

0004.120.025
WSS/klt
04/03/91
R:04/19/91

ORDINANCE NO. 1416

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, ACCEPTING DEEDS FOR THE BOTHELL PIONEER CEMETERY, ESTABLISHING A CEMETERY TASK FORCE COMPRISED OF REPRESENTATIVES OF THE LANDMARK PRESERVATION BOARD AND PARK BOARD, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the International Order of Oddfellows has for many years maintained the Bothell Pioneer Cemetery, selling lots within that cemetery;

WHEREAS, the International Order of Oddfellows and the North Shore School District have approached the City of Bothell offering to dedicate the cemetery to the City along with accrued endowment funds in order that the City might provide continuing maintenance and management of the Bothell Pioneer Cemetery;

WHEREAS, the City Council finds it to be in the public interest to accept and maintain the cemetery both as a historic cemetery, as an operating cemetery and as open space for the City of Bothell;

WHEREAS, the City Council wishes to provide for a Cemetery Task Force to prepare a report in order to advise the City Council regarding the establishment of an operational framework for the cemetery; now, therefore,

THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DO ORDAIN AS FOLLOWS:

id.

Section 1. Deeds of dedication from the International Order of Oddfellows and from the Northshore School District to the City of Bothell for certain property known as the Bothell Pioneer Cemetery, attached hereto as Exhibit A and incorporated by this reference as fully as if herein set forth, are hereby accepted subject to the conditions set forth in paragraph 2. By this acceptance, the City of Bothell accepts the obligation to maintain and preserve the cemetery provided, however, that to the extent permitted by law, the City's obligations to the estates and relatives of persons interred in this cemetery or to persons who have previously purchased lots in the cemetery shall be expressly limited to, but only to the following obligations:

1.1 Preserve cemetery lots for the owners thereof as shown on the books of the cemetery at the date the cemetery is dedicated to the City; and

1.2 Utilize the existing endowment funds to maintain the cemetery for the benefit of estates of the persons interred in the Pioneer Bothell Cemetery. Such monies, as are surplus and available for investment, and the earnings thereon, shall be managed in accordance with the requirements of RCW 68.12.060 and City ordinance. Such authorization and empowerment shall be considered approval of investments in accordance with RCW 68.12.065. Additional revenues may, at the sole discretion of the City Council, be made available for the improvement and operation of the cemetery as the Council shall determine by annual review and appropriation through the budget process.

plan shall address the tasks as defined in Exhibit B or as further directed by the Council.

Section 4. The recommendations of the Task Force shall be considered advisory to the City Council. The City Council shall have final authority over the operation and maintenance of the cemetery and the budgeting of all public funds. The Task Force shall meet as it deems appropriate in order to expeditiously prepare its report and recommendations, including the opportunity for public comment. This Task Force's authorization shall sunset and expire upon presentation of its report and recommendations to the City Council. In no event shall the Task Force continue in existence for more than one (1) year from the date of passage of this ordinance unless authorized to do so by the City Council.

Section 5. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

Paul O. Cowles
MAYOR, PAUL O. COWLES

ATTEST/AUTHENTICATED:

Terry A. Briscoe
CITY CLERK, TERRY A. BRISCOE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY John D. Walsh

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. 1416

April 19, 1991
April 22, 1991
May 1, 1991
May 6, 1991

FILED FOR RECORD AT REQUEST OF

WHEN RECORDED RETURN TO

Name _____

Address _____

City, State, Zip _____

Quit Claim Deed

THE GRANTOR, NORTSHORE SCHOOL DISTRICT No. 417, a municipal corporation, for and in consideration of value received, conveys and quit claims to the CITY OF BOTHELL, a municipal corporation, any and all interest and rights held or anticipated in the following described real estate, situated in the County of King, State of Washington, together with all after-acquired title of the grantor therein:

Beginning at a point Five (5) Rods North of the South West corner of the North West quarter of the North East Quarter of Section Eight (8), Township Twenty Six (26),

North of Range Five (5) East, Willamette Meridian, running thence North Eighteen (18) Rods and Six (6) Inches, thence East Forty (40) Rods, thence South Twenty Three (23) Rods and Six (6) Inches, thence West Twenty Four (24) Rods, then North Five (5) Rods, thence West Sixteen (16) Rods, to a place of beginning, subject to the Bothell and Woodinville County Road across said described land.

Dated July 10, 1990

Northshore School District No. 417

By Dennis A. Ray
Dennis A. Ray
Superintendent

State of Washington)
County of King) ss.

On this 12th day of July, 1990, personally appeared Dennis A. Ray, to me known to be the Superintendent of the Northshore School District No. 417, who executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said school district, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

LaVon A. Mackay
Notary Public in and for the State of
Washington residing at Bothell

The Fiscal Plan should address:

- Analysis of plot sales, donations and endowment revenues versus operating costs including any needed improvement or repair over a 10 to 20-year period
- Public donation program or other means of enhancing funding for maintenance or improvements

The Management Plan should address operation policies as listed below:

- Retention of historic characteristics
- Hours of operation
- Interment and grave marker requirements
- Future improvements
- Cemetery signage
- Neighborhood buffering
- Plot sales policy and recommended prices
- Plot sales agreement content
- Quantity and location of plots to be sold considering income needs, neighborhood buffering, maintaining the historical nature of the Cemetery and other considerations found by the Task Force
- When the Cemetery operation should cease and the function of the Cemetery after all plot sales are completed
- Recommended guidelines for the use of Endowment Funds including whether interest or interest and a portion of principal from sales and endowment should be used to finance maintenance and operations
- Whether or not an on-going Cemetery Advisory Board is needed and, if recommended, what existing board could serve in advisory role
- Contents and frequency of reports to the governing body
- Recommendations which would identify and propose solutions to potential City liabilities and risks in operating and maintaining the Cemetery

Interim Interment Policies:

Within 60 days from April 22nd recommend to the Council interim interment policies which cover:

- sale price of plots;
- location of plots available for sale;
- sales and service agreement with plot owners.

H:CEMRESP