

MOTION NO. 788

A MOTION authorizing the transfer of Covenant Beach property to the City of Des Moines.

WHEREAS, King County currently acquired property at Covenant Beach, as authorized by Ordinance No. 7890, and

WHEREAS, the property was acquired for use as a park with the City of Des Moines assuming the responsibility for designing, developing, operating, and maintaining the park, and

WHEREAS, the City of Des Moines has requested that the property be transferred to it for public park use, and

WHEREAS, after due consideration, the council of King County deems it in the best interests of the citizens of King County that King County transfer ownership of the property to the City of Des Moines subject to the condition that the property be held for public park use in perpetuity;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The King County executive is hereby authorized to execute, on behalf of the citizens of King County, the documents necessary to transfer to the City of Des Moines King County's right, title, and interest in that Covenant Beach property granted to the county on February 2, 1987, and described as follows:

All of Block 23, The Town of Des Moines, according to the plat thereof recorded in Volume 3 of Plats, Page 165, in King County, Washington; TOGETHER WITH those portions of vacated alley adjacent and vacated Spruce Street as originally platted adjacent, which attach by operation of law;

Lots 1 through 10, inclusive, Block 34, The Town of Des Moines, according to the plat thereof recorded in Volume 3 of Plats, Page 165, in King County, Washington; TOGETHER WITH those portions of vacated alley adjacent and vacated Spruce Street as originally platted adjacent which attach by operation of law;

All that portion of vacated Grand Avenue as originally platted lying south of the south line of vacated Maple Street as originally platted and north of the south line of Lot 3, Block 34, and its easterly production;

All in The Town of Des Moines, according to the plat thereof recorded in Volume 3 of Plats, page 165, in King County, Washington.

Those portions of Lots 7 through 16, inclusive, Block 35, The Town of Des Moines, according to the plat thereof recorded in Volume 3 of Plats, page 165, in King County, Washington, lying northwesterly of a line drawn from the northeast corner of said Lot 11 to the southwest corner of said Lot 16, and lying southeasterly of a line drawn from the northeast corner of said Lot 7 to the southwest corner of said Lot 12; TOGETHER WITH that portion of vacated alley adjacent which attaches by operation of law;

1 All that portion of vacated 4th Street as originally platted lying
 2 southeasterly of a line drawn from the southwest corner of Lot 12, Block 35,
 3 to the southeast corner of Lot 16, Block 36, and lying northwesterly of a line
 4 drawn from the northwest corner of Lot 1, Block 42, to the southeast corner of
 5 Lot 4, Block 41;

6 All in the Town of Des Moines, according to the plat thereof recorded in
 7 Volume 3 of Plats, Page 165, in King County, Washington,

8 Those portions of Lots 1 through 7, inclusive, and Lots 18 through 23, inclu-
 9 sive, in Block 41, The Town of Des Moines, according to the plat thereof
 10 recorded in Volume 3 of Plats, Page 165, in King County, Washington;
 11 TOGETHER WITH portion of the vacated easterly 10 feet of Cliff Avenue as ori-
 12 ginally platted in said plat of The Town of Des Moines which attaches by
 13 operation of law;

14 ALL lying northwesterly of a line drawn from the southeast corner of said Lot
 15 4 through the southwest corner of said Lot 7 and extended to the westerly line
 16 of the vacated easterly 10 feet of said Cliff Avenue as originally platted and
 17 lying southeasterly of a line drawn from the northeast corner of said Lot 1
 18 through the southwest corner of said Lot 3 and extended to the westerly line
 19 of the vacated easterly 10 feet of said Cliff Avenue as originally platted;

20 Lots 6 through 10, inclusive, and the southerly 5 feet of Lot 5;
 21 EXCEPT the southerly 10 feet of said Lot 10;

22 All in Block 40, The Town of Des Moines, according to the plat thereof
 23 recorded in Volume 3 of Plats, Page 165, in King County, Washington;

24 TOGETHER WITH the vacated westerly 10 feet of Cliff Avenue as originally
 25 platted adjacent;

26 AND TOGETHER WITH second class tidelands adjacent.

27 SUBJECT TO: Easement and the terms and conditions thereof recorded November
 28 19, 1932 under recording number 2741711; and SUBJECT TO: Easement reserved in
 29 City of Des Moines Ordinance No. 506 for all existing utilities, dated
 30 September 8, 1980, recorded September 30, 1980 under King County Recording
 31 No. 8009300994; and SUBJECT TO: Easement as delineated and/or dedicated on
 32 the face of the plat; and SUBJECT TO: Exceptions and Reservations contained in
 33 deed from the State of Washington recorded under Recording Nos. 841274 and
 841678; and SUBJECT TO: Question of location of lateral boundaries of said
 second class tide lands; and SUBJECT TO: Any prohibition of or limitations of
 use, occupancy or improvements of the land resulting from the rights of the
 public or riparian owners to use any portion which is now or has been formerly
 covered by water; and SUBJECT TO: Paramount rights and easements in favor of
 the United States for commerce, navigation, fisheries and the production of
 power.

BE IT FURTHER MOVED,

Said transfer shall assure that the property remains in public park
 use, and shall provide that the property shall revert to King County
 should its use as a public park ever be controverted.

PASSED this 6th day of April, 1987.

KING COUNTY COUNCIL
 KING COUNTY, WASHINGTON

Sam Grant
 Chairman

ATTEST:

Joseph M. Owens
 Clerk of the Council