

EVERETT SCHOOL DISTRICT NO. 2

Snohomish County, Washington

August 26, 2003

RESOLUTION NO. 774

A resolution of the Board of Directors ("Board") of Everett School District No. 2 ("District") to condemn real property for improvements to the Silver Lake Elementary School campus.

WHEREAS, the District has identified a need for additional real property for the Silver Lake Elementary School campus to make needed improvements to Silver Lake Elementary School; and

WHEREAS, Huong Thi Huynh and Chien Dinh Nguyen, husband and wife ("Owner"), owns the property legally described on Exhibit A ("Property"); and

WHEREAS, the Property is leased to Paula Brown; and

WHEREAS, other persons hold interests in the Property; and

WHEREAS, the District has determined that the Property is required and necessary as an addition to a schoolhouse site; and

WHEREAS, the District's representatives have negotiated with the Owner regarding the purchase and sale of the Property; and

WHEREAS, the District's representatives have offered to pay the Owner One Hundred Ninety Thousand Dollars (\$190,000) to purchase the Property; and

WHEREAS, the Owner has not accepted the District's offer to purchase the Property; and

WHEREAS, the District's representatives and Owner have not been able to reach an agreement regarding the purchase and sale of the Property; and

WHEREAS, the Silver Lake Elementary School campus contains approximately 10.9 acres of land as of the date of this resolution (none of which was acquired by the District by condemnation); and

WHEREAS, the Property contains approximately 0.23 acres of land; and

WHEREAS, the District is authorized by the laws of the State of Washington to exercise powers of eminent domain; and

WHEREAS, the District's condemnation of the Property will not exceed its powers of eminent domain under RCW 28A.335.220.

NOW, THEREFORE, BE IT RESOLVED that public education is a public purpose, use of the Property for the purpose of a schoolhouse site is a public use, and the Property is reasonably necessary for that public purpose and use;


AND FURTHER RESOLVED that, because negotiations with the Owners have been unsuccessful to date, and the schedule for needed improvements to Silver Lake Elementary School could be delayed if the Property is not acquired in the near future, the District should exercise the power of eminent domain to acquire the Property from Owner;


AND FURTHER RESOLVED that the District's Superintendent, Carol A. Whitehead, and her authorized designees, are hereby authorized and directed to determine which interests in the Property held by persons other than Owner are inconsistent with the needs of the District, which the District should exercise the power of eminent domain to acquire, and which interests in the Property are not inconsistent with the needs of the District and need not be condemned;


AND FURTHER RESOLVED that the District's Superintendent and her authorized designees are hereby authorized and directed to institute proceedings to acquire the interests of Owner and such other interests in the Property which are inconsistent with the needs of the District by exercise of the power of eminent domain on behalf of the District, and take such other and further actions as may be necessary or appropriate to accomplish the acquisition of the Property.

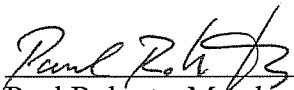
ADOPTED this 26 day of Aug., 2003.

EVERETT SCHOOL DISTRICT NO. 2
a political subdivision of the State of
Washington

By 
Karen Madsen, President

By 
Kristie Dutton, Vice-President

By 
Sue Cooper, Member

By 
Paul Roberts, Member

By _____
Roy Yates, Member

ATTEST:

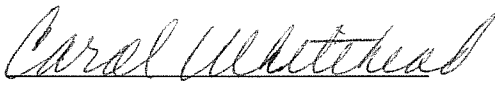
By 
Secretary for the Board

EXHIBIT A

Lot 7, HILLIS ADDITION TO SILVER LAKE, according to the plat thereof,
Recorded in Volume 30 of Plats, Page 19, in Snohomish County, Washington.

