

**RESOLUTION NO. 974**

**A RESOLUTION OF THE LYNDEN CITY COUNCIL AUTHORIZING MAYOR TO SIGN DOCUMENTS ON BEHALF OF CITY TO ACCOMPLISH WATER SYSTEM ACQUISITION**

**WHEREAS**, the City of Lynden (“City”) is a non-charter code city organized under the laws of the state of Washington and governed by Title 35A.12 RCW; and

**WHEREAS**, under RCW 35A.12.100, the Mayor is the chief administrative officer of the City and “shall have general supervision of the administration of the city government and all city interests”; and

**WHEREAS**, the Mayor is responsible for the execution of contracts on behalf of the City, including documents associated with purchase and sale of property, all as authorized by the City Council; and

**WHEREAS**, pursuant to prior authorization from the City Council, on May 25, 2016, the Mayor signed that certain Real Property Purchase and Sale Agreement and Escrow Instructions between Northwood Water Association and the City for the City acquisition of water rights, a utility parcel, and well and water system infrastructure (“Water System Acquisition”); and

**WHEREAS**, it is the intent of the City Council that the Mayor may execute on behalf of the City any and all documents associated with and intended to carry out the purpose of the Water System Acquisition, including without limitation conveyance documents and documents required for recording such as real estate excise tax affidavits; and

**WHEREAS**, the foregoing recitals are a material part of this Resolution;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Lynden as follows:

Section 1: The Mayor is hereby authorized to execute on behalf of the City any and all documents intended to carry out the purpose of the Water System Acquisition, including without limitation, any and all conveyance documents associated therewith and such other documents as are required to consummate and record the transaction such as real estate excise tax affidavits.

Section 2: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.


Section 3: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 4: This Resolution shall be in full force and effect immediately.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, 6 IN FAVOR ~~0~~ AGAINST, AND SIGNED BY THE MAYOR THIS 18 DAY OF July, 2017.

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY