



LUMMI TRIBAL SEWER AND WATER DISTRICT  
2156 Lummi View Drive  
Bellingham, WA 98226  
(360) 758-7167 Fax: (360) 758-7195

Adopted 10/14/87

#### LOT COMBINATION POLICY

Updated: 10/01/2018

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 \$150.00 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.

**LUMMI TRIBAL SEWER AND WATER DISTRICT**

**LOT COMBINATION CHECKLIST:**

**Date:**

**By:**

**Request received:**

\_\_\_\_\_

\_\_\_\_\_

**Application, Covenant Forms, and policies sent:**

\_\_\_\_\_

\_\_\_\_\_

**Application received:**

\_\_\_\_\_

\_\_\_\_\_

**Notarized Covenant received:**

\_\_\_\_\_

\_\_\_\_\_

**Admin Fee \$150.00 (10/01/2018)**

\_\_\_\_\_

\_\_\_\_\_

**All charges on all lots paid to date:**

\_\_\_\_\_

\_\_\_\_\_

**Lot combined/noted in billing record:**

\_\_\_\_\_

\_\_\_\_\_

**Covenant filed with County Assessor:**

\_\_\_\_\_

\_\_\_\_\_

**Copies of all docs filed in customer file:**

\_\_\_\_\_

\_\_\_\_\_

**Copies of all docs filed in Lot Combination Book:**

\_\_\_\_\_

\_\_\_\_\_



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APPLICATION FOR LOT COMBINATION

I hereby request that the following lots be joined and treated as one lot for the calculation of sanitary sewer charges according to the terms and conditions established under the Lot Combination Policy adopted October 14, 1987 and amended on May 27, 1994. Fees updated 10/01/2018

LEGAL DESCRIPTION OF PROPERTY:

|                            |                 |                |
|----------------------------|-----------------|----------------|
| First lot to be combined:  | Meter # _____   |                |
| Subdivision: _____         | Lot #: _____    | Block #: _____ |
| Section #: _____           | Township: _____ | GEO #: _____   |
| Second lot to be combined: | Meter #: _____  |                |
| Subdivision: _____         | Lot #: _____    | Block #: _____ |
| Section #: _____           | Township: _____ | GEO #: _____   |
| Third lot to be combined:  | Meter #: _____  |                |
| Subdivision: _____         | Lot #: _____    | Block #: _____ |
| Section #: _____           | Township: _____ | GEO #: _____   |
| Fourth lot to be combined: | Meter #: _____  |                |
| Subdivision: _____         | Lot #: _____    | Block #: _____ |
| Section #: _____           | Township: _____ | GEO #: _____   |

BASIS FOR COMBINATION:

- ☐ 1. Substandard lot(s). Resultant lot must total less than 19,200 square feet.  
Area: 1<sup>st</sup> lot: \_\_\_\_\_ sq ft 2<sup>nd</sup> lot: \_\_\_\_\_ sq ft 3<sup>rd</sup> lot: \_\_\_\_\_ sq ft 4<sup>th</sup> lot: \_\_\_\_\_ sq ft
- ☐ 2. A structure is located on more than one lot in a manner precluding further development of either lot –  
*Include a plot plan, to scale, with application.*
- ☐ 3. Lots have been formally combined by a Lot Line Adjustment/Short Plat, approved by Whatcom County, vacating lot line. *Include Short Plat with application.*

An Administrative Fee of \$150.00; a duly executed and notarized **Covenant to Bind Properties**, and payment in full of all outstanding and current sewer charges on all combined lots must accompany application.

Owner's signature: (x) \_\_\_\_\_ Date: \_\_\_\_\_

Received by: \_\_\_\_\_ on \_\_\_\_\_

Lummi Tribal Sewer and Water District  
2156 Lummi View Dr  
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**COVENANT TO BIND PROPERTIES**

I/we, \_\_\_\_\_ am/are owner(s)  
in fee of the below described properties. For and in consideration of reduced sanitary sewer charges and other good and  
valuable consideration by the Lummi Tribal Sewer and Water District, the receipt of which is hereby acknowledged, I/we  
hereby do generally covenant that the lots described as:

Address: \_\_\_\_\_

Plat: \_\_\_\_\_ Block: \_\_\_\_\_ Lots: \_\_\_\_\_

shall hereinafter be bound together for the purposes of receiving sanitary sewer service.

I/we do hereby confirm that no portion of the above described properties shall be sold in violation of this covenant. This  
covenant shall run with the land, is for the benefit of the Lummi Tribal Sewer and Water District and the general public,  
and shall be binding upon my / our heirs, devisees, executors, administrators, successors, and assigns.

This property shall never be subdivided or sold as separate lots without the consent of the Lummi Tribal Sewer and Water  
District and payment to the District of all sanitary sewer charges together with interest of 7.0% per annum that would have  
been assessed against the property in the absence of this covenant.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(x) \_\_\_\_\_

STATE OF WASHINGTON )

(x) \_\_\_\_\_

COUNTY OF WHATCOM )

On this day personally appeared before me \_\_\_\_\_, to me  
known to be the individual(s) described in and who executed the within and foregoing instrument, and  
acknowledged that they signed the same as their free and voluntary act and deed, for the purposes  
therein mentioned.

GIVEN under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public in and for the State of Washington,  
Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_