



LUDLOW MAINTENANCE COMMISSION

October 14, 1999

Jefferson County Commissioners
P.O. Box 1220
Port Townsend, WA 98368

Subject: Petition for Establishment of Port Ludlow Drainage District

Gentlemen:

In accordance with RCW 85.38.020, a petition for the establishment of a Port Ludlow Drainage District is submitted for your consideration. Enclosed are the following:

1. A petition signed by 10 property owners within the boundaries of the proposed Port Ludlow Drainage District
2. A statement outlining the objectives sought by creation of the proposed Port Ludlow Drainage District and projects proposed to be completed
3. Proof of a bond in the amount of \$5,000.00
4. A map showing the boundaries of the proposed Port Ludlow Drainage District

The contact person for this petition is Mr. Walter Cairns, who may be reached during daytime hours at 437-0503. Ludlow Maintenance Commission will assist in providing a suitable place to hold a public hearing for the proposal.

Yours truly,

James L. Laker, Secretary
Ludlow Maintenance Commission Board of Trustees

**PETITION FOR ESTABLISHMENT
OF
PORT LUDLOW DRAINAGE DISTRICT**

To: Jefferson County Commissioners

In accordance with RCW 85.38.020, the following property owners hereby petition the Jefferson County Commissioners to establish a "Port Ludlow Drainage District," whose boundaries are set forth in the attached description and map. Also attached is a statement outlining the objectives sought by the creation of the proposed district and projects proposed to be completed.

I, the undersigned, am a registered voter residing within the boundaries of the proposed "Port Ludlow Drainage District"

Signature <i>Robert H Herbst</i>	Address <i>131 Jackson Ln, Pt. Ludlow, WA, 98365</i>
Printed Name <i>Robert H Herbst</i>	Legal Description of Property <i>Lot 43, Area 3 Port Ludlow No. 2</i>
Signature <i>Jeanne D Johnson</i>	Address <i>23 RESOLUTE LANE, Pt. Ludlow, WA 98365</i>
Printed Name <i>JEANNE D JOHNSON</i>	Legal Description of Property <i>Lot 63, Area 2 Port Ludlow No. 2</i>
Signature <i>Walter C Taylor</i>	Address <i>P.O. Box 65323 (111 Condon Lane) Port Ludlow WA</i>
Printed Name <i>WALTER C. TAYLOR</i>	Legal Description of Property <i>Lot 28, Area 2 Port Ludlow No. 1</i>
Signature <i>Richard P. Regan</i>	Address <i>P.O. Box 65041 61 Resolute Lane Pt Ludlow 98365</i>
Printed Name <i>RICHARD P. REGAN</i>	Legal Description of Property <i>Lot 64, Area 2 Port Ludlow No. 2</i>
Signature <i>Robert H. Linrothe</i>	Address <i>192 Condon LANE Port Ludlow WA. 98365</i>
Printed Name <i>Robert H. Linrothe</i>	Legal Description of Property <i>Lot 40, Area 2 Port Ludlow No. 1</i>
Signature <i>O.E. Kerns, Jr.</i>	Address <i>Port Ludlow, WA. 272 Montgomery Lane</i>
Printed Name <i>O.E. Kerns, Jr.</i>	Legal Description of Property <i>Lot 38, Area 1 Port Ludlow No. 2</i>
Signature <i>Robert D. Alten</i>	Address <i>64 GOLDFINCH LANE PORT LUDLOW, WA.</i>
Printed Name <i>ROBERT D. ALTEN</i>	Legal Description of Property <i>40/28 4/29 Lot 28, Port Ludlow No. 4</i>
Signature <i>Della M. Witt</i>	Address <i>20 Gamble Ln, Port Ludlow WA</i>
Printed Name <i>DELLA M. WITT</i>	Legal Description of Property <i>Lot 11, Area 1 Port Ludlow, No. 1</i>
Signature <i>James L. Laker</i>	Address <i>612 RAINIER LN Port Ludlow WA.</i>
Printed Name <i>JAMES L. LAKER</i>	Legal Description of Property <i>Lot 42 Port Ludlow No. 3</i>
Signature <i>Arthur E. Moyer</i>	Address <i>72 HARMS LANE, LUDLOW, WA.</i>
Printed Name <i>ARTHUR E. MOYER</i>	Legal Description of Property <i>Lot 164, 3 Port Ludlow No. 2</i>

X
2444

✓
0768

X
2860

0407

X
0434

X
4009

✓
7962

**Establishment of
The Port Ludlow Drainage
District**

1. Objectives of the District

- (a). The first is to set in place an administrative body, legally formed, to insure and direct maintenance of existing storm and surface water facilities on all commonly owned LMC property.
- (b). The second immediate purpose is to provide authority for preparation of a surface water management plan for all of the North Bay service area. This will necessarily involve engineering consultant solicitation and a financing method to pay for such a plan.
- (c). Upon completion and approval by the appropriate governmental agencies of the surface water comprehensive plan, a phased group of improvements would be undertaken to correct drainage deficiencies. These improvement projects would be sequenced in a manner that would minimize the financial impacts on North Bay property owners. Additionally the plan would be designed to assist the ACC in providing a methodology for each individual lot to be connected to the system. Long range maintenance and operation would include operation expenses to restore and preserve the District's facilities in the same or as good a condition as when installed. This would also include District operating equipment as well as a future District office.

(d). The Drainage District, a municipal corporation, would take responsibility for drainage

of all areas in North Bay (within the Drainage District boundaries) not owned by Jefferson County. This would include but not be limited to the following:

- 1. All reserve and park areas owned by LMC**
- 2. All interior drainage between private lots**
- 3. The resort area**
- 4. Port Ludlow Plat Seven drainage system**
- 5. All condominium and apartment areas**
- 6. All commercial business areas**
- 7. All storage areas**
- 8. Sewage Treatment Plant site**

Future annexations would increase the District size. In that event, an acceptable connection fee would be established to proportionally defray both capital and or maintenance costs.

The basic service provided by the District would be to control surface water runoff. Specifically excluded would be damage caused by wave and tidal action, ground water, and liquefaction due to seismic events.

Drainage system design and material specifications would be in accordance with current standards of the State of Washington and Jefferson County as a minimum. All storm water easements within the green belts would be acquired from Olympic Water and Sewer Inc. All existing drain piping, waterways and appurtenances

would be acquired from the County, except those within the County road right-of-way, and in the case of Port Ludlow Plat 5, from Olympic Resource Management.

- (e). Jefferson County would provide revenue collection. Ultimately the District could bill and collect its own annual operational fees. Funding for drainage specific improvements would be provided by the affected property owners on a cost/benefit basis. Billing would be provided by Jefferson County similar to our annual taxes. All such assessments and fees would be in accordance with current Washington State law as designated in Title 85 and other applicable State provisions. Fees for annual operation and maintenance would be collected by Jefferson County.

2. The Projects proposed:

North Bay of Port Ludlow is separate area shown on the map that accompanies this proposal.

The storm water collection system started when portions of North Bay were initially platted in 1968. The most recent portion was completed in 1998 in an area known initially as sector 7-a 22-lot subdivision. The old pipe; corrugated, galvanized, steel pipe has deteriorated in many areas. The total scope of the problem is currently unknown. Therefore to state in general terms what projects are required is difficult, especially when standards of the State have changed drastically since 1968.

As a result, a first priority of the District would be to finance a surface water comprehensive plan. This plan would disclose all known problems together with recommendations on how their repair or replacement would be accomplished.

3. See the attached map of this proposed for boundaries of the Port Ludlow
Drainage District.

Legal Description:

**Boundary Description
of Proposal Port Ludlow
Drainage District**

Beginning at the NE corner of lot 11 Port Ludlow No. 5, Volume 6 pg. 34;
thence Westerly along the North line of said PL No. 5 to the intersection with
the East margin of Port Ludlow Dr. commonly known as Oak Bay Road; thence
South Easterly along said East margin to the intersection with the North line of
Sec. 9, T28 N., R. 1 E., WM.; thence Westerly along said North Ln. to the NW
corner of said Sec. 9; thence Southerly along the west line of said Sec. 9, 1319. 55
feet to the NE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 8, T28 N., R1E, W.M;
thence Westerly on the North line of said SE $\frac{1}{4}$ to the Northwest corner of the
SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 8, T28 N, R1E, W.M; thence South Westerly along
the West line of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 8 T28 N, R1E N.M to the South
Westerly margin at Swansonville Road and the NW corner of Port Ludlow No. 1
Area 3 Vol. 5 pg. 28; thence continuing South Westerly along said West line of
the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 8 T28 N, R1E. to its intersection with the NW corner
and West line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 8 T28 N. R1E W.M.; thence
continuing Southwesterly along said West into the North line of Walker Way. ;
thence Westerly along said North line and its extensions to its intersection with

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the East line of Port Ludlow No. 4 Vol. 6 pg. 54 – 56; thence Westerly and Northerly to the North line of said PL No. 4; thence Westerly along said North line to a point common to both said PL No. 4 and Port Ludlow No. 6 Vol. 9 pg. 40-41 and the North line of said PL No. 6; thence Westerly along said North line to the NW corner of said PL No. 6 and the West line of said PL No. 6; thence Southerly and Easterly along said Westerly line of said PL No. 6 to the Northerly Margin of Oak Bay Road; thence continuing along the South Easterly production of said line to its intersection with the MHWL of Port Ludlow Bay; thence Northerly and Easterly along said MHWL whether natural or manmade continuously to the Easterly production of the South line of lot 37 of the plat of Port Ludlow No. 1 Area 2 Vol. 5 pg. 27; thence Westerly along said South line to the East line of said plat of PL No. 1; thence Northerly along said East line to the North line of said plat of PL No. 1 Area 2; thence Westerly along said North line to its intersection with the East line of Port Ludlow No. 2 Vol. 5 pg. 42; thence Northerly along said East line to the North line of said PL No. 2; thence Westerly along said North line to the East line of Port Ludlow No. 5 Vol. 6 pg. 34; thence Northerly along said East line to the NE corner of lot 11 said PL No. 5 and the point of beginning.

Less all rights of way dedicated to Jefferson County.

4. As a special district we expect to engage in the following activities:

- 1. Engage in flood control activities, and investigate, plan, construct, acquire, repair, maintain, and operate improvements, works, projects, and facilities necessary to prevent inundation or flooding. Such facilities include surface water conveyance systems, channels, and other works, appliances, machinery, and equipment.**

2. Engage in drainage control, storm water control, and surface water control activities, and investigate, plan, construct, acquire, repair, maintain, and operate improvements, works, projects, and facilities necessary to control and treat storm water, surface water, and flood water. Such facilities include drains, ditches, nonsanitary sewers, pumps, and other works, appliances, machinery, and equipment.
3. Take actions necessary to protect life and property from inundation or flow storm waters, or surface waters.
4. Acquire, purchase, condemn by power of eminent domain pursuant to chapters 8.08 and 8.25 RCW, or lease, in its own name, necessary property, property right, facilities, and equipment.
5. Sell or exchange surplus property, property rights, facilities and equipment.
6. Accept funds and property by loan, grant, gift, or otherwise from the United States the State of Washington, or any other public or private source.
7. Hire staff, employees, or services, or use voluntary labor.
8. Sue and be sued.
9. Cooperate with or join the United States, the State of Washington, or any other public or private entity or person for district purposes.
10. Enter into contracts.
11. Exercise any of the usual powers of a corporation for public purposes.
12. Annex other areas in accordance with current RCW's.
13. Finance special district projects based on flow from the special project drainage sub-basin.
14. Maintain the surface water collection system in accordance with RCW 85.15.020

"Maintenance" means and includes not merely operating expenses and such upkeep and other work commonly classed as maintenance as shall be necessary to restore and preserve the district's systems of improvement and the machinery and equipment operated in connection therewith in the same

or as good condition as when originally constructed and installed, but also the making of such changes in the betterment's to the original works, improvements and installations as shall, subject to approval of the Board of County Commissioners, be by the board deemed necessary to put the systems of improvements into such condition as will provide protection and services as contemplated and intended by the original construction and any enlargement and extensions thereafter made.

15. The District shall have all right of plan review and the right to bill for such review. Plan review shall be conducted on all projects tributary to any waterway or surface water conveyance system whether the project is within the boundary of the District or not.
16. The District shall also have the right to establish connection fees and collect such fees for any project impacting its system from the standpoint of water quality as well as flow rate and quantity.
17. Permits shall be required to do storm or surface water work. The proposed District shall charge a fee for such permits. The District shall also inspect such work and charge for any fees related. Inspection shall be required to verify conformance with permit requirements.

