

ORIGINAL

Attachment A

13927

*Utility /
Water
Franchise*

FRANCHISE NO.

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.

The application of the **City of Duvall** 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", except for those areas within the corporate boundaries of the city of Duvall, has been heard on this 5th day of September, 2000.

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

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 **City of Duvall**, the Grantee, subject to the conditions set forth in Exhibit "B" attached hereto, this franchise and Ordinance No.11744. This franchise grants the right, privilege, authority and franchise to operate, maintain, repair and construct water 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".

This franchise is granted subject to all of the terms and conditions contained herein, within Ordinance No.11744 and Exhibit "B", and shall expire in twenty-five years on 9/5/2025.

Dated this 18 day of September, 2000.

KING COUNTY, WASHINGTON

BY [Signature]

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 11744 and Exhibit "B".

City of Duvall
GRANTEE

BY Alana McCoy

TITLE Engineer Aide

Dated this 11 day of October, 2000.

EXHIBIT "A"CITY OF DUVALL
KING COUNTY UTILITY FRANCHISE LIMITS

Beginning at the intersection with the south line of NE 166th St. with the east line of the west half of the west half of Section 17, Township 26 North, Range 7 East, Willamette Meridian, King County, Washington;

thence south along said east line and the east line of west half of the west half of Section 20, said township and range to the south line of said Section 20;

thence west along said south line to the northeast corner of Section 30, said township and range;

thence south along the east line of said Section 30 to intersect the north line of the south half of the northeast quarter of the northeast quarter of said Section 30;

thence west along said north line to the east line of the west half of the east half of said Section 30;

thence south along said east line to the north line of the south half of the south half of said Section 30;

thence west along said north line to the east line of Section 25, Township 26 North, Range 6 East, Willamette Meridian;

thence south along said east line to the southeast corner of said Section 25;

thence west along the south line of said Section 25 to the southwest corner of said Section 25;

thence north along the west line of said Section 25 to the northwest corner of said Section 25;

thence continuing north along the west line of Section 24, Township 26 North, Range 6 East, W.M. to the northwest corner of said Section 24;

thence continuing north along the west line of Section 13, Township 26 North, Range 6 East, W.M. to the northwest corner of said Section 13;

thence continuing north along the west line of Section 12, Township 26 North, Range 6 East, W.M. to the north line of the south half of said Section;

thence east along said line to the northeast corner of said south half of said section;

thence continuing east along the north line of the south half of Section 7, Township 26 North, Range 7 East, W.M. to the northeast corner of said south half of said section;

thence south along the east line of said south half of said section to the southeast corner of said section;

thence east along the north line of Section 17, Township 26 North, Range 7 East, W.M. to the east line of the west half of the west half of said section;

thence south along said east line to the Point of Beginning.

EXHIBIT "B"

TERMS AND CONDITIONS APPLICABLE TO UTILITIES FRANCHISES GRANTED BY KING COUNTY

THIS FRANCHISE is subject to the following terms and conditions:

1. DEFINITIONS

References to any County official or office also refers to any office that succeeds to any or all of the responsibilities of the named office or official. References to laws or "applicable laws" include federal, state, and local laws and regulations adopted pursuant to those laws; unless otherwise stated, references to laws include laws now in effect, as the same may be amended from time to time during the operation of this franchise. In addition, the following definitions shall apply:

Cable Services. The term "Cable Services" is used as defined in 47 United States Code 522 (5), as amended.

Cable System. The term "Cable System" is used as defined in 47 United States Code 522 (6), and King County Code 6.a.010 (J) as amended.

County Road Rights-of-Way. The term "County Road Rights-of-Way" includes any road, street, avenue, or alley located within the area described in the attached Exhibit "A", it does not include recreational or nature trails except where the trails intersect or are within roads, streets, avenues or alleys.

Director. The term "Director" refers to the chief executive of the King County Department of Transportation.

Grantee. The term "Grantee" refers to the City of Duvall its successors and those assignees approved pursuant to paragraph 16 herein.

Utility. The term "utility" refers either to the Grantee or, depending on the context, to any other person, firm, or corporation, public or private, which may hold a franchise to maintain and operate similar facilities in, under, over, across, and along any of the County property described in Exhibit "A".

Council. The term "Council" refers to the King County Council, acting in its official capacity.

Other Governing Body. The term "Other Governing Body" refers to any public official or other public board or body as may have the power and jurisdiction to permit or regulate the installation