

RESOLUTION NO. 130

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF UNIVERSITY PLACE AND PIERCE COUNTY PROVIDING FOR THE TRANSFER OF CERTAIN REAL PROPERTY TO THE CITY OF UNIVERSITY PLACE AND THE SUBSTITUTION OF THE CITY OF UNIVERSITY PLACE AS PARTY TO THE AUGUST 1995 INTERLOCAL AGREEMENT ENTERED INTO BETWEEN PIERCE COUNTY AND THE UNIVERSITY PLACE PARKS AND RECREATION DISTRICT.

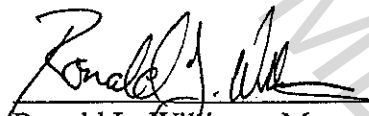
BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON AS FOLLOWS:

Section 1. Authorization. The City Manager or his designee is authorized and directed to execute on behalf of the City the agreement for transferring of certain real property to the City of University Place and for the substitution of the City of University Place as party to the August 1995 Interlocal Agreement entered into between Pierce County and the University Place Parks and Recreation District.

Section 2. Ratification and Confirmation. Any acts made consistent with the authority and prior to the effective date of this resolution are ratified and confirmed.

Section 3. Effective Date. This resolution shall take effect immediately upon signing.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 26, 1996.



Ronald L. Williams, Mayor

ATTEST:



Susan Matthew, City Clerk

An Interlocal Agreement Between the City of University Place and Pierce County Providing for the Transfer of Certain Real Property to the City of University Place and the Substitution of the City of University Place as Party to the August 1995 Interlocal Agreement Entered Into Between Pierce County and the University Place Parks and Recreation District.

THIS AGREEMENT is entered into this day by and between the CITY OF UNIVERSITY PLACE, a municipal corporation of the State of Washington (hereinafter "City") and PIERCE COUNTY, a political subdivision of the State of Washington (hereinafter "County").

WHEREAS, the University Place Parks and Recreation District (hereinafter "Park District") was established in 1978 pursuant to RCW 36.69 to provide park and recreation services within the then unincorporated area of Pierce County known as University Place; and

WHEREAS, the City incorporated pursuant to RCW 35.02 and commenced operations as a city on August 31, 1995, in an area which was previously unincorporated Pierce County; and

WHEREAS, the City and the Park District have entered into Joint Resolution No. 109, dated August 1996, providing for the transfer of Park District services, including Park District assets and liabilities, to the City, and have entered into an Interlocal Agreement dated November __, 1996, in order to carry out this Resolution; and

WHEREAS, the County seeks to cooperate with the City and the Park District and to facilitate the aforementioned transfers; and

WHEREAS, the County has conveyed and quit claimed its interest in certain real property, commonly known as Morrison Pond, to the Park District; and

WHEREAS, the County has reversionary interests in certain real property, commonly known as Sunset Terrace and Colgate Park, which have been deeded to the Park District; and

WHEREAS, the County holds title to certain real property, commonly known as Curran Apple Orchard, a portion of which is to be transferred to the Park District in the future pursuant to an Interlocal Agreement dated August 1995, entered into between the County and the Park District; and

WHEREAS, the County and the Park District are parties to an Interlocal Agreement dated August 1995 respecting the joint ownership, management, operation, and maintenance of the Curran Apple Orchard for park and recreation purposes; and

WHEREAS, the parties believe that the orderly transfer of Park District services, assets, and liabilities to the City is best effectuated by quit claiming Park District interests in the aforementioned real property to the City; and

WHEREAS, the parties believe that the orderly transfer of Park District services, assets, and liabilities to the City is best effectuated by transferring all reversionary interests held by the County in the aforementioned real property to the City; and

WHEREAS, the parties believe that the orderly transfer of Park District services, assets, and liabilities to the City is best effectuated by substituting the City in place of the Park District as a party to the August 1995 Interlocal Agreement entered into between the Park District and the County; and

WHEREAS, the parties are authorized to enter into this agreement by virtue of RCW 39.34;

NOW THEREFORE, in consideration of the terms and conditions contained herein, it is mutually agreed by and between the City and the County as follows:

Section 1. Purposes.

The purposes of this Interlocal Agreement are (1) to provide for the transfer of ownership interests in certain real property from the Park District to the City; (2) to provide for the transfer of the County's reversionary interests in certain real property to the City; (3) to provide for the transfer of interests and obligations assumed by the Park District regarding certain real property to the City; and (4) to provide for the substitution of the City in place of the Park District as party to the Interlocal Agreement entered into between the County and the Park District on August 1995.

Section 2. Duration.

The duration of this Interlocal Agreement shall be the time necessary to complete the transfers of property referenced in Sections 3, 4, 5, 6, 7, and 8 and to complete the substitution of parties referenced in Section 9.

Section 3. Transfer of ownership interests in real property deeded to the Park District by the County.

The County hereby authorizes the substitution of the City in place of the Park District with regard to all right, title, and interest in certain real property, commonly known as Morrison Pond, assumed by the Park District pursuant to the quit claim deed recorded in the Pierce County Auditor's files as No. 9510120256. (Exhibit 1).

Section 4. Transfer of reversionary interests held by the County regarding certain real property owned by the Parks District (Sunset Terrace).

The County hereby conveys and quit claims to the Park District all right, title, and interest, and releases any reversionary rights thereto, in the real property recorded in the Pierce County Auditor's files as No. 8302040250, commonly known as Sunset Terrace. (Exhibit 2)

Section 5. Transfer of reversionary interests held by the County regarding certain real property owned by the Parks District (Colgate Park).

The County hereby conveys and quit claims to the Park District all right, title, and interest, and releases any reversionary rights thereto, in the real property recorded in the Pierce County Auditor's files as No. 8302040251, commonly known as Colgate Park. (Exhibit 3)

Section 6. Transfer of ownership interests and obligations in certain real property held in trust by the County (Curran Apple Orchard).

The County hereby substitutes the City as a party to all right, title, interest, and obligation respecting certain real property, commonly known as Curran Apple Orchard, heretofore assumed by the Park District pursuant to the statutory warranty deed recorded in the Pierce County Auditor's files as No. 9507070268. (Exhibit 4).

Section 7. Substitution of the City in place of the Park District as party to the Interlocal Agreement entered into between the Park District and the County.

The County hereby authorizes the substitution of the City in place of the Park District as a party to the August 1995 Interlocal Conservation Futures Agreement entered into between the Park District and the County, which provides for the joint ownership, maintenance, operation, and management of Curran Apple Orchard for park and recreation purposes. (Exhibit 5).

Section 8. Approval of execution of quit claim deeds.

The parties authorize execution of and recording of the following quit claim deeds to accomplish the transfer of interests in real property from the Park District to the City:

1. Exhibit 6 (Morrison Pond)
2. Exhibit 7 (Sunset Terrace)
3. Exhibit 8 (Colgate Park)
4. Exhibit 9 (Curran Apple Orchard)

Section 9. Authorization to allow execution of necessary documents.

The Parties agree that each shall execute all necessary documents to accomplish the purposes of this Interlocal Agreement, including a substitution of the City in place of the

Park District as party to the August 1995 Interlocal Conservation Futures Agreement, attached hereto as Exhibit ___.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed.

CITY OF UNIVERSITY PLACE

ROBERT W. JEAN
City Manager

Date

PIERCE COUNTY

DOUG SUTHERLAND
County Executive

Date

APPROVED AS TO FORM:

TIMOTHY X. SULLIVAN
City Attorney
for: City of University Place

Date

ROBERT DICK
Deputy Prosecuting Attorney
for: Pierce County

Date