AN ORDINANCE of the City of Kent, Washington, granting to the United States of America and its assigns a right-of-way for a term of 20 years for the construction, operation and maintenance of electric power transmission circuits, together with the necessary equipment and facilities appurtenant thereto, over and across the water mains of the City of Kent in Sections 32 and 33, Township 22 North, Range 6 East, W.M., King County, Washington.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. The City of Kent does hereby grant unto the United States of America and its assigns the right and privilege for a term of 20 years to construct, operate and maintain one or more electric power transmission circuits together with all necessary equipment and facilities appurtenant thereto that may be necessary or convenient for the efficient operation and maintenance of said electric power transmission circuits over and across property of the City of Kent as follows:

Tract No. ABY-18-X-B: The Tacoma-Raver No. 1 and 2 (500-kv) transmission line crossing over a water main 18 inches in diameter at BPA survey station 760+44 in the NE 1/4 SE 1/4 of Section 32, Township 22 North, Range 6 East, Willamette Meridian, King County, Washington;

Tract No. ABT-19-X-C: The Tacoma-Raver No. 1 and 2 (500-kv) transmission line crossing over a water main at BPA survey station 6770+51.8 (20 foot right-of-way) and at BPA survey station 6766+15 (10 foot right-of-way) in the NE 1/4 SW 1/4 of Section 33, Township 22 North, Range 6 East, Willamette Meridian, King County, Washington;

-1-
the exact location and manner of construction of said electric power transmission circuits, together with a more particular description and explanation thereof are set forth on BPA Form 1041, Exhibits A and B, on file in the office of the clerk of the City of Kent, Washington.

Section 2. The foregoing grant is made subject to the following conditions:

(a) The United States of America or its assigns shall give to the City of Kent a ten (10) day written notice of its intention to construct, operate and maintain any additional electric power transmission circuits not herein described, provided, however, that said circuits may be constructed, operated or maintained only in the City of Kent properties described in Section 1 of this Ordinance or any ordinance subsequent hereto.

(b) That all work performed and material used in construction, operation and maintenance of the said electric power transmission circuits and the necessary equipment and facilities appurtenant thereto shall be in accordance with the applicable state laws and the specifications, rules and regulations in the latest edition of and supplements to the National Electrical Safety Code now or hereafter to be formulated or promulgated by the United States Bureau of Standards.

(c) All cost of construction, operation and maintenance of said electric power transmission circuits shall be paid by the United States of America or its assigns.

(d) If at any time it becomes necessary in the opinion of the City of Kent to change the location, elevation or type of construction of said electric power transmission circuits and appurtenances, such change will be made by and at the expense of the United States of America or its assigns.

(e) Any and all damage or injury done or caused to any of the said property of the City of Kent in the construction, operation and maintenance of the said electric power transmission circuits shall be immediately repaired and reconstructed by the United States of America or its assigns in a manner satisfactory to the City of Kent.
Upon the failure, neglect or refusal of the United States of America or its assigns to immediately make the necessary repairs or reconstruction of the properties of the City of Kent as herein required of the United States of America or its assigns, the City of Kent may undertake to perform and complete such repairs and reconstruction and the cost thereof will be paid by the United States of America or its assigns upon the presentation of the properly executed vouchers therefor; provided, however that the City of Kent shall submit an estimate of the cost of such repairs or reconstruction to the United States of America, Department of the Interior acting through the Bonneville Power Administrator at Portland, Oregon, and shall obtain the approval of the Bonneville Power Administrator of the cost thereof before making any such repairs or reconstruction; provided further that if in an emergency, the determination of which rests with the City of Kent, it becomes necessary for the City of Kent to make such repairs or reconstruction without having thus obtained the approval of the cost thereof, the United States of America shall not be required to make any payment therefor unless the sum expended or some lesser reasonable sum shall be later approved by the United States of America herein provided.

Section 3. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as provided by law.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 7 day of October, 1974.
APPROVED the 8 day of October, 1974.
Published the 10 day of October, 1974.

I hereby certify that this is a true copy of Ordinance No. 1886, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK

(SEAL)