

**LAKEHAVEN UTILITY DISTRICT**  
King County, Washington

**Resolution No. 2006-1075**

A **Resolution** of the Board of Commissioners of the Lakehaven Utility District, King County, Washington clarifying the requirement for the conveyance of easements for temporary service connections and amending Section (D) (iii) of Resolution No. 2005-1056.

**Whereas**, the District permits the connection of certain properties to the District's water and/or sewer system by temporary service connection, and

**Whereas**, in circumstances where temporary service is permitted, the District, pursuant to state law, requires the property owner to pay the cost of permanent facilities to serve the property, and

**Whereas**, where the permanent facilities will be located across private property served, the District has need to further condition temporary service on the conveyance of easements allowing for the construction and maintenance of the permanent main on private property, and

**Whereas**, in order to clarify the requirement for the conveyance of easements in circumstances where temporary service is requested:

**NOW THEREFORE, BE IT RESOLVED** as follows:

1. Section (D)(iii) of Resolution No. 2005-1056 is amended to hereinafter read as follows:

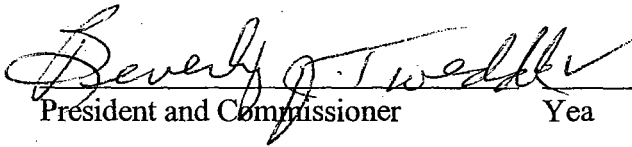
"The owner of the property requesting temporary service shall execute an agreement providing that the owner shall construct and maintain the temporary facilities at the sole expense of such owner and acknowledging the obligation to connect the property, at no expense to the District, to permanent facilities when available. The agreement shall appoint the Secretary of the Board of Commissioners as the property owner's attorney in fact for purposes of executing any documents necessary to include the property in a utility local improvement district. The property owner shall further agree not to protest the formation of any utility local improvement district. The property owner shall additionally procure all easements as deemed necessary by the District for the ownership and maintenance of the temporary line and appurtenances. Where the permanent facilities would be located across private property, including owner's property, the owner shall, as a further condition of temporary service, procure and/or convey, at no cost to the District, all easements for the construction and operation/maintenance of the permanent facilities in location approved by the District".

2. All other provisions of Resolution No. 2005-1056 shall remain in full force and effect.

3. This Resolution shall be effective on the date of adoption below.

**ADOPTED** by the Board of Commissioners of Lakehaven Utility District, King County, Washington, at a regular meeting thereof held this 12th day of October, 2006.

ATTEST:

  
\_\_\_\_\_  
President and Commissioner

Yea

Nay

Abstain

## NOT PRESENT

\_\_\_\_\_  
Vice President and Commissioner

Yea

Nay

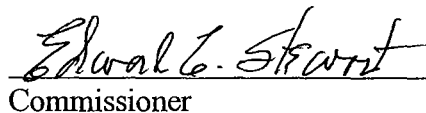
Abstain

  
\_\_\_\_\_  
Secretary and Commissioner

Yea

Nay

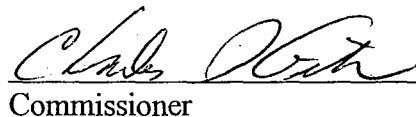
Abstain

  
\_\_\_\_\_  
Commissioner

Yea

Nay

Abstain

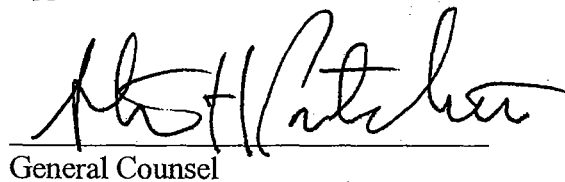
  
\_\_\_\_\_  
Commissioner

Yea

Nay

Abstain

Approved as to form:

  
\_\_\_\_\_  
General Counsel