

EXHIBIT "A"

(COPY)

AGREEMENT RELATING TO ARBORETUM AND  
BOTANICAL GARDEN IN WASHINGTON PARK

THIS AGREEMENT, made by and between the City of Seattle, a municipal corporation, organized under the laws of the State of Washington, herein designated First Party, and the Board of Regents of the University of Washington, herein designated Second Party, WITNESSETH:

WHEREAS, first party is the owner of certain park property situate within the territorial limits of the City of Seattle, known as Washington Park; and,

WHEREAS, the parties hereto wish to establish and maintain within said Washington Park an arboretum and botanical garden; and,

WHEREAS, second party is willing to take charge of planning for and the establishment of such arboretum and botanical garden; Now, Therefore,

In order to establish and maintain such arboretum and botanical garden, and in consideration of their mutual agreements, as herein set forth, it is agreed by and between the parties hereto as follows:

1. First party hereby grants to second party the right to use all or any portion of said Washington Park as now established or as may be hereafter extended (as more specifically set forth in the map hereto attached, marked Exhibit "A"), for an arboretum and botanical garden, second party to designate in writing from time to time the exact areas which it desires to devote to such use.

2. First party shall, at its own expense as funds are available, construct and maintain all roads, driveways, walks, water systems, lighting facilities, and such other permanent improvements as may be necessary to make accessible such scientific, educational and recreational advantages as may be derived from the establishment and maintenance of such arboretum and botanical garden.

3. First party agrees to use such funds as it may have available for the establishment of said arboretum, and to cooperate with second party in the establishment and maintenance of said arboretum and botanical garden, and to that end to donate such seeds, plants, shrubs, trees, equipment and labor as may be available.

4. Second party will, as soon as practicable, have prepared plans for such arboretum and botanical garden, and submit same to first party for the approval of its Board of Park Commissioners, and thereafter the development of said arboretum shall be substantially in accordance with such plans as originally prepared and so approved with such modifications as may be made therein with the approval of both parties.

5. Second party shall, as soon as possible, establish such arboretum and botanical garden, including in such work, among other things, the following items:

(a) Procuring seeds and plants from all parts of the world that may be suitable for growth in this climate;

(b) Establish quarantine station for the introduction of plants, shrubs and trees from foreign countries;

(c) Carry on experiments in the cultivation and growth of all forms of plant life;

(d) Establish special collections, such as of native plants and trees, those illustrating plant relations, alpine groups, and other like collections;

(e) Establish and maintain an herbarium;

(f) Provide plant material for use of classes in the public schools and University.

6. Second party shall, subject to the provisions of Section 3 of Article XIII of the City Charter, have full control of the area devoted to said arboretum and botanical garden; provided, however, that such area shall be made available to visits by the public generally, under rules and regulations adopted by the second party and approved by the first party by its Board of Park Commissioners.

7. Second party shall have the right at such time or times as funds may be available, to erect suitable buildings and greenhouses for the use of the arboretum and botanical garden, and shall have the control thereof subject to the provisions of the City Charter, Article XIII, Section 3.

8. First party shall police the entire park including the portions used for said arboretum and botanical garden, and shall keep in good repair the walks and driveways leading to and within the area used as such arboretum, all in the same manner and to the same extent as in the absence of this agreement.

9. It is understood that first party shall have at all times access to every part of said arboretum and botanical gardens, including the buildings, for general visitation and the carrying out of such supervision and policing as first party shall deem necessary.

10. An advisory committee to be known as the Arboretum and Botanical Garden Committee, consisting of at least seven members is hereby created, three to be appointed by the Mayor of Seattle, three by the President of the University of Washington, and the seventh member to be appointed by the Governor of the State of Washington. Each of said members shall serve for a term of seven years from the first day of January, next succeeding their appointment, and until their successors shall have been appointed and qualified. Provided, however, that the first board named shall serve for terms of one, two, three, four, five, six and seven years, respectively, the particular term for which each of said first board members shall serve to be determined by lot.

11. Said advisory committee shall assist the parties hereto in establishing and maintaining said arboretum and botanical garden, in securing funds for the establishment and maintenance of said arboretum, and plants and seeds for use therein, in interesting people in said project, and in acting as a liaison committee between the Arboretum and the various garden and other societies interested in such Arboretum.

(COPY)

ORDINANCE NO. 65130

SEE OPINION # 2445

AN ORDINANCE relating to and authorizing the Board of Park Commissioners to enter into an agreement with the Board of Regents of the University of Washington for the establishment and maintenance of an arboretum and botanical garden in Washington Park.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the Board of Park Commissioners be, and it hereby is, authorized to enter into and to execute an agreement substantially in the form of Exhibit "A" hereto attached with the Board of Regents of the University of Washington for the establishment and maintenance of an arboretum and botanical garden in Washington Park.

Section 2: That if said agreement is entered into and executed by the Board of Park Commissioners, as provided in Section 1, before the effective date of this ordinance, the said action of the Board of Park Commissioners be, and the same is hereby, ratified.

Section 3. (30 day ending)

APPROVED: December 27, 1934