

**BEFORE THE HONORABLE BOARD OF COUNTY COMMISSIONERS
OF GRANT COUNTY, WASHINGTON**

IN THE MATTER OF APPLICATION OF

City of Moses Lake
(applicant)

for a franchise to construct, operate and maintain
the City of Moses Lake's Water and
Sewer Infrastructure
(name of facility)

**ORDER GRANTING FRANCHISE
AND
FRANCHISE**

on certain County Road Rights of Ways within the
County of Grant, State of Washington, for
carrying water and sewer
(purpose of facility)

THIS CAUSE being regularly heard before the above entitled Board of County Commissioners of Grant County, Washington, upon the application of City of Moses Lake for a franchise authorizing and empowering the said petitioners to enter upon, construct, operate, and maintain water and sewer infrastructure under, across, and along (description of facility) (over, under, across, and/or along)

certain County roads in Grant County, Washington described as follows:
the current, or as amended hereafter, City of Moses Lake's UGA

Said franchise to be for a period of fifty (50) years from the date of granting the same; and it appearing to the Board of County Commissioners that due and proper notice of the time and place of the hearing of said application has given as provided by statute, and it further appearing that no objections to the granting of said franchise as applied for have been either filed or heard by this Board; and the Board being fully advised in the premises and deeming it for the public interest to grant said franchise; now therefore.

IT IS HEREBY ordered that the City of Moses Lake
(applicant)

their successors and assigns, be, and they hereby are, granted the right, power, privilege and authority, for the period of fifty (50) years from the date hereof, to enter upon, construct, operate, and maintain

Water and Sewer Infrastructure under, across, and along
(pipeline or other facility, as required) (parallel to, under, across, as required)
certain County road(s) in Grant County, Washington, as referenced in said application and notices, and as particularly described above, subject to the following conditions:

1. The franchise shall terminate within one year from the date of issue, unless the Grantee furnishes a certificate of completion to the Director of Public Works within one year from the date of any permits issued pursuant to the franchise.

2. The City of Moses Lake
(applicant)
hereinafter referred to as the applicant, their successors and assigns, agree to hold the County of Grant, State of Washington, harmless and free from any and all damages, costs, and expenses, including indemnity for any settlements or judgements, defense costs, and attorney's fees, caused in whole or in part by the construction, maintenance, or operation of the facility covered by this franchise including but not limited to all underground facilities and appurtenances as well as any and all damages, costs, and expenses, including indemnity for any settlements or judgements, defense costs, and attorney's fees caused in whole or in part by the exercise of any right granted hereunder.

3. The applicant shall, within a reasonable length of time, repair any damages which may be done to said road(s) herein described by reason of laying, construction, operating or maintaining the franchised facility and shall restore road(s) in as good condition as before they were disturbed by the aforesaid operations.

4. The applicant shall furnish Grant County a bond, certified check or cash deposit in the sum of \$ N/A to insure that said road repairs will be made to the satisfaction of the County Engineer, it being agreed that upon the expression of such satisfaction, said bond, check, or cash deposit shall be returned forthwith to the applicant.

5. The applicant shall make application for and obtain a permit to perform work on the right of way from the County Engineer to place all facilities authorized by this franchise.
6. The applicant shall comply with all conditions imposed on the permit and reimburse the County for the cost of any inspections felt necessary by the County to assure compliance with the provisions of the permit and this franchise.
7. The applicant shall give notice to the Grant County Engineer when the traveled portion of the affected roads are to be interfered with when locating, constructing, operating, and maintaining the facility, said notice to be given at least two (2) days before the work is performed.
8. In locating, constructing, operating, and maintaining the facility, the applicant, their successors, and assigns, shall at all times leave at least one half of the traveled portion of the roadway open to traffic unless written authorization to close the roadway(s) is granted by the Grant County Engineer, adequate detour signage is erected, and a Public Notice of Closure is published in the newspaper serving the area at least three (3) days in advance of the closure.
9. When, by reason of the construction, repair, improvement, alteration, or relocation of said County roads, or any portion thereof, it shall appear necessary in the opinion of the Board of County Commissioners of Grant County, State of Washington, to remove, lower, or relocate said facility from said roads, the applicant, their successors, and assigns, agree to remove, lower, or relocate said facility immediately at their own expense to the place or places designated by the said Board of County Commissioners.
10. In the event that said County roads or portions thereof as described, shall become a State Highway and therefore by reason of the construction, repair, improvement, alteration, or relocation of all or any portion of said roads as a State Highway, as determined by the Department of Transportation of the State of Washington, it shall become necessary in the

