RESOLUTION NO 567

A RESOLUTION of the City Council of the City of Woodland rescinding Resolutions 463 and 483 regarding a transfer of real property to the Woodland Swimming Pool and Recreation District.

WHEREAS, the City of Woodland approved an Agreement to convey real property, the legal description of which is incorporated herein by reference from Resolution 463, to the Woodland Swimming Pool and Recreation District, hereinafter the "District";

WHEREAS, Section 3 of said Agreement provided that the City retained the right to cancel the Agreement. If, before development permits are issued, the City, in its reasonable discretion, determines that costs to the City have become "overly burdensome," the City can exercise its right to terminate the Agreement;

WHEREAS, the District has not taken material steps to follow through with the contract of March 18, 2002 and no development permits have been issued;

WHEREAS, the City understands the District has no plans to use the property;

WHEREAS, the City has incurred unexpected costs of approximately $25,000 considered at the time of expenditure "necessary to effectuate the purposes" of the Agreement, and may incur further future unexpected costs. The Council finds these costs are overly burdensome.

WHEREAS, the City Council finds there is a sufficient factual basis to rescind both Resolutions No. 463 and 483 and that the City's property be unencumbered by the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland that Resolution 463 is hereby rescinded and, by operation of law, Resolution 483 is also rescinded.

APPROVED IN AN OPEN PUBLIC MEETING THIS 1st day of December, 2008.

CITY OF WOODLAND, WA

Approved:

Charles E. Blum, Mayor

Attest:

Mari E. Ripp, Clerk-Treasurer

Approved as to form:

William J. Eling, City Attorney