



## Legislation Text

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**File #:** 2002-0599, **Version:** 1

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Clerk 12/03/2002

AN ORDINANCE relating to the transfer of a portion of Lakehaven Utility District to Highline Water District for the purpose of providing water service to the area known as Verzani Property Transfer; amending Ordinance 14480, Section 2, and repealing Ordinance 14480, Section 4.

### STATEMENT OF FACTS:

1. A notice of intention proposing the transfer of a portion of Lakehaven Utility District to Highline Water District for the purpose of providing water service was filed with the county council on July 24, 2002. Highline Water District found the petition for transfer to be sufficient and concurred with the proposed transfer in Resolution No. 02-4-3B, passed on April 3, 2002. Lakehaven Water District found the petition for transfer to be sufficient and concurred with the proposed transfer in Resolution No. 2002-965 passed on January 24, 2002.
2. Highline Water District issued a determination of nonsignificance on the proposed transfer dated July 10, 2002.
3. On January 10, 2000, King County granted the Lakehaven Utility District a franchise to install, operate and maintain a water utility on King County, road right of ways within the district's water service area under Ordinance 13702. Under the terms of this franchise, the consent of the Metropolitan King County Council is required for any assignment of the franchise.
4. The county council held a public hearing on September 9, 2002 on the proposed transfer of service area from Lakehaven Utility District to Highline Water District.
5. On September 23, 2002, the council passed Ordinance 14480, which conditionally approved the Verzani property transfer, as reflected in an attached legal description. The council conditioned the transfer on completion and approval by the council, by ordinance, an assignment of the Lakehaven Utility District franchise.
6. Subsequently, executive staff determined that that the transfer area does not contain any county right-of-way that would require a franchise agreement. This makes the assignment of the Lakehaven Utility District franchise unnecessary.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 14480, Section 4, is hereby repealed.

SECTION 2. Ordinance 14480, Section 2, is hereby amended to read as follows:

After consideration of the criteria listed in RCW 57.02.040(3), the transfer by Lakehaven Utility District

of the area described in Attachment A to ~~((this  $\emptyset$ ))~~ Ordinance 14480 is consistent with those criteria ~~((and is approved subject to the condition set forth in section 4 of this ordinance))~~.

Publish area paper 2 consecutive weeks.

Post outside chambers.