

RESOLUTION R - 3439

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND, AUTHORIZING THE CHAIRMAN OF THE KIRKLAND LIBRARY BOARD TO ENTER INTO A CONTRACT WITH ARLINE ANDRE' (FORMERLY ARLINE STOKES ELY), RELATING TO A PROPOSED, REVISED EDITION OF "OUR FOUNDERING FATHERS" AND U.S. COPYRIGHT REGISTRATION NO. A671125.

Whereas, the City of Kirkland acting through its Library Board and Arline Stokes Ely, now Arline Andre', jointly hold the copyright (registration no. A671125) to "Our Foundering Fathers" - a history of Kirkland, originally written by Arline Andre' under the name Arline Stokes Ely, pursuant to a contract grant from the City of Kirkland, and

Whereas, "Our Foundering Fathers" is now out of print, and both parties agree that a corrected, expanded, and revised edition is now appropriate, and

Whereas, Arline Andre' has requested that the City of Kirkland relinquish to her its interest in the copyright, and

Whereas, the Kirkland Library Board, on behalf of the City of Kirkland, is agreeable under certain specific conditions relating to revision of "Our Foundering Fathers", to relinquish Kirkland's interest in the copyright, and

Whereas, the Kirkland City Council has reviewed the proposed contract between the Library Board and Arline Andre', now, therefore

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The Kirkland Library Board acting through its Board Chairman, is hereby authorized to sign on behalf of the City of Kirkland that certain agreement setting forth conditions under which the City will agree to transfer its interest in the U.S. Copyright Registration No. A671125 to Arline Andre'. A copy of said Agreement is attached to the original copy of this Resolution, and by this reference is incorporated herein as though fully set forth.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 2nd day of February, 1988.

Signed in authentication thereof this 2nd day of
February, 1988.

Doris Cooper
MAYOR

ATTEST:

Janice Perry
City Clerk

AGREEMENT

Transfer of copyright (Registration No. A671125)

This agreement made and entered into this day between the City of Kirkland, acting through its Library Board, and Arline Andre' (a/k/a Arline Stokes Ely)

WITNESSETH

Whereas, the City of Kirkland acting through its Library Board and Arline Stokes Ely, now Arline Andre', jointly hold the copyright (registration no. A671125) to "Our Foundering Fathers" a history of Kirkland, originally written by Arline Andre' under the name Arline Stokes Ely, pursuant to a contract grant from the City of Kirkland, and

Whereas, "Our Foundering Fathers" is now out of print and both parties agree that a corrected, expanded, and revised edition is now appropriate, and

Whereas, Arline Andre' has requested that the City of Kirkland relinquish to her its interest in the copyright, now, therefore,

In consideration of the mutual promises herein set forth, it is agreed as follows:

The City of Kirkland, acting through its Library Board, hereby agrees to relinquish its interest in the copyright (registration no. A671125) for Our Foundering Fathers at such time as the following terms and conditions have been met:

1. Arline Andre' shall prepare a revised edition of Our Foundering Fathers, including:

A. Correction of known factual errors in the original edition, such as incorrect dates.

B. Addition of a new chapter to focus on the history of Kirkland from the date where the original manuscript left off to the present time, which will include current information on City government, commercial development, and similar aspects of the Kirkland community.

2. A professional editor meeting the approval of both Arline Andre' and the Library Board is to be hired to work with the author.

3. When published, 15 copies of the revised edition are to be donated to the Kirkland Library.

4. Acknowledgments in the revised edition shall include acknowledgment of the Kirkland Library's role as publisher of the first edition of the book and if this acknowledgment is included along with other references, it shall be the first acknowledgment.

5. Arline Andre' and the professional editor shall provide status reports on progress of the work, which shall be given to the Library Board in writing every six months from the time of this agreement until the work is published, or five years from the date of this agreement whichever shall first occur.

6. The Library Board reserves the right to review and approve the revised manuscript before publication to ensure that the conditions of this agreement are met.

7. In the event the revised work is not published within five years of the date of this agreement or if any of the conditions herein set forth are not met, then the City of Kirkland interest in the copyright shall not transfer and the copyright interest shall continue to be held jointly between the Library Board and Arline Andre', formerly Arline Stokes Ely, as currently registered.

DATED at Kirkland, Washington this _____ day of _____, 198__.

ARLINE ANDRE', formerly Arline
Stokes Ely

CITY OF KIRKLAND LIBRARY BOARD
By: _____

This agreement authorized by Kirkland City Council Resolution
R _____, adopted _____, 198__.