

**EVERETT SCHOOL DISTRICT NO. 2**  
**RESOLUTION NO. 548**

A Resolution of the Board of Directors (the "Board") of the Everett School District No. 2 (the "District") to purchase real property located between Federal Avenue and Tulalip Avenue on the north side of Charles Street in Everett, Washington adjacent to Jackson Elementary School.

**WHEREAS**, the District has identified a need to develop additional off-street parking at Jackson Elementary School; and

**WHEREAS**, the City of Everett (the "City") owns property on the north side of Charles Street between Federal Avenue and Tulalip Avenue legally described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"); and

**WHEREAS**, the Everett City Council has declared the Property surplus to the City's needs; and

**WHEREAS**, the appraised value of the Property is \$89,600; and

**WHEREAS**, the Everett City Council has voted to make the Property available to the District; and

**WHEREAS**, the Board desires to acquire the Property, but only if it is free of hazardous and dangerous materials and wastes, the District will acquire adequate title, and the District can obtain a Special Use permit from the City to permit construction of a parking lot on the Property with sufficient parking spaces to meet or meaningfully assist in meeting the District's off-street parking needs at Jackson Elementary School;

**NOW, THEREFORE, BE IT RESOLVED** that the District should acquire the Property for \$89,600, provided that the following conditions, at a minimum, are satisfied:

(a) The Property shall be professionally inspected for hazardous and dangerous materials and wastes within 45 days of the date of this Resolution, and the District shall not purchase the Property unless the Property is free of such materials and wastes; provided that the District, in the District's determination in its sole discretion, may, but shall not be obligated to, accept asbestos or lead typically found in older structures such as those on the Property as long as such materials and wastes may be disposed of during building demolition completely, legally, safely, and for a cost which is not inconsistent with the District's experience with demolition projects generally;

(b) the District's title to the Property shall be free and clear of all liens and encumbrances except those which are not, in the District's determination in its sole discretion, inconsistent with the District's intended use of the Property, and shall be insurable to meet such standard; and

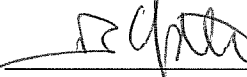
(c) the District shall not purchase the property unless and until the District is issued a Special Property Use permit by the City of Everett satisfactory to the District for construction of a parking lot on the Property.

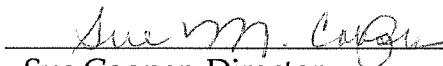
**AND RESOLVED FURTHER** that the District's Superintendent, Dr. Jane Hammond (or her authorized designee), be, and she here is, authorized and directed to negotiate and execute an agreement with the City to purchase the Property in accordance with the terms of this resolution on behalf of the District and take such other and further actions as may be necessary or appropriate to accomplish the purchase.


**AND RESOLVED FURTHER,**

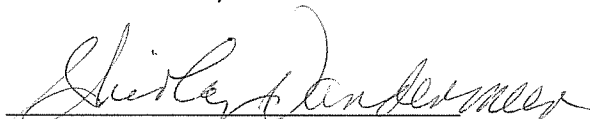
**ADOPTED** this 12<sup>th</sup> day of December, 1994.

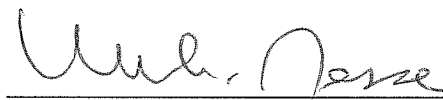
EVERETT SCHOOL DISTRICT NO. 2  
a municipal corporation in the State of  
Washington by

By:   
Roy Yates, President

By:   
Sue Cooper, Director

By:   
Paul Baldwin, Director

By:   
Shirley Vandermeer, Director

By:   
Mark Nesse, Director

ATTEST:

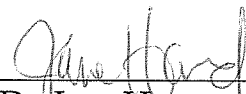
By:   
Dr. Jane Hammond, Superintendent  
and Secretary for the Board

EXHIBIT A

CHICAGO TITLE INSURANCE COMPANY

A.L.T.A. COMMITMENT  
SCHEDULE A  
(Continued)

Order No.: 361027  
Your No.: "CHARLES AVE. & FEDERAL"

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LEGAL DESCRIPTION EXHIBIT  
(Paragraph 4 of Schedule A continuation)

PARCEL A:

LOTS 7, 8, 9 AND 10, BLOCK 4, VESTAL AND WHITFIELD'S FIRST ADDITION TO THE CITY OF EVERETT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 8 OF PLATS, PAGE 74, RECORDS OF SNOHOMISH COUNTY WASHINGTON;

TOGETHER WITH THE EAST HALF OF VACATED KROMER AVENUE ADJACENT THERETO.

PARCEL B:

LOTS 11, 12, 13 AND 14, BLOCK 6, VESTAL AND WHITFIELD'S FIRST ADDITION TO THE CITY OF EVERETT, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 8 OF PLATS, PAGE 74, RECORDS OF SNOHOMISH COUNTY WASHINGTON.

EXCEPT THE WEST 75 FEET THEREOF.

TOGETHER WITH THE WEST HALF OF VACATED KROMER AVENUE ADJACENT THERETO.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

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CHICAGO TITLE INSURANCE COMPANY

WLTACMA6/11-15-90/EDC