

RESOLUTION NO. \_\_\_\_\_

A Resolution to establish a rule of conduct for collection of pro-rata construction costs for water main.

WHEREAS, a contract was entered into May 28, 1965 between the Town of Gig Harbor and Dr. Karl Peterson for the construction of a water main, and

WHEREAS, by the terms of the contract the Town of Gig Harbor is to collect for Dr. Peterson pro-rata share of construction costs from real estate owners subsequently receiving water from said main;

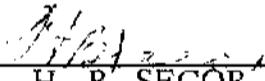
THE TOWN OF GIG HARBOR DOES RESOLVE AS FOLLOWS:

Sec. 1 - The term "pro-rata share" in said contract is ambiguous.

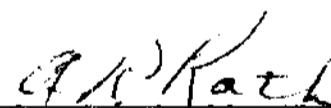
Sec. 2 - The Town of Gig Harbor will of necessity have to determine what amounts to a pro-rata share.

Sec. 3 - The Town of Gig Harbor shall abide by any agreement of the parties to the contract, but in the absence of agreement compliance by the Town with the terms of the contract shall be based upon a determination by the Town that a "pro-rata share" shall include and be limited to property owners abutting the west side of Harborview Avenue at any point perpendicular to said water main.

THIS RESOLUTION adopted this 23rd day of September, 1965.

  
H. B. SECOR, MAYOR

ATTEST:

  
A. R. KATH, CLERK