

**SILVER LAKE WATER AND SEWER DISTRICT
SNOHOMISH COUNTY, WASHINGTON**

RESOLUTION NO. 715

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SILVER LAKE WATER AND SEWER DISTRICT OF SNOHOMISH COUNTY, WASHINGTON, APPROVING THE TRANSFER OF CERTAIN ASSETS TO ALDERWOOD WATER AND WASTEWATER DISTRICT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE AGREEMENT DATED APRIL 25, 2013, BETWEEN ALDERWOOD AND THE SILVER LAKE WATER AND SEWER DISTRICT CONCERNING WHOLESALE WATER SUPPLY.

WHEREAS, the Silver Lake Water and Sewer District (“Silver Lake” or “District”) is a Title 57 RCW water-sewer district providing water and sewer service within its corporate and service area boundaries, including areas within the Cities of Everett, Mill Creek, and Snohomish County; and

WHEREAS, the District is authorized under the law of the State of Washington to supply potable water to its retail customers and to enter into wholesale contracts for the purchase and sale of wholesale water supply; and

WHEREAS, the District entered into an agreement with the Alderwood Water and Wastewater District (“Alderwood”) entitled “Wholesale Water Supply Agreement between Alderwood Water and Wastewater District and Silver Lake Water and Sewer District (“Agreement” concerning the purchase and sale of wholesale water supply; and

WHEREAS, Silver Lake installed Master Meter No. 10 in accordance with Section VII of the Agreement as a public works project; and

WHEREAS, the Agreement provides that all master meters, including vaults and appurtenances, used to convey wholesale water supply from Alderwood to the District will be owned, maintained, repaired, replaced, and upgraded by Alderwood; and

WHEREAS, Silver Lake has granted final acceptance of the Master Meter No. 10 Project by motion at the Board of Commissioners Meeting dated May 28, 2015; and

WHEREAS, in accordance with the terms and conditions of the Agreement the cost of the new Master Meter No. 10 CIP, including appurtenances and installation, has been paid for by Silver Lake, and Silver Lake now desires to transfer such personal property as required by the Agreement with the attached Cost of the System Form and Bill of Sale Form (“Exhibit A”) describing the assets being conveyed to Alderwood; and

WHEREAS, Chapter 39.33 RCW, the Intergovernmental Disposition of Property Act and the Agreement, authorize the District to transfer the personal property to Alderwood for the consideration referenced in the Agreement; now, therefore,

BE IT RESOLVED by the Board of Commissioners of Silver Lake Water and Sewer District, Snohomish County, Washington, as follows:

1. Silver Lake has completed the MM 10 Capital Improvement Project. The total cost of the Project is \$802,446.00. In accordance with the Agreement Silver Lake is to transfer certain assets obtained by this Capital Improvement Project to Alderwood.
2. The transfer of certain assets as stated in the Agreement and described in **Exhibit "A"** attached hereto, and incorporated herein by this reference describing the assets being conveyed to Alderwood, is hereby approved subject to the terms and conditions of the Agreement.
3. In accordance with the terms and conditions of the Agreement, the transfer of said assets shall be effective upon Alderwood's acceptance of the Bill of Sale for the identified assets.
4. District Staff and the Consulting Engineer are authorized and directed to take all actions necessary to transfer certain assets described in Exhibit A as stated in the Agreement.

ADOPTED by the Board of Commissioners of the Silver Lake Water and Sewer District of Snohomish County, Washington, at its regular meeting held on the 22nd day of October 2015.



President/Commissioner Anderson



Vice President/Commissioner Keppler



Secretary/Commissioner Backstrom

ATTEST:

I, the undersigned Secretary of the Board of Commissioners of Silver Lake Water and Sewer District, Snohomish County, Washington, do hereby certify that the within and foregoing is a true and correct copy of Resolution No. 715 adopted at the regular open public meeting thereof held on the 22nd day of October, 2015.

A handwritten signature in black ink, appearing to read "Amy Backstrom", is written over a horizontal line.

Secretary/Commissioner Backstrom

EXHIBIT "A"

BILL OF SALE – WATER

THE UNDERSIGNED (Silver Lake Water and Sewer District) hereby conveys and transfers to the ALDERWOOD WATER & WASTEWATER DISTRICT (Alderwood) the following described personal property:

The Master Meter, water main, facilities and appurtenances from the connection to the Alderwood transmission main, to the upstream flange of the valve downstream of the Master Meter installed under Silver Lake Water and Sewer District's Master Meter No. 10 Public Works Contract; and as listed on the Itemized Cost of the Water System Form for the Master Meter No. 10 Project.

This transfer is made in accordance with Section VII – MASTER METER of the WHOLESALE WATER SUPPLY AGREEMENT between the Alderwood Water & Wastewater District and the Silver Lake Water and Sewer District.

The undersigned, and its successors and assigns, covenants and agrees with Alderwood, its successors and assigns, that the undersigned is the owner of said property and has the right and authority to sell the same, that the property is free of all liens or encumbrances, and the undersigned will, and does, hereby warrant and agree to defend the title of Alderwood, its successors and assigns, against the claims of all third parties claiming to own the same or claiming any interest therein or encumbrance thereon.

The undersigned warrants that all bills and taxes relating to the construction and installation of the Master Meter, water main, facilities and appurtenances have been paid in full and that there are no lawsuits pending involving this project. The undersigned further warrants that in the event any lawsuit is filed as a result of, or involving, this project the undersigned will undertake to defend the lawsuit and will accept responsibility for all costs of litigation, including costs on appeal, and will hold Alderwood harmless on any judgment rendered against Alderwood.

The undersigned further warrants that all laws, ordinances and regulations respecting construction of this project have been complied with, and that the property is in proper working condition, order and repair and fit for purposes intended; i.e., for use as a Master Meter and has been constructed in accordance with the conditions and standards of the Alderwood Water & Wastewater District, and the Silver Lake Water and Sewer District.

Silver Lake Water and Sewer District:

By: 
Patrick M. Curran

Its: General Manager

**SILVER LAKE WATER AND SEWER DISTRICT
ITEMIZED COST OF AWWD
WATER MASTER METER SYSTEM**

Project: AWWD Master Meter 156th St (aka MM No. 10)

Developer: Silver Lake Water and Sewer District

Date: September 30, 2015

DESCRIPTION	QUANTITY	UNIT COST	ITEM TOTAL
8-inch Gate Valve	2	\$ 2,000.00	\$ 4,000.00
12-inch Gate Valve	3	\$ 2,700.00	\$ 8,100.00
12" Dia. Ductile Iron Pipe	654	\$ 226,56	\$ 148,167.27
Meter Vault and Appurtenances	LS	\$32,000.00	\$ 32,000.00
Electrical Service	0.5	\$1,378.00	\$ 689.00
Electrical Rack	0.5	\$ 11,500.00	\$ 5,750.00
Electrical and Telemetry Panels and Instrumentation	0.5	\$ 142,800.00	\$71,400.00
Prior Emergency Tie-in Piping at Mill Creek Boulevard	LS	\$ 48,125.00	\$ 48,125.00

SUBTOTAL \$ 318,231.27

SALES TAX \$ 30,550.20

TOTAL COST \$ 348,781.47

Note:

1. Include in pipe price (Total Cost & Unit Cost) the cost of fittings, pavement repairs, stormwater, erosion and traffic control and any other items not otherwise listed above and totaled for AWWD and SLWSD then distributed by cost allocation evaluation on a per foot basis.

SILVER LAKE WATER AND SEWER DISTRICT, OWNER OF THE ABOVE DESCRIBED PROPERTY, HAVE SUBMITTED THE UNIT COSTS FOR THAT PROPERTY AND AGREE TO THE LISTED QUANTITIES.

DATE 10.23.15 **SIGNED** 

MUNICIPAL CORPORATION

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Patrick M. Curran is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the General Manager of the Silver Lake Water and Sewer District to be the free and voluntary act of such corporation for the uses and purposes mentioned in the instrument.



Dated: October 23, 2015

Shelley K. Stevens
Shelley K. Stevens
Notary Public in and for the State of
Washington, residing at Lk. Stevens, WA
My Appointment Expires 01-09-19