pursuant to the petition method shall be final and conclusive and specifically provides: "...No lawsuit whatsoever may be maintained challenging the jurisdiction or authority of the Council to proceed with the improvement and creating the local improvement district or in any way challenging the validity thereof or any proceedings relating thereto unless that lawsuit is served and filed no later than thirty days after the date of passage of the ordinance ordering the Improvement and creating the District..." Passage of this Ordinance orders the Improvement (the "LID Improvement Project") and creates the LID.

Section 4. There is hereby created a fund of the City to be known as the "Local Improvement District No. 2013-01 Fund" for the purpose of paying the cost of the LID Improvement Project provided for in this Ordinance and into which there shall be paid all of the assessments collected in the LID, as and when directed by the City LID assessment ordinance.

Section 5. The City intends and expects to: (i) issue one or more series of tax-exempt bonds and/or "qualified tax credit bonds" (within the meaning of Internal Revenue Code § 54A(d)(1)) (collectively, "Bonds") in an anticipated maximum principal amount of \$2,200,000 to finance a portion of the costs of the LID Improvement Project; (ii) make certain expenditures with respect to the LID Improvement Project before Bonds are issued to finance such expenditures; (iii) initially fund those expenditures from available money in the City's general fund; and (iv) reimburse such fund with Bond proceeds to the extent allowed under Treasury Regulation § 1.150-2 or Internal Revenue Code § 54A(d)(2)(D), as applicable.

Section 6. If any section, sentence, clause, or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 7. This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

APPROVED:



MAYOR ROBERT WHISMAN

ATTEST/AUTHENTICATED:



DEBY CRAGUN, CITY CLERK/TREASURER

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

BY  _____
CHARLES D. ZIMMERMAN

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.:

12/4/13
12/18/13
12/20/13
12/27/13
2013-934

SUMMARY OF ORDINANCE NO. 2013-934

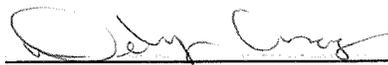
of the City of Deer Park, Washington

On the 18th day of December, 2013, the City Council of the City of Deer Park, Washington, passed Ordinance No. 2013-934. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, FORMING LOCAL IMPROVEMENT DISTRICT NO. 2013-01 FOR THE PURPOSE OF FINANCING A PORTION OF COSTS TO DESIGN AND CONSTRUCT INFRASTRUCTURE IMPROVEMENTS, INCLUDING WATER, SEWER, STREET LIGHTING, STORM WATER, SIDEWALKS, AND ROAD CONSTRUCTION IMPROVEMENTS ON 6TH STREET AND THE NEW CEDAR ROAD AS IDENTIFIED IN DOCUMENTS ON FILE AT THE CITY AND PREPARED BY THE CITY CONSULTING ENGINEERS, J-U-B ENGINEERS, INC., AND AS PROVIDED BY THE CITY TO THE UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION AND RELATED TO FINANCIAL ASSISTANCE AWARD NO. 07-01-06818; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 19th day of December, 2013.



CITY CLERK-TREASURER, DEBY CRAGUN

Filed for and return to:

DEBY CRAGUN, CITY CLERK/TREASURER
CITY OF DEER PARK
316 EAST CRAWFORD
P. O. BOX F
DEER PARK, WA 99006

The information contained in this boxed section is for recording purposes only pursuant to RCW 36.18 and RCW 65.04, and is not to be relied upon for any other purpose, and shall not affect the intent of or any warranty contained in the document itself.

Grantor(s): Deer Park Country Club, LLC, a Washington limited liability company; Choice Holdings, LLC, a Washington limited liability company; Reilly Family, LLC, a Washington limited liability company; Elmer C. Chilson; Barbara A. Chilson Living Trust; and DJD-ENT, LLC, a Washington limited liability company
Grantee(s): City of Deer Park, Washington, a Washington municipal corporation
Reference Number(s) of Documents Amended: N/A
Abbreviated Legal Description: Portions of Section 1, T 28 N, R 42 EWM, and Section 36, T 29 N, R 42 EWM, in the City of Deer Park, Spokane County, Washington
Legal Description: Attached as Exhibit "B"
Assessor's Parcel Number(s): 29364.0033, 29364.0032, 29364.0031, 29364.0030, 29364.0029, 29364.0028, 28012.0012, 28011.0005, 29364.0010, 28011.0083, 28011.0002, 28011.0003, 28011.0010, 28011.0081, 28011.0001, and 28011.0102

