

Project title: A Resolution Authorizing the Mayor to Take All Actions Necessary to Transfer the Van Valey House (2130 Colby Ave) to the Everett Museum of History

Council Bill # *interoffice use*

Agenda dates requested:
9/15/21

Briefing
Proposed action
Consent
Action 9/15/21
Ordinance
Public hearing
Yes No

Budget amendment:
Yes No

PowerPoint presentation:
Yes No

Attachments:
- Resolution-

Department(s) involved:
Parks & Facilities
Administration
Legal
Property Management

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Initialed by:
RML
Department head

Administration

Council President

Project: Transfer of Ownership of Van Valey House to Everett Museum of History

Partner/Supplier : Everett Museum of History

Location: 2130 Colby Ave, Everett, WA 98201

Preceding action: 2002 Van Valey Donation Agreement

Fund: 101/ 038

Fiscal summary statement:

The transfer of the Van Valey House to the Everett History Museum will permanently relieve the City of the maintenance and upkeep costs of the Van Valey House.

Project summary statement:

In 2002 Edward and Elizabeth Morrow generously donated the Van Valey House to the City. The City is grateful for the generosity of the Morrow's. Part of the transfer was a Donation Agreement signed by the City and the Morrrows. Under that 2002 Donation Agreement, the City must transfer by quit claim deed the Van Valey House to a "historic non-profit entity designated by City Council" if the City "fails to use the [Van Valey House] for City of Everett use." The Donation Agreement does not require any payment from the historic non-profit entity for the Van Valey House.

From 2002 through 2019, the City used the Van Valey House as an event venue, storage facility and office space. The expenses to operate and maintain the Van Valey House have exceeded the revenue associated with public and private rentals.

The Everett Museum of History wants to take ownership of the Van Valey House. Members of the Morrow family support this transfer. This transfer honors the City's agreement with the Morrrows to place the Van Valey House in museum ownership, and it relieves the City of responsibility for the maintenance and operations of the Van Valey House. Consistent with the 2002 Donation Agreement, the Everett Museum of History will not pay the City for the Van Valey House.

Staff recommends City Council adopt the proposed resolution. Under the resolution the City Council designates the Everett Museum of History as the "historic non-profit entity" to receive the Van Valey House and authorizes the Mayor to sign a real property transfer agreement with Everett Museum of History and to take all other actions necessary to accomplish the transfer.

Recommendation (exact action requested of Council):

Adopt a resolution authorizing the Mayor to take all actions necessary to transfer the Van Valey House (2130 Colby Ave) to the Everett Museum of History.



RESOLUTION NO. _____

A RESOLUTION authorizing Mayor to take all actions necessary to transfer the Van Valey House to the Everett Museum of History as required by the 2002 Donation Agreement between the City of Everett and Edward and Elizabeth Morrow

WHEREAS,

- A. In 2002, the Edward and Elizabeth Morrow generously donated to the City the property located at 2130 Colby Ave in Everett, WA. This property was conveyed to the City by statutory warranty deed dated October 31, 2002, which was recorded under Snohomish County recording number 200211011275. The legal description of the donated real property is as follows (the “Van Valey House”):

Lots 17, 18, 19 and 20, Block 434, Plat of Everett, according to the plat thereof recorded in Volume 3 of Plats, page 32, records of Snohomish County, Washington.

- B. The City has operated and maintained the Van Valey House for 17 years. While beautiful, the Van Valey House has become a financial drain on City resources, particularly in this present time of budget shortfalls.
- C. Because of this, City representatives have met with the Morrows. The City informed the Morrows that the City intends to no longer use the Van Valey House. City non-use of the Van Valey House started August 1, 2021, if not earlier.
- D. In connection with the 2002 conveyance of Van Valey House, the Morrows and the City executed the Donation Agreement dated October 30, 2002, which was recorded under Snohomish County recording number 200211011276 (the “Donation Agreement”). The Donation Agreement contains provisions that pertain to the City’s use of the Van Valey House. Section 1.A.2 of the Donation Agreement states in part:

The City, in accordance with the provisions of this Agreement, hereby accepts the [Van Valey House] . . . subject to the following:

The City's interest in the [Van Valey House] shall transfer by quitclaim deed to an historic non-profit entity designated by City Council . . . if at any time prior to November 1, 2042, the City:

...

Fails to use the Property for City of Everett use which may include, but is not limited to, City office space, meeting space and reception space

- D. The City's permanent non-use of the Van Valey House will trigger Section 1.A.2 of the Donation Agreement. Accordingly, once such permanent non-use occurs, the City must transfer the Van Valey House to a historic non-profit entity designated by City Council. The Donation Agreement does not require any payment from the historic non-profit entity for the Van Valey House.
- E. The Everett Museum of History desires to own the Van Valey House. Transfer to the Everett Museum of History by quit claim deed is in compliance with Section 1.A.2 of the Donation Agreement.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council determines that the Van Valey House is no longer required for City purposes and transfer of the Van Valey House to the Everett Museum of History is in the best interest of the City. City non-use of the Van Valey House started August 1, 2021, if not earlier.
2. The City Council designates the Everett Museum of History as the historic non-profit entity to receive the Van Valey House.
3. The City Council determines that, once the City permanently stops using the Van Valey House and once the City Council designates the Everett Museum of History as the historic non-profit entity to receive the Van Valey House, transfer of the Van Valey House to the Everett Museum of History is required by Section 1.A.2 of the Donation Agreement and that such transfer will require no payment from the Everett Museum of History for the Van Valey House. The City Council determines that the City will nevertheless receive significant consideration by the transfer by being permanently relieved of the maintenance and upkeep costs of the Van Valey House.
4. The Mayor is authorized to sign a transfer agreement with the Everett Museum of History and to sign all other documents and take all other actions necessary to transfer the Van Valey House to the Everett Museum of History in accordance with this resolution.

Councilmember introducing resolution

Passed and approved this ____ day of _____, 2021.

Council President