

RESOLUTION NO. 397

**A RESOLUTION OF THE CITY OF WOODINVILLE, WASHINGTON
ACCEPTING A SCULPTURE FROM THE ESTATE OF MARLENE
FRICKS.**

WHEREAS, Revised Code of Washington 35.21.100 allows cities to accept donated money or property by Ordinance; and

WHEREAS, Woodinville Ordinance No. 521 allows acceptance of donations of value greater than \$5,000 by City Council Resolution; and

WHEREAS, Marlene "Malka" Fricks, long time Woodinville resident and former City Commissioner and Committee member, passed away January 13, 2011; and

WHEREAS, her Last Will and Testament offers a generous donation of a sculpture to the City of Woodinville and its community at a cost of up to \$20,000; and

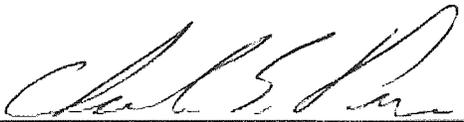
WHEREAS, the City Council desires to fulfill the last wishes of Marlene "Malka" Fricks by cooperating with the Executor of her Last Will and Testament to accept the sculpture donation upon the conditions offered;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Approval to Accept Donation. The Woodinville City Council hereby accepts the donation offer of a sculpture from the Estate of Marlene "Malka" Fricks.

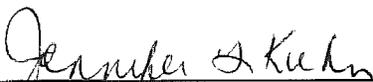
Section 2. Other Actions Authorized. The Woodinville City Council hereby authorizes the City Manager to take other actions necessary to implement this decision and to fulfill the City's obligations associated with this donation offer. Additionally, the City Manager is hereby authorized to work with the Executor of the Estate of Marlene Fricks, the Parks and Recreation Commission, and the public to assist with the selection of the sculpture donated by the Estate of Marlene "Malka" Fricks.

RESOLVED this 1st day of March 2011.



Charles E. Price, MAYOR

ATTEST/AUTHENTICATED:



Jennifer L. Kuhn
City Clerk/CMC

Attachment 2: Excerpt from Last Will and Testament of Marlene Fricks

I give to my Personal Representative a special power of appointment, to expend up to twenty thousand dollars (\$20,000.00) for the purposes of making and installing a sculpture in the **City of Woodinville** (Washington). The sculpture may be placed anywhere in the **City of Woodinville** and I do not specify any theme for the sculpture. I direct that my name, Marlene "Malka" Fricks, be inscribed on the sculpture, specifying that I donated the funds for the sculpture. I give my Personal Representative full authority and discretion in making the arrangements with the **City of Woodinville** for a sculpture. If the **City of Woodinville** is not willing to appropriately accept a sculpture provided herein, as determined in the sole discretion of my Personal Representative, then my Personal Representative may arrange for a sculpture at the **Lake Washington Technical College** (Kirkland, Washington), or may disburse these funds as part of the residue of my estate. If less than twenty thousand dollars (\$20,000.00) is expended, the remaining balance shall pass as part of the residue of my estate. The decision of my Personal Representative in all of these respects shall be full and final and shall not be subject to question or contest by any person or entity.