

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ACCEPTING A DONATION OF  
“LIFE IS WATER” AS A GIFT OF ART BY WEST OLYMPIA ROTARY CHARITIES FUND**

**WHEREAS,** West Olympia Rotary Charities Fund has offered to donate and convey to the City of Olympia a sculpture entitled “Life is Water,” an original artwork of artist Taylor Wily Krise (“the Artist”) to be installed at West Bay Park, 700 W Bay Dr NW; and

**WHEREAS,** West Olympia Rotary Charities Fund represents and warrants to the City that it has obtained all rights and interests in the Artwork from Artist and has obtained all necessary grants of rights and permissions from Artist to allow DONOR to convey the Artwork and all rights therein to the City; and

**WHEREAS,** the Olympia Arts Commission reviewed the proposed gift of art and unanimously recommended that the Olympia City Council approve and accept the gift and donation of “Life is Water”; and

**WHEREAS,** pursuant to RCW 35.21.100, every city and town by ordinance may accept any property donated if within its powers granted by law; and

**WHEREAS,** the Olympia City Council has considered the recommendation of the Olympia Arts Commission (OAC), in addition to the recommendation of the Olympia Parks Arts and Recreation Department (OPARD), to approve and accept the donation of “Life is Water” from West Olympia Rotary Charities Fund; and

**WHEREAS,** the Olympia City Council finds acceptance of this gift and donation of “Life is Water” serves the public interest;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Acceptance of Donation.** As recommended by the OAC and OPARD and under the terms and conditions contained in the Agreement with West Olympia Rotary Charities Fund attached hereto as Exhibit “A,” the Olympia City Council, pursuant to RCW 35.21.100, hereby accepts the gift and donation from West Olympia Rotary Charities Fund of “Life is Water” as herein described, as well as donation of its installation. All recitals of this Ordinance are incorporated into this Acceptance.

**Section 2. Authorization.** The City Manager is authorized to execute all documents necessary to effect the transfer of the gift and donation of “Life is Water” to the City of Olympia, its installation, and to make any modifications or to correct any scrivener’s errors in documents that are consistent with the acceptance of the gift and donation of “Life is Water” by the West Olympia Rotary Charities Fund to the City of Olympia, and its installation.

**Section 3. Terms, Conditions, and Restrictions.** The gift and donation of “Life is Water” is subject only to those terms, conditions, and restrictions contained in the Agreement with West Olympia Rotary Charities Fund attached as Exhibit A, and the City of Olympia may expend or use said gift and donation for any municipal purpose as stated in RCW 35.21.100.

**Section 4. Effective Date.** This Ordinance takes effect five days after publication, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**



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DEPUTY CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**