

**SIXTH AMENDMENT TO THE JOHNSTON COUNTY/ CITY OF RALEIGH  
UTILITY SERVICE AREA AGREEMENT**

This **AMENDMENT** to the Johnston County/Raleigh Interlocal Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between the City of Raleigh, hereinafter referred to as “RALEIGH”, and the County of Johnston, hereinafter referred to as “COUNTY”.

**WITNESSETH:**

**WHEREAS**, RALEIGH and the COUNTY entered into an Interlocal agreement on July 29, 2008, which shall hereinafter be referred to as the Utility Service Area Agreement; and

**WHEREAS**, the Utility Service Area Agreement has been amended since the since the date of the original agreement to allow the COUNTY to provide water service to additional properties in Wake County; and

**WHEREAS**, the Utility Service Area Agreement is intended to permit COUNTY water service to previously recorded individual residential lots contiguous to the COUNTY’s existing water mains pursuant to the terms of this Utility Service Area Agreement; and

**WHEREAS**, all previously recorded individual residential lots along the route of, and contiguous to the COUNTY’s existing water mains were not identified and included in previous amendments to allow their connection to the COUNTY’s existing water mains: and

**WHEREAS**, the COUNTY and RALEIGH desire to amend the Utility Service Area Agreement to allow for administrative approval to connect previously recorded individual residential lots contiguous to the COUNTY’s existing water mains.

**NOW, THEREFORE**, the COUNTY and RALEIGH mutually agree to amend the UTILITY SERVICE AREA AGREEMENT as follows:

- 1. Add the following new paragraph after the next to last paragraph of paragraph 3, as amended by the Fifth Amendment to this Utility Service Area Agreement:**

RALEIGH and the COUNTY also agree to administratively allow the COUNTY to add additional ¾” individual service connections to the COUNTY’s existing water mains located within Wake County and the Town of Garner’s service area for residential lots recorded as part of a subdivision consisting of more than three lots prior to July 28, 2008, and located contiguous to the COUNTY’s existing water mains.

- 2. Add the following paragraph to the end of paragraph 3:**

For the purposes of this Utility Service Area Agreement, “administratively allow” means that the CITY’s Director of Public Utilities, after consultation with the Town of Garner, approves of a request by the COUNTY’s Director of Public Utilities to permit the connection of one or more parcels to the COUNTY’s water mains pursuant to the limitations of this Utility Service Area Agreement.

Except as amended according to the terms herein, the Utility Service Area Agreement shall remain in full effect.

IN WITNESS WHEREOF, Raleigh has executed the foregoing with the signature(s) of its duly authorized officer(s), under seal, and Johnston County has executed with the signature of the County Manager, attested by its County Clerk, with the official seal affixed, the day and year first above written.

This the \_\_\_\_ day of \_\_\_\_\_, 2019.

County of Johnston

BY: \_\_\_\_\_

County Manager

Attest:

\_\_\_\_\_

County Clerk

\_\_\_\_\_

Approved as to Form, Johnston County Attorney

City of Raleigh

BY: \_\_\_\_\_

City Manager

Attest:

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City Clerk

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Approved as to Form, Raleigh City Attorney