

RESOLUTION NO. 2019-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELLensburg,
WASHINGTON**, authorizing the Mayor and/or City Manager to execute a Purchase and Sale Agreement and all other documents required for the acquisition of property owned by Red Mountain Holding Company, Inc.

WHEREAS, the Ellensburg City Council identified establishing a public park within the central commercial district as a high priority through the adoption of the 2016 City Park Plan, 2017 City Comprehensive Plan, and the 2015 Downtown Marketing Study; and

WHEREAS, public parks located in central business districts add to the vibrancy and economic vitality of the downtown by providing opportunities for the public to gather both formally and informally; and

WHEREAS, the City conducted a review of properties in and around the central commercial district and identified the Red Mountain Holding Company property as the ideal site for development of a downtown park; and

WHEREAS, the Ellensburg City Council adopted Resolution 2018-13 declaring its intent to purchase property identified as Lots 6, 7, and 8, Block 10, Ellensburg Original situated at the northwest corner of West 4th Avenue and North Pearl Street, hereinafter referred to as "Rotary Plaza."

WHEREAS, the City and the Owner have been negotiating for the purchase of Rotary Plaza for several months, exchanged multiple offers, and the final negotiated prize of \$799,000 represents an acceptable fair market value to the City based on the following factors:

- The negotiated price of \$799,000 exceeds the appraised value of \$655,000. However the appraised value was not acceptable to the Owner and acquisition for less than the Owner's offered price would require condemnation proceedings, resulting in significant legal costs to the City that are avoided in a negotiated settlement.
- The condemnation process does not guarantee acquisition at the appraised value. The owner has a right to have the issue of compensation determined by a jury, which can often result in an award above the appraised value based on testimony of value by the owner.
- The Rotary Plaza is the only property of sufficient size with open space suitable for a park in downtown. Creation of a similar parcel would require demolition that would elevate the cost necessary to create a similarly situated property, and demolition in the central commercial district would likely result in the loss of a significant historic structure.

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

Section 1. The "Whereas" provisions set forth above are hereby incorporated in the Resolution as findings in support of the actions authorized in this Resolution.

Section 2. It is in the City's best interests to create a public park in the core downtown central commercial area.

Section 3. The Rotary Plaza area is situated in an ideal location for a downtown public park because of its central location, open layout and design, and its prior and current use for a variety of community-oriented events.

Section 4. The Mayor and/or City Manager are hereby authorized to sign the Purchase and Sale Agreement, attached hereto as Exhibit A, along with all other documents required to complete the transaction.

ADOPTED by the City Council of the City of Ellensburg this 19th day of August, 2019.

ATTEST:



A handwritten signature in blue ink, appearing to read "Betty Leader", is placed over a blue horizontal line. The line is labeled "Mayor" above it and "City Clerk" below it.