**CITY OF DEER PARK
LOCAL IMPROVEMENT DISTRICT NO. 2013-01
AMENDED PETITION**

The Undersigned, owners of the real property located within the City of Deer Park, WA ("City"), as identified below herein, hereby petition the City to form a Local Improvement District ("LID") for the purpose of financing a portion of the costs to design

{CDZ1110302.DOC;1/00003.400005/}10/10/2013
CITY OF DEER PARK LOCAL IMPROVEMENT DISTRICT NO. 2013-01 AMENDED PETITION
Page 1 of 14



and construct infrastructure improvements, including water, sewer, street lighting, storm water, sidewalks, and road construction improvements on 6th Street and the new Cedar Road as identified in documents on file at the City and prepared by the City Consulting Engineers, J-U-B Engineers, Inc. ("JUB") and as provided by the City to the United States Department of Commerce Economic Development Administration and related to Financial Assistance Award No. 07-01-06818 (hereinafter collectively referred to as the "LID Improvement Project").

This Amended Petition is a replacement for the Petition previously submitted to the City and accepted by the City Council on September 18, 2013. This Amended Petition is hereinafter referred to as the "Petition."

1. The Undersigned recognize the approximate estimated cost of the design and construction of the LID Improvement Project will be \$3,600,000. The Undersigned request the City pay for the cost of the LID Improvement Project improvements that are in excess of the amounts the Undersigned agree to pay as set forth below in this Petition. The Undersigned acknowledge that the City may pay for all or a part of the LID Improvement Project with federal or state grant funds, loans, including State Public Works Trust Fund Loans, bond funds, City General Fund monies, and money from any other sources.

2. The Undersigned previously submitted to the City an "Agreement to Donate Land and/or Easements for City Right-of-Way" and "Unanimous Request for Formation of a Local Improvement District, City of Deer Park, WA" which documents were considered by the City Council at a Regular Open Public Meeting on August 1, 2012.

3. The Undersigned have reviewed and agree with the action of the City Council as set forth in City Resolution No. 2013-003.

4. The Undersigned transferred by Dedication Deeds real property for purposes of creating the right-of-way necessary for the City to complete the LID Improvement Project and the City Council accepted the right-of-way by passage of City Ordinance No. 2013-925 on April 17, 2013.

5. The Undersigned have reviewed the proposed LID assessments for all of the properties that are petitioned to be a part of this LID and concur that the proposed

assessments as set forth in this Petition are fair, reasonable, and proportionate to the assessments of the other properties included within the LID.

6. The Undersigned agree that the fair market value of the Undersigned's respective properties, after completion of the LID Improvement Project, will exceed the current fair market value of the Undersigned's respective properties when added to the amount of the LID assessments agreed to be paid by the Undersigned with respect to each property as set forth below herein.

7. The Undersigned specifically waive obtaining an appraisal of the "before" and "after" fair market value of the properties that are proposed to be a part of the LID as the Undersigned have already agreed upon the amounts to be paid by the Undersigned with respect to each property that is a part of this LID Petition.

8. The Undersigned agree that the property owned by the Undersigned will be specially benefited by the improvements to be constructed pursuant to the LID Improvement Project in at least the amount of the proposed assessments as set forth in the table below for each property owned by the Undersigned.

9. The Undersigned propose the LID be formed and that the Undersigned be required to begin making annual payments on the respective LID assessments commencing at a point in time selected by the City, which time is no earlier than thirty (30) days following substantial completion of the LID Improvement Project. The Undersigned request that the assessment payments be amortized and be required to be made in equal annual principal payments amounts over a period of twenty (20) years. The Undersigned agree to pay interest on the principal balance of the LID assessments due with respect to each property (parcel) owned by the Undersigned at an interest rate to be established by the City Council, which interest rate may include an administrative fee charged by the City of up to one-half of one percent (.05%) and which interest rate, inclusive of the administrative fee of the City, shall not exceed five and one-half percent (5.5%) per annum on the balance due on the LID assessment assigned to each property (parcel) owned by the Undersigned until all of the LID assessment has been paid in full. The principal amount of the assessments for each property (parcel), are set forth in the table in Section 11 of this Petition.

