

1  
2 September 19, 1996

Introduced By: GREG NICKELS

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4 BT:ts

Proposed No: 96-879

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8 ORDINANCE NO. 12541

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10 AN ORDINANCE approving a franchise for the Burton Water  
11 Company to construct, operate and maintain a water system in  
12 Council District 8, and authorizing the Executive to execute the  
13 franchise agreement.

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15 STATEMENT OF FACTS:

- 16  
17 1. The Burton Water Company has filed an application for a franchise in council  
18 district 8 to construct, operate and maintain a water system to serve primarily  
19 single family residential area in accordance with R.C.W. 36.55.010 and K.C.C. 6.27.  
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21 2. The district's comprehensive plan was approved on September 16, 1996, by King  
22 County council Ordinance 12454.  
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24 3. The application has been referred to the relevant county departments for review.  
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26 4. The King County executive has recommended approval of the franchise.  
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28 5. The Utilities Technical Review Committee reviewed and approved the district's  
29 franchise, legal description and map on July 10, 1996.  
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31 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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33 SECTION 1. The granting of a franchise to the Burton Water Company to construct,  
34 operate and maintain a water system within King County is hereby approved. The King  
35 County executive is authorized to enter into and execute the water system franchise, which by  
36 this reference is fully incorporated herein. Said franchise shall include all of the general and  
37 special conditions required by the county.

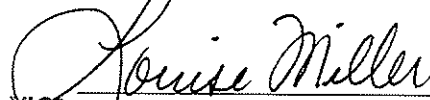
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1  
2 SECTION 2. If within 30 days after the granting of this franchise, the applicant shall  
3 have failed to sign the written acceptance incorporated herein, then the rights and privileges  
4 granted herein shall be forfeited and said franchise shall be null and void.

5 INTRODUCED AND READ for the first time this 21<sup>ST</sup> day of October, 1996.

6 PASSED by a vote of 9 to 0 this 2<sup>nd</sup> day of December, 1996.

7 KING COUNTY, COUNCIL  
8 KING COUNTY, WASHINGTON

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12 Louise Miller  
13 VICE Chair

14 ATTEST:

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17 Gerald G. Johnson  
18 Clerk of the Council

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20 APPROVED this 13<sup>th</sup> day of December, 1996.

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24 King County Executive

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26 Attachments:

27 A. Franchise Agreement

FRANCHISE NO. 12541

In the matter of the application for a franchise to operate, maintain, repair, and construct water mains and service lines, and appurtenances in, over, along, and under County roads and rights-of-way in King County, Washington.

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The application of the BURTON WATER COMPANY for a franchise to operate, maintain, repair and construct water mains and service lines, and appurtenances in, over, along, and under County roads and rights-of-way located within the area described in attached Exhibit "A" has been heard on this 2nd day of December, 1996. All of the property described in Exhibit "A" lies outside the limits of any incorporated Town or City.

Legal notice of the franchise application and of the hearing has been given as is required by law.

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The King County Council, having considered the interests proposed and advanced, and finding that the granting of this franchise is in the public interest, ORDERS that a franchise be granted to the BURTON WATER COMPANY, the Grantee, subject to the conditions set forth in Exhibit "B" attached hereto, this franchise and Ordinance No. 12541. This franchise grants the right, privilege, authority and franchise to operate, maintain, repair and construct mains and service lines and appurtenances as a part of its distribution system in, over, along, and under County roads and rights-of-way located within the area described in Exhibit "A".

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This franchise is granted subject to all of the terms and conditions contained herein, within Ordinance No. 12541 and Exhibit "B", and shall expire in twenty-five years on 12/2, 2021.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

KING COUNTY, WASHINGTON

BY Erny Loebe

TITLE King County Executive

The undersigned accepts all the rights, privileges, and duties of this franchise subject to all terms, conditions, stipulations, and obligations contained herein, within Ordinance 12541 and Exhibit "B".

BURTON WATER COMPANY  
GRANTEE

BY Gerald R. Garrison

TITLE President

Dated this 3 day of January, 1997