

RESOLUTION NO. L

A RESOLUTION AUTHORIZING A SEWER SERVICE AGREEMENT WITH THE STATE OF OREGON FOR THE BALDOCK SAFETY REST AREAS ON PACIFIC HIGHWAY (I-5).

WHEREAS, the State of Oregon by and through its Department of Transportation, Highway Division, has applied to the Wilsonville City Council for a Permit to connect the Baldock Safety Rest Areas located on Pacific Highway (I-5), 1.5 miles south of the Willamette River in Clackamas County to the City's sanitary sewer system for sewer service for a limited period; and

WHEREAS, the extension of the City's sewer facilities outside the City Limits for sewer service is not prohibited by the City Charter or any Ordinance, Resolution or other regulation of the City, but is in fact expressly permitted for "an agency or department of Federal, State or County government" according to the provisions of Ordinance No. 33 enacted by the Wilsonville City Council on February 26, 1973; and

WHEREAS, the State has agreed, among other things, to assume and pay the costs of extending and connecting the sewer line to the City's facility and thereafter pay the City the connection charge and monthly sewer service charges as now provided by Ordinance No. 36, and all in accordance with a proposed Agreement which is entitled "SEWER SERVICE AGREEMENT," a copy of which (sans Exhibits) is attached marked Exhibit "C" and by reference made a part hereof; and

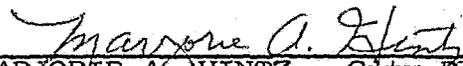
WHEREAS, the Wilsonville City Council, the City's attorney and the City's sewer engineers have all studied the proposed Agreement and carefully considered its impact and effect on the City's sewer facilities, and it is agreed by all concerned that the proposed Agreement is in the best interests of the City, will not adversely affect any resident of the City and will provide necessary improvements to the State Highway Department's facilities for sewage disposal and pollution control until such time as said department can construct its own facilities for such purposes; and the Wilsonville City Council being fully advised in the premises and all things being considered, it is hereby,

RESOLVED by the Wilsonville City Council that the proposed Agreement between the City of Wilsonville and the State of Oregon, acting by and through its Department of Transportation, Highway Division, of which a copy is attached as Exhibit "C", is hereby approved, and the Mayor and City Recorder are hereby authorized and directed to execute and deliver the said Agreement in two counterparts; and the City's Public Works Department is authorized and directed to issue an appropriate sewer connection permit upon payment of the sewer connection charge in the sum of \$3,960, and establish an account with the State Highway Division for its sewer services and continuing for the term of said Agreement and in accordance with the terms and provisions thereof.

Adopted by the Wilsonville City Council at a meeting  
thereof on this 12 day of November, 1973.

  
PHILLIP R. BALSIGER | Mayor

ATTEST:

  
MARJORIE A. HINTZ - City Recorder

S E W E R S E R V I C E A G R E E M E N T

THIS AGREEMENT, made and entered into by and between the STATE OF OREGON by and through its Department of Transportation, Highway Division, hereinafter called "State", and CITY OF WILSONVILLE, hereinafter called "City".

W I T N E S S E T H

WHEREAS, the State desires that City provide sewer service to the Baldock Safety Rest Areas located on Pacific Highway (I-5), 1.5 miles south of the Willamette River in Clackamas County, State of Oregon; and

WHEREAS, City is willing to furnish said sewer service required by State under the rates, terms and provisions hereinafter specified.

NOW, THEREFORE, parties hereto mutually agree as follows:

1. City will, upon State's acceptance hereof, provide, own, operate and maintain the necessary sewer facilities as required to accept an estimated maximum of 36,000 gallons of sewage per day at point of connection to City's system, as shown on attached sketch, marked Exhibit "A", and by this reference made a part hereof.
2. State shall, at State's own risk and expense, furnish, install and maintain all sewer lines, manholes and apparatus which may be required to deliver sewage to City's system.
3. State shall, at State's own risk and expense, make connection to City's system.
4. State agrees to pay City a sewer connection charge in the amount of \$3,960.00, which has been computed for the existing Rest Area facilities in accordance with "Table 2 of City's Ordinance No. 36", a copy of which is attached, marked Exhibit "B", and by this reference made a part hereof. The State further agrees to pay for connection of any future facilities at the rates in force at time of connection.
5. State agrees to pay City for sewer service furnished hereunder in accordance with Table 1 as contained in Exhibit "B". The monthly service charges shall be at current rates as established by Section 4 of City's Ordinance No. 36" enacted May 14, 1973, or any amendments to said Ordinance. The monthly service charge computed for existing facilities at current rates will be \$57.38.
6. In the event of an emergency, sewer service may be interrupted by City without liability and for so long as may be required to correct emergency conditions.

7. This agreement shall continue for a period of 3 years from the date of its approval by appropriate resolution of the Wilsonville City Council and thereafter until terminated on ninety (90) days prior written notice by either party.

8. The City shall have the right to connect to said sewer line for service of private property owners if the use or expected use for such connection will not overload the sewer line and if said connection is in compliance with federal regulations and State regulations and policies existing at the time said connection is to be made.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and affixed their seals as of the day and year hereinafter written.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_.

APPROVED;

STATE OF OREGON BY AND THROUGH  
ITS DEPARTMENT OF TRANSPORTATION,  
HIGHWAY DIVISION

\_\_\_\_\_  
Asst. State Highway Engineer

\_\_\_\_\_  
F. B. Klaboe  
Administrator & State Hwy. Engineer

APPROVED AS TO FORM:

*Walt Barnes*  
Asst. Attorney General

CITY OF WILSONVILLE

By \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

*Wade P. Bettis*  
Wade P. Bettis, City Attorney for  
City of Wilsonville

By \_\_\_\_\_  
City Recorder