

RESOLUTION NO. 68-2008

A RESOLUTION TO ACQUIRE AND ACCEPT THE DEED FOR
THE CARLSON PROPERTY, JUDD COVE ON ORCAS ISLAND

WHEREAS San Juan County, acting through the Land Bank, has entered into a Purchase and Sale Agreement, dated July 28, 2008, with The Trust for Public Land, a nonprofit California public benefit corporation, ("Seller") to purchase roughly 7.7 acres of land located on Orcas Island known as the Carlson Property, Judd Cove ("Property") legally described in Exhibit A from), and

WHEREAS, San Juan County has applied for specific Grants earmarked for the purchase of the Property; and

WHEREAS, the agreed purchase price of the Property is \$500,000.00 plus the money, if any, awarded to the Land Bank from the above Grants; and

WHEREAS, all contingencies in the purchase and sale agreement for the Carlson Property, Judd Cove have been satisfied, and

WHEREAS, the Seller has agreed to close the acquisition prior to the award of money, if any, received through the Grant applications of the County; and

WHEREAS, purchase of the Property was considered at a public hearing before the Land Bank Commission held on May 11, 2007, and approved by the Land Bank Commission on May 11, 2007, and

WHEREAS, purchase of the Property was considered by the County Council at a public hearing held on June 5, 2007, and was approved by the County Council on June 5, 2007, and

WHEREAS, San Juan County now desires to purchase the Property from the Seller for the sum of \$500,000.00 and remit the proceeds of any Grants received by the County to the Seller at the time of the award of the grants,


NOW THEREFORE BE IT RESOLVED, that the County Council of San Juan County, Washington:

1. Approves the payment of \$500,000.00 less credits at closing from the Conservation Area Fund to the Seller for the purchase of the Property; and
2. Authorizes the Director of the Land Bank to sign all other documents necessary to effect the purchase of the Property including any necessary closing documents; and
3. Authorizes the payment of any Grants received for the purchase of this property to the Seller after the date of closing; and
4. Accepts a Statutory Warranty Deed from the Seller conveying the Property legally described in Exhibit A (Carlson Property, Judd Cove) to San Juan County.

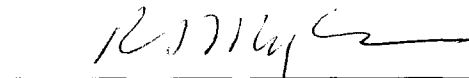
Adopted this 26th day of August, 2008.

**COUNTY COUNCIL
SAN JUAN COUNTY,
WASHINGTON**

ATTEST: Clerk of the Council

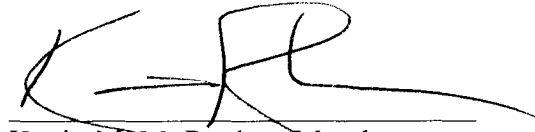

Howard Rosenfeld, Chair
District 3, Friday Harbor

By: Ann Larson 8/26/2008
Ann Larson - Clerk Date


Bob Myhr, Vice Chair
District 6, Lopez/Shaw


**SAN JUAN COUNTY [DEPARTMENT]
APPROVAL**


Lincoln Bormann Date
Land Bank Director


Kevin M. M. Ranker, Member
District 1, San Juan South

ADMINISTRATOR



Pete Rose Date 8-20-08


Rich Peterson, Member
District 2, San Juan North

**APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD**

By: Karen Wedder 8/15/08
Date

EXCUSED


Alan Lichter, Member
District 4, Orcas West/Waldron


Gene Knapp, Member
District 5, Orcas East

EXHIBIT A**PROPERTY DESCRIPTION
FOR CARLSON PROPERTY, JUDD COVE**

Tax Parcel Numbers: 272214-009-000 and 272345-001-000

That portion of Government Lot 2, Section 22, Township 37 North, Range 2 West of W.M., described as follows:

Commencing at a wooden hub as shown by record of survey, recorded February 14, 1979, in Book 2 of Surveys, at page 174, recorded under Auditor's File No. 105740, records of San Juan County, Washington, marking the Northeast corner of the Southwest Quarter of the Northeast Quarter; thence along the Northerly boundary of Government Lot 2, South 88°47'36" East 140.00 feet to the True Point of Beginning; thence leaving said Northerly boundary, South 0°05'53" West 147.42 feet; thence North 66°37'00" East 291.30 feet, thence South 75°31'35" East 246.75 feet, thence North 96°36'23" East 132.61 feet; thence North 79°12'58" East 75.93 feet, thence North 74°35'56" East 153.62 feet to the Northwest corner of that certain parcel of land described in Quit Claim Deed, recorded March 5, 1981, in Volume 76 of Official Records, at page 314, under Auditor's File No. 116113, records of San Juan County, Washington; thence along the North line of said parcel, South 84°13'15" East 117 feet, more or less, to a point of the line of ordinary high tide; thence Northerly along said line of ordinary high tide to a point of intersection with the North line of said Government Lot 2, as shown by record of survey, recorded November 6, 1980, in Book 4 of Surveys, at page 7, under Auditor's File No. 114484, records of San Juan County, Washington and which point bears South 88°47'56" East from the true point of beginning; thence North 68°47'56" West 1001 feet, more or less, to the true point of beginning.

TOGETHER WITH that portion of the Tidelands of the Second Class situate in front of, adjacent to, and abutting upon Government Lot 2, Section 22, Township 37 North, Range 2 West of W.M. and that portion of Government Lot 2, Section 23, Township 37 North, Range 2 West of W.M. lying between the line of mean low tide and the line of extreme low tide as conveyed by the State of Washington by Deed, recorded April 16, 1929, in Volume 19 of Deeds, at page 191, under Auditor's File No. 25674, records of San Juan County, Washington.

TOGETHER WITH that portion of the Tidelands of the Second Class situate in front of, adjacent to, and abutting upon Government Lot 2, Section 22, Township 37 North, Range 2 West of W.M. and that portion of Government Lot 2, Section 23, Township 37 North, Range 2 West of W.M. as conveyed by the State of Washington by Deed, recorded April 16, 1929, in Volume 19 of Deeds, at page 189, under Auditor's File No. 25672, records of San Juan County, Washington.

TOGETHER WITH a perpetual non-exclusive easement for roadway and utilities purposes, over, under and across that certain tract of land as described, granted, conveyed and assigned in Grant of Road and Utility Easement recorded October 27, 1992, Volume 388, page 196, Auditor's File No. 92193124, and by Amendment to Grant of Road and Utility Easement, recorded December 11, 1992, Volume 394, page 260, Auditor's File No. 92164044, records of San Juan County, Washington.

Situate in San Juan County, Washington.