

RESOLUTION NO. M-2653

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON,
AUTHORIZING THE CITY MANAGER TO ACKNOWLEDGE AND ACCEPT A DONATION
FROM THE ANGELA J. BOWEN CONSERVANCY FOUNDATION TO BE USED SOLELY FOR
THE PURCHASE OF REAL PROPERTY FROM THE ESTATE OF MARGARET E. LONG**

WHEREAS, the Estate of Margaret E. Long is the owner of certain real property consisting of approximately 9.85 acres, more or less, located in Olympia, Washington, Thurston County Tax Parcel No. 12817240101. This real property is unimproved land that is forested with standing timber that would benefit from ownership by the City of Olympia, and management by the Olympia Parks, Arts and Recreation Department (OPARD); and

WHEREAS, the Angela J. Bowen Conservancy Foundation (AJBCF), a Washington nonprofit corporation and Section 501(c)(3) tax exempt private foundation, is offering a donation to the City of Olympia (Donation) in the amount of One Million Four Hundred Fifty Thousand and 00/Dollars (\$1,450,000.00) to be used solely for the purchase of the real property from the Estate of Margaret E. Long (Long Property), Thurston County Tax Parcel No. 12817240101 and legally described as follows:

Parcel B of Boundary Line Adjustment No. BLA-251683 OL, as recorded
June 10, 2025 under Auditor's File No. 5059279.

Subject to all easements, reservations and restrictions of record.

Situate in Thurston County, Washington.

and

WHEREAS, the purpose of the Donation from AJBCF is to ensure the Long Property is held and maintained as a park for nature conservancy, open space, and non-motorized public recreation purposes in perpetuity. The funds donated by AJBCF shall only be used for the purchase of the Long Property; and

WHEREAS, the Olympia City Council has considered the recommendation of the Olympia Parks Arts and Recreation Department to accept the funding provided by AJBCF to be applied and used solely for the purchase of the aforesaid real property from the Estate of Margaret E. Long; and

WHEREAS, the Olympia City Council finds this gift and donation of One Million Four Hundred Fifty Thousand and 00/Dollars (\$1,450,000.00) to be used solely for the purchase of the aforesaid real property from the Estate of Margaret E. Long on the terms and conditions stated herein and in the Donation Agreement attached hereto, to be in the public interest and serves the public welfare;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The City Manager or designee is hereby authorized to acknowledge and accept the donation of One Million Four Hundred Fifty Thousand and 00/Dollars (\$1,450,000.00) from AJBCF to be used solely

for the purchase of the aforesaid legally described real property from the Estate of Margaret E. Long, and to accept the terms and conditions of the Donation Agreement attached hereto and incorporated herein as Exhibit A and to execute same on behalf of the City of Olympia.

PASSED BY THE OLYMPIA CITY COUNCIL this 7th day of October 2025.


MAYOR

ATTEST:

Sean Krier
CITY CLERK

APPROVED AS TO FORM:

Mark Barber
CITY ATTORNEY

Angela J. Bowen Conservancy Foundation

1006 Plymouth Street SW • OLYMPIA, WA 98502
P.O. Box 11459 • OLYMPIA, WA 98508
(360) 352-1300 • FAX (360) 352-1304

September 11, 2025

Dear City of Olympia,

The Angela J. Bowen Conservancy Foundation ("AJBCF"), a Washington nonprofit corporation and a Section 501(c)(3) tax exempt private foundation, is offering a donation ("Donation") in the amount of One Million Four Hundred Fifty Thousand and 00/Dollars (\$1,450,000.00) ("Donation Funds") to the City of Olympia, a municipality in the State of Washington ("Olympia"), to fund the acquisition of the property located at Kaiser Rd. NW, Olympia, WA 98502, Thurston County Tax Parcel #12817240101 legally described on **Exhibit A** attached hereto and incorporated herein ("Long Property") under the conditions and limitations described in this donation letter ("Donation Agreement"). The purpose of this Donation Agreement is to ensure Olympia uses the Donation Funds in a manner consistent with the purpose and goals of AJBCF. This Donation Agreement dated September 11, 2025 replaces the prior version dated November 15, 2024.

Donation Purpose

The purpose of the Donation is to ensure the Long Property is held and maintained as a park for nature conservancy, open space and non-motorized public recreation purposes in perpetuity. Olympia may only use the Donated Funds for payment of the purchase price of the Long Property ("Donation Purpose").

If Olympia cannot ensure the funds are used consistent with this donation condition, AJBCF will be unable to make the Donation.

