



COMMUNITY DEVELOPMENT
1309 Myrtle Ave Enumclaw, WA 98022
360-825-3593 FAX 360-825-7232
Permits@ci.enumclaw.wa.us
2/9/2017

DEFERRED IMPACT FEES INFORMATION AND APPLICATION

Pursuant to Revised Code of Washington (RCW) 82.02.050(3) and Enumclaw Municipal Code Chapter 19.24, a developer / applicant may request that payment of impact fees be deferred until (1) final inspection; or (2) issuance of the Certificate of Occupancy or equivalent certification, whichever comes first; provided that the term of the impact fee deferral shall not exceed 18 months from the date of building permit issuance.

Impact Fee Deferral Process

1. The applicant may begin the fee deferral process at any time in advance of building permit issuance. The process begins by requesting a calculation of the impact fee(s) from staff at the Development Services permit counter. The impact fee is calculated based on the fee schedule in effect at the time this application is submitted to the City. Impact fees do not vest and are subject to change.
2. The applicant must grant and record a deferred impact fee lien, on a form provided by the City, against the property in favor of the City in the amount of the deferred impact fee. This lien will be released upon payment of the impact fee. The lien must include the legal description of the property, tax parcel number and address of the property. The lien must also be notarized and signed by all of the individuals listed on the title to the property. The applicant must provide the City with a copy of a current Title Report (created within 30 days of the recording of the lien) for verification.

If the property is owned by a company, partnership, corporation, or other entity, then the lien must be signed by an authorized company representative and documentation must be provided verifying this individual's authority to sign. The applicant must record the lien with the King County Recorder's Office and is responsible for any fees associated with the recording of the lien and for complying with the requirements of the King County Recorder's Office.

3. The applicant may then submit the Impact Fee Deferral Request form along with a copy of the recorded lien and pay a non-refundable \$200 administration fee at the permit counter.
4. Payment of the impact fee is due at the Development Services permit counter prior to (1) final inspection; or (2) issuance of the Certificate of Occupancy or equivalent certification. The term of the impact fee deferral shall not exceed 18 months from the date of building permit issuance. Once payment is received, the City will issue a lien release document that the applicant may file with the King County Recorder's Office. The applicant is responsible for any fees associated with releasing the lien.

Things to know

- Impact fees do not vest and, therefore, are subject to change. To check the current impact fee amount for parks, transportation, schools and fire impact fees, please call: (360) 825-3593.
- Buildings cannot be occupied until impact fees are paid and final inspection has occurred. Certificates of Occupancy (or equivalent) will NOT be issued until any deferred impact fees are paid.
- In the event that the deferred impact fee is not paid within the 18-month timeframe, the City may pursue foreclosure proceedings under the process set forth in Chapter 61.12 RCW. The property owners will be responsible for all costs incurred in foreclosure proceedings, including reasonable attorneys' fees.

Deferred Impact Fees

Impact fee deferrals are granted in accordance with EMC Section 19.24.050. Deferred impact fees will be paid prior to final building inspection approval, issuance of a certificate of occupancy, and any other equivalent final certification. The term of an impact fee deferral shall not exceed 18 months.

Application Process

The application must be filled out and signed. A fee of \$200.00 must accompany the application. The impact fee lien shall be recorded prior to building permit issuance.

Questions?

Please contact the Community Development Department at (360) 825-3593.



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IMPACT FEE DEFERRAL APPLICATION (2/9/2017)

1. Applicant Information:

Property Owner Name	Property Owner Address, City, St, Zip	
Property Owner Email	Property Owner Phone	Property Owner Cell
Applicant Name (if different)	Applicant Address, City, St, Zip	
Applicant Email	Applicant Phone	Applicant Cell
Site Address	Parcel Number	

3. Please attach all of the following materials:

- 1) Application fee of \$200
- 2) An affidavit filed with King County (see attached)
 Recording Number: _____ Recording Date: _____
- 3) Owner's Signature and Date: _____
- 4) Property Information
 Property Address: _____

 Building Permit Number: _____ Parcel Number: _____
 Legal description

staff use only:

WHEN RECORDED SUBMIT A COPY TO:

City of Enumclaw
Community Development Department
1309 Myrtle Avenue
Enumclaw, WA 98022

AGREEMENT FOR LIEN FOR DEVELOPMENT IMPACT FEES

Lien for Benefit of Grantee: City of Enumclaw, a municipal corporation

Person(s) Indebted to Grantee (“Grantor(s)”): _____

Reference Number(s) of Related Document(s): _____

Impact Fee Deferral Application Number: _____

Principal Amount of the Lien for Development Impact Fees: _____

Assessor’s Tax Parcel Number: _____

Legal Description (Abbreviated): _____

Full legal description: See Exhibit A attached.

