

INTER LOCAL AGREEMENT BETWEEN
LINCOLN COUNTY AND THE TOWNS OF WILBUR, ALMIRA, AND
CRESTON REGARDING THE NW LINCOLN COUNTY REGIONAL PUBLIC DEVELOPMENT
AUTHORITY S TERRITORIAL JURISDICTION

THIS IS AN AGREEMENT between the Town of Wilbur, a municipal corporation of the State of Washington, the Town of Almira, a municipal corporation of the State of Washington, and the Town of Creston, a municipal corporation of the State of Washington, hereinafter referred to as the Towns and the County of Lincoln, a political subdivision of the State of Washington, hereinafter referred to as the County.

WHEREAS, the Town of Wilbur passed Ordinance No. 371 on June 6, 2001, the Town of Almira passed Ordinance No. 424 on June 12, 2001, and the Town of Creston passed Ordinance No. 2001-05 on May 16, 2001, thereby creating the NW Lincoln County Regional Public Development Authority; authorizing a Charter and Bylaws therefore; establishing a Board of Directors to govern the affairs of the Authority and providing how the Authority shall conduct its affairs.

WHEREAS, RCW 35.21.740 provides that the powers, authorities or rights of any public development authority created by the Towns shall not be operable or applicable, or have any effect beyond the limits of the incorporated area of the Towns implementing RCW 35.21.730 through RCW 35.21.755, unless so provided by contract between the City and another city or county.

WHEREAS, the parties hereto do now desire to enter into such an agreement as set forth in RCW 35.21.740 in order to allow the NW Lincoln County Regional Public Development Authority to operate outside of the limits of the incorporated areas of the Towns;

NOW THEREFORE, the Towns and County hereby mutually agree as follows:

1. Territorial Jurisdiction. The powers, authorities, or rights expressly or impliedly granted to the Towns under any provision of RCW 35.21.730 through RCW 35.21.755 shall be operable, applicable, and shall have effect within a parcel located and being within the following legal description:

See Exhibit "A" attached hereto and incorporated herein by this reference.

It is further understood and agreed that said powers, authorities and rights shall be operable, applicable and effective as to territories outside the Towns incorporated limits to accommodate and facilitate necessary acquisition of property interests and rights, including, but not limited to, acquisition of easement rights in support thereof as long as they are specifically related to the use of the above described property. The Towns of and the NW Lincoln County Regional Public Development Authority shall be authorized and empowered to act within the above-described property within the terms of Ordinance No. 371 of the Town of Wilbur, passed June 6, 2001, the Charter of the NW Lincoln County

Regional Public Development Authority and the Bylaws of the NW Lincoln County Regional Public Development Authority, recorded on July 16, 2001 under Lincoln County Auditor's No. 2001 0422033, Volume 76 at Page 4979; Ordinance No. 424 of the Town of Almira passed on June 12, 2001, the Charter of the NW Lincoln County Regional Public Development Authority and the Bylaws of the NW Lincoln County Regional Public Development Authority, recorded on July 16, 2001 under Lincoln County Auditors No. 2001 0422035, Volume 76 at Page 4991; and Ordinance No. 2001-05 of the Town of Creston passed on May 16, 2001, the Charter of the NW Lincoln County Regional Public Development Authority and the Bylaws of the NW Lincoln County Regional Public Development Authority, recorded on July 16, 2001 under Lincoln County Auditors No. 2001 0422032, Volume 76 at Page 4971.

2. Duration. The term of this agreement shall terminate upon termination of the existence of the NW Lincoln County Regional Public Development Authority.

3. Code Compliance. It is agreed that the NW Lincoln County Regional Public Development Authority shall comply with all town codes, ordinances, etc., while operating inside the towns territorial limits and shall comply with the County's codes, ordinances, etc., while operating outside the towns territorial limits.

4. Administration of Agreement. No new or separate legal or administrative entity is created to administer the provisions of this agreement.

5. Amendment. This agreement may be amended by mutual written agreement of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this agreement this ____ day of _____, 2000.

LINCOLN COUNTY

Ted Hopkins
Lincoln County Commissioner

Bill Graedel
Lincoln County Commissioner

Deral Boleneus

Lincoln County Commissioner

TOWN OF WILBUR

Donald G. Reid, Mayor

ATTEST:

Carla J. Shirley, Town Clerk

TOWN OF ALMIRA

Einar Larson, Mayor

ATTEST:

Debbie Burke, Town Clerk

TOWN OF CRESTON

Larry Haydon, Mayor

ATTEST:

Crystal Richer, Town Clerk

APPROVED AS TO FORM:

Melvin D. Hoit, WSBA #24095
Lincoln County Prosecuting Attorney

APPROVED AS TO FORM:

Mark DeWulf, WSBA #22932
Attorney for NW Lincoln County
Regional Public Development Authority

EXHIBIT "A"

A parcel of land lying in the South Half (S1/2) of Section 9, Township 26 North, Range 34, E.W.M., having the following description:

Commencing at the Southeast (SE) corner of Section 9, Township 26 North, Range 34, E.W.M.; thence N 88°06'39"W, 2,186.65 feet to the true point of beginning and Southeast corner of parcel; thence N 10°53'W, 262.0 feet to the South right-of-way line of Burlington Northern Railroad; thence N 62°35'W along the right-of-way line 477.0 feet; thence S 2°42'W, 470.0 feet; thence S 89°00'E, 495.0 feet to the true point of beginning.

Said parcel of land contains 3.793 acres more or less.