10. The Undersigned used the formula the Undersigned agreed upon by and between the Undersigned and as set forth in the "Agreement to Donate Land and/or

Easements for City Right-of-Way" and "Unanimous Agreement of Determination of Relative Assessments for a Local Improvement District, City of Deer Park, WA" which documents were signed and submitted to the City by the Undersigned and were the subject of discussion at the Regular Open Public Meeting of the City Council on August 1, 2012, which method of proportioning the assessments is hereby made a part of this Petition. The revised updated calculations with respect to the assessments and the methods are set forth in Exhibit "A" to this Petition titled "Revised Related Assessments." These calculations have been adjusted upward to spread portions of the costs of financing, estimated capitalized interest costs, and pre-formation costs incurred by the City among the parcels on an equitable basis.

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11. The Undersigned agree to the following assessments with respect to the properties that are a part of this LID Petition:

<u>PROPERTY OWNER</u>	<u>SPOKANE COUNTY TAX PARCEL NUMBER</u>	<u>LID ASSESSMENT AMOUNT</u>
Deer Park Country Club, LLC	29364.0033	\$66,674
Deer Park Country Club, LLC	29364.0032	66,674
Deer Park Country Club, LLC	29364.0031	66,674
Deer Park Country Club, LLC	29364.0030	66,674
Deer Park Country Club, LLC	29364.0029	88,446
Deer Park Country Club, LLC	29364.0028	36,739
Deer Park Country Club, LLC	28012.0012	111,574
Deer Park Country Club, LLC	28011.0005	134,709
Choice Holding, LLC	29364.0010	89,806
Choice Holding, LLC	28011.0083	46,264
Choice Holding, LLC	28011.0002	136,070
Reilly Family, LLC	28011.0003	110,217
Reilly Family, LLC	28011.0010	74,839
Chilson	28011.0081	106,135
Chilson	28011.0001	104,774
DJD-ENT, LLC	28011.0102	54,428
TOTAL ASSESSMENTS		\$1,360,697

12. For purposes of the above table and Exhibit "A" to this Petition, the references to "Chilson" as a property owner shall mean "Elmer C. Chilson, spouse of Barbara A. Chilson and Barbara A. Chilson, Trustee, of the Barbara A. Chilson Living Trust" and the references to "DJD-ENT, LLC" shall mean the same as "DRDJ Vet."

13. The Undersigned agree that if any of the properties that are the subject of this LID Petition are hereafter sold in part or subdivided, that the City Council shall have the power to segregate the assessment with respect to any such property and that the City Council, as provided in RCW 35.44.410, may determine that it will not segregate the assessment on the occurrence of such event if the City Council determines that the security of the City lien for the assessment proposed to be segregated would be jeopardized as to reduce the security for any outstanding LID assessments related to that property. Because the assessments are stipulated assessments arrived at by calculations made by the Undersigned and not by the City, the City shall have the sole discretion and authority with respect to making segregation determinations. The sale of all of an entire parcel of property subject to an LID assessment shall not result in any acceleration of the LID payment schedule.

14. The properties that are a part of this LID Petition are identified in the Right-of-Way Exhibit Map prepared by JUB and dated 1/8/2013, a copy of which Exhibit Map is on file with the City and made a part herein.

15. The Undersigned represent 100% of the owners of property participating in the LID that is the subject of this Petition. The legal descriptions for the real properties that are subject to this LID Petition are set forth in Exhibit "B" which is attached to this Petition and made a part herein. The boundaries of the LID are depicted in Exhibit "C" which is attached to this Petition and made a part herein.

16. The Undersigned agree that this Petition is binding on the Undersigned and their respective successors and assigns and shall be recorded by the City and shall run with the lands described in Sections 11 and 15 of this Petition.

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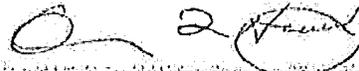
WARNING

EVERY PERSON WHO SIGNS THIS PETITION WITH ANY OTHER THAN HIS OR HER TRUE NAME, OR WHO KNOWINGLY SIGNS MORE THAN ONE OF THESE PETITIONS, OR SIGNS A PETITION SEEKING AN ELECTION WHEN HE OR SHE IS NOT A LEGAL VOTER, OR SIGNS A PETITION WHEN HE OR SHE IS OTHERWISE NOT QUALIFIED TO SIGN, OR WHO MAKES HEREIN ANY FALSE STATEMENT, SHALL BE GUILTY OF A MISDEMEANOR.

