

**ORDINANCE NO. 2018-6**

**AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, AUTHORIZATION FOR THE ACQUISITION OF REAL PROPERTY AND EXECUTION OF A LOCAL AGENCY FINANCING LEASE AND RELATED DOCUMENTATION RELATING TO THE ACQUISITION OF SAID REAL PROPERTY.**

**WHEREAS**, the Town of Eatonville (the “Local Agency”) has executed a Notice of Intent to the Office of State Treasurer, in the form attached hereto as Annex 1 (the “NOI”), in relation to the acquisition of and the financing of the acquisition, improvement and betterment (collectively, the “acquisition”) of the Property, as defined below, under the provisions of RCW ch 39.94; and

**WHEREAS**, it is deemed necessary and advisable by the Council of the Local Agency that the Local Agency acquire the real property identified on Annex 1 attached hereto (“Property”); and

**WHEREAS**, it is deemed necessary and advisable by the Council of the Local Agency that the Local Agency enter into a Local Agency Site Lease with the Washington Finance Officers Association in the form attached hereto as Annex 2 to facilitate the financing of the Property;

**WHEREAS**, it is deemed necessary and advisable by the Council of the Local Agency that the Local Agency enter into a Local Agency Financing Lease with the Office of the State Treasurer, in the form attached hereto as Annex 3 (the “Local Agency Financing Lease”), in an amount not to exceed \$140,000, plus related financing costs, in order to acquire the Property, and finance the acquisition of the Property;

**WHEREAS**, the Local Agency will undertake to acquire and/or improve the Property on behalf of and as agent of the Washington Finance Officers Association (the “Corporation”) pursuant to the terms of the Local Agency Financing Lease, and in accordance with all applicable purchasing statutes and regulations applicable to the Local Agency; and

**WHEREAS**, the Local Agency desires to appoint the individuals set forth in Annex 4 as the representatives of the Local Agency in connection with the acquisition of the Property and execution of the Local Agency Financing Lease (each an “Authorized Agency Representative”); now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:**

**Section 1.** The individuals holding the offices or positions set forth in Annex 4 are each hereby appointed as a representative of the Local Agency in connection with the acquisition of the Property and execution of the Local Agency Financing Lease and all other related documents. A minimum of one Authorized Agency Representatives shall be required to execute any one document in order for it to be considered duly executed on behalf of the Local Agency.

**Section 2.** The form of the Local Agency Site Lease attached hereto as Annex 2 is hereby approved and the Authorized Agency Representatives are hereby authorized and directed to execute and deliver the Local Agency Site Lease, in substantially the form attached hereto with

such changes as may be approved by the Authorized Representatives, to facilitate the acquisition and/or improvement of the Property and financing of the acquisition of the property.

**Section 3.** The form of the Local Agency Financing Lease attached hereto as Annex 3 is hereby approved and the Authorized Agency Representatives are hereby authorized and directed to execute and deliver the Local Agency Financing Lease, in an amount not to exceed \$140,000, plus related financing costs, and in substantially the form attached hereto with such changes as may be approved by the Authorized Representatives, for the acquisition of the property and financing of the acquisition of the Property.

**Section 4.** The Local Agency hereby authorizes the acquisition of the property as agent of the Corporation in accordance with the terms and provisions of the Local Agency Financing Lease.

**Section 5.** The Authorized Representatives are hereby authorized to execute and deliver to the Office of State Treasurer all other documents, agreements and certificates, and to take all other action, which they deem necessary or appropriate in connection with the financing of the property, including, but not limited to, any amendment to the NOI, any tax certificate and any agreements relating to initial and ongoing disclosure in connection with the offering of securities related to the financing.

**Section 6.** This ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law.

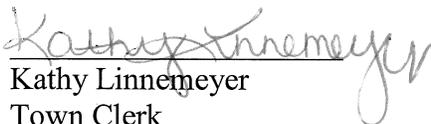
1ST READING: 07/09/2018

2<sup>ND</sup> READING: Waived

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this 9<sup>th</sup> day of July, 2018.

