

RESOLUTION NO. 2017-33

A RESOLUTION approving a Development Agreement between the City of Ellensburg (“City”) and Winegar Properties, LLC.

WHEREAS, Winegar Properties, LLC (“Winegar”) owns property identified as Kittitas County Parcel ID No. 11711 (Kittitas County Map No. 18-18-35022-0005), a roughly triangular-shaped parcel located north of the John Wayne Iron Horse trail, west of Trails Edge Avenue and south of the projected extension of W. Helena Avenue (“Subject Property”), in Ellensburg, Kittitas County, Washington; and

WHEREAS, the City desires to purchase an exclusive utility easement and also a non-exclusive roadway and utility easement from Winegar to be developed into a well along with an associated easement for access to the property for development and maintenance of the well; and

WHEREAS, the parties have negotiated a fair and reasonable price for purchase of the easements by the City from Winegar; and

WHEREAS, future development of the Subject Property by Winegar would require certain frontage improvements under the Ellensburg City Code along the perimeters of the easements; and

WHEREAS, the parties have also negotiated a development agreement (“Agreement”), attached hereto as Exhibit A, which sets forth the respective responsibilities of the parties regarding the easements and future frontage improvements; and

WHEREAS, Winegar and the City desire to utilize the provisions of Chapter 36.70B RCW that provide for cities to enter into development agreements with property owners to govern the future development of real property; and

WHEREAS, a development agreement between Winegar and the City is a collaboration that will provide mutual benefit for the parties as well as provide access to the City of its water rights;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ellensburg, Washington, as follows:

Section 1. Development Agreement Approval. That certain agreement entitled “Development Agreement by and between the City of Ellensburg and Winegar Properties, LLC, for Future Street and Utility Improvements on Portions of Parcel ID 11711,” attached hereto as Exhibit A and incorporated herein by this reference as if set forth in full, is hereby approved. The Mayor is hereby authorized to execute the Agreement.

Section 2. Recording. As provided in RCW 36.70B.190, a signed original of the Agreement shall be recorded with the real property records of Kittitas County, Washington, and shall be binding on the parties and their successors.

ADOPTED by the City Council of the City of Ellensburg this 20th day of November, 2017.



Mayor

Attest: 

City Clerk