



LUMMI TRIBAL SEWER AND WATER DISTRICT
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Bellingham, WA 98226
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Adopted 10/14/87

LOT COMBINATION POLICY

When adjoining lots are in single ownership, and the owner indicates he wants to develop them as a unit rather than separately, the Lummi Tribal Sewer District will treat the lots as one for the assessment of sewer service or service availability (standby) charges under the following conditions:

1. The resulting lot must be less than 19,200 square feet. Amended 5/27/94.
2. All sewer service or service availability charges must be current on the lots to be combined.
3. The owner must sign a covenant to bind the property in substantially the attached form. The District shall record the covenant with the Whatcom County Auditor for non-trust property. The covenant shall run to the District and provide that in consideration of the lowered charges the property shall never be subdivided or sold as separate lots without the consent of the District, and that such consent will be conditioned on the payment of an amount equivalent to the sewer charges (plus interest) which would have been assessed against the property in the absence of the combination.
4. The owner shall pay an administrative fee of \$100.00 to the District to cover the District's cost and recording fees.

As used in this policy the term "lot" shall mean an existing lot of record, created through a subdivision, short plat, or other metes and bounds description.

In certain circumstances variations from these requirements may be allowed:

- A. If the lot lines have been formally vacated by the owner through an appropriate legal proceeding, and proof of such vacation has been provided to the District. The reduced charge shall commence as of the first billing period following the providing of such proof. The maximum lot size shall not apply in this situation.
- B. Where no formal vacation of the lot line has taken place, but a structure has been constructed on the lots in a manner which would preclude further development of either lot, the District may treat the lots as combined as of the date of substantial completion of the structure, provided the property is current in its sewer charges on all lots to the date of completion of the structure and the owner signs a covenant to bind the property, and pays the applicable administrative fee. The sewer charges for the single lot must be current to the date of signing the covenant. The maximum lot size shall not apply.
- C. Where the property is subject to a recorded covenant to bind the property which does not run to the benefit of the District, the owner may sign a new covenant running to the District. In this situation the District will assess a single charge from the date of the new covenant, and no refund or credit shall be given for any time prior to the signing of the new covenant. If the District has previously recognized the original covenant and assessed single charges from the date of that recognition, no additional charges shall be assessed for the period between the two covenants. The maximum lot size shall apply to this situation.