

POULSBO AGREEMENT DISTRIBUTION SCHEDULE

SUBJECT: MOU - Morrow Manor/City Park

CONFORM AS TO DATES & SIGNATURES

- Approved by the Mayor: 04/01/2015
- Approved by the City Council: 04/01/2015
- Completion:
- Recorded:
- Certificate of Liability: N/A

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-

Nicole Stephens
City Clerk

04/07/2015
Date

**MEMORANDUM OF UNDERSTANDING
REGARDING MORROW MANOR/CITY PARK**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made by and between the POULSBO-NORTH KITSAP ROTARY FOUNDATION, a Washington non-profit corporation ("Rotary"), the CITY OF POULSBO, a municipal corporation of the state of Washington (the "City"), and D. RAND HILLIER ("Hillier"), collectively referred to as the "Parties".

WHEREAS, Poulsbo-NK Rotary Foundation owns real property identified as Assessor's Tax Parcel Number 242601-1-040-2007, consisting of approximately 2.4 acres and close to square in configuration (the "Corner Property") and the property to the east identified as Assessor's Tax Parcel Number 242601-1-040-2006 (the "Hillier Property"); and

WHEREAS, the Rotary desires to build the supportive housing units to expand the YWCA's supportive housing programs for victims of domestic violence (hereafter called YWCA clients) adjacent to a city park on the Corner Property; and

WHEREAS, the City desires to develop a park on the Corner Property adjacent to the supportive housing units (the "City Park Property"); and

WHEREAS, the parties desire to enter into this MOU to set forth a framework for the responsibilities and duties of the parties, such as the services, resources and capital contributions, and to establish the expectations for each party to support subsequent formal documents necessary to implement the objectives of the Project.

The parties set forth their understandings as follows:

I. THE PROJECT.

A. The Corner Property shall be subdivided to allow the northwest corner of the Corner Property constituting approximately one-half of the Corner Property area to be used as an active city park in perpetuity with the remainder to be used to build four duplex buildings to be deeded to the YWCA for use as supportive housing for the YWCA's program to support survivors of domestic violence. The P-NK Rotary Foundation has submitted an application for an ACUP under project file #14120002. The P-NK Rotary Foundation will submit a short plat for approval when the ACUP has been approved

B. Morrow Manor. The supportive housing units for YWCA clients will be called "Morrow Manor". Morrow Manor will consist of four buildings (duplexes) to house eight family units. The four buildings are intended to expand the inventory of supportive housing units offered by the YWCA to the survivors of domestic violence. These buildings shall be of conventional duplex design but each will be capable of housing two separate family entities with flexibility as

to size of the family as determined by the YWCA program. The dwellings shall be designed to have an appearance of a single family residential structure to blend into the surrounding neighborhood. If they are no longer used for the purpose of supportive/transitional housing, they must be converted back to single family residential use to conform to existing residential zoning.

C. City Park. Approximately 1.3 acres of the Corner Property will be designated as an active City park in generally the geographic land area specified in the Short Plat. The design, use and layout of the City Park Property will be determined by the City.

D. Transfer of Ownership.

1. The City Park Property will be deeded to the City at no cost to the City when the City approves the Short Plat of the Corner Property and approves the site construction plans and the design of the buildings to be installed on the Morrow Manor Property.

2. The conveyance deed to the City of Poulsbo for the City Park Property will include a reversionary covenant that will require that the parcel be used as an active public park in perpetuity. The provision will specify that in the event that the City should cease using the parcel as a City park, the parcel and all improvements will revert to the Poulsbo-NK Rotary Foundation. If such a conversion occurs, and Poulsbo-NK Rotary Foundation assumes ownership of the parcel, the property will still be considered a public park that cannot be used for any other purpose without a comprehensive plan amendment to change the park zoning status back to the single family residential zone for final disposition by the Foundation.

E. Establishment of Easements for City access and maintenance of storm water collection facility and emergency vehicle access.

1. The storm water drainage collection facility (storm water pond) required to collect runoff from the Morrow Manor portion of the Corner Property and possibly the City Park Property (depending upon City development regulations) is to be located on the Hillier Property (Tax parcel 242601-1-041-2006). Hillier shall provide an easement to the City of Poulsbo for the construction and operation of the storm water facility as well as an underground easement across a portion of the Hillier Property to transport the storm water from the Corner Property to the storm water facility. The legal description of the storm water facility and underground transport pipe will be provided when the ACUP and Short Plat are approved. If the city park design requires some storm water runoff collection, the city may elect to discharge to the Morrow Manor storm water pond. In which case maintenance costs of the pond facility will be shared.

2. A separate easement will be granted affecting the a portion of the South 30 feet of the Corner Property and a portion of the Southwest corner of the Hillier Property required by the City for emergency vehicle access to/from the Poulsbo Meadows development lying generally southeast of the Corner Property, will be executed to provide a route for (1) gravity sewer connection from the Morrow Manor Property to the sewer system installed by the Poulsbo Meadows project (2) a route for water service to the Poulsbo Meadows project from City of Poulsbo water service on Noll Road. This easement will be granted by the Poulsbo-NK Rotary Foundation as they are the owner of the Corner Property by the time the easement is to be

granted.

II. Responsibilities

A. Rotary. The Rotary will undertake the following:

1. The P-NK Rotary Foundation President shall serve as the principal spokesman and point of contact for the Rotary.

2. The P-NK Rotary Foundation will receive and hold title to the Corner Property and pay all expenses associated with owning the property (e.g. property taxes, insurance, etc.) until such time as the ACUP and the Short Plat are approved.

3. The P-NK Rotary Foundation will deed the City Park Property to the City of Poulsbo when the ACUP and the Short Plat are approved.

4. The P-NK Rotary Foundation will grant the easement identified in I.E.2 above when the Deed for the City Park Property is executed.

5. The P-NK Rotary Foundation may, at any time, deed its interest in the Corner Property to a separate 501(c)(3) entity which must agree to carry out the responsibilities of the Rotary under this Agreement. As a part of any such Deed and Agreement, the Rotary may elect to retain its long term reversionary rights in the City Park Property.

B. City. The City will undertake the following:

1. Design and install all elements (to be determined) for the city park area on the City Park Property for use as an active City park.

2. Maintain the park area as a City park in perpetuity.

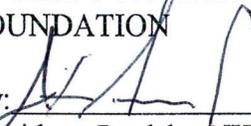
3. Be responsible for the development, operation and maintenance of the park. Should the City determine to permanently discontinue the use of the park, ownership of the City Park Property will revert to the Rotary as described in section I.D.2 above.

C. Hillier. Owner of Tax Parcel #242601-1-041-2006 will: Convey to the City the easement identified in section I.E.1 above when the Rotary conveys the City Park Property to the City.

The understandings above agreed and acknowledged as of the date set forth below:

Concurrences:

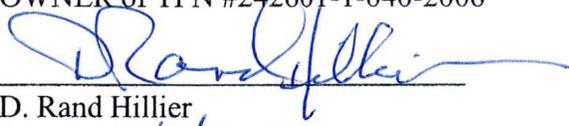
POULSBO-NORTH KITSAP ROTARY
FOUNDATION

By: 
President, Poulsbo-NK Rotary Foundation
Date: Mar 6 2015

CITY OF POULSBO

By: 
Mayor Rebecca Erickson
Date: 4/1/2015

OWNER of TPN #242601-1-040-2006


D. Rand Hillier
Date: 3/2/2015