

EVERETT SCHOOL DISTRICT NO. 2
Snohomish County, Washington
October 12, 1999

RESOLUTION NO. 683

A Resolution of the Board of Directors (the "Board") of Everett School District No. 2 (the "District") declaring certain real property rights to be surplus for the purpose of authorizing the conveyance of the surplus real property rights, and further authorizing the acquisition of other real property rights, all for the purpose of correcting the legal description contained in a previous conveyance.

WHEREAS, the District is authorized under RCW 28A.335.090 to acquire real property rights and to dispose of real property rights which are no longer required for school purposes;

WHEREAS, the District conveyed certain real property adjacent to District property to William P. Brust ("Brust") by statutory warranty deed dated November 15, 1983, which is recorded under Auditor's No. 8311150277, Records of Snohomish County, Washington;

WHEREAS, the legal description used in the District's conveyance to Brust contained an error that was discovered in 1999 during the preparation of a Record of Survey for the Brust property;

WHEREAS, Brust and the District's administration believe that it is appropriate to execute the correction deed attached hereto as Exhibit A ("Correction Deed") to modify record ownership to conform to the intention of the parties and to correspond to the actual use of Brust's and the District's respective properties;

WHEREAS, the Board has determined that the real property to be conveyed by the Correction Deed is not needed for school purposes;

WHEREAS, the Board has further determined that conveying real property to Brust in order to correct the legal description, and accepting a release of Brust's interest in any real property inadvertently conveyed by the incorrect legal description is in the best interest of the District and will not interfere with the District's current educational program and related activities, but will enhance such program and activities;

WHEREAS, the conveyance of the real property to Brust, and the District's acquisition of the rights of Brust in and to the District's adjacent property, requires the execution and recording of the Correction Deed.

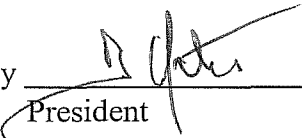
NOW, THEREFORE, be it resolved that:

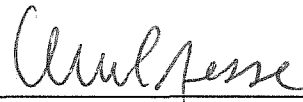
(a) the Board declare, and hereby declares, the real property to be conveyed to Brust to be surplus to the District's needs, if any, for use of such property for school purposes, such declaration being made for the sole purpose of conveying the District's rights in the property, pursuant to the above-noted statutory authorization, to Brust in exchange for a release of Brust's interests in any portion of the adjacent District property inadvertently conveyed by the incorrect legal description; and

(b) the Board authorize, and hereby authorizes, the Superintendent of the District (or the Superintendent's designee) to: (i) convey the District's rights in the property described in the Correction Deed to Brust; (ii) acquire the rights of Brust in and to any property inadvertently conveyed to Brust by the incorrect legal description; and (iii) execute, acknowledge and deliver the Correction Deed and any and all other necessary documents, and do any and all other things necessary and advisable to be done to accomplish the foregoing, all in accordance with applicable law.

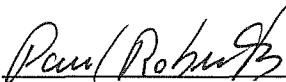
PASSED by the Everett School District's Board of Directors in open session at its regular meeting of October 12, 1999.


BOARD OF DIRECTORS

By 
President

By 
Vice President

By 
Director

By 
Director

By 
Director

Attest: October 12, 1999

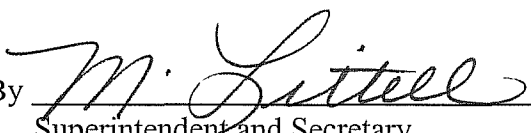
By 
Superintendent and Secretary
for the Board

EXHIBIT A
Correction Deed

Document Title(s) (or transactions contained therein):
1. Correction Deed
2.
3.
Reference Number(s) of Documents assigned or released: (or page ___ of document(s))
Grantor(s) (Last name first, then first name and initials):
1. Everett School District No. 2
2. Brust, William P.
3. <input type="checkbox"/> Additional names on page ___ of document.
Grantee(s) (Last name first, then first name and initials):
1. Brust, William P.
2. Everett School District No. 2
3. <input type="checkbox"/> Additional names on page ___ of document.
Legal Description (abbreviated: i.e., lot, block, plat or section, township, range) Por. SW 1/4 SW 1/4, Sec. 29, T. 29 N, R. 5 E, Snohomish County <input checked="" type="checkbox"/> Additional legal on page <u>1</u> of document.
Assessor's Property Tax Parcels/Account Numbers 292905-3-026-0003

CORRECTION DEED

Grantor, Everett School District No. 2, a Washington municipal corporation, for and in consideration of good and valuable consideration in hand paid, receipt of which is hereby acknowledged, and for correction of the legal description set forth in the deed recorded November 15, 1983, under Auditor's No. 8311150277, conveys and warrants to William P. Brust, a single man ("Grantee"), the following described real property, situated in Snohomish County, Washington:

That portion of the Southwest Quarter of the Southwest Quarter of Section 29, Township 29 North, Range 5 East of the Willamette Meridian, more particularly described as:

Beginning at the Southwest corner of the Southwest Quarter of the Southwest Quarter of said Section 29; thence North $2^{\circ}46'53''$ East, along the West line of Section 29, a distance of 270.00 feet; thence South $89^{\circ}56'51''$ East a distance of 91.57 feet; thence South $0^{\circ}16'27''$ East a distance of 80.72 feet; thence South $44^{\circ}38'18''$ East a distance of 65.26 feet; thence South $65^{\circ}10'28''$ East a distance of 90.36 feet; thence South $1^{\circ}33'16''$ West a distance of 46.82 feet to a point on the curve of the North line of the State Highway right of way as conveyed by deed recorded under Auditor's File No. 1561869, records of Snohomish County, Washington, at which point the tangent to said curve bears South $75^{\circ}22'03''$ West; thence in a Westerly direction along said curve to the right, having a radius of 955.92 feet, through a central angle of $2^{\circ}16'48''$, an arc distance of 38.04 feet to a point opposite Highway Engineer's Station X32+25.00, at which point the tangent to said curve bears South $77^{\circ}38'51''$ West; thence South $60^{\circ}39'41''$ West, along the North line of said right of way, a distance of 89.85 feet to a point opposite Highway Engineer's Station X31+25.00, which point is on a second curve, at which point the tangent to said second curve bears South $82^{\circ}38'51''$ West; thence continuing on said North right of way line, along said second curve, to the right, having a radius of 985.92 feet, through a central angle of $4^{\circ}00'34''$, an arc distance of 68.99 feet to a point on the South line of said Section 29 at which point the tangent to said curve bears South $86^{\circ}39'25''$ West; thence North $88^{\circ}02'34''$ West, along said South line, a distance of 47.69 feet to the Point of Beginning.

All in accordance with Record of Survey filed under Auditor's File No. 9904265001 in records of Snohomish County Auditor.

Except for matters of any kind arising on or after November 15, 1983, and subject to:

Reservations and covenants in instrument recorded August 25, 1961 under Auditor's File No. 1479831.

Right of the State of Washington in and to all existing, future or potential easements of access, light, view, and air and all rights of ingress and egress to, from and between Primary State Highway and the herein described property.

Road Improvement and Maintenance Agreement recorded March 1, 1978 under Auditor's File No. 7803010110.

Restriction contained in Deed from Everett Improvement Company to B.F. Wasson recorded December 19, 1900, under Auditor's File No. 60199.

Trunk Sewer Easement granted to the City of Everett by instrument recorded August 17, 1951, under Auditor's File No. 1000871.

Grantee, William P. Brust, warrants that, pursuant to the Decree of Divorce entered in Snohomish County Cause No. 89-3-00495-1 on 12-07-90, his former wife, Patricia Brust, has no right, title or interest in the property conveyed by the deed recorded under Snohomish County Auditor's File No. 8311150277.

Grantee releases, conveys and quitclaims to Grantor any and all right, title and interest in and to the real property described in the deed recorded under Snohomish County Auditor's File No. 8311150277, except for the right, title and interest in such real property described herein.

DATED this 12th day of October 1999.

GRANTOR:

GRANTEE:

EVERETT SCHOOL DISTRICT NO. 2

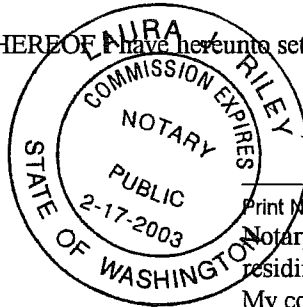
By: Monte Littell
Dr. Monte Littell,
Superintendent

William P. Brust

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

On this 12th day of October 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Monte Littell, to me known to be the person who signed as Superintendent of Everett School District No. 2, the municipal corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was duly elected, qualified and acting as said Superintendent of the municipal corporation, that he was authorized to execute said instrument and that the seal affixed, if any, is the seal of said municipal corporation.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.



Laura J. Riley
Print Name: Laura J. Riley
Notary Public in and for the State of Washington,
residing at Everett WA
My commission expires: 2-17-2003

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

On this _____ day of _____ 1999, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared William P. Brust, to me known to be the individual who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal hereto affixed the day and year in this certificate first above written.

Print Name: _____
Notary Public in and for the State of Washington,
residing at _____
My commission expires: _____