

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**RESOLUTION**

**NO.: 2010- 091**

**To Authorize Acceptance Signatures on Settlement Agreement for Past-Due Rent  
Involving Caravan Espresso Stand**

**WHEREAS,** Desi Stewart and Kittitas County (County) entered into a lease whereby Ms. Stewart became the County's tenant regarding the Caravan Espresso stand, a copy of which is attached hereto; and,

**WHEREAS,** Said lease was extended; and,

**WHEREAS,** Ms. Stewart is currently behind in rent in the amount of \$9,345.82; and,

**WHEREAS,** Ms. Stewart wishes to terminate the lease, sell the business, and arrange for payments to the County of the amount past due; and,

**WHEREAS,** Ms. Stewart has a willing buyer; and,

**WHEREAS,** The Board of County Commissioners is authorized by RCW 36.32.120 to have the care of County property and the ability to release obligations so long as the public interest is not harmed; and,

**WHEREAS,** The Board of County Commissioner, after due notice and deliberation, finds that such arrangement is in the public interest.

**NOW, THEREFORE BE IT RESOLVED:** That, upon execution of the Settlement Agreement, the lease between Kittitas County and Ms. Stewart shall be terminated and her financial obligation to the county fixed.


**NOW, THEREFORE BE IT FURTHER RESOLVED:** That Ms. Stewart shall pay to Kittitas County, as part of the closing of the sale of the business, \$3,500, and shall retire the balance of the debt by making \$200 per month payments to Kittitas County.

**NOW, THEREFORE BE IT FURTHER RESOLVED:** That the chairman of the Kittitas County Board of County Commissioner, or his designee, is authorized to sign the Settlement Agreement attached hereto and incorporated herein by this reference.

**ADOPTED** this 7<sup>th</sup> day of Sept. 2010.

BOARD OF COUNTY COMMISSIONERS  
KITITITAS COUNTY, WASHINGTON

  
\_\_\_\_\_  
Mark McClain, Chairman

  
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Paul Jewell, Vice-Chairman

**OPPOSED**

\_\_\_\_\_  
Alan A. Crankovich, Commissioner

APPROVED AS TO FORM:



  
\_\_\_\_\_  
Julie A. Kjorsvik

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Neil A. Caulkins, Deputy Prosecuting Attorney  
(WSBA#31759)

## SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("Agreement") is made and entered into as of the 7<sup>th</sup> day of ~~August~~<sup>September</sup>, 2010, by and between DESI STEWART, a single woman, and KITTITAS COUNTY, a political subdivision of the State of Washington (the "County").

**WHEREAS**, Desi Stewart and Kittitas County (County) entered into a lease whereby Ms. Stewart became the County's tenant regarding the Caravan Espresso stand, a copy of which is attached hereto; and,

**WHEREAS**, Said lease was extended; and,

**WHEREAS**, Ms. Stewart is currently delinquent in rent in the amount of \$9,345.82; and,

**WHEREAS**, Ms. Stewart wishes to terminate the lease, sell the business, and arrange for payments to the County of the delinquent amount; and,

**WHEREAS**, Ms. Stewart has a willing buyer; and,

**WHEREAS**, The Board of County Commissioners is authorized by RCW 36.32.120 to have the care of County property and the ability to release obligations so long as the public interest is not harmed; and,

**WHEREAS**, The Board of County Commissioner, after due notice and deliberation, finds that such arrangement is in the public interest.

**NOW, THEREFORE BE IT RESOLVED:** That, upon execution of this Settlement Agreement, the lease between Kittitas County and Ms. Stewart shall be terminated and her financial obligation to the county fixed.

**NOW, THEREFORE BE IT FURTHER RESOLVED:** That Ms. Stewart shall pay to Kittitas County, as part of the closing of the sale of the business, \$3,500, and shall retire the balance of the debt by making \$200 per month payments to Kittitas County.

There are no other verbal or other agreements which modify or affect this Agreement, and all amendments hereto shall be in writing and signed by each party. Time is of the essence of this Agreement.


This Agreement shall be governed and construed according to the laws of the State of Washington and shall be binding upon and inure to the benefit of the parties hereto, their respective successors and assigns. In the event suit is brought to enforce any of the provisions of this Agreement, venue shall be laid in Kittitas County, Washington.

Executed as of the date first above written.

  
By: DESI STEWART

**KITTITAS COUNTY**

By: Kittitas County Board of Commissioners

  
By: Mark McClain, Chairman Kittitas County Board of Commissioners  
As authorized by Resolution No. 2010- 091

Approved As To Form:

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Neil A. Caulkins, Deputy Prosecuting Attorney