

EVERETT SCHOOL DISTRICT NO. 2
RESOLUTION NO. 439

A Resolution of the Board of Directors (the "Board") of the Everett School District No. 2 (the "District") to enter into an agreement of release and transfer of certain timber rights.

WHEREAS, the District entered into a Real Estate Purchase and Sale Agreement dated June 28, 1989 with Alford McClellan and Sharon McClellan, husband and wife ("McClellan") which subsequently resulted in the District's purchase of certain real property situated in Snohomish County, Washington, more particularly described on Exhibit A attached hereto and made a part hereof by this reference (the "Property").

WHEREAS, the Real Estate Purchase and Sale Agreement provided among other things that McClellan could remove standing timber from the Property and the District and McClellan now desire that McClellan no longer have that right.

WHEREAS, an agreement has been proposed between the District and McClellan for the release of McClellan's rights to remove standing timber from the Property on the terms and conditions set forth in that certain Agreement of Release and Transfer, a copy of which is attached hereto as Exhibit B (the "Agreement"), upon payment by the District of an amount not to exceed Seventeen Thousand One Hundred Sixty-Three and No/100 Dollars (\$17,163).

NOW, THEREFORE, be it resolved that the District's Director of Facilities and Planning, be, and hereby is, authorized and directed on behalf of the District to

- (i) take all actions in accordance with applicable law required for the District to enter into the Agreement, and

(ii) execute, acknowledge and deliver such documents, and do any and all other things necessary and advisable to be done to accomplish the foregoing release and transfer of McClellan's rights in and to the standing timber from the Property in accordance with applicable law and the terms of the Agreement.

Adopted this 11th day of March, 1991.

EVERETT SCHOOL DISTRICT NO. 2

By: Charles E. Zeth
President

By: R. Peters
Vice President

By: Airley Underwood
Director

Attest:

Paul Sjunnesen
Dr. Paul Sjunnesen
Superintendent and
Secretary for the Board

By: Sam M. Casque
Director

By: Earl E. Smith
Director

EXHIBIT A

The Property is the following described real property
situate in the County of Snohomish, State of Washington:

Lot 3, Block 1, Heatherwood Garden Tracts, as
per plat recorded in Volume 10 of Plats on page
17, records of Snohomish County, Washington.