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2 August 29, 1997
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4 clerk 10/16/97
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Introduced by: FETE VON REICHBAUER
Proposed No. 97-635

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ORDINANCE NO. **13007**

AN ORDINANCE extending water system franchise 7759 for the Lakehaven Utility District until August 20, 1999, and authorizing the issuance of right-of-way construction permits in Council District 7.

STATEMENT OF FACTS:

1. The Lakehaven Utility District's Franchise 7759, to operate and maintain a water system on county road rights-of-way, will expire on February 20, 1998.
2. The Lakehaven Utility District has applied for a water franchise in council district 7 to construct, operate and maintain their existing water system when it obtains council approval of its comprehensive plan.
3. K.C.C. chapter 6.26 requires that the utility franchise application be approved by the utilities technical review committee (UTRC) and be consistent with the county's comprehensive plan, Seattle-King County health department of health regulations .
4. The district is in the process of preparing and obtaining approval of its water comprehensive plan to bring it in compliance with the state and county regulations. The district has provided the UTRC with a schedule for the completion of its plan and anticipates that this process will take 18 months to complete (see attachment).
5. In order to provide the district with the time needed to complete its water plan and allow the district to continue to operate and maintain the existing water system on county road rights-of-way, the district has requested that Franchise 7759 be extended.
6. The extension for Water Franchise 7759 has been referred to the relevant county departments for review. No objection to the franchise extension has been raised.
7. The county executive has recommended approval of the water franchise extension.

2 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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4 SECTION 1. Notwithstanding any provision of K.C.C. chapter 13.24 to the contrary, the
5 King County executive is hereby authorized to grant an extension of Water Franchise 7759 for
6 the LAKEHAVEN UTILITY DISTRICT until August 20, 1999, in substantially the same
7 form as Attachment "A". Notwithstanding any provision of K.C.C. Chapter 14.44 to the
8 contrary, the executive is also authorized to issue right-of-way construction permits
9 consistent with the terms of the extended franchise.

10 INTRODUCED AND READ for the first time this 10th day of November, 1997.

11
12 PASSED by a vote of 12 to 0 this 23rd day of February, 1998.

13 KING COUNTY COUNCIL
14 KING COUNTY, WASHINGTON

15 *Louise Miller*
16 _____
17 Chair

18 ATTEST:

19
20 *Annemari*
21 _____
22 Clerk of the Council

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24 APPROVED this 4 day March, 1998

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27 *[Signature]*
28 _____
29 King County Executive

30 Attachments: Extension Agreement
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FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, the Lakehaven Utility District currently holds water Franchise 7759 granted by King County, Washington for the operation of its water system in unincorporated King County; and

WHEREAS, the referenced Lakehaven Utility District franchise will expire on February 20, 1998, and

WHEREAS, the Lakehaven Utility District has requested a renewal of said franchise; and

WHEREAS, the Lakehaven Utility District, King County and the Utilities Technical Review Committee recommend that said franchise be extended until August 20, 1999 to give the district the opportunity to complete and obtain approval of its water comprehensive plan and franchise; and

WHEREAS, no objections have been raised to the granting of the request; and

WHEREAS, King County has approved the extension of this franchise until August 20, 1999 through the passage of Ordinance No. 13007 subject to the conditions contained in the ordinance and agreement.

NOW, THEREFORE, King County, Washington and the Lakehaven Utility District, agree as follows:

1. The terms of King County Water Franchise 7759 is hereby approved and extended so that it will now expire on August 20, 1999.
2. All other conditions of King County Water Franchise 7759 shall remain in full force and effect and are not modified or amended by this agreement or Ordinance No. 13007.

THIS AGREEMENT entered into this _____ day of _____, 1997.

LAKEHAVEN UTILITY DISTRICT
A Washington State Corporation

KING COUNTY, WASHINGTON

BY: _____

BY: 

TITLE: _____

TITLE: King County Executive

DATE: _____

DATE: 3-5-94

EXHIBIT "A"

All of Sections 3, 4, 5, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 32, 33, and 34, Township 21 North, Range 4 East, W.M.;

TOGETHER with all of Section 13, Township 21 North, Range 3 East, W.M.;

TOGETHER WITH portions of Sections 20, 27, 28, 29, 32, 33, 34, and 35, Township 22 North, Range 4 East, W.M.;

TOGETHER WITH portions of Sections 2, 6, 11, 14, 23, 26, 30, 31, and 35, Township 21 North, Range 4 East, W.M.;