  
\_\_\_\_\_  
Mike Schaub  
Mayor

ATTEST:

  
\_\_\_\_\_  
Kathy Linnemeyer  
Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Gregory A. Jacoby  
Town Attorney



Auditor's Office

**Julie Anderson**  
*Pierce County Auditor*

**Cindy Hartman**  
*Deputy Auditor*

**Georgia Cookson**  
*Assistant to the Auditor*

**Mary Schmidtke**  
*Fiscal Manager*

**Michael Rooney**  
*Elections Manager*

**Damon Townsend**  
*Elections Supervisor*

**Casey Kaul**  
*Recording/Licensing Supervisor*

**Brian Boman**  
*Animal Control Supervisor*

**INCUMBENCY CERTIFICATE**

I, Julie Anderson, Pierce County Auditor, do hereby certify that the following are the names and terms of the elected officials for the Town of Eatonville.

POSITION	NAME	TERM
Mayor	Mike Schaub	2013-2021
Council Pos. 1	Jennifer Hannah	2017-2021
Council Pos. 2	Bob Walter	2017-2021
Council Pos. 3	Robert G. Thomas	2015-2019
Council Pos. 4	William Dunn	2015-2019
Council Pos. 5	James Schrimpsheer	2015-2019

DATED as of this 3rd day of July, 2018

Julie Anderson  
Pierce County Auditor

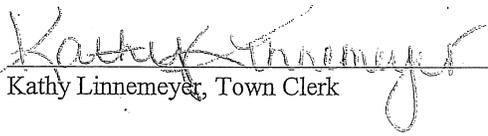


## Certificate of Authorizing Resolution/Ordinance

I, the undersigned, Clerk/Secretary of the Town of Eatonville (the "Local Agency"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. 2018-6 (herein called the "Ordinance") is a true and correct copy of a Ordinance of the Local Agency passed at a regular meeting of the Eatonville Town Council held on the 9<sup>th</sup> day of July, 2018, and duly recorded in my office;
2. That said meeting was duly convened and held in all respects in accordance with law; and to the extent required by law, due and proper notice of such meeting was given; that a quorum of the Council was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the Ordinance;
3. That all other requirements and proceedings incident to the proper adoption/passage of the Resolution/Ordinance have been duly fulfilled, carried out and otherwise observed;
4. That the Resolution/Ordinance remains in full force and effect and has not been amended, repealed or superseded; and
5. That I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand as of this 9<sup>th</sup> day of July, 2018.

  
Kathy Linnemeyer, Town Clerk



## Certificate Designating Authorized Agency Representatives

I, Mike Schaub, Mayor of Town of Eatonville (the "Local Agency"), hereby certify that, as of the date hereof, pursuant to Ordinance No. 2018-6, the following individuals are each an "Authorized Agency Representative," as indicated by the title appended to each signature, that the following individuals are duly authorized to execute and deliver the Local Agency Financing Agreement to which this Certificate is attached as Exhibit C, and all documentation in connection therewith, including but not limited to the Personal Property Certificate(s) attached thereto as Exhibit B, that the signatures set forth below are the true and genuine signatures of said Authorized Agency Representatives and that pursuant to such Ordinance, 2018-6 one of the following signature is required on each of the aforementioned documents in order to consider such documents executed on behalf of the Local Agency:

M.S.L.L.

Mike Schaub, Mayor  
(signature)

Dated this 5th day of July, 2018.

M.S.L.L.

Mayor  
Town of Eatonville

SUBSCRIBED AND SWORN TO before me this 5<sup>th</sup> day of July, 2018.



By: Kerri L. Murphy  
NOTARY PUBLIC in and for the State of  
Washington, residing at:

Eatonville  
Printed Name: Kerri L. Murphy  
My Commission Expires: 01.31.19



Auditor's Office

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Pierce County Auditor

Cindy Hartman  
Deputy Auditor

Georgia Cookson  
Assistant to the Auditor

Mary Schmidtke  
Fiscal Manager

Michael Rooney  
Elections Manager

Damon Townsend  
Elections Supervisor

Casey Kaul  
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Supervisor

Brian Boman  
Animal Control  
Supervisor

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Council Pos. 3	Robert G. Thomas	2015-2019
Council Pos. 4	William Dunn	2015-2019
Council Pos. 5	James Schrimpsher	2015-2019

DATED as of this 3rd day of July, 2018

Julie Anderson  
Pierce County Auditor



**MCGAVICK  
GRAVES**  
ATTORNEYS AT LAW  
A Professional Services Corporation

[www.mcgavickgraves.com](http://www.mcgavickgraves.com)

**Gregory A. Jacoby**  
[gaj@mcgavick.com](mailto:gaj@mcgavick.com)

1102 Broadway, Suite 500  
Tacoma, Washington 98402-3534

Telephone (253) 627-1181  
Fax (253) 627-2247

Lori M. Bemis  
Cameron J. Fleury  
Brian L. Green  
Gregory A. Jacoby  
Dave J. Luxenberg  
Chris D. Maharry  
Julie M. Pendleton  
Jesse D. Rodman  
Barbara Jo Sylvester  
Chelsea E. Uhlman

Of Counsel  
Robert L. Beale  
William P. Bergsten  
Judge Rosanne Buckner, Ret.  
James W. Feltus  
Henry Haas

Ray Graves (1924-2017)  
Leo A. McGavick (1904-1994)

July 10, 2018

Jason Richter, Deputy State Treasurer  
Lease Purchase Program  
Office of the State Treasurer  
P.O. Box 40200  
Olympia, Washington 98504-0200

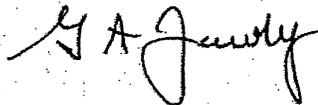
Re: State of Washington Certificates of Participation, Series 2018C

Dear Mr. Richter:

We represent the Town of Eatonville with respect to the above-referenced financing (the "Certificates"). In connection with the execution and delivery by the Town of Eatonville of the Local Agency Financing Lease, enclosed herewith is an executed copy of our opinion letter dated as of the date of initial delivery of the Certificates (the "Dated Date"). You are to hold the opinion letter in escrow until the Dated Date, at which time, unless you are otherwise instructed by me in writing, the opinion letter may be considered released and shall become effective.

Please contact me with any question.

Very truly yours,



Gregory A. Jacoby

Docs\E\31944\Correspondence\  
LocalCounselEscrow 071018

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Henry Haas

Ray Graves (1924-2017)  
Leo A. McGavick (1904-1994)

August 30, 2018

Town of Eatonville  
PO Box 309  
Eatonville, WA 98328

State of Washington  
Office of the State Treasurer  
P.O. Box 40200  
Olympia, Washington 98504-0200

Washington Finance Officers Association  
2601 Fourth Avenue, Suite 800  
Seattle, Washington 98121-1280

Re: State of Washington Certificates of Participation, Series 2018C (the "Certificates")

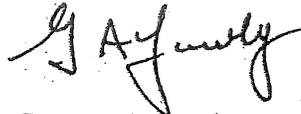
Ladies and Gentlemen:

We have acted as counsel to the Town of Eatonville (the "Local Agency") in connection with the execution and delivery by the Local Agency of (i) the Local Agency Site Lease, dated as of the date of initial delivery of the Certificates (the "Local Agency Site Lease"), by and between the Washington Finance Officers Association (the "Corporation") and the Local Agency and (ii) the Local Agency Financing Lease, dated as of the date of initial delivery of the Certificates (the "Local Agency Financing Lease") by and between the state of Washington (the "State") and the Local Agency. As such counsel, I am of the following opinions:

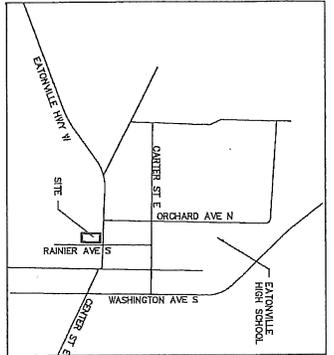
1. Ordinance number 2018-6, approving the execution and delivery of the Local Agency Site Lease and the Local Agency Financing Lease, was duly passed by the governing body of the Local Agency on July 9, 2018 at a meeting of such governing body duly called and held in conformity with the law.
2. The Local Agency Site Lease and the Local Agency Financing Lease have been duly authorized, executed and delivered and, assuming the due authorization, execution and delivery by the other parties thereto, constitute legal, valid and binding obligations of the Local Agency, enforceable in accordance with their terms, subject only to bankruptcy, insolvency, moratorium, arrangement, reorganization and similar laws affecting creditors' rights, applicable equitable principles and the application of judicial discretion in appropriate cases.

