CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. 02000-62

AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, GRANTING A FRANCHISE TO
METRICOM, INC.

WHEREAS, the City of Sammamish incorporated on August 31, 1999; and

WHEREAS, RCW 35.02.160 provides that any franchise or permit heretofore granted to
any person, firm, or corporation by the State or County is automatically canceled upon
incorporation, but that the City must grant such business a franchise to continue for a term of not
less than the remaining term of the original franchise or permit, or seven years, whichever is
shorter; and

WHEREAS, a franchise has previously been granted by King County to Metricom, Inc. to
operate within the City of Sammamish; and

WHEREAS, the City of Sammamish desires to allow such business to continue operation
under the same terms and conditions as the pre-existing King County franchise for the remaining
term of the original franchise, or seven years, whichever is the shorter period;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Term of Franchise. In accordance with RCW 35.02.160, the term of the
franchise granted herein shall be not less than the remaining term of the original franchise, or not
less than seven years, whichever is the shorter period.

Section 2. Metricom, Inc. The City of Sammamish hereby grants to Metricom, Inc. a
franchise under the same terms and conditions as set forth in the following franchise previously
issued by King County:

Franchise No. 12826, expiring June 1, 2007.

Section 3. Directions to City Clerk. The City Clerk is hereby authorized and directed to
forward a certified copy of this Ordinance to the franchisee set forth in this Ordinance. The
franchisee shall have 30 days from receipt of a certified copy of this Ordinance to accept in writing
the terms of the franchise granted herein.
Section 4. Official Bonds. The franchisee shall take all necessary steps to transfer any bonds, certificates of insurance, or other security currently held by King County to the City of Sammamish. The franchise rights granted herein shall not be effective until such transfers are made.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THE 28th DAY OF JUNE, 2000.

CITY OF SAMMAMISH

[Signature]
Mayor Jack Barry

ATTEST/AUTHENTICATED:

[Signature]
Melonie Anderson, City Clerk

Approved as to form:

[Signature]
Bruce L. Disend, City Attorney

Filed with the City Clerk: June 22, 2000
Passed by the City Council: June 28, 2000
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