This AGREEMENT FOR LIEN FOR DEVELOPMENT IMPACT FEES (“Agreement”) is made and entered into this ____ day of _____, 20____, by and between _____ (“Grantor”) and the CITY OF ENUMCLAW, a Washington municipal corporation (“City” or “Grantee”).

I/we hereby request deferral of payment of impact fees associated with building permit LUA_____ and agree that impact fees of \$_____ are due to the City of Enumclaw prior to (1) final building inspection conducted by the City, or (2) issuance of the certificate of occupancy; provided that the term of the impact fee deferral shall not exceed 18 months from the date of building permit issuance.

The City of Enumclaw hereby claims a Lien for Development Impact Fees (which may include school, park and/or transportation impact fees), against the above described real property.

This agreement runs with the land and creates an obligation on behalf of the Grantor and owners of the affected real property. The agreement is binding on successors and assigns of the Grantor. The Grantor shall record this agreement in the King County property records and submit copy of recording to the City.

The Grantor agrees and acknowledges that the City will not perform a final inspection on the property until the impact fees are paid. The Grantor acknowledges that the building cannot and will not be occupied prior to final inspection and issuance of a certificate of occupancy. The Grantor also acknowledges that the City and/or the Enumclaw School District may pursue foreclosure proceedings if the impact fees are not paid.

The lien amount is due and owing to the City upon (1) final building inspection conducted by the City; or (2) issuance of the certificate of occupancy; whichever comes first. The term of the impact fee deferral shall not exceed 18 months. All payments shall be made payable to the City and shall be directed to the City of Enumclaw Community Development Department, 1309 Myrtle Avenue, Enumclaw, WA 98022.

Upon payment of the impact fees, the City agrees to execute a Release of Lien, substantially in the form attached hereto as Exhibit B. The Grantor may, at his or her own expense, record the Release of Lien.

DATED this _____ day of _____, 20__.

CITY OF ENUMCLAW,
GRANTEE/LIENHOLDER

By: _____
Title: Community Development Director
Address: 1309 Myrtle Ave, Enumclaw WA
98022

DATED this _____ day of _____, 20__.

GRANTOR(S)

Signature

Signature

EXHIBIT A
(Full Legal Description of Property)

**EXAMPLE OF RELEASE OF LIEN
FORM TO BE FILED AFTER PAYMENT OF IMPACT FEES**

EXHIBIT B

WHEN RECORDED, RETURN TO:

**City of Enumclaw
1309 Myrtle Avenue
Enumclaw, WA 98022**

RELEASE OF LIEN FOR DEVELOPMENT IMPACT FEES

Lien for Benefit of Grantee: City of Enumclaw, a municipal corporation

Person(s) Indebted to Grantee (“Grantor(s)”): _____

Reference Number(s) of Related Document(s): _____

Impact Fee Deferral Application Number (Building permit application Number):

Amount Released: _____

Assessor’s Tax Parcel Number: _____

Legal Description (Abbreviated): _____

Full legal description: See Exhibit A attached

THIS RELEASE OF LIEN FOR DEVELOPMENT IMPACT FEES (the “Release”) is made as of this ____ day of _____, 20__, by the City of Enumclaw (the “City”).

The Applicant recorded a Lien for Development Impact Fees dated _____ and recorded under King County Recording No. _____ (the “Lien”) with _____ (“Grantor / Property Owner”) to provide for deferred payment of certain Impact Fees. Except as otherwise specifically defined in this Release, all capitalized terms shall have the same meaning as provided in the Lien.

Grantor / Property Owner has completed construction of the home which was the subject of the Lien and which is located on the real property legally described as _____ (the "Property").

Upon receipt of the payment of the impact fee, the City hereby releases and discharges Grantor from the obligations described in the Lien. Upon recording of this Release, all of the Grantor / Property Owner obligations under the Lien shall be deemed fully and completely satisfied and the Lien shall have no further force or effect.

DATED this _____ day of _____, 20__.

**CITY OF ENUMCLAW,
GRANTEE/LIENHOLDER**

By: _____
Title: Community Development Director
Address:
1309 Myrtle Ave
Enumclaw, WA 98022

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this _____ day of _____, _____, before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared before me and to me known to be the individuals described in and executed the foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, _____.

NOTARY PUBLIC in and for the State of Washington
Residing at _____