We understand that agency rent payments to be made by the Local Agency under the Local Agency Financing Lease will constitute a portion of the source of payment and security for base rent payments to be made by the State to the Corporation under a Master Financing Lease between the State and the Corporation and that certificated interests in such base rent payments will be offered to purchasers thereof by means of an official statement prepared by the State. We have neither reviewed nor participated in the preparation of such official statement and express no opinion regarding the adequacy or accuracy (under federal securities laws or otherwise) of any information presented therein.

Very truly yours,



Gregory A. Jacoby



VICINITY MAP  
SCALE 1"=1000'

**ORIGINAL LEGAL DESCRIPTIONS**

PER CHICAGO TITLE INSURANCE COMPANY ORDER NO. 004370973, DATED JULY 3, 2012  
 LOTS 1 THROUGH 5, INCLUSIVE, BLOCK 28, MAP OF TOWN OF EATONVILLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 PER PIERCE COUNTY ASSESSOR'S RECORDS

LOT A, PARCEL NO. 3605002160  
 LOTS 1 AND 2, BLOCK 28 OF TOWN OF EATONVILLE AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 LOT B, PARCEL NO. 3605002170  
 LOT 3, BLOCK 28 OF TOWN OF EATONVILLE AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 LOT C, PARCEL NO. 3605002180  
 LOTS 4 AND 5, BLOCK 28 OF TOWN OF EATONVILLE AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.

**REVISED LEGAL DESCRIPTIONS**

REVISED PARCEL A (NO CHANGE)  
 LOTS 1 AND 2, BLOCK 28 OF TOWN OF EATONVILLE AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 REVISED PARCEL B  
 LOT 3, BLOCK 28 OF TOWN OF EATONVILLE AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 TOGETHER WITH THE NORTH 31.79 FEET OF LOT 4, BLOCK 28 OF TOWN OF EATONVILLE AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 REVISED PARCEL C  
 LOTS 4 AND 5, BLOCK 28 OF TOWN OF EATONVILLE AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON.  
 EXCEPT THE NORTH 31.79 FEET OF SAID LOT 4.

**ACKNOWLEDGMENTS**

THE UNDERSIGNED AGREE THAT THE BOUNDARY LINE ADJUSTMENT HEREIN IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS.

TOWN OF EATONVILLE, WA

BY: *Ray Harper*



STATE OF Washington, SS  
 COUNTY OF Pierce

BY ITS PROPER OFFICERS THIS 9<sup>th</sup> DAY OF November 2012  
 ON THE DAY AND YEAR FIRST ABOVE WRITTEN, BEFORE ME PERSONALLY APPEARED  
*Ray Harper (Mayor)*

TO ME, NOTARY TO BE THE EXECUTIVE WITHIN AND FOREGOING INSTRUMENT, AND I ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID COOPERATORS FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT SAID INSTRUMENT WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT.  
 IN WITNESS WHEREOF, I HAVE HEREON SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF Washington  
 RESIDING AT *Eatonville*

**RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT PIERCE COUNTY, WASHINGTON**

A PORTION OF THE SE 1/4 OF THE SW 1/4 OF SEC. 14, T11N, 18 W, RGE. 04 E, OF THE W.M., TOWN OF EATONVILLE, PIERCE COUNTY, WASHINGTON

ORIGINAL TRACTS, ASSESSORS PARCEL NUMBER'S 3605002160, 3605002170 & 3605002180

THIS BOUNDARY LINE ADJUSTMENT IS NOT A PLAT, BEARIT, OR SUBDIVISION.

APPROVAL OF THE BOUNDARY LINE ADJUSTMENT IS NOT A GUARANTEE THAT THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN COMPLIANCE WITH RCW 4A.05.010 AND 4A.05.020 WAC, AT THE REQUEST OF THE TOWN OF EATONVILLE, PIERCE COUNTY, WASHINGTON.

**BASIS OF BEARING**

AND AS PER STATE PLANE COORDINATE SYSTEM, WASHINGTON STATE PLANE COORDINATE CONTROL POINT NO. 332  
 POINT NO. 332  
 UNDER 643174.6556  
 POINT NO. 353  
 AT THE INTERSECTION OF ARROSEBUSH ST E W/ WASHINGTON AVE S.  
 POINT NO. 353  
 UNDER 643598.8883  
 AT THE INTERSECTION WITH HIGHWAY 101  
 ON FINCH-CREEK RD 180' WEST OF THE CENTERLINE OF WASHINGTON AVE  
 A LINE BETWEEN THE TWO POINT MONUMENTS BEARS NORTH 02°30' WEST

**EQUIPMENT AND PROCEDURE**

2" TOTAL STATION USING STANAGOD PERM THAVERSE METHOD FOR CONTROL AND STAKING.