TOGETHER WITH portions of Sections 1, 10, 11, 12, 14, 15, 23, 24, and 25, Township 21 North, Range 3 East, W.M.;

More particularly described as follows:

Beginning at the intersection of the north line of the South 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 22 North, Range 4 East, W.M., and the line of ordinary high water of Puget Sound;

Thence easterly along said north line and the north line of the Southwest 1/4 of the Southeast 1/4 of said section 20 to the east line thereof;

Thence southerly along said east line and the east line of West 1/2 of the Northeast 1/4 of Section 29, Township 22 North, Range 4 East, W.M., to its intersection with the centerline of South 264th Street;

Thence easterly along said East-West centerline of Section 29 to its intersection with the northwesterly extension of the west line of Lot 1 of the Plat of Woodmont Park, Division No. 1, as recorded in Volume 25 of Plats, page 48, Records of King County, Washington;

Thence southwesterly and southerly along the west line of Lots 1, 2, 3, 4, 5, and 6 of said Woodmont Park, Division No. 1, and the southerly extension of the west line of said Lot 6 to the south line of the North 1/2 of the South 1/2 of said Section 29;

Thence easterly along said south line to its intersection with the northerly extension of the north-south centerline of Block 39, Woodmont Beach, according to the plat recorded in Volume 22, page 30, Records of King County, Washington;

Thence southerly along said northerly extension said north-south centerline, said centerline extended southerly, north-south centerline of Block 47 of said plat to its intersection with the north line of Lot 15 of said Block 47;

Thence easterly along said north line along said line extended easterly to the centerline of 16th Avenue South;

Thence southerly along said centerline to its intersection with the centerline of South 272nd Street;

Thence easterly along said centerline to its intersection with the centerline of Pacific Highway South;

Thence southwesterly along said centerline to its intersection with the north line of the S 1/2 of the NW 1/4 of the NW 1/4 of Section 33, Township 22 North, Range 4 East, W.M.;

Thence easterly along said north line to the east line thereof;

Thence southerly along said east line to the southeast corner thereof which is also the northwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 33;

Thence easterly along the north line of the west 1/2 of said Southeast 1/4 of the Northwest 1/4 to the northeast corner thereof;

Thence southeasterly to the most westerly corner of Lot 10 in unrecorded Plat of Redondo Heights;

Thence North $52^{\circ}16'20''$ East along the northwest line of said Lot 10 and its northeasterly extension 1,138.80 feet to its intersection with the centerline of South Star Lake Road, also known as King County Road No. 1969;

Thence northwesterly along the centerline of South Star Lake Road to its intersection with a line extended southwesterly at right angles to the northeastern margin of South Star Lake Road from the most westerly corner of Lot 2 in said Unrecorded Plat;

Thence North $53^{\circ}29'55''$ East, as measured at right angles to the northeasterly margin of Star Lake Road, a distance of 30.00 feet to said northeasterly margin and said most westerly corner of Lot 2;

Thence North $48^{\circ}57'14''$ East, a distance of 743.27 feet along the northwest line of said Lot 2;

Thence North $87^{\circ}36'30''$ West, a distance of 286.48 feet;

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Thence North $48^{\circ}57'14''$ East, a distance of 442.29 feet to the south margin of South 272nd Street;

Thence South $87^{\circ}36'30''$ East along said south margin a distance of 327.80 feet to the west margin of Interstate Highway No. 5;

Thence northerly along said west margin its intersection with the north line of the South 1/2 of the Southeast 1/4 of said Section 28, Township 22 North, Range 4 East, W.M.;

Thence easterly along said north line to the west line of the Southeast 1/4 of the Northeast 1/4 of Southeast 1/4 of said Section 28;

Thence northerly along said west line of the said Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 to the northwest corner thereof;

Thence easterly along the north line of said Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of the east line of said Section 28;

Thence southerly along the east line of said Section 28 to the north line of the South 1/2 of the Southeast 1/4 of said Section 28;

Thence easterly along the north line of the South 1/2 of the Southwest 1/4 of Section 27, Township 22 North, Range 4 East, W.M., to the north-south centerline of said Section 27;

Thence southerly along said North-South centerline to the south line of said Section 27 and the 1/4 corner common to said Section 27 and Section 34, Township 22 North, Range 4 East, W.M.;

Thence easterly along the north line of said Section 34 to its intersection with the north margin of South 272nd Street;

Thence easterly along said north margin to the east line of the Northwest 1/4 of the Northeast 1/4 of said Section 34;

