

BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT

RESOLUTION 2013-18

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT, KITSAP COUNTY, WASHINGTON, AUTHORIZING THE PARK DISTRICT TO ENTER INTO A PURCHASE AND SALE AGREEMENT AND LEASE WITH THE BAINBRIDGE ISLAND LAND TRUST FOR THE PURPOSE OF ACQUIRING AND MANAGING PORTIONS OF THE HILLTOP PROPERTY.

WHEREAS, it has been a long term goal of both the Bainbridge Island Land Trust ("BILT") and the Bainbridge Island Metropolitan Park & Recreation District ("BIMPRD" or "Park District") to join two substantial parcels of forested land on Bainbridge Island, owned by BIMPRD and known as the Grand Forest East and Grand Forest West; and

WHEREAS, for the purpose of achieving that long term goal, BILT has purchased two parcels of real property comprising 31 acres located between the two portions of the Grand Forest, and

WHEREAS, BILT has divided these lots into three parcels known as Parcels A, B, and C, and purchased another five acre parcel, commonly referred to as Parcel D, and which are collectively referred to herein as the "Hilltop Property;" and

WHEREAS, BILT and BIMPRD are cooperating in an effort to preserve the Hilltop Property as a public park and natural area and anticipate a phased transfer of these properties from BILT to BIMPRD; and

WHEREAS, to fulfill the purpose of preserving the Hilltop Property as a public park BILT conveyed Parcel A to BIMPRD in 2012, and now seeks to convey Parcel C and Parcel D to BIMPRD by means of a Purchase and Sale Agreement; and

WHEREAS, concurrently with the conveyance of Parcel C and Parcel D to BIMPRD, BIMPRD seeks to grant and convey to BILT a Deed of Conservation Easement concerning those properties; and

WHEREAS, the parties intend to transfer Parcel B from BILT to BIMPRD in the future; and

WHEREAS, BIMPRD desires to continue the use of Parcel B for purpose of conducting programmed park activities and actions to support those activities and BILT desires that Parcel B be leased to BIMPRD and managed by BIMPRD as a public park during the term of the Lease, with an option to purchase; and

WHEREAS, the parties have negotiated the terms of an Amended and Restated Deed of Conservation Easement that, upon transfer of Parcel B from BILT to BIMPRD, will encumber Parcel B and provide permanent protection of that parcel; and

WHEREAS, a Purchase and Sale Agreement for the conveyance of Parcels C and D between BIMPRD and BILT, and a Lease for Parcel B, along with the terms of the Deed of Conservation Easement and Amended and Restated Deed of Conservation Easement discussed above were reviewed by the Park District Board on December 5, 2013; and

WHEREAS, a check not to exceed the amount of \$160,000.00 is needed for the purchase of Parcels C and D; and

WHEREAS, this amount was not budgeted in the District's 2013 budget and will be coming out of the District's reserve fund,

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, that:

1. The Park District acquire Parcels C and D of the Hilltop Property through signing the Purchase and Sale Agreement for a purchase price with closing costs not to exceed \$160,000.
2. The Executive Director be authorized to sign the Purchase and Sale Agreement, as well as all other documents necessary to conclude matters related to this acquisition.
3. The Park District, upon acquisition of Hilltop Parcels C and D grant to BILT a Conservation Easement for these properties.
4. The Executive Director be authorized to sign the Deed of Conservation Easement concerning Parcels C and D, as well as all other documents necessary to conclude matters related to granting that easement.
5. The Park District lease Parcel B of the Hilltop properties through signing the Lease Agreement.
6. The Executive Director be authorized to sign the Lease Agreement, as well as all other documents necessary to conclude matters related to this agreement.
7. A check not to exceed the amount of \$160,000 be issued out of General Fund 94952 for the purchase of Parcels C and D.


PASSED by the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, at a regular meeting thereof held this 5th day of December, 2013, the undersigned commissioners being present.

BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT

BY: 
John Thomas Swolgaard

BY: 
Jay C. Kinney

BY: 
Lee Cross

BY: 
Kenneth R. DeWitt

ATTEST: 
Kirk B. Robinson – Secretary