

**KING COUNTY WATER DISTRICT NO. 125
KING COUNTY, WASHINGTON**

RESOLUTION NO. 07-02-14-405

RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 125, KING COUNTY, WASHINGTON, APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF TUKWILA PROVIDING FOR THE TRANSFER OF CERTAIN DISTRICT WATER FACILITIES, WATER SERVICE AREA AND DISTRICT CUSTOMERS TO THE CITY.

WHEREAS, pursuant to Title 57 RCW, the District owns and operates a water system and provides water service to an area located within King County, Washington; the District obtains its water supply through a wholesale water supply agreement from the City of Seattle; and.

WHEREAS, pursuant to Title 35 RCW, the City owns and operates a water system and provides water service to an area located within King County, Washington; the City obtains its water supply from the Cascade Water Alliance ("CWA"); and

WHEREAS, the District's corporate and water service area boundaries overlap or are adjacent to the City's corporate boundary and water service area; and

WHEREAS, the District owns and operates a water transmission main and appurtenances ("Water Main") in the area of 56th and 57th Avenues Southeast known as Foster Point ("Foster Point Area") which is located within the City's corporate and water service area boundaries; the City desires that the District now transfer ownership of the Water Main to the City for monetary and other consideration so that the City may serve existing City water customers from the Water Main; and

WHEREAS, the District also owns and operates water supply facilities including water mains, meters, meter boxes and appurtenances ("Water Facilities") in the area east of I-5, west of Interurban Avenue South and south to South 144th Street ("Interurban Area") which is located within the District's water service area; the City desires that the District now transfer ownership of the Water Facilities to the City for monetary and other consideration; the City also desires that the District transfer its water service customers in the Interurban Area to the City so that the City may provide water service to such customers and water service area; however, various approvals may be required as a precondition to the District's transfer of its customers in the Interurban Area to the City including approval by the City of Seattle, CWA and other governmental agencies; and

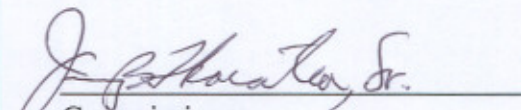
WHEREAS, pursuant to Chapter 70.116 RCW, the District and the City and other water purveyors previously determined and agreed upon the water service areas between the parties as set forth in the South King County Coordinated Water System Plan; however, the Parties desire that the water service area boundary between the Parties be modified and amended to be in

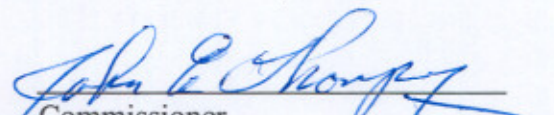
accordance with the terms and conditions of the interlocal agreement attached hereto as **Exhibit A** and incorporated herein by this reference ("Interlocal Agreement"); the purpose of the Agreement is to provide for the District's transfer and conveyance of all of its right, title and interest in the Water Main and the Water Facilities to the City in consideration of the City's payment to the District of certain monetary and other consideration and that the water service area boundary between the Parties be later modified and amended to provide for the transfer of the Interurban Area to the City's water service area; and

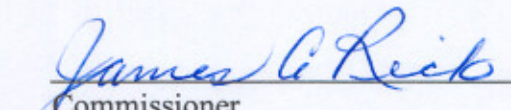
WHEREAS, the City and the District have the legal authority to cooperate with other municipalities on the basis of mutual advantage and efficient provision of municipal services pursuant to Chapter 39.34, the Interlocal Cooperation Act; now, therefore,

BE IT RESOLVED, by the Board of Commissioners of King County Water District No. 125, King County, Washington, that the Interlocal Agreement attached hereto as **Exhibit A** is hereby approved subject to the approval of the Interlocal Agreement by the City of Tukwila.

ADOPTED by the Board of Commissioners of King County Water District No. 125, King County, Washington, at a regular open public meeting thereof held on the 14th day of February, 2007.


Commissioner


Commissioner


Commissioner