

RESOLUTION NO. 5 3 3 0

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE THE DEED RESTRICTION-RESTRICTIVE COVENANT FOR CITY-OWNED PARCELS 1221049037, 1221049038, 1221049039, 1221049007 REQUIRED AS A CONDITION OF WASHINGTON DEPARTMENT OF ECOLOGY GRANT FUNDING

WHEREAS, in May 2014, the City of Auburn was awarded a \$532,000.00 Competitive Floodplain Management and Control Grant (Agreement No. G1400661 – Mill Creek Restoration Project) from the Washington State Department of Ecology appropriated through the 2013 Washington State legislature under §3069 of the Capital Budget for purchase price and real estate transaction costs and pre-construction activities (invasive species removal); and

WHEREAS, the Auburn City Council adopted Resolution No. 5083 on July 21, 2014, authorizing the purchase of approximately 21.12 acres of land comprised of four (4) parcels from Willis M. Calhoun and Carolyn M. Calhoun, husband and wife, adjacent to Mill Creek within the corporate municipal limits of the City of Auburn, King County, Washington; and

WHEREAS, the City of Auburn purchased the 21.12 acres from Willis M. Calhoun and Carolyn M. Calhoun for \$511,979.04 in July 2014; and

WHEREAS, the City of Auburn utilized remaining authorized grant funds to support needed pre-construction activities; and,

WHEREAS, the Washington State Department of Ecology required the City of Auburn to execute and record a deed placing a restrictive covenant on the purchased properties as a condition of grant acceptance; and

WHEREAS, the City of Auburn has prepared a deed restriction – restrictive covenant suitable to meet the requirements of the Washington State Department of Ecology Competitive Floodplain Management and Control Grant Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, HEREBY RESOLVES as follows:

Section 1 Authorization to Execute. That the Mayor is authorized to execute and have recorded the Deed Restriction – Restrictive Covenant to meet the requirements of the Washington State Department of Ecology Competitive Floodplain Management and Control Grant Program in substantial conformity with the document and any and all of its affiliated exhibits attached hereto, marked as Exhibit "I" and incorporated herein by this reference.

Section 2. Implementation of Other Administrative Procedures. That the Mayor is authorized to implement such other administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. Full Force and Effect. This Resolution shall be in full force and effect upon passage and signatures hereon.

SIGNED and DATED this _____ day of _____, 2017

CITY OF AUBURN

NANCY BACKUS, Mayor

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney