

CITY OF KIRKLAND

RESOLUTION NO. ~~707~~ 494

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO HEREBY RESOLVE:

WHEREAS, in 1945 the County of King did attempt to transfer and convey under King County Treasurer Deed Nos. 24150 and 25711, to the City of Kirkland, certain property commonly known as the Kirkland Civic Center, and also commonly known as King County Park No. 16, said property being situate in the City of Kirkland, King County, Washington, and more particularly described as follows:

That portion of Government Lot 5 and of the SE 1/4 of the SW 1/4 of Section 5, Township 25 North, Range 5 E. W. M., described as follows:

BEGINNING at a point distant north 89°39'00" east along the south line of said Section, 1511.50 ft and north 0°21'00" west 30 ft from the meander corner common to Sections 5 and 8 of said Township and Range; and running thence south 89°39'00" west, parallel to the south line of said Section 5, a distance of 721.50 ft; thence north 0°21'00" west 623.14 ft, more or less, to the southerly line of Central Avenue in Kirkland Terrace, as per plat recorded in Volume 21 of Plats on page 42, records of King County, (formerly Lake Avenue in the plat of the Town of Kirkland, as per plat recorded in Volume 6 of Plats, on page 53, records of King County); thence north 70°04'15" east along the southerly line of said Central Avenue, 141.12 ft to an angle point in said southerly line; thence north 63°26'15" east, along said southerly line 656.01 ft, more or less, to a point which bears north 0°21'00" west from the point of beginning; thence south 0°21'00" east 960.20 ft, more or less, to the point of beginning, EXCEPT portion taken by King County for road purposes, situate in the City of Kirkland, King County, Washington;

and,

WHEREAS, the County of King had prior thereto acquired said property and by King County Resolution No. 7239, did denominate it King County Park No. 16, and

WHEREAS, the City of Kirkland has, for the past several years, been (with certain exceptions) in actual possession and use of said property, including development and maintenance thereof, and

WHEREAS, it now appears that the County of King at the time of said conveyance to the City of Kirkland did not have statutory authority to convey or dispose of park property, and that the status of ownership of said property, including the respective interests therein of the City of Kirkland and the County of King, is therefore in doubt, and

WHEREAS, the County of King has now been granted such statutory authority to convey and dispose of park property, and

WHEREAS, the property above described is necessary for the welfare of the citizens of Kirkland as a civic center to be used for municipal, governmental, public or quasi-public non-profit purposes,

NOW, THEREFORE, the City Council of the City of Kirkland do resolve and make offer to the County of King, a legal sub-division of the State of Washington, and its Board of Commissioners as follows:

1. The City Council of the City of Kirkland does authorize and direct the Mayor of the City of Kirkland to execute a quit claim deed in favor of the County of King, a legal sub-division of the State of Washington, as to the following specifically described property, situate in Kirkland, King County, Washington, to-wit:

That portion of Government Lot 5 and of the SE 1/4 of the SW 1/4 of Section 5, Township 25 North, Range 5 E. W.M., described as follows:

BEGINNING at a point distant north 89°39'00" east along the south line of said Section, 1511.50 ft and north 0°21'00" west 30 ft from the meander corner common to Sections 5 and 8 of said Township and Range; and running thence south 89°39'00" west, parallel to the south line of said Section 5, a distance of 721.50 ft; thence north 0°21'00" west 623.14 ft, more or less, to the southerly line of Central Avenue in Kirkland Terrace, as per plat recorded in Volume 21 of Plats on page 42, records of King County, (formerly Lake Avenue in the plat of the Town of Kirkland, as per plat recorded in Volume 6 of Plats, on page 53, records of King County); thence north 70°04'15" east along the southerly line of said Central Avenue, 141.12 ft to an angle point in said southerly line; thence north 63°26'15" east, along said southerly line 656.01 ft, more or less, to a point which bears north 0°21'00" west from the point of beginning;

thence south 0°21'00" east 960.20 ft, more or less, to the point of beginning, EXCEPT portion taken by King County for road purposes, situate in the City of Kirkland, King County, Washington;

2. The Kirkland City Council do further authorize and direct the Mayor of the City of Kirkland to deliver said quit claim deed to the Board of Commissioners of the County of King, upon the following terms and conditions:

a) The Board of Commissioners of the County of King to take such steps as are required of them by law to petition the King County Superior Court pursuant to Chapter 39.33, Revised Code of Washington, for a decree approving the transfer of the property described in said quit claim deed to the City of Kirkland upon the terms of the offer contained in this resolution.

b) The City of Kirkland agrees to pay to the County of King for the benefit of the Park Fund of said County, at the rate of One thousand seven hundred fifty dollars (\$1,750.00) per acre for the property hereinabove described, as said property is conveyed to the City of Kirkland, pursuant to the decree to be issued in said Court proceedings.

c) The City of Kirkland further agrees not to convey said land or any portion thereof to any private persons, group or association for private commercial use, without first obtaining the consent to make such conveyance from the Board of County Commissioners for King County, provided that nothing herein shall prevent the City of Kirkland from conveying the northeasterly portion of the property described in said quit claim deed, and more particularly described as follows, to-wit:

That portion of Government Lot 5 and of the SE 1/4 of the SW 1/4 of Section 5, Township 25 North, range 5 E. W.M., in King County, Washington, described as follows:'

BEGINNING at a point distant north 89°39'00" east, along the south line of said section 1511 ft and north 0°21'00" west 30 ft from the meander corner common to

Sections 5 and 8 of said Township and Range; thence north 0°21'00" west 366.32 ft; thence south 87°09'34" west 30.03 ft to the true point of beginning; thence continuing south 87°09'34" west 289.97 ft; thence north 0°21'00" west 450.39 ft to the southerly margin of Central Way in Kirkland Terrace, as per plat recorded in Volume 6 of Plats on page 42, records of King County (formerly Lake Avenue in the plat of the Town of Kirkland as per plat recorded in Volume 6 of Plats on page 53, records of King County); thence north 63°26'15" east along said street margin 322.91 ft; thence south 0°21'00" east 580.42 ft to true point of beginning,

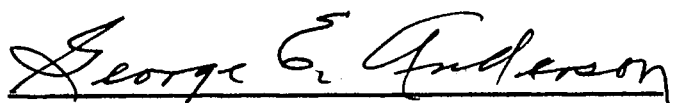
to the Greater Seattle YMCA or its non-profit corporate nominee, for the purpose of constructing thereon a community YMCA facility, upon such terms and conditions as said City and YMCA may mutually agree upon; and further provided that nothing herein shall prevent the City of Kirkland from exchanging any portion of said property for other property, where the purpose of such exchange is found by the City Council of the City of Kirkland to be necessary for the proper development and utilization (including development of adequate public access of the entire area first described above), for municipal, governmental, public or quasi-public non-profit purposes.

3. A certified copy of this Resolution is to be forwarded to the Board of Commissioners of the County of King, a legal subdivision of the State of Washington.

PASSED BY UNANIMOUS VOTE of the City Council of the City of Kirkland, on the 17th day of June, 1963.


MAYOR

Attest:


City Clerk