Thence southerly along said east line to the south line of said Northwest 1/4 of the Northeast 1/4;

Thence westerly along said south line to the North-South centerline of said Section 34;

Thence southerly along said North-South centerline to the north line of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 34;

Thence easterly along said north line to the west line of the

East 1/2 of the Northwest 1/4 of the Southeast 1/4 of said Section 34;

Thence northerly along said west line to the East-West centerline of said Section 34;

Thence easterly along said East-West centerline of said Section 34 and the East-West centerline Section 35, Township 22 North, Range 4 East, W.M., to its intersection with a line which is 150 east of and parallel with the east line of the West 1/2 of the Southwest 1/4 of said Section 35;

Thence southerly along said parallel line to its intersection with the north line of the South 1/2 of Southeast 1/4 of the Southwest 1/4 of said Section 35;

Thence easterly along said north line to its intersection with east line of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 35;

Thence southerly along said east line to its intersection with a line which is 150 feet northerly of and parallel with the south line of the Southwest 1/4 of said Section 35;

Thence easterly along said parallel line to its intersection with the last line of the Southwest 1/4 of said Section 35;

Thence southerly along said east line of the Southwest 1/4 of said Section 35 and the east line of the Northwest 1/4 of Section 2, Township 21 North, Range 4 East, W.M. to a point lying 351.12 feet south of north line of said Section 2;

Thence east along a line 351.12 feet south of and parallel to the north line of said Section 2 to a point 1,108.8 feet west of the east line of said Section 2;

Thence south along a line 1,108.8 feet west of and parallel to the east line of said Section 2 to the intersection of a line 1,236 feet north of and parallel to the south line of the Northeast 1/4 of said Section 2;

Thence easterly parallel to the south line of said Northeast 1/4 to a point 778 feet west of the east line of Northeast 1/4 of said Section 2;

Thence southerly parallel to the east line of said Northeast 1/4 to the intersection with the northern margin of Meredith Road (65th Avenue South);

Thence easterly along the north margin of Meredith Road (65th Avenue South) and the easterly extension of said north margin to the east line of the Northeast 1/4 of said Section 2;

✓ Thence southerly along said east line to the northeast corner of the Southeast 1/4 of said Section 2;

✓ Thence continuing southerly along the east line of said Southeast 1/4 to its intersection with the north line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of said Section 2;

✓ Thence westerly along said north line to its intersection with the east line of the west 130 feet of the said South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4;

✓ Thence southerly along said east line to its intersection with the north line of the Southeast 1/4 of the Southeast 1/4 of said Section 2;

✓ Thence westerly along said north line to its intersection with the east line of the Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of said Section 2;

✓ Thence southerly along said east line to its intersection with the south line of the said Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4;

✓ Thence westerly along said south line to its intersection with the east line of the west 1/2 of the Southeast 1/4 of said Section 2;

✓ Thence southerly along said east line to its intersection with the south line of said Section 2, which is also the north line of Section 11, Township 21 North, Range 4 East, W.M.;

✓ Thence westerly along the north line of the Northwest 1/4 of the Northeast 1/4 of said Section 11 to the northwest corner thereof;

✓ Thence southerly along the west line of the Northeast 1/4 of said Section 11 to Northwest ^{East} corner of the Southeast 1/4 of the Northwest 1/4 of said Section 11;

✓ Thence westerly along the north line of the Southeast 1/4 of the Northwest 1/4 of said Section 11 to the west line thereof;

✓ Thence southerly along the west line of said Southeast 1/4 of the Northwest 1/4, and the west line of the East 1/2 of the Southwest 1/4 of said Section 11 to the Northwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 11;

✓ Thence easterly along the north line of Southeast 1/4 of Southwest 1/4 of said Section 11 to the Northeast corner thereof;