opinion of the said Department to remove, lower, or relocate said facility from said highway, the applicants, their successors, and assigns, agree to remove, lower, or relocate said facility immediately at their own expense to the place or places designated by said Department.

11. The County reserves the right to revoke the privileges granted by this franchise and to seek legal remedies for failure of the franchise holder to comply with the conditions set forth above and/or to correct any deficiency after being given thirty (30) days written notice of correction by the County.

DATED this 11 day of JULY 2000

BOARD OF COUNTY COMMISSIONERS
GRANT COUNTY, WASHINGTON

CHAIRMAN
Robert C. Allen

COMMISSIONER
Tim Deard

COMMISSIONER

ATTEST:

Peggy Trigg

Clerk of the Board

Approved as to Form:

Prosecuting Attorney
of Grant County, Washington

Presented By: _____

RECEIVED

JUL 20 2000

MUNICIPAL SERVICES DEPT.
ENGINEERING
CITY OF MOSES LAKE

**BEFORE THE HONORABLE BOARD OF COUNTY COMMISSIONERS
OF GRANT COUNTY, WASHINGTON**

IN THE MATTER OF APPLICATION OF

City of Moses Lake

APPLICATION FOR FRANCHISE

for a franchise to construct, operate and maintain
the City of Moses Lake's Water and
Sanitary Sewer Infrastructure
(name of facility)

on certain County Road Rights of Ways within
the County of Grant, State of Washington, for
the purpose of
installing, operating, and
maintaining said infrastructure.
(as required)

City of Moses Lake makes application to the Honorable Board of County Commissioners
of the County of Grant, State of Washington, for a franchise authorizing and empowering the said City
of Moses Lake to enter upon City of Moses Lake's UGA Road(s) within Grant
(name of county road)

County, Washington, outside the corporate limits of towns and cities of said County, for the purpose of
constructing, operating, and maintaining water and sewer infrastructure
under, across, and along Certain road(s) within Grant
(constructing, operating & maintaining facility over, across, along as required)

County, State of Washington for the purpose of carrying water and sewer in connection with the
(carrying water or as required)

business of said City of Moses Lake as follows to wit:
(applicant)

All County roads lying within the current, or as amended hereafter, City of Moses Lake's UGA.
(description of location desired)

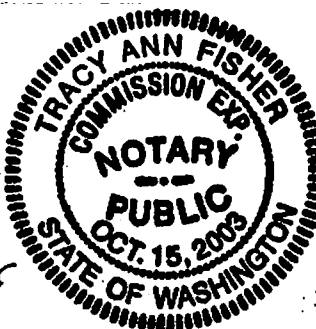
There is attached hereto and made a part hereof, a detailed map showing the location of the proposed
facility and a proposed order granting franchise and franchise. Should the Board of County Commissioners
approve this application and sign the order granting franchise and the franchise, the said applicant agrees to
fully comply with the terms of the order granting franchise and franchise.

The applicant hereby requests the Board of County Commissioners to fix a time and place for hearing
on this application and also direct that the Grant County Auditor give notice of hearing as required by law.

DATED AT Moses Lake Hall this 5th day of JUNE 2000.

Subscribed and sworn to before me
this 5th day of JUNE 2000

Tracy Ann Fisher
Notary Public - Tracy Ann Fisher



in and for _____
my Commission Expires 10-15-03

Joseph K Gavinski
(signature of applicant)

Joseph K Gavinski
(type or print name and title)
City Manager

P.O. Drawer 1579
Address

Moses Lake WA 98837