# RESOLUTION NO. 2010-11

**A RESOLUTION** of the City of Bainbridge Island relating to certain real property commonly known as "Williams Property" declared surplus to the needs of the City of Bainbridge Island, and to be transferred to Bainbridge Island Metropolitan Park and Recreation District for use as a public open space and/or passive public park.

**WHEREAS,** the City of Bainbridge Island (the "City") owns a parcel that totals approximately 3.81 acres in size, located north of Williams Lane, Bainbridge Island, Washington (Kitsap County Assessor Parcel No. 082502-4-012-2005) and one tidelands parcel that is approximately 4.2 acres in size (Kitsap County Assessor Parcel No. 172502-1-026-2004) (as more fully described on Exhibit A attached hereto, the "Williams Property"); and

**WHEREAS,** the City and the Bainbridge Island Metropolitan Park and Recreation District (the "District") staff agreed at the time of the purchase to transfer the Williams Property to the District for development and maintenance as public open space and/or a passive park in alignment with the District's mission and other property acquisition requirements; and

**WHEREAS,** the Park District under a letter of retroactivity applied for and received a Washington State Recreation & Conservation Office ("RCO") grant in the initial amount of $986,607 for the purchase of the Williams Property; and

**WHEREAS,** the Park District Board pursuant to Resolution No. 2009-20 agreed to transfer $600,000 of the grant to the City as partial compensation for the Williams Property acquisition costs; and

**WHEREAS,** pursuant to the Park District Board Resolution No. 2009-20, $300,000 of such grant money will be retained by the Park District for the City's portion of the renovation of the soccer fields at Battle Point; and

**WHEREAS,** RCO will not disburse the grant money until the Williams Property has been transferred to the Park District or until the Park District can provide evidence that such transfer is imminent; and

**WHEREAS,** pursuant to Resolution No. 2009-29, City Council declared the Williams Property surplus to the needs of the City authorized its transfer to the District to maintain and utilize the Williams Property as public open space and/or a passive park in perpetuity; and

**WHEREAS,** the transfer of the Williams Property was contingent upon the Park District transferring $600,000 of the RCO grant to the City as partial compensation for the Williams

Property acquisition costs, and $300,000 of such grant money was to be retained by the Park District for the City's portion of the renovation of the soccer fields at Battle Point; and

**WHEREAS**, the final RCO grant is in the amount of $966,612.98, and the Park District will transfer $569,951.98 to the City as partial compensation for the Williams Property acquisition costs with $300,000 of such grant money to be retained by the Park District for the City's portion of the renovation of the soccer fields at Battle Point; and

**WHEREAS**, the City Council desires to amend the amount to be transferred to the City to reflect the final grant amount, now, therefore,

**THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

1. That the transfer of the Williams Property shall be contingent upon the Park District transferring $569,951.98 of the RCO grant instead of the $600,000 referenced in Resolution No. 2009-29 to the City as partial compensation for the Williams Property acquisition costs, and $300,000 of such grant money will be retained by the Park District for the City's portion of the renovation of the soccer fields at Battle Point.

2. That the City Manager, or his designee, is hereby authorized to take all necessary and appropriate steps to transfer the Williams Property in accordance with applicable federal, state, and local law, including executing all documents required to carry out the transfer.

**PASSED** by the City Council this 24th day of February, 2010.

**APPROVED** by the Mayor this 24th day of February, 2010.

Bob Scales, Mayor

ATTEST/AUTHENTICATE:

Rosalind D. Lassoff

Rosalind D. Lassoff, City Clerk

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| FILED WITH THE CITY CLERK: | February 16, 2010 |
| PASSED BY THE CITY COUNCIL: | February 24, 2010 |
| RESOLUTION NO. | 2010-11 |

## EXHIBIT A

### Legal Description

**WILLIAMS PROPERTY**

Parcel Numbers: 082502-4-012-2005 and 172502-1-026-2004

THAT PORTION OF GOVERNMENT LOT 5, SECTION 8, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., CITY OF BAINBRIDGE ISLAND, KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 8;
THENCE ALONG THE EAST LINE THEREOF, NORTH 01°25'47" EAST 210.80 FEET;
THENCE LEAVING SAID EAST LINE, NORTH 89°01'48" WEST 465.24 FEET;
THENCE NORTH 38°10'06" WEST 200.00 FEET;
THENCE NORTH 71°33'14" WEST TO THE WESTERLY LIMITS OF SAID GOVERNMENT LOT 5;
THENCE SOUTHWESTERLY ALONG SAID WESTERLY LIMITS TO THE SOUTH LINE OF SAID SECTION 8;
THENCE ALONG SAID SOUTH LINE, SOUTH 89°01'48" EAST TO THE POINT OF BEGINNING.

TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON SITUATE IN FRONT OF, OR ADJACENT TO AND ABUTTING THEREON.

ALSO PARCEL C AS DELINEATED ON THE SURVEY RECORDED IN VOLUME 43 OF SURVEYS, PAGE 141, RECORDED UNDER KITSAP COUNTY AUDITOR'S FILE NO. 9507250059, AND DESCRIBED AS FOLLOWS:
THE TIDELANDS INCLUDED IN THE DEEDS RECORDED UNDER KITSAP COUNTY AUDITOR'S FILE NOS. 35694, VOLUME 54, PAGE 23, AND 374342, FRONTING GOVERNMENT LOTS 1 AND 2, SECTION 17, TOWNSHIP 25 NORTH, RANGE 2 EAST, W.M., KITSAP COUNTY, WASHINGTON, LYING SOUTH OF THE NORTH LINE OF SAID SECTION 17.