

1 Introduced by: BRUCE LAING

2 Proposed No. 80-682

3  
4 ORDINANCE NO. 5097

5  
6 AN ORDINANCE disincorporating and  
7 dissolving Drainage District No. 4  
8 pursuant to RCW 36.96, and specifying  
9 the manner in which the disincorporation  
10 is to be accomplished.

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY;

12 SECTION 1. Findings and Statement of Fact. The  
13 County Council, having held a public hearing on the 15th day  
14 of September, 19 80, pursuant to RCW 36.96.030 and proper  
15 notice having been given of said hearing and testimony and/or  
16 evidence having been received finds that:

17 1. The City of Issaquah has filed Resolution No. 79-13,  
18 dated September 4, 1979, petitioning the County Council to  
19 disincorporate and dissolve Drainage District No. 4, a  
20 district located wholly within King County, a Class AA county,

21 2. RCW 36.96 allows the County Council to disin-  
22 corporate a special purpose district on its own initiative, if  
23 any such district appears to meet the criteria by being "inactive",  
24 as defined in that chapter.

25 3. Drainage District No. 4 was formed in 1916.

26 4. Drainage District No. 4 has not actively carried  
27 out the special purposes or functions for which it was formed,  
28 which include construction and maintenance of drainage systems,  
29 within the preceding five-year period.

30 5. Pursuant to RCW 85.06.230, the City of Issaquah  
31 has exercised its authority to assume the functions of a drainage  
32 district for the entire incorporated area.  
33

1           6. The boundaries of the City of Issaquah encompass  
2 approximately ninety per cent of Drainage District No. 4 and  
3 all of the remaining territory of the district, except for that  
4 portion lying within Lake Sammamish State Park, is part of a  
5 pending annexation to the City of Issaquah.

6           7. The City of Issaquah states in its resolution  
7 that it will assume the functions of Drainage District No. 4  
8 so that disincorporation of Drainage District No. 4 would have  
9 no adverse effect upon the inhabitants within its boundaries.

10           8. Drainage District No. 4 merely adds to the number  
11 of special use districts, and the best interests of the citizens  
12 of the county will be served by disincorporation, thereby  
13 eliminating a nonfunctioning and unnecessary special unit of  
14 government.

15           9. Disincorporation of Drainage District No. 4 is  
16 not an action for the purposes of RCW 43.21C and WAC 197-10-040.

17           SECTION 2. Order of Disincorporation. Based on  
18 the findings set forth in Section 1, that (a) within the  
19 preceding five-year period Drainage District No. 4 has not ful-  
20 filled the purposes for which it was formed, and (b) the best  
21 interests of the citizens of the county will be served by  
22 disincorporation, the County Council hereby orders the dis-  
23 incorporation of Drainage District No. 4, boundaries of said  
24 district being as follows:

25           Commencing at the northeast corner of  
26 the southeast quarter of the northeast  
27 quarter of Section 19, Township 24 North,  
28 Range 6 East, of the Willamette Meridian;  
29 thence east along the north line of Lot 5  
30 of the northwest quarter of Section 20 to  
31 the shoreline of Lake Sammamish; thence  
32 along the shoreline of Lake Sammamish  
33 bounding Lots 5, 4, 3, 2, and 1 of Section  
20, and Lot 4 of Section 17, to the mouth

1 of Issaquah Creek; thence along the west  
2 shoreline of Issaquah Creek through Lot 4  
3 of Section 17, and Lot 1 of Section 20;  
4 thence southeasterly continuing along  
5 said line of Issaquah Creek through  
6 Section 21, and through Section 28 to the  
7 north line of the southeast quarter of the  
8 southeast quarter of Section 28; thence  
9 west along said north line and the north  
10 line of the southwest quarter of the south-  
11 east quarter of the said Section 28, to  
12 the west line of Road No. 485 (Newport Way,  
13 east of SR 900); thence northwesterly along  
14 the west side of Road No. 485, through the  
15 northwest quarter of the southeast quarter,  
16 the northeast quarter of the southwest  
17 quarter and the southeast quarter of the  
18 northwest quarter, the northeast quarter of  
19 the northwest quarter, and the northwest  
20 quarter of the northwest quarter of Section  
21 28; thence west along the south side of  
22 Road No. 485, through Section 29 to the be-  
23 ginning of Road No. 111 (Newport Way, west  
24 of SR 900); thence northwesterly along the  
25 west line of said Road No. 111, through  
26 Sections 29 and 20, and through the southeast  
27 quarter of the northeast quarter of Section  
28 19, to the north line of said southeast  
29 quarter of the northeast quarter of Section  
30 19; thence east along the said north line of  
31 the southeast quarter of the northeast quarter  
32 of said Section 19 to the point of beginning,  
33 all in Township 24 North, Range 6 East, W.M.,  
and containing 928 acres more or less.

SECTION 3. Supervision of Liquidation of Assets.

The King County Executive or his designee is hereby directed to supervise and administer the exchange, sale, or other means of disposal of any assets, and the satisfaction of any outstanding indebtedness of Drainage District No. 4 in accordance with RCW 36.96.060, on behalf of the King County Council.

1. The King County Executive shall compile a list of any assets and any outstanding indebtedness of Drainage District No. 4.

2. The sale of any assets of the district shall be accomplished in the manner provided in KCC 4.56, to the extent practicable. If such transfer is feasible, the King County

1 Executive or his designee shall transfer property necessary  
2 to the construction, existence or management of this drainage  
3 system to the governmental unit which succeeds Drainage District  
4 No. 4 in its operation and management.

5 SECTION 4. Distribution of Assets and Assessments  
6 to Cover Costs and Expenses of Liquidation.

7 1. Pursuant to RCW 36.96.070 the proceeds, if any,  
8 of the sale of any asset of Drainage District No. 4, together  
9 with monies on hand in the treasury of the District and any  
10 remaining real property or improvements, shall, after payment  
11 of all costs and expenses of liquidation incurred by the County  
12 and all outstanding indebtedness, become the property of King  
13 County.

14 2. In the event the proceeds of the sale of any of  
15 the assets of the District, together with the monies on hand  
16 in its treasury are insufficient to retire any outstanding  
17 indebtedness together with all costs and expenses of  
18 liquidation, the County Executive is authorized to prepare and  
19 submit to the County Council an assessment levy for enactment  
20 in the manner provided by law. Said levy shall be against  
21 the property in the District and in amounts sufficient to  
22 retire any outstanding indebtedness and such costs and expenses  
23 as may be incurred by the county in the liquidation pro-  
24 ceeding.  
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1 3. The King County Executive shall by October 1, 1980,  
2 report to the County Council an accounting of the distribution  
3 of assets and the satisfaction of any outstanding indebtedness  
4 of Drainage District No. 4.

5 INTRODUCED AND READ for the first time this 9th day  
6 of June, 1980.

7 PASSED this 15th day of September, 1980.

8 KING COUNTY COUNCIL  
9 KING COUNTY, WASHINGTON

10 Bill Reams  
11 Chairman

12  
13  
14 ATTEST:

15  
16 Dorothy M. Quinn  
17 Deputy Clerk of the Council

18 APPROVED this 22d day of September 1980

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20  
21 [Signature]  
22 King County Executive