

RESOLUTION NO. 498

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DECLARING CERTAIN CITY-OWNED REAL PROPERTY LOCATED AT 14509 THIRD AVENUE N, SHORELINE, WASHINGTON, TAX PARCEL 288170-0373, AS SURPLUS, AND AUTHORIZING SALE OF THE REAL PROPERTY AS PROVIDED IN SHORELINE MUNICIPAL CODE, CHAPTER 3.55.

WHEREAS, Shoreline Municipal Code (SMC) Chapter 3.55 authorizes the City to dispose of real property surplus to the current or future needs of the City and where the disposition would afford the City a reasonable return from the sale; and

WHEREAS, to facilitate City's 145th Street Corridor Improvements and 145th Street/Interstate 5 Interchange Improvements capital projects, the City acquired real property located at 14509 Third Avenue N, Shoreline, Washington, Tax Parcel 288170-0373 ("Property") in 2022; and

WHEREAS, the appraised value of the Property at the time of acquisition in August 2022 was \$145.00 per square foot (\$2,187,325.00); however, to avoid condemnation proceedings, the City paid 10% over that value (\$2,405,700) as authorized by the City Council; and

WHEREAS, City Staff has determined that approximately 11,460 square feet of the Property, as described in Exhibit A and depicted in Exhibit B, is surplus to the City's current and future needs ("Surplus Property") and, sale would provide the City with a reasonable return on its investment; and

WHEREAS, real property may be declared surplus by the City Council if all of the procedures in SMC 3.55.011(A) have been completed; and

WHEREAS, a staff report has been provided to the City Council with the information mandated by SMC 3.55.011(A)(1) and the public hearing required by SMC 3.55.011(A)(2) was held on December 5, 2022, after proper notice; and

WHEREAS, RCW 3.55.012(C) states that if property can only be put to its highest and best use when aggregated with an abutter's property because of its size, shape, topography, or other restriction, the property may be negotiated for sale to the abutting property owner if the abutter is willing to purchase the property for fair market value or, if more than one qualifying abutter expresses an interest, then the City may solicit sealed bids from all such abutters; and

WHEREAS, the Surplus Property is located within the 145th Street Station Subarea and is zoned MUR-70; the appraised value determined that the highest and best use of the Surplus Property is the removal of the existing structure to make way for redevelopment consistent with its highest and best use as if vacant; and

WHEREAS, while the Surplus Property is surplus to the City's needs, this surplus determination is contingent on reserving a ten (10) foot wide temporary construction easement along the southern edge of the Surplus Property, as shown in Exhibit B, to facilitate the construction of the capital projects and any purchaser must take title to the Surplus Property subject to that reservation without a reduction in the fair market value; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Declaration of Surplus Real Property. The City Council has determined that the portion of the real property located at 14509 Third Avenue N, Shoreline, Washington, Tax Parcel 288170-0373, described in Exhibit A and depicted in Exhibit B, is not currently needed by the City nor will it be needed in the future, and that the City will attain a reasonable return from its sale. Therefore, the City Council declares this real property surplus.

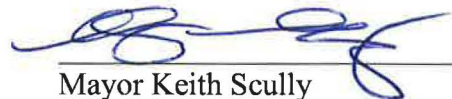
Section 2. Authorization to Sell and Dispose of Surplus Real Property. The City Manager is hereby authorized to sell and dispose of the surplus real property by negotiated sale to an abutting property owner as provided in SMC 3.55.012(C) and subject to the procedures and requirements set forth in SMC 3.55.012. If more than one qualifying abutting property owner expresses interest in purchasing the Property, the City Manager shall solicit sealed bids from all qualified owners and shall sell the bidder who is providing the City with a reasonable return equal to or more than the fair market value of the Property.

Section 3. Reservation of Temporary Construction Easement. Any sale of the Property pursuant to Section 2 shall reserve a temporary construction easement, as depicted on Exhibit B, for the City to facilitate the construction of the 145th Street Corridor Improvements and/or the 145th Street/I-5 Interchange Improvements. Given the temporary nature of the easement, said easement shall not reduce the fair market value of the Surplus Property by a qualifying buyer.

Section 4. Minimum Acceptable Price. As provided in SMC 3.55.011(B)(3), the real property shall be sold for at least 100% of the market value as established by written independent appraisal for the property or for such other reasonable and lawful terms and conditions the City Manager determines to be in the best interests of the City. Provided, that if the sale price is below the market value, the City Manager shall receive City Council approval prior to completion of the sale.

ADOPTED BY THE CITY COUNCIL ON DECEMBER 5, 2022.

ATTEST:


Mayor Keith Scully

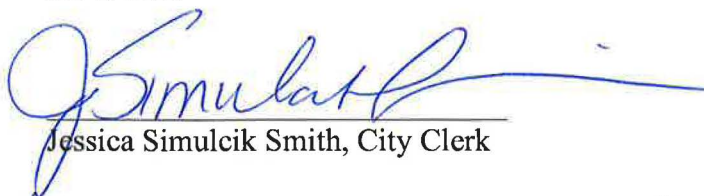

Jessica Simulcik Smith, City Clerk

EXHIBIT A

SURPLUS DESCRIPTION
SE ¼, SW ¼ SEC. 17, T. 26 N., R. 4 E., W.M.
KING COUNTY, WASHINGTON
TPN 288170-0373

THAT PORTION OF LOT 1 OF KING COUNTY SHORT PLAT NO. 778047, RECORDED UNDER RECORDING NUMBER 7812121103, RECORDS OF KING COUNTY, WASHINGTON, TOGETHER WITH AN UNDIVIDED 1/4TH INTEREST IN PRIVATE ROAD WITHIN SAID SHORT PLAT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, ALSO BEING THE NORTHERLY RIGHT OF WAY OF NORTH 145TH STREET;
THENCE NORTH 00°02'43" WEST ALONG THE WEST LINE OF SAID LOT 1, 24.51 FEET TO THE **TRUE POINT OF BEGINNING**;
THENCE CONTINUING NORTH 00°02'43" WEST ALONG SAID WEST LINE, 87.96 FEET TO THE NORTH LINE OF SAID LOT 1;
THENCE NORTH 85°57'15" EAST ALONG SAID NORTH LINE, 128.31 FEET TO THE EAST LINE OF SAID LOT 1, ALSO BEING THE WESTERLY RIGHT OF WAY OF 3RD AVENUE NORTHEAST (PRIVATE DRIVE);
THENCE SOUTH 00°02'43" EAST ALONG SAID EAST LINE, 86.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 555.50 FEET, THE CENTER OF WHICH BEARS NORTH 11°30'06" WEST;
THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°16'44", FOR AN ARC LENGTH OF 128.74 FEET TO THE **TRUE POINT OF BEGINNING**;

SAID PORTION CONTAINING 11,460 SQUARE FEET, MORE OR LESS.



11/9/2022