- Thence southerly along the east line of the Southwest 1/4 of said Section 11 and the east line of the Northwest 1/4 of Section 14, Township 21 North, Range 4 East, W.M. to the north line of the Easterly extension of Lot 51, West Auburn Five Acre Tracts according to plat thereof recorded in Volume 15, page 12 records of King County, Washington;
- ✓ Thence westerly along the north line of said Lot 51 to its northwest corner thereof;
- ✓ Thence southerly along the west line of Lot 51, 60, 61 and 71 of said Auburn Five Acre Tracts and their northerly extensions to the north margin of S. 331st Street;
- ✓ Thence easterly along said north margin to the east line of said Section 14;
- ✓ Thence southerly along said east line to the south line of said Section 14;
- ✓ Thence westerly along said south line to its intersection with the west margin of 56th Avenue South;
- ✓ Thence southerly along the west margin of 56th Avenue South to its intersection with the northwesterly extension of the southwesterly margin of S.W. 347th Street (Iowa Drive);
- Thence southeasterly and easterly along the southwesterly and southerly margin of S.W. 347th Street to a point on the north line Lot 3, Block 39, according to plat thereof recorded in Volume 20 of pages 12A, 12B, 12C, 12D, 12E and 12F, records of King County, Washington approximately 180 feet easterly of the northwest corner thereof;
- ✓ Thence southeasterly to the northeast corner Lot 5, Block 39 said Jovita Heights;
- ✓ Thence southerly along the east line of said Lot 5 to the southeast corner thereof;
- ✓ Thence easterly along the north line of Lot 9 said Jovita Heights to a point which is 271.9 feet westerly of the northeast corner of said Lot 9;
- ✓ Thence southerly parallel with the east line of Block 39 and 83 said Jovita Heights to the north line of Lot 19, Block 83, said Jovita Heights;
- ✓ Thence southerly 1545 feet more or less to a point on the north line of Lot 6, Block 146, said Jovita Heights which is 300 feet easterly of the northwest corner thereof;

Thence easterly along said north line of said Lot 6 to the northeast corner thereof;

Thence southerly along the east line of Lots 6 through 20 to the southeast corner of Lot 20 which is also the most northerly corner of Lot 40, Block 146, Jovita Heights;

Thence southwesterly along the northwest line of said Lot 40 to the most westerly corner of said Lot 40, said corner is on the northern margin of Ohio Drive, also known as South 364th Place;

Thence southerly and southwesterly along the northern margin of Ohio Drive, also known as South 364th Place, and also being the southeasterly lines of Lots 27 through 36 inclusive, in said Block 146, Jovita Heights, to the southwest line of said Lot 36;

Thence southeasterly along the southeasterly extension of the southwest line of said Lot 36 to the centerline of Ohio Drive;

Thence southerly along the centerline of Ohio Drive to its intersection with the southeasterly extension of the northeastern line of Lot 39, said northeastern line being South $39^{\circ}47'17''$ East from the most northerly corner of Lot 39, Block 146 of said Jovita Heights;

Thence northwesterly along said southeasterly extension to the western margin of Ohio Drive, also being the southeastern line of said Lot 39;

Thence southerly along the said margin of Ohio Drive and the southeastern line of said Lot 39 to its intersection with the westerly extension of the north line of Lot 10, Block 145, of said Jovita Heights;

Thence easterly along said westerly extension and the north line of said Lot 10 to the most easterly corner of Lot 10;

Thence southwesterly along the south line of said Lot 10 and its southwesterly extension to its intersection with the western margin of Oregon Drive, also known as 55th Place South;

Thence southeasterly along said western margin also being portions of the eastern lines of Lots 15 and 16, Block 144 of said Jovita Heights, to the most easterly corner of said Lot 16;

Thence northeasterly across Ohio Drive, also known as 55th Place South, to the most northwesterly corner of Lot 1, Block 143, of said Jovita Heights;

Thence northeasterly, southerly and southwesterly along the lines of said Lot 1, also being the southern and western margins of

1/4 of the Southeast 1/4 of Section 32, Township 21 North, Range 4 East W.M., to the southwest corner thereof;

Thence northerly along the west line of said Northeast 1/4 of the Southeast 1/4 to the northwest corner thereof;

Thence westerly along the north line of the Southeast 1/4 of said Section 32 to its intersection with the westerly margin of Primary State Highway No. 1 (SR 5);

Thence southwesterly along said westerly margin to its intersection with the south line of said Section 32;

Thence westerly along the south line of said Section 32 to the southwest corner thereof;

Thence northerly along the west line of said Section 32 to the intersection with the southwestern boundary line of King County;

Thence northwesterly along said southwestern boundary of King County through Section 31 and Section 30, Township 21 North, Range 4 East, W.M., to its intersection with the west line of said Section 30, said west line also being the east line of Section 25, Township 21 North, Range 3 East, W.M.;

Thence continuing northwesterly along the southwestern boundary of King County through Sections 25, 24, 23, 14, 15 and 10 Township 21 North, Range 3 East, W.M., to its intersection with the line of ordinary high water of Puget Sound;

Thence easterly and northerly along the line of ordinary high water of Puget Sound to the Point of Beginning.