**REFERENCES**

1. PIERCE COUNTY RECORD OF SURVEY RECORDED UNDER APL 20070159008  
 2. MAP OF TOWN OF EATONVILLE ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 41, RECORDS OF PIERCE COUNTY AUDITOR

**ORIGINAL PARCEL AREAS**

LOT A PARCEL NO. 3605002160. 12,016 SQ.F.T.  
 LOT B PARCEL NO. 3605002170. 6,008 SQ.F.T.  
 LOT C PARCEL NO. 3605002180. 12,017 SQ.F.T.  
 TOTAL LOT AREA. 30,041 SQ.F.T.

**REVISED PARCEL AREAS**

REVISED LOT A. 12,016 SQ.F.T.  
 REVISED LOT B. 9,828 SQ.F.T.  
 REVISED LOT C. 9,197 SQ.F.T.  
 TOTAL LOT AREA. 30,041 SQ.F.T.

**UTILITIES**

SEWER TOWN OF EATONVILLE  
 WATER TOWN OF EATONVILLE  
 POWER SHOP WINDFALL

PREPARED FOR: TOWN OF EATONVILLE  
 201 CENTER STREET  
 EATONVILLE, WA 98328

**COUNTY ASSESSOR/TREASURER**

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HEREON, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE HAVE BEEN FULLY PAID AND DISCHARGED.

DATE: *11-16-12*

DEPUTY ASSESSOR/TREASURER: *W.A.*

REVIEWED FOR: SECRETARY: *W.A.*

**AUDITOR'S CERTIFICATE**

FILED-FEE RECEIVED THIS 12 DAY OF November 2012  
 AT THE REQUEST OF *3:12 P.M.*  
 UNDER AUDITOR'S FEE NO. 2012/11/16/5002 TOGETHER WITH DEED OF CONVEYANCE RECORDED BY 143.00  
 UNDER AUDITOR'S FEE NO. *11-5-12*

TOWN ADMINISTRATOR: *11-5-12*

TOWN PLANNER: *11/5/12*

TOWN CLERK: *11-5-12*

MAYOR: *11-6-12*

FIRE MARSHAL: *11-6-12*

DEPUTY MARSHAL: *11-6-12*

THIS SURVEY COMPILES WITH ALL STANDARDS AND GUIDELINES OF THE SURVEY RECORDBING ACT CHAPTER 56.09 RCW AND 352-130 WAC.

**SURVEYOR'S CERTIFICATE**

I, DAVID C. TOLLANSBERG, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF WASHINGTON, HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN COMPLIANCE WITH RCW 4A.05.010 AND 4A.05.020 WAC, AT THE REQUEST OF THE TOWN OF EATONVILLE, PIERCE COUNTY, WASHINGTON.

