

10/26/77

Introduced by: Mike Lowry

77-529

ORDINANCE NO. 3467

AN ORDINANCE disincorporating and dissolving the Holiday Lake Sewer District pursuant to RCW 57.90, specifying the manner in which the disincorporation is to be accomplished and repealing Ordinance No. 81.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings and Statement of Fact.

The County Council, having held a public hearing on October 31, 1977 pursuant to RCW 57.90.020 and proper notice having been given of said hearing and testimony and/or evidence having been received finds that:

1. Pursuant to RCW 57.90.020 King County Water District No. 104 has filed Resolution No. 570 dated March 3, 1975 petitioning the County Council to disincorporate and dissolve the Holiday Lake Sewer District, a District located wholly within King County, a Class AA county.

2. RCW 57.90 allows the County Council to disincorporate special districts upon the filing of a resolution by a governmental unit calling for such action.

3. King County Water District No. 104 is a duly organized and operating water district providing both water and sewer service to its customers and is a governmental unit within the meaning of RCW 57.90.020.

4. Holiday Lake Sewer District was established by means of Ordinance No. 81 of the King County Council dated August 4, 1969, and based on a public vote of three (3) to zero (0) in favor of forming the District, all votes coming by means of absentee ballots.

5. Since its establishment in 1969, Holiday Lake Sewer District has not actively carried out any of the special purposes or functions for which it was formed, such non-performance exceeding a seven (7) consecutive year period.

6. The records of the King County Assessor show that no

1 levies or local improvement districts have ever been instigated
2 by Holiday Lake Sewer District.

3 7. The records of the Division of Records and Elections
4 show that the term of office of all District Commissioners has
5 expired and no election has been held since the original election
6 in 1969.

7 8. Holiday Lake Sewer District is located adjacent to King
8 County Water District No. 104.

9 9. Both Holiday Lake Sewer District and King County Water
10 District No. 104 are located in the same sewer drainage area.

11 10. King County Water District No. 104 states in its
12 petition to the Boundary Review Board that it is presently able
13 to provide sewer service to the area served by Holiday Lake Sewer
14 District if it were requested to do so, so that disincorporation
15 of Holiday Lake Sewer District would have no adverse effect upon
16 the inhabitants within its boundaries.

17 11. Pursuant to RCW 36.94, the County Services Act, King
18 County is authorized to provide a system of sewerage to benefit
19 all or a portion of the residents of King County including those
20 residing within the Holiday Lake Sewer District.

21 12. Holiday Lake Sewer District merely adds to the number
22 of special use districts and the best interests of the citizens
23 of the County will be served by disincorporation thereby elimin-
24 ating a non-functioning and unnecessary special unit of
25 government.

26 13. Pursuant to RCW 36.93, the Boundary Review Board
27 approved of the proposed dissolution on February 7, 1976.

28 14. Disincorporation of Holiday Lake Sewer District is
29 not an "action" for the purposes of RCW 43.21C and WAC 197-10-040.

30 SECTION 2. Order of Disincorporation.

31 Based on the findings set forth in Section 1, that (a) no
32 services have been provided by Holiday Lake Sewer District with-
33 in the preceding five year period and, (b) the best interests of

1 the citizens of the County will be served by disincorporation,
2 the County Council hereby orders the disincorporation of the
3 Holiday Lake Sewer District, boundaries of said district being
4 as follows:

5 All of Sections 22 and 27, Township 26 North, Range
6 6 East of W.M. in King County, Washington, TOGETHER
7 with that portion of Section 21 in said township and
8 range described as follows: Beginning at the north-
9 east corner of said section; thence westerly along
10 the north line of said section to the north quarter
11 corner of said section; thence southerly along the
12 north-and-south centerline of said section to the
13 north line of the south 660.00 feet in width of the
14 NW 1/4 of said section; thence westerly along said
15 north line to the centerline of the Pacific Northwest
16 Pipe Line Corporation's Main Transmission Line right-
17 of-way; thence southerly along said centerline of
18 right-of-way to a point 480.00 feet northerly of the
19 centerline of Siedel Road; thence easterly, parallel
20 with said road centerline, to a point 510.00 feet
21 easterly of the west line of the SE 1/4 of the SW 1/4
22 of said Section 21; thence southerly, parallel with
23 said west line, a distance of 450.00 feet to the north
24 margin of said Siedel Road; thence easterly along said
25 road margin 390.00 feet; thence northerly, parallel
26 with said west line, to the north line of the SE 1/4
27 of the SW 1/4 of said Section 21; thence easterly
28 along said north line and along the north line of the
29 south half (S 1/2) of the SE 1/4 of said section to
30 the east line of said section; thence northerly along
31 said east line to the Point of Beginning.

19 SECTION 3. Supervision of Liquidation of Assets.

20 The King County Executive or his designee is hereby directed
21 to supervise the liquidation of any assets and the satisfaction
22 of any outstanding indebtedness of the Holiday Lake Sewer
23 District in accordance with RCW 57.90.

24 1. The King County Executive shall compile a list of any
25 assets and any outstanding indebtedness of the Holiday Lake
26 Sewer District.

27 2. The sale of any assets of the District shall be
28 accomplished in the manner provided in KCC 4.56, to the extent
29 practicable.

30 SECTION 4. Distribution of Assets and Assessments to Cover
31 Costs and Expenses of Liquidation.

32 1. The proceeds, if any, of the sale of any assets of the
33 Holiday Lake Sewer District, together with monies on hand in the

1 treasury of the District, shall after payment of all costs and
2 expenses of liquidation incurred by the County and all out-
3 standing indebtedness be paid to the County Comptroller to be
4 placed to the credit of the school district or districts, in
5 which the Holiday Lake Sewer District is situated.

6 2. In the event the proceeds of the sale of any of the
7 assets of the District, together with the monies on hand in its
8 treasury are insufficient to retire any outstanding indebtedness
9 together with all costs and expenses of liquidation, the County
10 Executive is authorized to prepare and submit to the County
11 Council an assessment levy for enactment in the manner provided
12 by law. Said levy shall be against the property in the District
13 and in amounts sufficient to retire any outstanding indebtedness
14 and such costs and expenses as may be incurred by the County in
15 the liquidation proceeding.

16 3. The King County Executive shall by January 1, 1978
17 report to the County Council an accounting of the distribution of
18 assets and the satisfaction of any outstanding indebtedness of
19 the Holiday Lake Sewer District.

20 SECTION 5. Declaration of Intention of King County to
21 Implement the Provision of RCW 36.94.

22 The King County Executive or his designee is hereby
23 directed to implement the provisions of RCW 36.94, the County
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Services Act in the area generally encompassed by the boundaries set forth in Section 2.

INTRODUCED AND READ for the first time this 13th day of June, 1977.

PASSED this 31st day of October, 1977.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Mike Lowery
Chairman

ATTEST:

Dorothy M. Rivera
Deputy Clerk of the Council

APPROVED this _____ day of _____, 1977

King County Executive
OBSERVED ENACTED WITHOUT
COUNTY EXECUTIVE'S SIGNATURE
DATED: 11-10-77