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THE UNDERSIGNED, Christopher Lee Heftel, certifies and confirms that he is authorized to execute this LID Petition on behalf of Deer Park Country Club, LLC, a Washington limited liability company, as its Managing Member and the signature below binds Deer Park Country Club, LLC with respect to each of the parcels owned by Deer Park Country Club, LLC as identified above herein.

SIGNED THIS 31 day of October, 2013.



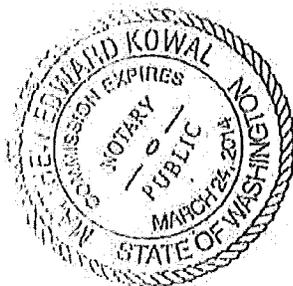
Christopher Lee Heftel, Managing Member,
Deer Park Country Club, LLC

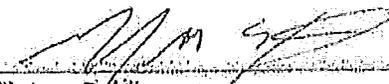
STATE OF WASHINGTON

County of Snohomish) ss

I certify that I know or have satisfactory evidence that Christopher Lee Heftel is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Managing Member of Deer Park Country Club, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

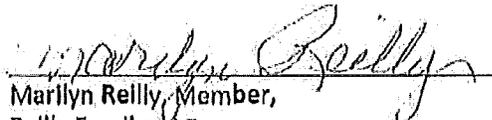
Dated: 31 October 2013




Notary Public
Print Name Matthew Kowal
My commission expires March 24, 2014

THE UNDERSIGNED, Marilyn Reilly, certifies and confirms that she is authorized to execute this LID Petition on behalf of Reilly Family, LLC, a Washington limited liability company, as a Member of Reilly Family, LLC, and the signature below binds Reilly Family, LLC with respect to each of the parcels owned by Reilly Family, LLC as identified above herein.

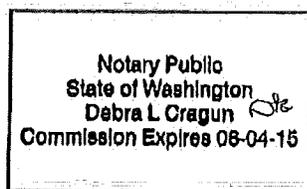
SIGNED THIS 6th day of November, 2013.

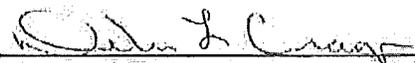

Marilyn Reilly, Member,
Reilly Family, LLC

STATE OF WASHINGTON)
County of Spokane) ss

I certify that I know or have satisfactory evidence that Marilyn Reilly is the person who appeared before me, and said person acknowledged that she signed this Instrument, on oath stated that she was authorized to execute the Instrument and acknowledged it as a Member of Reilly Family, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the Instrument.

Dated: 06 November 2013




Notary Public
Print Name Debra L. Cragun
My commission expires 08-04-2015

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STATE OF WASHINGTON)
)
) ss.
County of Snohomish)

I certify that I know or have satisfactory evidence that Barbara A. Chilson is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Trustee of the Barbara A. Chilson Living Trust, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 11/04/2013



Larry D. Everett
Notary Public
Print Name LARRY D. EVERETT
My commission expires 05/19/2015

THE UNDERSIGNED, Dennis Koesel, certifies and confirms that he is authorized to execute this LID Petition on behalf of DJD-ENT, LLC, a Washington limited liability company, as the Managing Member, and the signature below binds DJD-ENT, LLC with respect to the parcel owned by DJD-ENT, LLC as identified above herein.

