

RESOLUTION NO. 735

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT,
WHATCOM COUNTY, WASHINGTON,
AUTHORIZING SALE OF SURPLUS REAL PROPERTY

WHEREAS, pursuant to RCW 57.08.016, the Board of Commissioners ("Board") may sell property belonging to the Birch Bay Water & Sewer District ("District") if the Board determines that the property is not and will not be needed for district purposes;

WHEREAS, the District Board has determined that the real property listed on Exhibit A attached hereto is no longer needed for district purposes; and

WHEREAS, the District Board has determined that the aggregate value of each individual parcel of land listed on Exhibit A is more than Five Thousand Dollars (\$5,000.00); and

WHEREAS, the District Board wishes to sell said property;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: The real property listed on Exhibit A is hereby declared surplus and each individual parcel of land is determined to have a value of more than Five Thousand Dollars (\$5,000.00).

Section 2: The District Manager is hereby authorized to sell the property listed on Exhibit A pursuant to RCW 57.08.016

Section 3. BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 4: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid, or unconstitutional, then the original Resolution shall be in full force and effect.

Section 4: This Resolution shall be effective immediately.

PASSED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 26th day of June, 2014.


COMMISSIONER


COMMISSIONER



COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 735 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on June 26, 2014.



SECRETARY

EXHIBIT A

Assessor's Tax Parcel Number 400129 241365 0000:

Lot 84A, "Plat of Double R Ranch" as recorded in Volume 9 of Plats, pages 87 and 88, records of Whatcom County, Washington, described as follows:

Beginning at the Northeast corner of Lot 84 of said plat; thence South 89° 57' 49" East 106.60 feet; thence South 0° 02' 11" West 110 feet; Thence South 81°20'13", West 251.24 feet; thence North 0° 02' 11" East 100.00 feet; thence North 71° 19' 46" East 149.66 feet to the point of beginning.

Situate in County of Whatcom, State of Washington.

Assessor's Tax Parcel Number 400129 136324 0000:

The west half of Lot 10, Double R Ranch, Whatcom County, Washington, according to the plat thereof, recorded in Volume 9 of Plats, pages 87 and 88, in the Auditor's Office of said county and state.

Assessor's Tax Parcel Number 400129 014282 0000:

Lot 80, Double R Ranch, according to the plat thereof, recorded in Volume 9 of Plats, pages 87 and 88, in the records of Whatcom County, Washington. .

Assessor's Tax Parcel Number 400129 221360 0000:

Lot 84, Double R Ranch, according to the plat thereof, recorded in Volume 9 of Plats, pages 87 and 88, in the records of Whatcom County, Washington

BID FORM

NOTICE OF INTENTION TO SELL DISTRICT PROPERTY

Pursuant to RCW 57.08.016, Birch Bay Water & Sewer District ("District") is offering three unimproved real properties for public sale within Double R Ranch development at Birch Bay in Whatcom County, Washington. Per state law, these properties have been appraised as follows: Lot 10W (Tax Parcel no. 400129 136324) - \$35,000; Lot 80 (Tax Parcel no. 400129 014282) - \$30,000; and Lots 84 & 84A (Tax Parcel nos. 400129 221360 & 400129 241365) - \$30,000. Lots 10 and 80 will be sold separately and lots 84 and 84A will be sold as one property. Lot 84A alone is not believed to be a buildable lot. All bids must identify the Lot number of the property for which the bid is made, state the bid price, and be signed by bidder or authorized agent of bidder. Bidders intending to place a bid on more than one property shall submit a separate sealed bid for each property. Sealed bids must be on a form supplied by the District and must be received in hand at the District office (7096 Point Whitehorn Road, Birch Bay) no later than 4:00 pm on Thursday, August 28, 2014.

Sale shall be under the following terms: Purchase price and recording costs to be paid in full by cash, cashier's check or certified check by 4:30 p.m. on September 5, 2014, or the District may sell to the next highest bidder. All lots conveyed "as is" by Quit Claim Deed following receipt of full payment. General facilities connection charges for sewer and water and any other normal charges associated with initiation of water and sewer service will be due at the time of connection to the District system. All property was acquired by Sheriffs' Deed following foreclosure. Title insurance will be provided by seller. Seller to pay excise tax, if not exempt. Seller will remove any outstanding District water and sewer assessments from each property sold; each property will be conveyed free and clear of District water and sewer assessments. Lot 80 will be conveyed free and clear of lien and agreement for payment of general facilities charges recorded under Whatcom County A. F. No. 1971101082; provided that, connection charges shall be due at the time of connection to District system. Real property taxes and Double R Ranch dues, assessments, or charges will be prorated to the date of sale. Recording fees to be paid by Buyer. Buyer is responsible for all costs incurred related to Buyer's purchase.

Per the sale process prescribed by the above RCW, no parcel shall be sold for less than ninety percent (90%) of the appraised value. All sealed bids will be opened and reviewed by the Board of Commissioners at the regular board meeting on August 28, 2014, beginning at 4:30 pm. Bids containing any contingencies on purchase will be rejected. The District reserves the right to reject any and all bids for good cause. The District also reserves the right to waive minor irregularities. Any person desiring to inspect the appraisal document or commitment for title insurance and preliminary title report for any property may do so at the District office, 7096 Pt

Whitehorn Road in Birch Bay. Any questions about this sale should be directed to the Assistant General Manager, Dan Eisses, at 360-371-7100.

Lot # _____

Bid Price (numeric) _____

Bid Price (words) _____

The undersigned hereby places a Bid in the price amount shown above in U.S. dollars, for the Lot designated above the Bid Price, located within the Plat of Double R Ranch in Whatcom County, Washington, all in accordance with the terms set forth in this Bid Form and Notice of Intention to Sell District Property.

Signature _____

Printed Name _____