

RESOLUTION NO. 95

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, AUTHORIZING EXECUTION OF A CONTRACT
FOR IMPROVEMENT SERVICES WITH LONE STAR
NORTHWEST, INC.

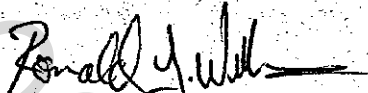
BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF UNIVERSITY
PLACE, WASHINGTON, AS FOLLOWS:

Section 1. Authorization. City Manager or his designee is authorized and directed to execute on behalf of the City the Contract for Services with Lone Star Northwest, Inc. for improvements of Grandview Drive West and the area along said road.

Section 2. Ratification and Confirmation. Any acts made consistent with the authority and prior to the effective date of this resolution are ratified and confirmed.

Section 3. Effective Date. This resolution shall take effect immediately upon signing.

ADOPTED BY THE CITY COUNCIL ON APRIL 15, 1996.



Ronald L. Williams, Mayor

ATTEST:



Susan Matthew, City Clerk

AGREEMENT BETWEEN CITY OF UNIVERSITY PLACE

AND LONE STAR NORTHWEST, INC.

This Agreement is entered into between the CITY OF UNIVERSITY PLACE, hereinafter "City", and LONE STAR NORTHWEST, INC., hereinafter "Lone Star";

WHEREAS, the City desires to improve Grandview Drive West and the area next to the road now owned by Pierce County in order to form a safer and more attractive area; and

WHEREAS, the City is considering its options for acquiring sufficient funds to improve the road and other related improvements; and

WHEREAS, Lone Star is desirous of assisting with such improvement, thereby providing to the City benefits to the public;

NOW, THEREFORE, it is hereby mutually agreed as follows:

1. Lone Star will furnish assistance to the City of University Place in an amount not to exceed Forty Thousand Dollars (\$40,000.00) for the City's improvement of Grandview Drive West and/or landscaping along said road and other improvements, including but not limited to the future relocation of the fence;

2. The City may and will utilize part or all said funds up to Forty Thousand Dollars (\$40,000.00) to provide the road and other related improvements for the benefit of its citizens; and

3. The City will be responsible for obtaining any necessary permits and approvals for the road improvements.

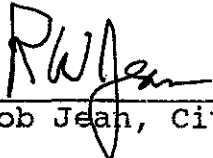
4. In the event that the City decides to raise revenue by the imposition of a tax affecting Lone Star or its affiliates, this Agreement shall be of no force or effect, and the amount of any contribution made by Lone Star will be refunded.

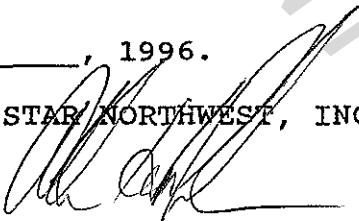
5. Each of the parties signing this Agreement is legally authorized to enter into the terms and conditions of this Agreement, and is authorized to legally bind such parties thereto.

DATED this 16th day of MAY, 1996.

CITY OF UNIVERSITY PLACE

LONE STAR NORTHWEST, INC.

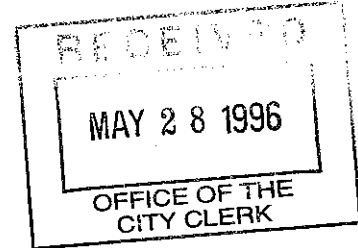
By: 
Bob Jean, City Manager

By: 
Allen Hamblen, Vice President
and General Manager



PRESTON GATES & ELLIS
ATTORNEYS

May 24, 1996



Ben Yazici, P.E.
City of University Place
P.O. Box 64289
University Place, WA 98466

Re: University Place - Lone Star

Dear Mr. Yazici:

Enclosed is the signed agreement between Lone Star and University Place. The original is being sent to you I assume for filing with the Clerk.

Sincerely,

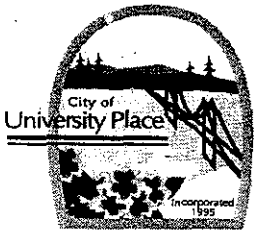
PRESTON GATES & ELLIS

By


Robert J. Backstein

RJB:ja
Enclosure
cc: Bob Jean, City Manager
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A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION



CITY OF UNIVERSITY PLACE

3715 Bridgeport Way West, P.O. Box 64289
University Place, WA 98466

Phone: (206) 566-5656

Fax: (206) 566-5658

06 May 1996

Mr. Robert J. Backstein
Preston, Gates and Ellis Attorneys
1500 First Interstate Plaza
1201 Pacific Avenue
Tacoma, Washington 98402-4301

Re: *Agreement between City of University Place and Lone Star Northwest, Inc.*

Dear Mr. Backstein:

Please find enclosed two (2) signed copies of the Agreement between the City of University Place and Lone Star Northwest, Inc. for Improvement Services on Grandview Drive West. In addition, please find accompanying a copy of City of University Place Resolution #95, Authorizing Execution of a Contract for Improvement Services with Lone Star Northwest, Inc.

At your earliest opportunity, please request Mr. Allen Hamblen, Vice President and General Manager of Lone Star Northwest, Inc. to sign said documents.

Upon signing, would you please forward to me one (1) copy of the fully signed and executed Agreement.

As always, please feel free to contact me if you have any questions or require additional information.

Sincerely,

Ben Yazici, P.E.
Director of Public Works/City Engineer

cc: *Robert W. Jean, City Manager*
Susan Matthew, City Clerk
Grandview Drive West Project File



PRESTON GATES & ELLIS
ATTORNEYS

April 2, 1996

APR 03 1996

T. Ryan Durkan
Hillis Clark Martin & Peterson
Suite 500, Galland Building
1221 Second Avenue
Seattle, WA 98101

Re: University Place-Lone Star Agreement

Dear Ryan:

Enclosed is the latest draft regarding the University Place - Lone Star matter. If possible, University Place would like to bring the matter up on their agenda on April 15.

Would you please review it with Lone Star, and by copy of this letter I am also having Tim Sullivan, their City Attorney, and Bob Jean, their City Manager, look at it as well.

If you have any questions, please call.

Sincerely,

PRESTON GATES & ELLIS

By 
Robert J. Backstein

RJB:ja
Enclosure
cc: Tim Sullivan
Bob Jean
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A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

ANCHORAGE • COEUR D'ALENE • LOS ANGELES • PORTLAND • SEATTLE • SPOKANE • WASHINGTON, D.C.

1500 FIRST INTERSTATE PLAZA 1201 PACIFIC AVE. TACOMA, WASHINGTON 98402-4301 PHONE: (206) 272-1500 FACSIMILE: (206) 272-1500