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11/08/93

ORDINANCE NO. 1759

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AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ASSUMING JURISDICTION AND OWNERSHIP OVER A PORTION OF THE ROSE HILL WATER DISTRICT'S SERVICE AREA, ASSETS, FACILITIES, RESPONSIBILITIES, PROPERTY, AND EQUIPMENT, PURSUANT TO AN ASSUMPTION AGREEMENT ENTERED INTO BETWEEN REDMOND, KIRKLAND, BELLEVUE AND THE DISTRICT, AND DIRECTING THE MAYOR AND CITY ATTORNEY TO TAKE THE NECESSARY STEPS TO PROCEED WITH DISSOLUTION OF THE DISTRICT PURSUANT TO SAID AGREEMENT.

WHEREAS, Resolutions 927 and 952 of the City of Redmond declared the City's intent to assume jurisdiction and ownership over portion of the Rose Hill Water District's service area, assets, facilities, responsibilities, property, and equipment pursuant to an assumption agreement entered into between Redmond, Kirkland, Bellevue and the District, and

WHEREAS, said Resolutions also directed that assumption and dissolution of the District be submitted to the Washington State Boundary Review Board for King County for approval and that an ordinance be prepared to finalize the assumption upon receipt of such approval, and

WHEREAS, a Notice of Intent for the assumption and dissolution action was duly filed with the Boundary Review Board and the 45 day period established for invocation of the Board's jurisdiction passed without any request for such jurisdiction being filed and the assumption is therefore deemed approved by the Board,

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Assumption. Effective at 12:01 a.m. January 1, 1994, the City of Redmond hereby assumes jurisdiction and ownership of a portion of the Rose Hill Water District's service area, assets, facilities, responsibilities, property, and equipment, all pursuant to the terms, conditions and agreements provided in the Assumption Agreement attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full. The legal description of the service area assumed and a list of all assets, facilities, responsibilities, property, and equipment over which the City assumes jurisdiction and ownership is contained in the Assumption Agreement. This assumption is undertaken pursuant to Chapter 35.13A RCW.

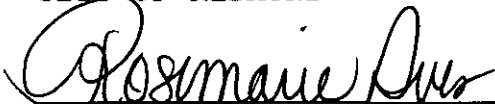
Section 2. Dissolution of District. Pursuant to Section 1.3 of the Assumption Agreement, the Mayor and the City Attorney are hereby authorized to pursue dissolution of the Rose Hill Water District and to execute any necessary documents, petitions and court pleadings required to accomplish dissolution pursuant to RCW 35.13A.080.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase

of this ordinance.

Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

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| FILED WITH THE CITY CLERK: | December 15, 1993 |
| PASSED BY THE CITY COUNCIL: | December 21, 1993 |
| SIGNED BY THE MAYOR: | January 4, 1994 |
| PUBLISHED: | December 26, 1993 |
| EFFECTIVE DATE: | December 31, 1993 |
| ORDINANCE NO. <u>1759</u> | |

Exhibit A

Assumption Agreement

Original Agreement is filed in Contract file No. 1594