DATE: *11-16-12*  
 PLAT NO. 14181



SHEET 1 OF 2

DATE: *11/5/12*

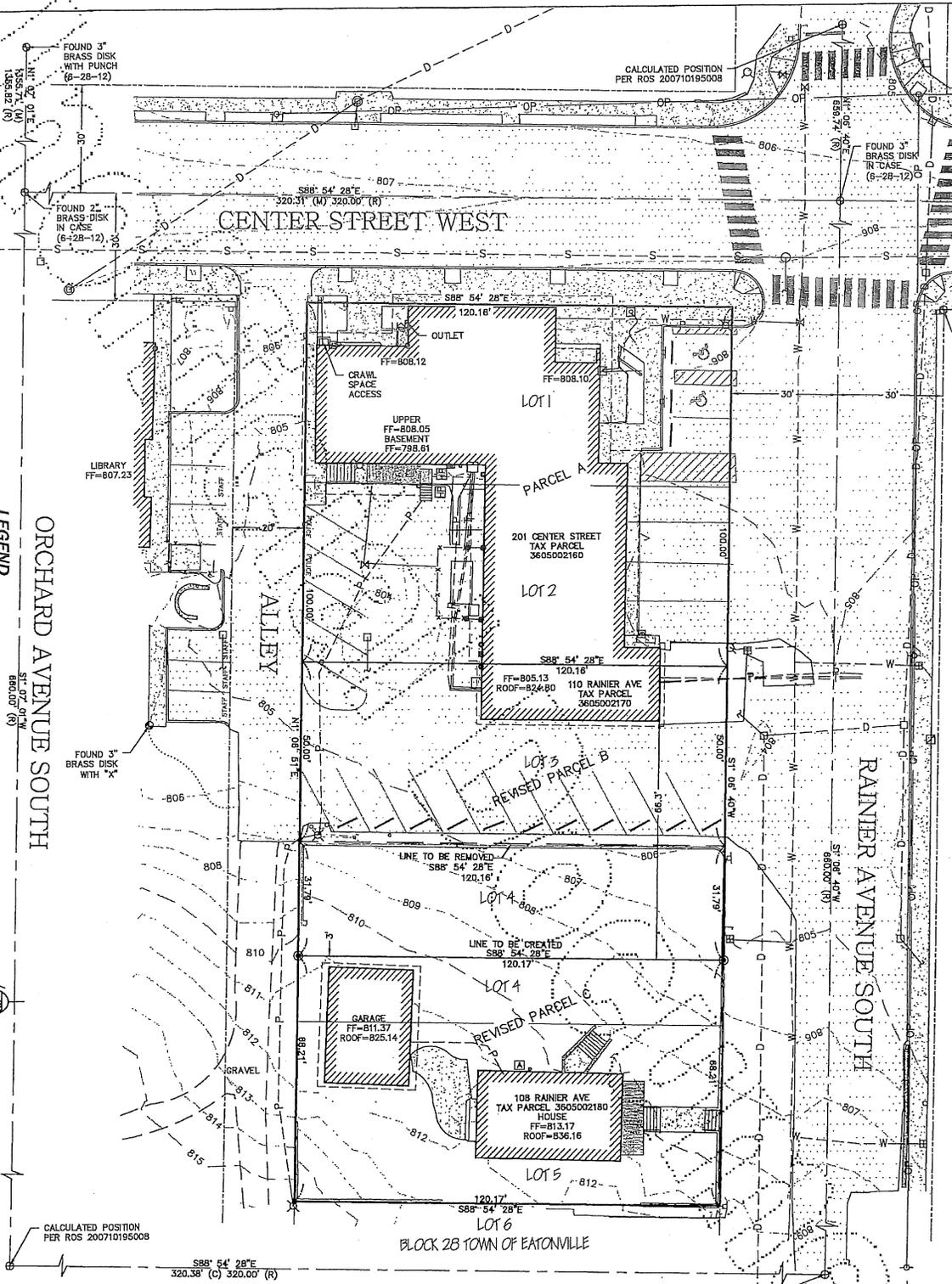


TACOMA SEATTLE  
 SPOKANE TRICITIES  
 2215 North 30th Street, Suite 300, Tacoma, WA 98403  
 253.383.2422 TEL. 253.383.2572 FAX. www.tricities.com

ORIGINAL

3605002140

**RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT**  
 A PORTION OF THE SE 1/4 OF THE SW 1/4 OF SEC. 14, T14N, 16N, R14E, 04E, W.M.  
 TOWN OF EATONVILLE, PIERCE COUNTY, WASHINGTON



**For reference only, not for re-sale**

**LEGEND**

- MONUMENTS FOUND FOR THIS SURVEY
- MONUMENTS CALCULATED FOR THIS SURVEY
- SET 5/8" REBAR & CAP SPANISH FOR THIS SURVEY
- NAIL AND FLASHER SPANISH FOUND OR SET AS NOTED
- MEASURED DISTANCE
- CALCULATED DISTANCE



APPLICATION NO. 201211145002

SHEET 2 OF 2

DATE 7/5/12

DR 2000450

JOB NO. 2000450

TACOMA - SEATTLE  
 SPOKANE - TRI-CITIES



Civil Engineers  
 Structural Engineers  
 Landscape Architects  
 Community Planners  
 Natural Resource Ecologists  
 Land Surveyors  
 Neighbors



*CRISP*