

May 3, 2016
9725 Vista Terrace
Blaine, Washington 98230

City of Blaine, Washington
Public Works Department
1200 Yew Ave.
Blaine, Washington 98230

Re: Objections to proposed LID assessment – Vista Terrace Improvement District - Bender

- 1) No notices of “hearings” of the proposed improvement district and the improvement cost for “those properties specifically benefited by those improvements” - was provided this resident. To claim a sending to an address where no mail was received is insufficient. The inclusion of my acquired vacant property without disclosure of negative impact caused by this IUD project. On-going planning of Vista Terrace “Improvements” were inconsequential as I was provided Sewer under H street (phase1) funding and incentive by ordinance to promote new development. Construction was delayed to take advantage of the promotion and to reduce Costs of a Glendon system then required.

I was encouraged to purchase at this site to invest in building a residence that would be supported by City deferral costs for City sanitation sewer needs of the property. Construction was deferred for approximately 20 months until H street construction was completed to allow for the promotional incentive for purchase and construction - The no cost sewage collection was provided under Phase 1 construction. This property was an Only property to take advantage of this program and that sewer connection as offered in the phase 1 - H Street Sewer/road improvements/payment. Current attempts to charge and encumber this property for Vista Terrace improvements was a complete surprise and unfair based on prior H street provisions. Sewer improvements to this property were already provided for. This property received no benefit of the Vista Terrace construction. Justification of charges that an improvement district schematic area was created including this Property. To include this property in both Phase 1 & Phase 2 costs payments and recoveries is unjust. No other property in the current attempt to assess Vista Terrace Improvement Costs for Sewer construction includes both phases. Just because my costs for sewer improvements were “waived”(and paid for by Phase 1 funding) - has no justification to include this property under phase 2 funding needs. This property got no benefits, or needed no benefits, of the Phase 2 improvements. In fact this property was appraised negatively by over \$50,000. to get funding for construction due to 30 year old infrastructure and depressed adjacent housings. Vista Terrace Improvements simply compounded neighborhood road appearance to a patched overall appearance of unmaintained secondary road. No appraisal consideration was even given for being an only property of the neighborhood with sewer connection. This appraisal would be further impacted today with knowledge of adjacent parcel assessments and Title encumbrances pending to impact values.

- 2) Review of acquired funding reflects that one of the requirements to this funding is that the Title “not be further incumbered by secondary obligations” and should it occur, the lender

is entitled to foreclosure. The Blaine City's recent disclosures are that "if payment for the sewer improvements are not met," it will restrict further property improvements and will assess the Title for recovery. This is an involuntary infringement on my mortgage by the City of Blaine to cover expenses of sewer not enforced on the developer 30 years ago.

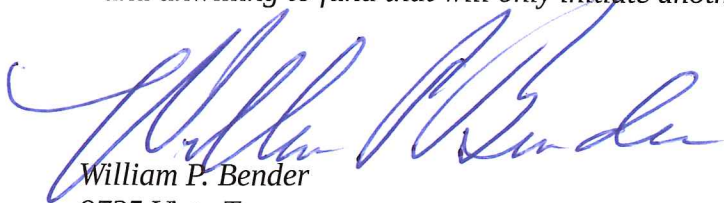
According to a most recent notice from FHA, violation created by the City to cause default of mortgage terms of the lender under a special law, Sect 255 of the National Housing Act. My HECM mortgage [insured On Oct. 8, 2015] requires notification of local HUD field office will for HUD investigation to begin. It states that under insurance of title, a Deficiency Judgment "not Allowed". In the event a lender and secondary encumbrance initiated by the City of Blaine "may enforce this debt is thru the sale of the property, and the "lenders may not obtain a deficiency judgment against you".

If the Security Instrument securing the loan is foreclosed", HUD then will become assigned. This will become a new can of worms over the small amount the City is attempting to recover for it's LID phase 2 from this property. If an exception to include a non Vista Terrace property was possible, the reliance on an ordinance or promotional statute under phase 1 is also possible. This property should not be assessed under phase 2. *It was non-existent prior to the purchase of this Property and should not be used to pay improvements for which were not needed and was provided for earlier.*

City inconsistency and arbitrary methods to acquire funds to cover growth aspirations are evident. The City was able to find operational/development funds prior to this date. To include it's sewer funding from established residents for deficiencies of 30 years ago is unfair and undemocratic. Assessing current residents by new LID procedures is simply allowing for coverage of other projects utilizing revenues of taxes, fines, interests, etc -elsewhere.

The small amount recovered by a proposed dual assessment will be supported by hardship application due to less than Federal poverty level income, disability, and age exceeding 80- would be a consideration as well. It is apparent that utility improvements (Lights) and Sidewalk installation of phase 1 is long past due. Promised reduced utility costs of sewer and Electric costs doubled since owning this residence. Income increased not even 1%. Combined with Fuel costs, taxes, and food increases – the city is in a better position with other incomes to pay it's obligations with multiple sources of income than current distressed and uninformed residents.

I present this information in opposition to attempt my property assessment which I am unable and unwilling to fund that will only initiate another foreclosure as explained above.



William P. Bender
9725 Vista Terrace
Blaine, Washington 98230