

March 11, 1986
8230A/clt

Introduced by: BILL REAMS
Proposed No. 86-171

ORDINANCE NO. 7569

AN ORDINANCE relating to the withdrawal of territory from Rose Hill Water & Sewer District.

STATEMENT OF FACT:

1. The commissioners of Rose Hill Water and Sewer District, by Resolution No. 527, have petitioned the county council for the withdrawal of territory consisting of that portion of the district lying west of Interstate Highway No. 405, pursuant to RCW 57.28.035. The resolution was filed with the council on March 5, 1986.

2. The district resolution included the findings and recommendations of the district commissioners specified in RCW 54.28.050, concluding that the withdrawal was appropriate and in the best interest of the residents of the territory to be withdrawn.

3. The district gave notice to the City of Kirkland of its intent to withdraw said territory, and has entered into an agreement with the city for the exchange of water utility facilities.

4. The county council has held a public hearing on the 14th day of April, 1986 and has considered the criteria set forth in RCW 57.28.050.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County Council adopts the following findings of fact as to the questions posed in RCW 57.28.050 pertaining to the withdrawal of territory from the Rose Hill Water and Sewer District:

1 QUESTION: Is the territory as so
2 established and defined of such location or character
3 that water cannot be furnished to it by such water
4 district at reasonable cost?

5 FINDING: Yes. The physical barrier created
6 by Interstate 405 makes it unreasonable for Rose Hill
7 Water & Sewer District to attempt to furnish water
8 services to the territory within the District lying
9 west of Interstate 405. Because of this physical
10 barrier, the District entered a contract in 1970 with
11 the City of Kirkland by which the City of Kirkland
12 would provide water service to this portion of the
13 District. The City of Kirkland has provided water
14 service to that portion of the District lying west of
15 Interstate 405 since entering into a contract with
16 the District for this purpose. Said contract was
17 approved by the Superior Court of Washington for King
18 County.

19 QUESTION: Would the withdrawal of such
20 territory be of benefit to such territory?

21 FINDING: Yes. The territory, which
22 receives no water from the District, would be
23 relieved of any political or legal entanglements
24 created by its status as being a part of the District.

25 QUESTION: Would such withdrawal be
26 conducive to the general welfare of the balance of
27 the District?
28
29
30
31
32
33

1 FINDING: Yes. Voters within the territory
2 west of Interstate 405 vote in the election of
3 commissioners to the Board of Commissioners and in
4 any other manner affecting the District, even though
5 they receive absolutely no services from the
6 District. The general welfare of the balance of the
7 District would be served by the withdrawal of such
8 territory, since following the withdrawal, the
9 electoral process within the District would be
10 governed solely by voters within the actual service
11 area of the District.

12 QUESTION: Does it appear that such
13 territory was improvidently included within such
14 water district at the time of the establishment
15 thereof or annexation thereto?

16 FINDING: Yes. Prior to the construction of
17 Interstate 405, this territory was separated from the
18 rest of the District by a two-lane highway, which
19 made service to the area difficult. It is also a
20 territory not geographically related to the community
21 known as Rose Hill, which is the main service area of
22 the District.

23 SECTION 2. Based on the foregoing findings, the King County
24 Council declares that the territory, as described in Section 3, is
25 withdrawn from the corporate boundaries of the Rose Hill Water and
26 Sewer District as provided in RCW 57.28.080.
27
28
29
30
31
32
33