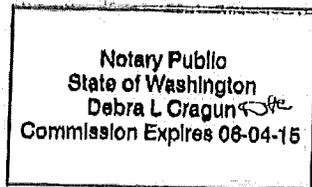
SIGNED THIS 31 day of October, 2013;

Dennis Koesel
Dennis Koesel, Managing Member,
DJD-ENT, LLC

STATE OF WASHINGTON)
County of Spokane) ss

I certify that I know or have satisfactory evidence that Dennis Koesel is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Managing Member of DJD-ENT, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 31 October 2013



Debra L. Cragun
Notary Public
Print Name Debra L. Cragun
My commission expires 04 June 2015

REVISED RELATIVE ASSESSMENTS - FIGURES BASED ON ROW SURVEY DATA, ADDITION OF 29364.0028 AS OF MAY 25, 2013

Est ROW	Gross acres to Donate	Adj Gross acreage		Net Acreage		Gross Frontage		Net Frontage		AVERAGE
		Gross AC	%	or net AC	%	LF	%	LF	%	
DPCC										
29364.0033	9.77	0.21	9.56	6.4%	4.78	4.7%	333	333	4.6%	1,200,000
29364.0032	9.77	0.18	9.59	6.4%	4.79	4.7%	333	333	4.9%	58,714
29364.0031	9.77	0.15	9.62	6.5%	4.81	4.7%	333	333	4.9%	58,815
29364.0030	9.77	0.12	9.65	6.5%	4.82	4.8%	333	333	4.9%	58,920
29364.0029	14.77	0.45	14.28	9.6%	7.14	7.0%	333	333	4.9%	59,024
29364.0028	13.66	0.42	13.24	8.9%	1.84	1.8%	0	363	5.0%	77,507
28012.0012	9.51	0.39	9.12	6.1%	9.12	9.0%	694	0	2.7%	32,143
28011.0005	11.80	0.76	11.04	7.4%	11.04	10.9%	948	694	9.5%	98,090
Total DPCC	88.82		86.09	57.3%	48.34	47.7%	3,336	3,136	43.0%	561,936
Choice										
29364.0010	6.99	0.30	6.69	4.5%	6.69	6.6%	720	520	7.1%	79,752
28011.0083	6.64	0.05	6.50	4.4%	6.60	6.5%	100	100	1.4%	40,413
28011.0002	10.08	0.92	9.16	5.2%	6.10	6.0%	1,264	954	13.1%	119,799
Total Choice	23.71		22.44	15.1%	19.39	19.1%	2,084	1,574	21.6%	239,954
Chilson										
28011.0001	9.65	0.81	8.85	5.9%	8.85	8.7%	635	635	8.7%	92,230
28011.0081	9.55	0.75	8.80	5.9%	8.80	8.7%	658	658	9.0%	93,784
Total Chilson	19.20		17.64	11.3%	17.64	17.4%	1,293	1,293	17.7%	186,014
Reilly										
28011.0003	10.00	0.46	9.54	5.4%	9.54	9.4%	658	658	9.0%	97,467
28011.0010	9.55	0.53	9.03	6.1%	4.51	4.4%	623	313	4.3%	66,220
Total Reilly	19.55		18.57	12.5%	14.06	13.9%	1,281	971	13.3%	163,587
DRDJ Vet										
28011.0082	4.60	0.62	3.98	2.7%	1.99	2.0%	623	313	4.0%	48,500
TOTALS	155.88	0.62	148.72	100.0%	101.41	100.0%	8,616	7,286	100.0%	1,206,000

24 11111111

EXHIBIT "B"

The legal descriptions for the properties subject to the City of Deer Park Local Improvement District No. 2013-01 Petition are as follows with respect to each property owner. All of the legal descriptions are hereby modified to exclude any portions of the properties described below in this Exhibit "B" which have been deeded or dedicated to the City of Deer Park, Washington for right of way purposes.

1. DEER PARK COUNTRY CLUB, LLC LEGAL DESCRIPTION

THAT PORTION OF THE NORTH HALF OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 42 EAST, W.M., LYING NORTHWESTERLY OF AIRPORT ROAD AND EAST OF THE CENTER LINE OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 42 EAST, W.M. EXTENDED SOUTH;

EXCEPT THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 42 EAST, W.M. LYING NORTHWESTERLY OF AIRPORT ROAD AND EAST OF THE CENTER LINE OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 42 EAST, W.M. EXTENDED SOUTH;

SITUATE IN THE CITY OF DEER PARK, COUNTY OF SPOKANE, STATE OF WASHINGTON;

AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER LYING NORTH OF AIRPORT ROAD, ALL IN SECTION 36, TOWNSHIP 29 NORTH, RANGE 42 EWM;

EXCEPTING THEREFROM ANY PORTION LYING WITHIN CEDAR ROAD;

FURTHER EXCEPTING THEREFROM THOSE PORTIONS CONVEYED TO THE CITY OF DEER PARK BY DEED RECORDED SEPTEMBER 13, 1983 UNDER AUDITOR'S NOS. 8301920213, 8301930215, 839130216, 8309130219 AND 8309130221;

SITUATE IN THE CITY OF DEER PARK, COUNTY OF SPOKANE, STATE OF WASHINGTON.

