

RESOLUTION NO. 60

A RESOLUTION of the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, retaining counsel for certain services in connection with the authorization, issuance, and sale of its revenue bonds for the purpose of making certain capital improvements to the facilities of the district.

WHEREAS, Whatcom County Water District No. 8, Whatcom County, Washington (hereinafter called the "District") is contemplating the issuance and sale of its sewer, or water and sewer, revenue bonds in order to finance part or all of the cost of acquiring, constructing, and installing a sanitary sewage system as set forth in the existing comprehensive plan of the district for a sanitary sewage collection, treatment, and disposal system; and

WHEREAS, it is deemed necessary and in the best interests of the district that bond counsel skilled in such matters be retained to draw the resolutions, notices, and other documents necessary for the authorization, issuance, and sale of said bonds and to give their opinion as to the validity thereof at the time or times of their sale.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, as follows:

That Preston, Thorgrimson, Ellis, Holman & Fletcher, attorneys at law at Seattle, Washington, be and they are hereby retained to perform the services above set forth; and as compensation therefor the District agrees to pay them in accordance with the fee schedule attached hereto and incorporated by reference herein. The above-described bonds in the principal amount of \$5,211,900 (or so much thereof as the Board deems necessary to issue) may be issued at such time or times and in such amounts as deemed necessary by the Board of Commissioners. Said services shall include examination of a transcript of the proceedings taken in connection with the authorization, issuance, and sale of each issue of such bonds; shall include preparation of the necessary bond resolution in connection with each such issue; the supervision of the

printing of said bonds; preparation of all necessary closing documents; and, providing of a final opinion approving the validity of such bonds.

In the event that a utility local improvement district or districts is or are formed in connection with the issuance of such, bonds, and said attorneys prepare, and/or examine a transcript of, proceedings taken in connection with the formation of and the levying of assessments in such utility local improvement district or districts, the District agrees to pay said attorneys an additional sum of \$350 with respect to each such utility local improvement district.

In the event that said attorneys are called upon to perform other legal services in the course of the authorization, issuance, and sale of such bonds, or in the formation or levying of assessments in such utility local improvement districts, including research or consultation concerning computation of assessments, disputes with contractors or property owners, pending or threatened litigation, interim financing or other like matters, said attorneys shall be compensated for time expended with regard to such additional work at the rate of \$50.00 per hour.

In addition to the above, the District further agrees to reimburse said attorneys for any out-of-pocket expenses, such as long distance telephone calls, which they may incur in the performance of said services, and also agrees to furnish said counsel, at their office in Seattle, Washington, with a complete certified transcript of all proceedings taken in the matter of the issuance of said bonds.

PASSED by the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 1973.

WHATCOM COUNTY WATER DISTRICT NO. 8  
WHATCOM COUNTY, WASHINGTON

By William Vogt  
Chairman of the Board

ATTEST:

William Vogt  
Commissioner

ATTEST:

John D. Sullivan  
Robert S. Sandifer  
Commissioner

ATTEST:

Robert S. Sandifer  
Secretary of said Commission



EXHIBIT A

	<u>Principal Amount of Bond Issue</u>	<u>Fee Schedule</u>
First	\$500,000	\$1,500
Next	\$1,000,000	\$1,500 plus \$1.80 per \$1,000 in excess of \$500,000
Next	\$1,000,000	\$3,300 plus \$1.50 per \$1,000 in excess of \$1,500,000
Next	\$3,000,000	\$4,800 plus \$1.00 per \$1,000 in excess of \$2,500,000

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WHEREAS, it is deemed necessary and in the best interests of the district that bond counsel skilled in such matters be retained to draw the resolutions, notices, and other documents necessary for the authorization, issuance, and sale of said bonds and to give their opinion as to the validity thereof at the time or times of their sale.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, as follows:

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printing of said bonds; preparation of all necessary closing documents; and, providing of a final opinion approving the validity of such bonds.

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In addition to the above, the District further agrees to reimburse said attorneys for any out-of-pocket expenses, such as long distance telephone calls, which they may incur in the performance of said services, and also agrees to furnish said counsel, at their office in Seattle, Washington, with a complete certified transcript of all proceedings taken in the matter of the issuance of said bonds.

PASSED by the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 1973.

WHATCOM COUNTY WATER DISTRICT NO. 8  
WHATCOM COUNTY, WASHINGTON

By William Vogt  
Chairman of the Board

ATTEST:

William Vogt  
Commissioner

ATTEST:

Jordan Sullivan  
Robert S. Sandifer  
Commissioner

ATTEST:

Robert S. Sandifer  
Secretary of said Commission




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I, \_\_\_\_\_, the duly chosen, qualified and acting Secretary of the Board of Commissioners of Whatcom County Water District No. 8, Whatcom County, Washington, DO HEREBY CERTIFY that the foregoing resolution is a true and correct copy of Resolution No. \_\_\_\_ of said District, duly passed by its Board of Commissioners at a regular Board meeting held \_\_\_\_\_, 1973.

  
Secretary