

EVERETT SCHOOL DISTRICT
BOARD RESOLUTION NO. 390

A RESOLUTION of the Board of Directors (the "Board") of the Everett School District No. 2 (the "District") to sell forty acres of property owned by the District located on the northwest corner of 116th Street S.E. and 35th Avenue S.E., which is no longer required for school purposes.

WHEREAS, the District owns approximately forty acres of property located on the northwest corner of 116th Street S.E. and 35th Avenue S.E. in the City of Everett, Snohomish County, Washington, more particularly described on Exhibit A (the "Property"); and

WHEREAS, the Property is no longer required for school purposes; and

WHEREAS, the District desires to sell the Property for cash and convey by deed all interest of the District in and to the Property; and

WHEREAS, under Washington law, the Property may not be sold during the first year it is on the market if the sale price would be less than ninety percent of the average of the three market value appraisals which must be obtained by the District; and

WHEREAS, public knowledge of any consideration by the Board of a minimum price at which the Property would be sold would cause a likelihood that the sale price of the Property would be decreased;

NOW, THEREFORE, BE IT RESOLVED that the Property is no longer required for school purposes;

AND RESOLVED FURTHER that the District's Director of Facilities and Planning, Lawrence E. O'Donnell, be, and he hereby is, authorized and directed to take the following actions to accomplish a sale of the Property:

(a) Obtain a market value appraisal of the Property from each of the following three licensed real estate brokers of professionally designated real estate appraisers: Terry J. Townsend, Townsend Real Estate Appraisal Service; Gary L. Meier, Meier Appraisal Service, Inc.; and Wanda E. Allen, Macaulay & Associates, Ltd. (Mr. O'Donnell's previous selection of these individuals to perform these services is hereby ratified, approved and confirmed); and

(b) Send written notice of the District's intention to sell the Property to the Office of the State Superintendent of Public Instruction; and

(c) If the value of the Property, as determined by averaging the three appraisals, exceeds \$70,000, arrange a

convenient place, day and hour for the Board to hold a public hearing on the proposal to sell the Property and publish a notice of the Board's intention to sell the Property, at least once each week during two consecutive weeks in The Everett Herald describing the Property and designating the place where and the day and hour when such hearing will be held; and

(d) Solicit offers for the purchase of the Property for presentation to the Board; provided, however, that the Board will not accept any offer if the sale price would be less than ninety percent of the value of the Property, as determined by averaging the three appraisals (the "Minimum Legal Offer"); and provided further, that the Board reserves the absolute right, in its sole discretion, to reject any offer, even if the sale price pursuant to such offer would equal or exceed the Minimum Legal Offer; and

(e) Take such other and further actions as may be necessary or appropriate to accomplish such tasks.

ADOPTED this 6th day of February, 1989.

EVERETT SCHOOL DISTRICT NO. 2,
a municipal corporation of the
State of Washington

By Sue M. Cooper
Sue M. Cooper, President

By Charles E. Betts
Charles E. Betts, Vice-President

By _____
Shirley Vandermeer, Director

By Earl E. Dutton
Earl E. Dutton, Director

By Roy Yates
Roy Yates, Director

ATTEST:

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

EXHIBIT A

LEGAL DESCRIPTION OF FIRCREST TRACT

That portion of FIRCREST FIVE ACRE TRACTS, according to the plat thereof recorded in Volume 10 of Plats, page 8, records of Snohomish County, Washington, and being in the Southeast Quarter of Section 20, Township 28 North, Range 5 East of the Willamette Meridian, described as follows: Beginning at the Southeast corner of said Section 20; thence N 0° 19' 15" W, along the East line of the Southeast Quarter of said Section 20, a distance of 1420.77 feet to the point of intersection of the East line of the Southeast Quarter of said Section 20 with the Easterly projection of the South line of the Replat of Forest Trails No. 1, according to the plat thereof recorded in Volume 37 of Plats, pages 265 and 266, records of said County; thence N 88° 53' 46" W, along the South line of said Replat of Forest Trails No. 1, and the Easterly projection thereof, a distance of 749.76 feet to the Southwest corner of said Replat of Forest Trails No. 1, which point is the Southeast corner of Forest Trails No. 2, according to the plat thereof recorded in Volume 39 of Plats, pages 42 and 43, records of said County; thence continuing N 88° 53' 46" W, along the South line of said plat of Forest Trails No. 2, a distance of 466.74 feet to the Southwest corner of said plat of Forest Trails No. 2, which point is the Southeast corner of Lot 25, Forest Trails No. 3, according to the plat thereof recorded in Volume 40 of Plats, pages 80 and 81, records of said County; thence continuing N 88° 53' 46" W, along the South line of said Lot 25, a distance of 37.00 feet to the Northeast corner of Lot 24 in said plat of Forest Trails No. 3; thence S 1° 05' 48" W, along the East line of said plat of Forest Trails No. 3, a distance of 220.07 feet to the Southeast corner of Lot 22 in said plat of Forest Trails No. 3, and which point is the most Easterly Northeast corner of Heritage Lane No. 1 according to the plat thereof recorded in Volume 31 of Plats, pages 3 and 4, records of said County; thence continuing S 1° 05' 48" W, along the East line of said plat of Heritage Lane No. 1, and the Southerly projection thereof, a distance of 1200.63 feet to a point on the South line of the Southeast Quarter of said Section 20; thence S 88° 54' 45" E, along the South line of the Southeast Quarter of said Section 20, a distance of 1288.65 feet to the Point of Beginning.

EXCEPT the South 30.00 feet and the East 30.00 feet as County Roads.

SUBJECT TO Easements of Record.