APN: 28011.0005, 28012.0012, 29364.0028, 29364.0029, 29364.0030, 29364.0031, 29364.0032 and 29364.0033

**2. CHOICE HOLDINGS, LLC
LEGAL DESCRIPTION**

PARCEL A

THAT PORTION OF THE E1/2 OF GOVERNMENT LOT 2, LYING SOUTHEASTERLY OF DEER PARK AIRPORT ROAD, IN SECTION 1, TOWNSHIP 28 NORTH, RANGE 42 EAST, W.M.;

EXCEPT THE NORTHERLY 30 FEET, MEASURED AT RIGHT ANGLES, FOR CITY STREET RIGHT OF WAY PURPOSES;

AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE INTERSECTION OF THE WEST LINE OF THE E1/2 OF SAID GOVERNMENT LOT 2 AND THE SOUTHEASTERLY RIGHT OF WAY LINE OF DEER PARK AIRPORT ROAD, A COUNTY ROAD 100.00 FEET IN WIDTH;

THENCE NORTH 45°10'55" EAST ALONG SAID RIGHT OF WAY 10.89 FEET; THENCE LEAVING THE SAID RIGHT OF WAY SOUTH 24°11'10" EAST, 78.23 FEET TO THE POINT OF BEGINNING; SAID POINT OF BEGINNING IS ALSO THE CENTER OF A CIRCLE WITH A RADIUS OF 10.00 FEET, THE PERIMETER OF WHICH DEFINES THE PROPERTY LINE.

SITUATE IN THE CITY OF DEER PARK, COUNTY OF SPOKANE, STATE OF WASHINGTON.

PARCEL B

THE W1/2 OF GOVERNMENT LOT 1 OF THE NE1/4 OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 42 EAST, W.M.

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

PARCEL C

THAT PORTION OF THE SE1/4 OF SECTION 36, TOWNSHIP 29 NORTH,
RANGE 42 EAST, W.M., LYING SOUTHEASTERLY OF DEER PARK-AIRPORT
ROAD #1833;

EXCEPT THE EAST 30 FEET THEREOF FOR CEDAR ROAD;

AND EXCEPT THE SOUTH 35 FEET THEREOF.

SITUATE IN THE CITY OF DEER PARK, COUNTY OF SPOKANE, STATE OF
WASHINGTON.

APN: 28011.0083
APN: 28011.0002
APN: 29364.0010

**3. REILLY FAMILY, LLC
LEGAL DESCRIPTION**

THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF
SECTION 1, TOWNSHIP 28 NORTH, RANGE 42 EAST OF THE WILLAMETTE
MERIDIAN;

EXCEPTING THEREFROM THE SOUTH 35 FEET FOR THE DEER PARK-
MILAN CRP NO. 1273;

SITUATE IN THE CITY DEER PARK, COUNTY OF SPOKANE, STATE OF
WASHINGTON.

APN: 28011.0003
APN: 28011.0010

**4. BARBARA A. CHILSON LIVING TRUST
LEGAL DESCRIPTION**

THE EAST HALF OF GOV'T LOT 1; AND THE NORTH HALF OF THE EAST
HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF
SECTION 1, TOWNSHIP 28 NORTH, RANGE 42 EAST, W.M., IN THE CITY OF
DEER PARK, SPOKANE COUNTY, WASHINGTON;

EXCEPT THE EAST 30 FEET THEREOF FOR CEDAR ROAD,

APN: 28011.0001
APN: 28011.0081

**5. DJD-ENT, LLC
LEGAL DESCRIPTION**

LOT 2 OF CITY OF DEER PARK SHORT PLAT, SP-2013-01, RECORDED
AUGUST 15, 2013 IN BOOK 28 OF SHORT PLATS AT PAGES 27 AND 28,
SPOKANE COUNTY AUDITOR FILE NO. 8239063.

APN: 28011.0102

