

11/9/89
CJL:tg

INTRODUCED BY AUDREY GRUGER
PROPOSED NO. 90-13

ORDINANCE NO. **9311**

AN ORDINANCE authorizing the transfer of
Mark Twain Park to the City of Kirkland.

PREAMBLE:

The City of Kirkland, by its Resolution No. 592, has expressed a willingness to develop, maintain and use Mark Twain Park as a public park and recreation site for the citizens of Kirkland and King County in exchange for the transfer of Mark Twain Park to the City of Kirkland.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County executive is authorized and directed to execute any agreements and deeds necessary to effect the transfer of Mark Twain Park to the City of Kirkland in consideration of the City's promise to abide by the requirements of Forward Thrust Park Resolution No. 34571 and to develop, maintain, and operate Mark Twain Park as a public park and recreation facility for the benefit of all citizens of King County in perpetuity.

Provided that:

The City of Kirkland shall obtain the prior written approval of the King County Council for the sale, transfer or trade of all or any portion of the above described property.

This property is conveyed upon the conditions that the City of Kirkland will develop, maintain, and operate the land for public park and recreation purposes in perpetuity, and any and all user fees for any recreational facility or program on the land, including charges made by any lessees, concessionaires, or other assigns shall be at the same rate for residents of unincorporated King County as for residents of the City. Upon breach of these conditions, the Grantor or its successor shall have the right to re-enter and take possession of the property and to hold, own and possess the same in the same manner and to the same extent as if this conveyance had never been made.

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In the event of the amalgamation of King County and the Grantee, the Grantee may credit itself with only the amount paid King County in the original transaction, plus the actual cost of any improvements constructed thereon.

INTRODUCED AND READ for the first time this 18th day of December, 1989.

PASSED this 12th day of February, 1990.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Lois North
Chair

ATTEST:

John Bradford II
Clerk of the Council

APPROVED this 21st day of February, 1990.

[Signature]
King County Executive

Filed For Record At The Request Of

MARK TWAIN PARK

Wesley Jane Smith
King County Real Property Division

D E E D

91/04/23 #0196 B
RECD F .00
CASHL *****.00

The Grantor, King County, a political subdivision of the State of Washington, for and in consideration of Mutual Benefits, in accordance with the provisions of King County Forward Thrust Resolution No. 34571 and pursuant to King County Ordinance No. 9311, does hereby grant, sell and convey unto the City of Kirkland, a municipal corporation of the State of Washington, the following described parcel of land known as Mark Twain Park, situated in King County, Washington:

The West 180 feet of the North Half of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 33, Township 26 North, Range 5 East, W.M., in King County, Washington, SUBJECT TO easement for road reserved by instrument recorded May 6, 1935 under Auditor's File No. 2851566.

KING COUNTY
NO EXCISE TAX DUE
APR 23 1991
E1185098

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RECEIVED THIS DAY

AND, the South Half of said Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 33; EXCEPT the South 155 feet of the East 160 feet thereof; and EXCEPT a strip of land 30 feet in width along the South and West sides of said subdivision reserved as a right of way for public streets and roadway purposes.

TOGETHER WITH the North 185 ft. of the West 3/5 of the North 1/2 of the SE 1/4 of the NE 1/4 of the SE 1/4 of Section 33, Township 26 North, Range 5 East, W.M., in King County, Washington, lying Easterly of the West 15 ft. thereof; EXCEPT the South 160 ft. of the North 185 ft. of the West 241 ft. thereof;

TOGETHER WITH an easement for ingress, egress, utilities, and public right of way over the West 30 ft. of the North 1/2 of the SE 1/4 of the NE 1/4 of the SE 1/4 of said Section 33; EXCEPT that portion thereof lying within the above described main tract.

SUBJECT TO: An easement for ingress, egress, utilities and public right of way recorded under Auditor's File No. 7301300171.

AND, EXCEPT County Road

The City of Kirkland shall obtain the prior written approval of the King County Council for the sale, transfer or trade of all or any portion of the above described property.

This property is conveyed upon the conditions that the City of Kirkland will develop, maintain, and operate the land for public park and recreation purposes in perpetuity, and any and all user fees for any recreational facility or program on the land, including charges made by any lessees, concessionaires, or other assigns shall be at the same rate for residents of unincorporated King County as for residents of the City. Upon breach of

these conditions, the Grantor or its successor shall have the right to re-enter and take possession of the property and to hold, own and possess the same in the same manner and to the same extent as if this conveyance had never been made.

