

**CITY OF WEST RICHLAND
RESOLUTION NO. 15-17**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
AUTHORIZING THE MAYOR TO SIGN AND EXECUTE A
TRANSPORTATION IMPACT FEE MITIGATION AGREEMENT WITH
HEYDEN EMPIRE LLC**

WHEREAS, the City Council has adopted Ordinance No. 12-92 codified as West Richland Municipal Code Chapter 16.14 to insure that impacts on the City's transportation system will be mitigated as development occurs so that the citizens of the City, both those present and those moving into the City, will continue to enjoy the high quality of life and living environment which currently exists; and

WHEREAS, the expansion and improvement of the City's transportation system are necessary to meet demands prompted by development; and

WHEREAS, the City Council has adopted Ordinance 02-10, establishing and implementing requirements and formulas for use in mitigating development impacts on the City's transportation system; and

WHEREAS, Ordinance 02-10, section 7, Credits, establishes credits against the Developer's Transportation Impact Fee for the value of dedicated land and constructed roadway improvements that are included in the City's Six-Year Transportation Improvement Plan and or serve the goals and objectives of the Transportation Element of the Capital Improvement Plan; and

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF WEST RICHLAND, WASHINGTON, does hereby resolve as follows:

Section 1. The City Council of West Richland, Washington authorizes the Mayor to sign and execute the Transportation Impact Fee Mitigation Agreement as shown in exhibit 'A' for the Kennedy Road Roasters Coffee.


BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 8th day of August, 2017.

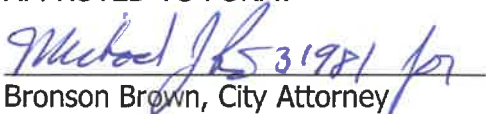


Brent Gerry, Mayor

ATTEST:


Julie Richardson, City Clerk

APPROVED TO FORM:


Bronson Brown, City Attorney

**TRANSPORTATION IMPACT FEE
MITIGATION AGREEMENT
Kennedy Road Roasters Coffee
Parcel #1-1798-400-0005-003**

THIS AGREEMENT is entered into this 8 day of August, 2017, by and between the **City of West Richland**, Hereinafter referred to as the "City", and **HEYDEN EMPIRE LLC dba ROASTERS COFFEE**, referred to as the "Owners" of the Kennedy Road Roasters Coffee.

Under the terms of this agreement, the parties do hereby agree as follows:

1) The Developer shall receive a credit against the developments Transportation Impact Fee, as defined by Ordinance 02-10, or as amended by Council for the following items;

a) Before issuance of certificate of occupancy for the Kennedy Road Roasters Coffee, the Owner shall design, widen Kennedy Road and construct a 5' wide concrete sidewalk along the Kennedy Road frontage of parcel # 1-1798-400-0005-003.


2) The City and the Owner agrees that the total credit value for the aforementioned items in section 1 is estimated to be at least \$14,077.35.

3) The City shall issue the Owner a \$14,077.35 credit against the Transportation Impact Fee for the Kennedy Road Roasters hence the Transportation Impact Fee shall be considered fully mitigated with no balance remaining for this commercial development once the items in section 1 are completed by the Owner.

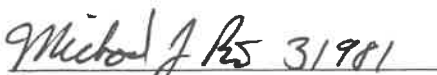
City of West Richland


Brent Gerry, Mayor

ATTEST:


Julie Richardson, City Clerk

APPROVE TO FORM:


Bronson Brown, City Attorney
Mike Rio

HEYDEN EMPIRE LLC



Wes Heyden, Owner

STATE OF WA)
) :SS
County of Benton)

On this day personally appeared before me WES HEYDEN, to me known to be the owner of HEYDEN EMPIRE, LLC, Washington State limited liability company, dba Roasters Coffee that executed the foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument on behalf of said limited liability company.

GIVEN under my hand and official seal this 27 day of July, 2017

NOTARY PUBLIC in and for the State of Washington
residing at Richland, WA
My Commission Expires: 12/08/2018

