

Exhibit 9

DEED OF RIGHT TO USE LAND FOR PUBLIC
RECREATION PURPOSES

7209140504

The Grantor, THE CITY OF SEATTLE, a municipal corporation, for and in consideration of the sum of Seventy-Seven Thousand Dollars (\$77,000) from the Outdoor Recreation Account of the General Fund of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of all the people of the state, the right to use the real property described below forever for the outdoor recreation purposes described in the Project Agreement entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation entitled Wallingford Playfield Expansion, Project Number 68-088A, signed by the Grantor on the 13th day of January, 1969, and by the Interagency Committee on the 15th day of January, 1969, and the application and supporting materials which are on file with the Grantor and the state in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for public outdoor recreation herein granted unless the state, through the Interagency Committee for Outdoor Recreation or its successors, consents to the inconsistent use, which consent shall be granted only upon conditions which will ensure that other outdoor recreation land of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent usefulness and location for the public recreation purposes for which state assistance was originally granted will be substituted in the manner provided in RCW 43.99.100 for marine recreation land, whether or not the real property covered by this deed is marine recreation land. RCW 43.99.100 reads as follows:

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"Marine recreation land with respect to which money has been expended under RCW 43.99.080 shall not, without the approval of the committee, be converted to uses other than those for which such expenditure was originally approved. The committee shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion, and of as nearly as feasible equivalent usefulness and location."

Grantor has caused a copy of the application and the Project Agreement (executed copy) to be placed in its official records as Comptroller's File 262360 and has also caused all related documents to be cross-referenced thereto.

Grantor represents that this project is one to be funded part by the proceeds of a county-wide bond issue authorized by voters of King County and the City of Seattle pursuant to King County Resolution 34571. Section 7 of said King County Resolution 34571 provides as follows:

"Section 7. Public Park and Recreation Facilities acquired, developed, constructed or improved by the County or any City in whole or in part from the proceeds of the bonds authorized pursuant to this resolution shall not be transferred or conveyed by agreement providing that such lands shall continue to be used for the purposes contemplated by this resolution, or be converted to a different use unless other equivalent lands and facilities within the County or City shall be received in exchange therefore [sic]. The proceeds of any award in condemnation applicable to such Public Park and Recreation Facilities shall be used for the acquisition or provision of other equivalent lands and facilities. However, nothing in this resolution shall prevent the grant of easements or franchises or the making of joint use agreements not incompatible with the use of Public Park and Recreation Facilities for the purposes of this resolution."

No consent to inconsistent use granted by the state shall relieve the Grantor of any duties under Section 7 of King County Resolution 34571, nor shall the requirement of state consent to inconsistent use impair or reduce the power of the Grantor under Section 7 of King County Resolution 34571, except to the extent that the exercise of such powers would cause or permit the land to be put to an inconsistent use, for which state consent must be obtained.

The real property covered by this deed is described as follows:

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Lots 1 through 12, inclusive, Block 14, Lake Union Addition to the City of Seattle, as per plat recorded in Volume 1 of Plats, page 238, records of King County; TOGETHER WITH the vacated westerly one-half of Densmore Avenue North abutting said Lots 1 through 6; AND TOGETHER WITH the vacated alley in said Block 14; AND TOGETHER WITH the vacated northerly one-half of North 42nd Street lying between the westerly margin of Densmore Avenue North and the easterly margin of Woodlawn Avenue North; Situate in the City of Seattle, County of King, State of Washington.

It is understood that any land described in the Project Agreement and not described herein shall be free from the restrictions, agreements and covenants contained herein and in the Project Agreement.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in paragraph 14 of the Project Agreement.

DATED this 20th day of June, 19 72.



THE CITY OF SEATTLE
[Signature]

[Signature]
City Comptroller

STATE OF WASHINGTON)
COUNTY OF KING) ss.

THIS IS TO CERTIFY that on this 20th day of June, 19 72, before me the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared WES UHLMAN and C. G. EKLANDSON, to me personally known to be the Mayor and City Comptroller, respectively, of The City of Seattle, the municipal corporation that executed the forego. deed and acknowledged to me that they signed and sealed the same as the free and voluntary act and deed of said municipal corporation, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the seal of said municipal corporation.

WITNESS my hand and official seal the day and year in this certificate first above written.

[Signature]
Notary Public in and for the State
of Washington, residing

JGB:PH
5-24-71

ORDINANCE 1111057

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AN ORDINANCE relating to the Department of Parks and Recreation, ratifying execution of certain deeds to the State of Washington for Public Recreation Purposes upon property acquired with state assistance, and authorizing execution of such deeds on future state assisted projects.

WHEREAS, the City acquired property for the projects listed below for park and recreation purposes pursuant to project agreements with the State of Washington through the Interagency Committee for Outdoor Recreation providing for reimbursement of part of the acquisition cost; and such agreements required that use of the property be restricted to park and recreation uses; and

WHEREAS, pursuant to such project agreement, the State of Washington requested execution of a deed of Right to Use Land for Public Recreation Purposes to the State prior to June 30, 1972; and the Mayor in response thereto and to Resolution 23117 has executed such deeds; and

WHEREAS, the State has indicated such deeds shall be required by project agreements providing State assistance for property acquisition and development for park and recreation purposes to be executed hereafter; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the action of the Mayor and City Comptroller in executing, recording and delivering deeds for and on behalf of The City of Seattle to the State of Washington of Right to Use Land for Public Recreation Purposes using substantially the standard form attached as Exhibit "A" hereto restricting property acquired for the following described park and recreation purposes, pursuant to the authorizing ordinance designated, in accordance with the project agreement with the State of Washington contract number listed below, to wit:

<u>Project</u>	<u>Contract Number</u>	<u>Authorizing Ordinance</u>
Armeni Extension South	68-085A	96333
Belmont Mini Park	69-020A	97973
Chittenden Locks Park	69-018A	97973

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Project	Contract Number	Authorizing Ordinance
Firehouse Mini Park	69-020A	97973
Matthews Beach Park and Boat Ramp	69-019A	97973
Model Neighborhood Camp	69-150A	98963
North Greenwood Playground	69-021A	97973
Queen Anne Hill Viewpoint	69-103A	99313
Spruce Mini Park	69-020A	97973
Thomas Mini Park	69-020A	97973

is hereby ratified and confirmed.

Section 2. The Mayor and City Comptroller are hereby authorized and on behalf of the City of Seattle to execute and deliver to the State of Washington a Deed of Right to Use Land for Public Recreation Purposes substantially in the form of Exhibit "A" hereto restricting the use of property hereafter acquired by the City with financial assistance from the State of Washington through the Interagency Committee for Outdoor Recreation for park and recreation purposes provided in such project agreement or amendments related thereto.

(To be used for all Ordinances except Emergency.)

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Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor, and shall be in full force and effect at the expiration of said term unless the provisions of this ordinance shall become a law under the provisions of this city charter.

Passed by the City Council this 6 day of July 1976

and signed by me in open session in attestation of the foregoing on July 1976

Charles M. Carroll
President of the City Council

Approved by me this 8 day of

W. H. Williams
Mayor

Filed by me this 8 day of July 1976

R. Anderson
City Comptroller and City Clerk

(SEAL)

Published

By *J. F. Fenton*
Deputy Clerk

CGS 116