Dated this 31st day of October, 1990.

KING COUNTY, WASHINGTON

BY Jesus Sanchez
TITLE King County Executive

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

I certify that Jesus Sanchez signed this instrument, on oath stated that he was authorized by the King County Executive to execute the instrument, and acknowledged it as the signatory deputy of King County, Washington to be the free and voluntary act of said County for the uses and purposes mentioned in the instrument.

Dated Oct. 31, 1990

Patricia V. Clark
NOTARY PUBLIC in and for the State of
Washington, residing at: Redmond
My appointment expires 11/15/96

9104230196

CHICAGO TITLE INSURANCE COMPANY

1800 COLUMBIA CENTER, 701 FIFTH AVE., SEATTLE, WA 98104 (206) 628-5666



THOMAS, GORUD & GRAVES

July 31, 1992

Thomas, Gorud & Granes
P.O. Box 787
Kirkland, Washington 98083

Re: Conveyance of Mark Twain Park to
The City of Kirkland

Attn: Gail Gorud

Dear Ms. Gorud:

We are enclosing a copy of the Warranty Fulfillment Deed which fulfills the Real Estate Contract recorded under recording number 5708474. Mr. Tommy Burdette of King County Real Estate Division asked that a copy be furnished to you. If you should have any questions, or if we may be of any further service, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Tom Caldwell".

Tom Caldwell
Advisory Title Officer

encl

cc: Tommy Burdette



**Chicago Title
Insurance Company**

THIS SPACE PROVIDED FOR RECORDER'S USE:

FILED FOR RECORD AT REQUEST OF

WHEN RECORDED RETURN TO

Tom Caldwell
Name..... CHICAGO TITLE INSURANCE COMPANY
1800 Columbia Center
Address..... 701 Fifth Avenue

City, State, Zip..... Seattle, WA 98104

Statutory Warranty Deed

THE GRANTOR DOROTHY JOVANOVIK, as Executor of the ESTATE OF JOHN M. RUDD

for and in consideration of Ten Dollars (\$10.00)

in hand paid, conveys and warrants to CHARLES K. OKADA and SALLY Y. OKADA, his wife

the following described real estate, situated in the County of King, State of Washington:

The South half of the Northeast quarter of the Northeast quarter of the Southeast quarter of Section 33, Township 26 North, Range 5 East, W.M., in King County, Washington; EXCEPT the South 170 feet of the East 160 feet thereof; and EXCEPT a strip of land 30 feet in width along the South and West sides of said subdivision reserved as a right of way for public streets and roadway purposes, and less county roads.

SUBJECT TO easements, reservations and restrictions of record if any.

Escrow Tax Paid On Contract Aff. No. ES46877
King Co. Records Division

By P. Boyan Deputy

9207302124
Filed by Chicago Title Insurance Co.
Ref. # T-122483-6

This deed is given in fulfillment of that certain real estate contract between the parties hereto, dated March 5, 1964, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

Real Estate Sales Tax was paid on this sale on March 9, 1964, Rec. No. E546877

Dated July 23, 1992

3.00
NOTARY PUBLIC
KING COUNTY RECORDS DIVISION

Dorothy Jovanovich
DOROTHY JOVANOVIK, as Executor of the ESTATE OF JOHN M. RUDD

STATE OF WASHINGTON
COUNTY OF KING

STATE OF WASHINGTON
COUNTY OF _____

On this day personally appeared before me DOROTHY JOVANOVIK to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

On this day of _____, 19____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____ to me known to be the _____ President and _____ Secretary, respectively, of _____

the corporation that executed the foregoing instrument, and acknowledged the self-instrument to be the free and voluntary act and deed of said corporation, and purposes therein mentioned, and on oath stated that _____ authorized to execute the said instrument and that the seal affixed is the state seal of said corporation.

GIVEN under my hand and official seal this _____ day of _____, 19____.

_____ Notary Public in and for the State of Washington, residing at _____

My Commission Expires: 12/25/92

FILED BY
CHICAGO TITLE
JUL 30 1992



R 9229 R. 10/85
LFB-11