

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE
311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
(360) 778-5010



COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

August 15, 2019

Deer Creek Water Association
Attn: Douglas Wittinger
P.O. Box 30230
Bellingham, WA 98226

Re: Recorded Franchise Ordinance

Dear Mr. Wittinger:

Enclosed is a copy of Whatcom County Ordinance Number 2019-050 approving assignment of the franchise granted to Deer Creek Water Association. The Franchise Ordinance has been recorded with the County Auditor. I have enclosed a copy for your records. It can also be accessed online at recording.whatcomcounty.us.

I would like to take this opportunity to thank you for your timeliness and cooperation in this process. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Cathy B. Halka".

Cathy B. Halka, AICP
Legislative Analyst
Whatcom County Council

c: Christopher Quinn, Prosecutor's Office
Jon Hutchings, Public Works Administration
Jack Louws, County Executive
Deer Creek Water Association franchise file
AB2019-021

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WHATCOM COUNTY COUNCIL

July 24, 2019

Deer Creek Water Association
Attn: Douglas Wittinger
P.O. Box 30230
Bellingham, WA, 98226

Sent 7/24/19

Council's meeting of July 9, 2019, Ordinance 2019-050 was
Association a non-exclusive franchise for a period of
a copy of the ordinance, as well as other paperwork
after you have completed the following steps:

The enclosed "Acceptance of Franchise" form to the
e., Suite 105, Bellingham, WA 98225.

Office for publication costs of \$275.28 (make your
County Council").

Request within 30 days. The process will be complete
effect once we receive your payment and the
Acceptance of Franchise form. We will have the ordinance and the Acceptance of
Franchise recorded by the County Auditor. We will mail you a copy of both
documents once they are recorded. Your cooperation is appreciated, and we wish
you good luck in your venture.

Sincerely,

Cathy B. Halka, AICP
Legislative Analyst

Enc. Acceptance of Franchise Form
Copy of legal affidavit for publication

C: AB 2019-021

Exhibit A

ACCEPTANCE OF FRANCHISE

Deer Creek Water Association

The Whatcom County Council at its meeting of July 9, 2019, adopted Ordinance 2019-050 approving the application for franchise filed by Deer Creek Water Association. The petition and all related documents are available for review in the Council Office as file number AB2019-021.

Deer Creek Water Association hereby accepts, subject to all the conditions contained in Ordinance 2019-050, that certain non-exclusive franchise to construct, erect, alter, lay, support, connect, improve, renew, replace, repair, operate and maintain water transmission and distribution facilities upon, under, over, across and along certain roads and other areas in Whatcom County, Washington. The previous franchises granted to Deer Creek Water that pertain to water lines for the provision of water services shall be terminated and be replaced by this franchise.

This ordinance of Whatcom County grants to Deer Creek Water a franchise, and the right, privilege, and authority thereunder, to construct, operate, maintain, replace, and use all necessary equipment and facilities for a public water system, in, under, on, across, over, through, along, or below the public rights- of-way located in the Franchise area. The Franchise Area means all public county roads, county public ways, and county property now owned or hereafter dedicated to the County within the boundaries of Township 38 North, Range 2 East; Township 38 North, Range 3 East; Township 39 North, Range 2 East; and Township 39 North, Range 3 East in Whatcom County, Washington.

Granting of this franchise becomes official upon receipt from the petitioner of this signed and notarized document, and payment by petitioner of publication costs incurred by the County Council Office.

This franchise, when granted, shall be in effect for a period of twenty-five (25) years.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis
Clerk of the Council

Rud Browne
Council Chair

Agent for the petitioner, Deer Creek Water Association:

_____ Date: _____

State of Washington)
) ss.
County of Whatcom)

Signed and sworn to before me on this ____ day of _____ 2019, by

(Agent for petitioner)

Notary Public in and for the State of Washington,
residing at _____

My notary commission expires _____

Effective Date of this franchise: _____



THE BELLINGHAM HERALD

AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PQ	Amount	Cols	Depth
450919	0004045771	PUBLIC HEARING NOTICE Whatcom County Co	88433 Op	\$275.28	1	8.22 In

Attention: Marina Engels

WHATCOM CO COUNCIL
311 GRAND AVE STE 105
BELLINGHAM, WA 982254038

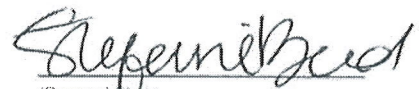
PUBLIC HEARING NOTICE

Whatcom County Council will have a public hearing, will consider adopting, and may amend the following at its March 12, 2019, meeting, or at a later date: ORDINANCE GRANTING DEER CREEK WATER ASSOCIATION A FRANCHISE AND THE RIGHT, PRIVILEGE, AND AUTHORITY THEREUNDER TO LOCATE, SET, ERECT, LAY, CONSTRUCT, EXTEND, SUPPORT, ATTACH, CONNECT, MAINTAIN, REPAIR, REPLACE, ENLARGE, OPERATE AND USE FACILITIES IN, UPON, OVER, UNDER, ALONG, ACROSS AND THROUGH THE FRANCHISE AREA TO ALLOW FOR THE PROVISION OF WATER SERVICES (AB2019-021): This ordinance grants a 25 year non-exclusive franchise to construct, erect, alter, lay, support, connect, improve, renew, replace, repair, operate and maintain water transmission and distribution facilities upon, under, over, across and along certain roads and other areas in Whatcom County, Washington. The previous franchises granted to Deer Creek Water that pertain to water lines for the provision of water services shall be terminated and be replaced by this franchise. This ordinance of Whatcom County grants to Deer Creek Water a franchise, and the right, privilege, and authority thereunder, to construct, operate, maintain, replace, and use all necessary equipment and facilities for a public water system, in, under, on, across, over, through, along, or below the public rights-of-way located in the Franchise area. The Franchise Area means all public county roads, county public ways, and county property now owned or hereafter dedicated to the County within the boundaries of Township 38 North, Range 2 East; Township 38 North, Range 3 East; Township 39 North, Range 2 East; and Township 39 North, Range 3 East in Whatcom County, Washington. Council introduced the above at its January 15 meeting. Public documents are available for review in the Council Office, 311 Grand Avenue, Bellingham, and at <https://whatcom.legist.F&ID=6971888&GUID=F612516E-EBF9-4100-BA87-E22619C104C0>. Meetings are in the Council Chambers, same address, at 7:00 p.m., unless otherwise announced. The Council Chambers is handicapped accessible. People with special

STEFANI BEARD, being duly sworn, deposes and says: That he/she is the Principal Clerk of , a daily newspaper printed and published in Bellingham Whatcom County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in , as amended, for

2 Insertions

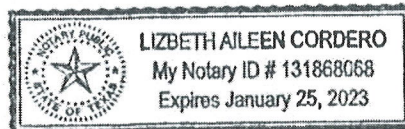
Published On
February 23, 2019 - March 02, 2019


(Principal Clerk)

Subscribed and sworn on this 4th day of March in the year of 2019 before me, a Notary Public, personally appeared before me Stefani Beard known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.



Notary Public in and for the state of Texas residing in Dallas County



Extra charge for lost or duplicate affidavits. Legal document please do not destroy!

needs or disabilities who will be attending this meeting are asked to please contact our office (360-778-5010 or 800-676-6757) at least 96 hours in advance, so that we may make any needed accommodations. If interpretive services or transportation is needed, please call more than two days ahead of time.