

RESOLUTION NO. 2015-04

A Resolution of the Board of Commissioners of the Port of Chelan County consenting to the purchase of property necessary for runway protection zone purposes at the Lake Chelan Airport consistent with the Joint Operating Agreement

WHEREAS the Port of Chelan County and the City of Chelan jointly own the Lake Chelan Airport and the City of Chelan acts as the Airport Board, all as more fully set forth in a Joint Operating Agreement, and addenda thereto.

WHEREAS the City of Chelan is in negotiations to purchase property necessary for runway protection zone purposes, said property is owned by Sike Orchards, Inc. The purchase price for the property is \$501,645.00.

WHEREAS the Port of Chelan County makes annual contributions in support of operations at the Lake Chelan Airport pursuant to the Joint Operating Agreement.

WHEREAS pursuant to the Joint Operating Agreement all property owned and acquired for the Lake Chelan Airport is owned by the City of Chelan and the Port of Chelan County, as tenants in common, each with an undivided one-half interest, and title to property shall be vested as follows: "Lake Chelan Airport, owned and operated by the City of Chelan and the Port of Chelan County pursuant to an unrecorded Joint Operating Agreement".

WHEREAS the City has identified hazardous substances on the property currently owned by Sike Orchards, Inc. and will undertake the removal of the hazardous substances following closing.

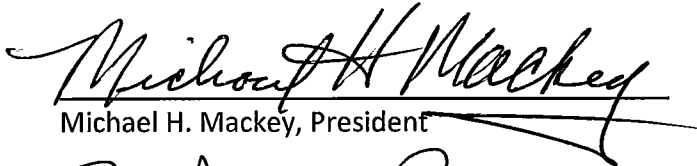
NOW THEREFORE, be it resolved...

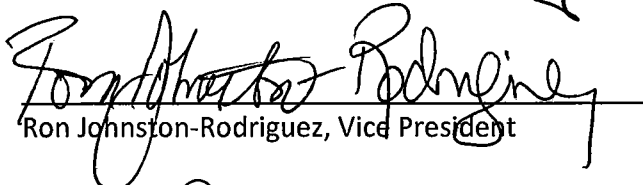
1. The Port of Chelan County hereby consents to the purchase of the property owned by Sike Orchards, Inc., necessary for runway protection zone purposes at the Lake Chelan Airport; provided, however, the deed for the property shall be jointly titled in the names of the Port of Chelan County and the City of Chelan as follows: "Lake Chelan Airport, owned and operated by the City of Chelan and the Port of Chelan County pursuant to an unrecorded Joint Operating Agreement".
2. The annual contributions by the Port of Chelan County for the benefit of the Lake Chelan Airport pursuant to the Joint Operation Agreement shall not increase or otherwise be modified as a result of the property acquisition.
3. The City of Chelan agrees to complete a review of all property held for the benefit of the Lake Chelan Airport and take all steps to properly vest title of all said property jointly in the names of the City of Chelan and the Port of Chelan County as set forth above.

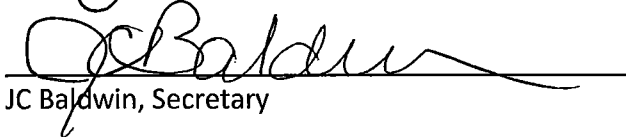
4. The City of Chelan agrees to indemnify and hold the Port of Chelan County harmless from and against any and all claims and costs, of any kind or nature, arising from, related to or associated with hazardous materials or substances, as defined by federal, state or local law, located on the property being acquired from Sike Orchards, Inc. The City shall be solely responsible for all reporting requirements arising from the discovery of hazardous materials on said property.
5. This Resolution is conditioned upon the City of Chelan accepting the above terms.

APPROVED this 1st day of October, 2015.


PORT OF CHELAN COUNTY BOARD OF COMMISSIONERS


Michael H. Mackey, President


Ron Johnston-Rodriguez, Vice President


JC Baldwin, Secretary

The City hereby agrees with and approves the conditions set forth in the above Resolution as binding commitments of the City of Chelan.


Mayor Robert Goedde of City of Chelan

Date: 10/9/2015

Attest:

