

RESOLUTION NO. 328

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KIRKLAND, WASHINGTON, AS FOLLOWS:

WHEREAS, the United States of America, through the Federal Works Agency, has constructed improvements in connection with the water system in and for the City of Kirkland, and

WHEREAS, it is advantageous for the purposes of said construction that the title to certain real estate be acquired by the United States of America, on which there has been constructed a water reservoir for the use by the City of Kirkland in connection with said water system improvements which will benefit the City of Kirkland, and

WHEREAS, by Resolution No. 296, passed by the City Council and approved by the Mayor of the City of Kirkland on February 4, 1943, the Mayor and Clerk of the City of Kirkland were authorized to execute a deed conveying to the United States of America certain real property described as Lots 17 and 18, Block 124, Burke and Farrar's Kirkland Addition to the City of Seattle, Division No. 27, recorded in Volume 21 of Plats, Page 90, Records of King County, State of Washington, which deed was executed and delivered to the United States of America on February 5, 1943, and

WHEREAS, the Attorney General of the United States deemed it necessary to acquire title to said property by condemnation proceedings rather than by deed, due to certain title difficulties, which condemnation proceedings have been commenced in the District Court of the United States for the Western District of Washington, Northern Division, being Cause No. 934 and entitled United States of America, petitioner, v. Certain Parcels of Land in the County of King, State of Washington, and the City of Kirkland, a municipal corporation, respondent, and

WHEREAS, the City of Kirkland, a municipal corporation, immediately prior to the filing of the Declaration of Taking in said condemnation proceeding on May 23, 1944, was the owner of the property described in said Declaration of Taking as follows:

Beginning at a point being the intersection of the Northerly line of 15th Avenue with the Westerly line of 3rd St., said point being the Southeasterly corner of Lot numbered 17 in Block numbered 124, as said Lot, Block, Street and Avenue are shown on that certain Map entitled, "Burke and Farrar's Kirkland Addition to the City of Seattle, Division No. 27", recorded in Volume 21 of Plats, Page 90, records of King County, State of Washington; running thence Westwardly along the Southerly line of said Lot 17 and the Northerly line of 15th Avenue a distance of 201.37 feet to a point being the Southwesterly corner of said Lot 17; thence Northwardly along the Westerly line of said Lot 17 a distance of 73.51 feet to a point being the Southwesterly corner of Lot numbered 18, as shown on said Map; thence continuing northwardly along the Westerly line of said Lot 18 a distance of 50 feet to a point being the Northwesterly corner of said Lot 18; thence Eastwardly along the Northerly line of said Lot 18, a distance of 200 feet to a point in the Westerly line of 3rd Street, and the Easterly line of said Lot 18 a distance of 50 feet to a point being the Northeasterly corner of said Lot 17; thence continuing southwardly along the Westerly line of 3rd Street and the Easterly line of said Lot 17 a distance of 97.02 feet to the point or place of beginning,

the full fee simple title to said property having been acquired by the United States of America by said Declaration of Taking, and

WHEREAS, in said cause, the United States of America has deposited with the Clerk of said Court the sum of One Dollar (\$1.00) as estimated just compensation for the taking of said property, and

WHEREAS, it has been the intent of the City of Kirkland to place title to said property in the United States of America for a nominal consideration, considering the benefits gained by the City of Kirkland from the use of said property by the United States,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland, a municipal corporation, as follows:

(1) That the City of Kirkland, a municipal corporation, agrees to accept the sum of One Dollar (\$1.00) as just, full, final and complete compensation for the taking of said property as hereinabove described,

(2) That L. M. Ostrander, as City Attorney of the City of Kirkland, a municipal corporation, be and he hereby is authorized to enter into and execute all necessary stipulations, petitions, depositions, and other documents necessary to effectuate this resolution, and to consent to the entry of the judgment in the condemnation proceeding fixing the sum of One Dollar (\$1.00) as just compensation for the taking of said property as described in the declaration of taking in said proceeding.

Dated at Kirkland, Washington, this 17th day of July, 1944.

CITY COUNCIL OF THE CITY OF KIRKLAND

Approved:

S/ Harry M. Everett
Mayor

Attest:

S/ C. F. Trent
Clerk