



CITY COUNCIL

ANDY RYDER

Mayor

MALCOLM MILLER

Deputy Mayor

LENNY GREENSTEIN

MICHAEL STEADMAN

CAROLYN COX

ROBIN VAZQUEZ

NICOLAS DUNNING

CITY MANAGER

RICK WALK

May 10, 2024

Dear Resident:

The City of Lacey is currently helping with the construction of the new sewer system for the Tolmie Park Neighborhood as part of the Utility Local Improvement District.

Per Lacey Ordinance 1533, in order to receive a new City of Lacey utility service, a special power of attorney (POA) must be executed and notarized. A special power of attorney is a signed statement attached to the property title which stipulates that the property owner(s) convey to the Lacey Public Works Director or their successor in interest or designee;

A special power of attorney to exercise any and all rights said Owners, their heirs or assigns and any successors in interest to said Owners, including any purchasers, mortgage holders, lien holders or other persons who may claim an interest in said Property hereinafter referred to as “successors in interest” to accomplish the following:

1. To petition to the City of Lacey for annexation of the Property which petition shall conform to the provisions of Paragraph 2 herein.
2. To accomplish all steps necessary or proper for the annexation under the laws of the State of Washington, Thurston County and the City of Lacey for annexation of the Property to the City of Lacey with a zoning consistent with the development and an assumption of no more than a fair share of the City’s indebtedness.
3. To sign any and all letters, petitions and other documents necessary to accomplish said annexation on behalf of the Owners or any successors in interest as defined above.

The City is not proposing an annexation for the area at this time. However, by signing the attached POA you are consenting to the City of Lacey pursuing annexation of your property and waiving your right to protest the future annexation.

The Homeowners Association previously collected many POA’s for the Tolmie Park Estates sewer project on behalf of the City. However, the form used was not the correct one and they were not notarized. With the notary requirement, the document has to be signed in front of the notary and cannot be signed ahead of time nor retroactively notarized.

The City has notaries and will not charge a fee to notarize the document attached. Since the document needs to be returned and submitted to the City and we provide free notarization, we believe the easiest way to handle this would be for the property owner to come into the City with their form, sign it in front of the notary and have it notarized all at the same time, the City can also make a copy

of it for your records. City business hours are Monday through Friday 9 am to 5 pm. The property owner can seek out other notary services if the City of Lacey's business hours conflict with schedules. In the past, the City has been willing to bring a notary out after hours. If we could get a group of homeowners to agree on a date and time, then the City would be willing to do something similar for this project.

If the property owner decides that they do not want to sign the Power of Attorney, then the City will not connect the property to City sewer. With the decommissioning of the current system, the property owner would have to figure out how they would sewer the property in accordance with Thurston County Health Department and other City and County requirements.

If you have any questions or concerns, please call me at (360) 438-2628 or email me at justin.knox@cityoflacey.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Justin Knox', with a stylized flourish at the end.

Justin Knox, P.E.
Design Engineer

cc: Ashley Smith, P.E., Design and Construction Manager
Peter Brooks, P.E., Water Resources Manager
Teresa Hammer, Ammerstone Association Management