

ORDINANCE NO. 2106

AN ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING AND APPROVING PURCHASE OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE "SANDS LUMBER COMPANY" AND APPROVING THE TERMS AND CONDITIONS OF THE CONTRACT FOR PURCHASE OF SAME.

WHEREAS, the City of Kirkland by virtue of RCW 39.30.010 is authorized to acquire real property by executory conditional sales contract or real estate contract, and

WHEREAS, a proposal has been presented to the City Council for purchase of the hereinafter described real property by the City on such real estate contract, and

WHEREAS, the City Council finds that it is within the public interest to acquire said real property on the terms and conditions presented,

NOW, THEREFORE, BE IT ORDAINED By the City Council of the City of Kirkland as follows:

Section 1. The City Manager and the Director of Administration and Finance are hereby authorized and directed to sign on behalf of the City of Kirkland, a real estate contract in the form and containing the terms and conditions as attached hereto and by this reference incorporated herein, to purchase from Louis Sands, the property described in Section 2 hereof.

Section 2. The real property to be acquired by the City of Kirkland on executory real estate contract, is situate in Kirkland, King County, Washington, and described as:

A Tract of Land in and in front of Government Lot 2, Section 8, Township 25 North, Range East W.M. in King County, Washington, described as follows:

Beginning at the intersection of Lake Street South and Fifth Avenue South in the Town of Kirkland, and running thence along the center

line of said Lake Street South, South  $0^{\circ}57'09''$  West, 133.20 feet to a point of curve; thence continuing on the center line tangent produced south  $0^{\circ}57'09''$  West 23.71 feet to a point on the Westerly production of the southerly boundary of the Seattle Addition to Kirkland, according to the Plat recorded in Volume 7 of Plats, Page 16, in King County, Washington, thence along said westerly production, south  $88^{\circ}20'24''$  West 57.46 feet to the meaner line and the true point of beginning; thence north  $88^{\circ}20'24''$  East 26.99 feet to the westerly margin of Lake Street South; thence southerly along said westerly margin on the arc of a curve to the right having a radius of 734.49 feet "The tangent to which at this point bears south  $2^{\circ}54'30''$  West" a distance of 160 feet; thence north  $88^{\circ}24'00''$  West 648.02 feet to the Inner Harbor Line of Lake Washington; thence along said Inner Harbor Line North  $1^{\circ}47'17''$  West to a point on the westerly production of the southerly boundary of said Seattle Addition to Kirkland; thence North  $88^{\circ}24'00''$  East to the true point of beginning.

Section 3. The debt obligation of the City of Kirkland hereby created shall be a general obligation debt of the City of Kirkland of the nature and within the limits authorized to be created by the City Council.

Section 4. All actions heretofore taken by the City Manager and the Director of Administration and Finance in regard to the negotiation and acquisition of said real property are hereby ratified and confirmed.

Section 5. The Director of Administration and Finance is hereby authorized to draw warrants for payment of the down-payment as required by said contract and for normal purchaser's costs in connection with said acquisition.

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Section 6. In the event such executory real estate contract transaction would not result in the removal of the property from the general tax rolls, and the seller does not agree to the assumption of the payment of said general taxes during the life of said contract, then in that event and as an alternative to said executory contract, the Mayor and Director of Administration and Finance are hereby authorized to sign on behalf of the City of Kirkland its installment promissory note containing conditions and terms of payment substantially identical with those set forth hereinabove by reference in Section 1, and to deliver said promissory note to the seller upon delivery to the City of a good and sufficient warranty deed conveying fee title of said property to the City, together with an owner's standard policy of title insurance.

Section 7. This ordinance shall be in force and take effect five days from and after its passage by the Council and publication as required by law.

PASSED by the City Council at regular meeting on the 20<sup>th</sup> day of April, 1970.

SIGNED in authentication thereof on the 20<sup>th</sup> day of April, 1970.

William C. Woods  
Mayor

Attest:

Tam J. Peterson  
Director of Administration and Finance  
(ex officio City Clerk)

Approved as to form:

Rayhi Thom  
City Attorney

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