

Resolution No. 47 was then read as follows:

RESOLUTION NO. 47

A RESOLUTION of the Board of Commissioners of King County Water District No. 90, King County, Washington, authorizing the County Treasurer to transfer funds from the construction fund to the general obligation bond fund.

WHEREAS, the Board of Commissioners, Water District No. 90, King County, Washington, has heretofore sold and issued \$17,500.00 value of general obligation bonds of the Water District, and

WHEREAS, total principal and interest will become due and owing as of the 1st day of March, 1956, upon said general obligation bond issue in the sum of \$1,784.55, and

WHEREAS, due to a 1955 tax levy of .9 mills rather than 9 mills as directed by the Water District Commissioners, the sum of \$136.00 only is now available for payment of said principal and interest obligation,

NOW, THEREFORE, it is by the Board of Commissioners of King County Water District No. 90

RESOLVED, that the County Treasurer of King County, Washington, be and he is hereby authorized to transfer and set over from the construction fund, the sum of \$1,650.00 as and for a temporary loan to be used for the purpose of paying interest and principal amounts due and to become due as of the 1st day of March, 1956, upon said general obligation bond issue, and be it further

RESOLVED, that at such time as tax funds shall become available, said amount shall be restored to the construction fund from tax monies paid into the general obligation bond fund.

It was moved by Commissioner O'Connor, seconded by Commissioner Carter and unanimously carried that Resolution No. 47 be adopted as read and that the Secretary be authorized to deliver a copy to the County Treasurer.

MINUTES OF RECESSED REGULAR MEETING, BOARD OF COMMISSIONERS
KING COUNTY WATER DISTRICT NO. 90
January 6, 1956

The recessed regular meeting of the Commissioners of King County Water District No. 90, reconvened at 5:00 P.M. in the offices of Brightman, Roberts & Holm, 232 Main Street, on January 6, 1956.

All of the Commissioners were present together with the superintendent, engineer and attorney.

The attorney presented proposed Resolution No. 46 acknowledging completion of contracts No. 1, 2 and 3 for Utility Local Improvement District No. 2. Moved by Commissioner Sweeny, seconded by Commissioner Carter and unanimously carried that Resolution No. 46 be adopted as follows:

RESOLUTION NO. 46

A RESOLUTION of King County Water District No. 90 acknowledging completion of Contracts No. 1, 2 and 3 for Utility Local Improvement District No. 2 directing the giving of notices thereof an authorizing release of retained percentage payments under certain conditions.

WHEREAS, Hill and Ingman, engineers for the Water District, have presented to the Water District Commissioners that Contracts 1, 2 and 3 of Utility Local Improvement District No. 2 have been completed by the Shoreline Construction Company except for restoration of roads which are subject to King County inspection and direction, and

WHEREAS, Shoreline Construction Company has agreed to keep and retain in effect its indemnifying bonds for a period of one year unless liability therefor is sooner terminated, and

WHEREAS, said contractor has also agreed to deliver to the Water District a certified check in the sum of \$4,000.00 payable to the Water District to be held as security for restoration of said roads which sum is in addition to its surety bond now in effect.

NOW, THEREFORE, it is by the Commissioners of the Water District

RESOLVED, that acknowledgment is hereby given that Shoreline Construction Company has completed performance of Contracts 1, 2 and 3 of U.L.I.D. No. 2 except as hereinafter

set forth, and that said contractor is now entitled to receive payment in full for work performed under said contracts under the terms and conditions hereinafter set forth, and it is further

RESOLVED, that said payment will be made to the contractor not less than 30 days from date hereof upon delivery by the contractor to the Water District or its engineers, Hill and Ingman, of the following all of which pertain to said Contracts 1, 2 and 3:

- (1) Release from the Washington State Tax Commission of all tax liability.
- (2) Release from the Washington State Department of Labor and Industries of labor claims.
- (3) Affidavit of the contractor that all materials, parts, subcontractors and employees have been paid in full.
- (4) Certified check to the order of King County Water District No. 90 in the sum of \$4,000.00 as security deposit for restoration of all roads to be completed on or before the 1st day of July, 1956.
- (5) Surety bond in the sum of \$25,000.00 protecting and indemnifying the Water District against all claims or demands which may be made by King County or any other person or persons for any delinquency or default in performance by the contractor, its subcontractors or employees for construction, maintenance or restoration of roads required under said contracts 1, 2 and 3, which bond shall be kept in good standing until written release and acceptance of said road restoration has been received in King County.
- (6) Continuance or extension of all performance and surety bonds heretofore required of the contractor upon said contracts which bonds shall remain effective for a term of one year from date hereof.

and it is further

RESOLVED, at such time on or before the 1st day of July, 1956, as written acceptance of satisfactory restoration of roads has been received from King County and no other claim or demands are then outstanding against the Water District or the contractor arising from any acts of the contractor, his subcontractors or employees, then the aforesaid \$4,000.00 certi-

fied check shall be delivered to the contractor and cancellation of said \$25,000.00 road bond accepted, provided, however, that if such acceptance is not received on or before said date, it shall then be the option of the Water District to itself have such restoration completed to the satisfaction of King County and deduct the reasonable cost thereof from the proceeds of said certified check and to collect any additional obligations reasonably and necessarily incurred therefor from said surety. Any balance of said certified check remaining after restoration of said roads is completed by King County, shall be repaid to the contractor, and it is further

RESOLVED, that nothing herein contained shall be construed to be any discharge of the contractor or release by the Water District of any of the original contractual obligations other than completion of performance and acceptance of workmanship and that all warranties of material, quality and suitability shall remain in full force and effect for the original full term thereof, and it is further

RESOLVED, that the engineers, Hill and Ingman, are hereby authorized to take such steps and issue such certificates as are customarily issued and as may be required by law to acknowledge completion of said contracts as herein designated and it is further

RESOLVED, that the Secretary of the Water District be directed to forward a letter to the Shoreline Construction Company commending its officers and employees for a satisfactory and efficient construction project.

ADOPTED BY the Board of Water Commissioners of Water District No. 90, King County, Washington, at a regular recessed meeting thereof, this 6th day of January, 1956.

There being no further business to come before the meeting, it was upon the motion of Commissioner Carter, seconded by Commissioner O'Connor and unanimously carried, adjourned at 6:20 P.M.

President and Commissioner

Secretary and Commissioner

Commissioner