Donation Contingencies

The making of the Donation is contingent upon Olympia first doing each of the following at or prior to the closing on the purchase of the Long Property ("Donation Contingencies"):

1. The Olympia City council passing a resolution ("Olympia Authorization") which: (i) authorizes the acceptance of the Donation subject to the conditions required in this Donation Agreement; and (ii) authorizes use of the donation funds to purchase the Long Property.
2. Execution of this Donation Agreement by an authorized Olympia representative;
3. Returning the executed Donation Agreement along with the fully executed Olympia Authorization to the AJBCF;
4. At closing of the Long Parcel purchase, the execution by AJBCF, Olympia and Estate of Margaret Long ("Seller") and the recording of a Declaration of Conservation Restriction in the real

property records of Thurston County, WA which will ensure the Long Property is held and maintained for nature conservancy purposes in a form acceptable to AJBCF ("Declaration").

5. Olympia shall enter into an acquisition agreement with the seller containing a provision requiring the recording of the Declaration at closing and authorizing AJBCF to provide the closing agent for the transaction with escrow instructions ensuring this occurs in a timely manner. The Declaration shall be recorded at closing immediately prior to the deed of conveyance wherein Olympia acquires title to the Long Property. AJBCF and Olympia will each provide escrow instructions to the closing agent for the transaction that require this to happen as part of the closing process;
6. At Closing The Declaration shall be in first position on the Property in that it will not be subject to any deeds of trust, liens, unpaid taxes, other monetary encumbrances or covenants, easements or declarations of record that are inconsistent with the Declaration; and
7. Olympia shall provide AJBCF copies of all documents related to the purchase of the Property promptly as they become available including, but not limited to, appraisals, inspection reports, phase I environmental studies, hazardous substances reports, baseline studies, purchase and sale agreements, deeds, easements, title reports, escrow instructions and other documents relating to the Property Transaction ("Transaction Documents"). AJBCF may in its sole discretion terminate this Donation Agreement based on anything it discovers in the Transaction Documents.

Once Donation Contingencies 1, 2, 3 and 5 have been met, as well as continued good faith effort on Donation Contingency 7, AJBCF will make the Donation to Olympia. Contingency 4 and 6 must be satisfied upon closing of the real estate transaction.

Donation Reporting and Duties

Until Closing, Olympia will periodically provide email updates to AJBCF concerning the status and progress of the transaction. Should the transaction not close, for any reason, or if the Long Property is ever taken out of conservation status or Olympia or the Long Property is no longer complying with the Donation Purpose or the Donation Duties described below, Olympia agrees to either reimburse the Donation Funds to AJBCF in full or execute a deed to transfer ownership of the property to AJBCF as directed and determined in the sole discretion of AJBCF.

If the transaction closes, Olympia shall continue to have the following duties ("Donation Duties"):

1. Olympia shall repay any amount that it has not used for the Donation Purpose.
2. Olympia must submit a full and complete report to AJBCF, no later than 20 days after closing, which details expenditures of the Donation Funds up through closing.
3. Olympia must submit full and complete reports to AJBCF which will be due by January 15th of each year updating AJBCF on the nature conservancy status of the Long Property and efforts to enhance and preserve the conservation values of the Long Property;
4. Olympia shall keep records of receipts and expenditures related to the Donated Funds and make its books and records available to the AJBCF upon request at all reasonable times; and

5. Olympia shall not use any of the funds to influence legislation, to influence the outcome of elections, to carry on voter registration drives, to make grants to individuals or other organizations or to undertake any nonexempt activity, when such use of the funds would be a taxable expenditure if made directly by Olympia.

If Olympia has not closed on the Long Property acquisition within six (6) months after the Donation Date, Olympia shall return the donation funds to AJBCF or request an extension for which the sole discretion for approval rests with AJBCF.

AJBCF would like to thank Olympia for everything they do to protect and enhance the natural and scenic areas of Olympia. These lands are an invaluable resource, and everyone at the AJBCF hopes this Donation helps improve habitat as well as quality of life in Olympia.

Thank you,

The Board of the Angela J. Bowen Conservancy Foundation

Rickey D. Walley

By: Rickey D. Walley

Its: Chairman of the Board

ACKNOWLEDGED BY:

City of Olympia

By: Steven J. Burney

Date

Its: City Manager

EXHIBIT A
Legal Description

Parcel B of Boundary Line Adjustment No. BLA-251683 OL, as recorded June 10, 2025 under Auditor's File No. 5059279.

Subject to all easements, reservations and restrictions of record.

Situate in Thurston County, Washington