

ORIGINAL

RESOLUTION NO. 94

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, REGARDING PENDING LITIGATION, PROPOSED ANNEXATION AREAS A AND B; PROVIDING FOR CONTINUANCE OR DISMISSAL OF LEGAL PROCEEDINGS BY MUTUAL AGREEMENT WITH THE CITY OF LAKE FOREST PARK; MAKING PROVISION FOR NEGOTIATIONS; PROVIDING FOR RESUMPTION OF PROCEEDINGS IN THE EVENT OF FAILURE OF NEGOTIATIONS

WHEREAS, the cities of Shoreline and Lake Forest Park have instituted proceedings in the King County Superior Court to review rulings by the State of Washington Boundary Review Board for King County on proposed annexation areas A and B; and

WHEREAS, Shoreline has filed an appeal involving the Boundary Review Board's decision involving Annexation Area A and Lake Forest Park has appealed the Boundary Review Board's decision involving Annexation Area B; and

WHEREAS, the cities wish to meet and confer, discuss and negotiate regarding annexation of proposed Areas A and B, and to continue or dismiss pending litigation to facilitate negotiations; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

Section 1. Upon receipt of written confirmation that Lake Forest Park, on the same terms and conditions herein, agrees to continue or dismiss the pending Superior Court proceedings, Shoreline may agree to continue for up to a period of five months, dismiss, or proceed with its pending Superior Court action involving boundary review proceedings.

Section 2. In conjunction with continuing the Superior Court proceedings, Shoreline and Lake Forest Park agree that either city may, upon fifteen days advance written notice to the other, resume its pending legal action and proceed with litigation. No specific reason need be cited by either city for issuing a 15-day notice of resumption.

Section 3. If the litigation is continued, it shall be continued for five months from that date upon which both cities mutually agree to the above terms and conditions. Both cities acknowledge that continuation of the pending legal proceedings requires approval by the Court. In the event continuation shall not be approved by the Court, or is prohibited for any reason, the parties may, nonetheless, continue to negotiate, meet and confer and shall continue to try to pursue resolution of the pending litigation in

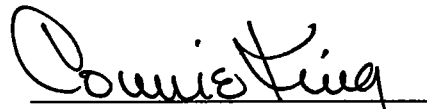
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accordance with ongoing negotiations. If the parties agree to dismiss the litigation, the cities would agree to negotiate for a period not to exceed five months regarding annexation of Area A.

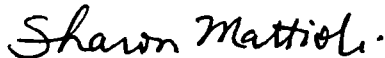
Section 4. This agreement shall not preclude either of the parties from responding to other proceedings which may require input and/or response by either city; for example, ongoing planning and planning proposals, which may require a response by either city with respect to issues regarding proposed annexation of Areas A and B.

ADOPTED BY THE CITY COUNCIL ON JULY 22, 1996.



Mayor Connie King

ATTEST:



Sharon Mattioli, CMC
City Clerk

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