

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

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ACCEPTING A DONATION OF "TELEPHONE OF THE WIND" AS A GIFT OF ART BY COREY DEMBECK WITHOUT TERMS, CONDITIONS OR RESTRICTIONS.**

**WHEREAS**, Corey Dembeck has offered to donate and convey to the City of Olympia an art installation called "Telephone of the Wind," which consists of a telephone affixed to a board roughly 24 1/2 inches across and 23 inches tall, mounted on a 6 foot tall natural tree limb about 4 1/2 inches in diameter; and

**WHEREAS**, the Olympia Arts Commission reviewed the proposed gift of art and unanimously recommended the gift and donation of "Telephone of the Wind" for approval and acceptance by the Olympia City Council; 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 accept the donation of "Telephone of the Wind" from Corey Dembeck; and

**WHEREAS**, the Olympia City Council finds this gift and donation of "Telephone of the Wind" is in the public interest and serves the public welfare;

**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 attached hereto as Exhibit "A," the Olympia City Council, pursuant to RCW 35.21.100, hereby accepts the gift and donation from Corey Dembeck of "Telephone of the Wind" as herein described.

**Section 2. Authorization.** The City Manager is authorized to execute all documents necessary to effect the transfer of the gift and donation of "Telephone of the Wind" to the City of Olympia, and to make any modifications or to correct any scrivener's errors in said documents that are consistent with the acceptance of the gift and donation by Corey Dembeck to the City of Olympia.

**Section 3. Terms, Conditions and Restrictions.** The gift and donation of “Telephone of the Wind” is without terms, conditions, or restrictions attached to it, 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 shall take effect five (5) days after publication, as provided by law.

---

MAYOR

**ATTEST:**

---

CITY CLERK

**APPROVED AS TO FORM:**

*Michael M. Young*  
\_\_\_\_\_  
DEPUTY CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**