BEFORE THE BOARD OF COMMISSIONERS OF ISLAND COUNTY, WASHINGTON

In the Matter of the Application of BUENA VISTA COMMUNITY CLUB, a corporation, for a franchise to construct, operate and maintain a 6" or 4" pipe line along and/or across County Roads in and abutting and adjacent to Plat of Buena Vista Addition No. 1, Island County, Washington.	RESOLUTION

WHEREAS BUENA VISTA COMMUNITY CLUB, a corporation not operated for profit, has filed its application for a franchise to construct, operate and maintain a 6" or 4" pipe line along and/or across County Roads in and abutting and adjoining the Plat of Buena Vista Addition No. 1 of Island County, Washington; and

WHEREAS the Board of County Commissioners did on April 3, 1961, fix the date of May 1, 1961, at the hour of 11:00 o'clock A.M., at the Commissioners' Chambers in the Court House in Coupeville as the time and place of a hearing upon said application; and

WHEREAS the County Auditor has caused public notice of said hearing to be made in the form and manner required by Chapter 187, Section 38, Session Laws of 1937, State of Washington, by publishing notice thereof in the Oak Harbor News on the 13th day of April, 1961, and did cause notices to be posted in three public places in the County Seat of Island County, and did post at least one conspicuous notice on the County Road or portion thereof upon which application is made respecting such franchise at least fifteen days prior to the date fixed for hearing thereon; and

WHEREAS the matter came on for hearing on the said date of May 1, 1961, and was regularly continued until the 5th day of June, 1961; and

WHEREAS, it is in the public interest that such corporation be granted such franchise as applied for; now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ISLAND COUNTY, WASHINGTON, THAT:

Section 1. A franchise be and the same hereby is given and granted to BUENA VISTA COMMUNITY CLUB, a corporation, its successors and assigns (hereinafter referred to as "the holder") to construct, operate and maintain a 6" or 4" pipe line, together with the necessary laterals and service connections along and/or across the following described portion of Island County Roads No._____ in Island County, Washington, for a period of fifty (50) years from the date of the entry of this order, subject to the terms and conditions hereinafter enumerated:

Entire length of Vista Del Monte Street, Vista Del Mar Street, and Puesta Del Sol Avenue, Plat of Buena Vista Addition No. 1, Camano Island, Washington, and that portion of Chick Road (a county road) from the center of Section 19, Township 32 North, Range 3 East W.M., running west to the western boundary of said Plat of Buena Vista Addition No. 1.

Section 2. Said 6" or 4" pipe line shall at all times be constructed and maintained so as not to interfere with the use of the highway for travel or maintenance.

Section 3. Whenever necessary for the construction, repair, improvement, alteration or relocation of all or any portion of said highway as determined by the County Road Engineer any or all of said 6" or 4" pipe line shall be immediately removed from said highway, relaid or relocated thereon as required by the County Road Engineer.

Section 4. The work of constructing, removing and relocating any and all of said 6" or 4" pipe line shall be done at the expense of the holder, and with the least possible interference with travel upon the said highway, and to the entire satisfaction and under the supervision of the County Road Engineer; and none of such work shall be undertaken or carried on without ten days' written notice having first been given to the County Road Engineer.

Section 5. Any and all damage or injury done or caused said highway or any portion thereof in the construction, operation, maintenance or repair of said 6" or 4" pipe line shall be immediately repaired and reconstructed under the supervision and to the satisfaction of the County Road Engineer; and in the event the holder shall fail, neglect or refuse to immediately repair and reconstruct said damage, or injury to said highway, the same may be done by the County and the expense and cost thereof shall immediately be repaid by the holder to the County.

Section 6. The holder shall save and keep Island County harmless from any and all damages, claims or injuries that may occur by reason of the construction, maintenance and operation of said 6" or 4" pipe line.

Section 7. Upon failure, neglect or refusal of the holder to immediately do and perform any change, removal, relaying or relocating of said 6" or 4" pipe line, or any repairs or reconstruction of said highway herein required of the holder, the County may undertake and perform such requirement, and the cost and expense thereof shall be immediately repaid to the County by the holder.

Section 8. Any breach of any of the conditions and requirements herein made, or failure on the part of the holder of this franchise to proceed with due diligence and in good faith after its acceptance, with construction work hereunder, shall subject this franchise to cancellation after a hearing before the County Commissioners, of which said hearing the holder shall be given at least ten days' written notice, if at that time the holder is a resident and doing

Prosecuting Attorney