

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2018-211

| CLEARANCES | Initial | Date | Date Received in Council Office | Agenda Date | Assigned to: |
|--------------------|---------|------------|--|-------------|------------------|
| Originator: | AH AH | 8-17-18 |  | 9-11-18 | Finance/ Council |
| Division Head: | TH | 8/21/18 | | | |
| Dept. Head: | | | | | |
| Prosecutor: | CDQ | 08/21/2018 | | | |
| Purchasing/Budget: | | | | | |
| Executive: | RLS | 8-31-18 | | | |

TITLE OF DOCUMENT: *In the Matter of the Sale of Surplus Property and Setting a Date for Public Hearing Thereon Pursuant to WCC 1.10*

- ATTACHMENTS:**
1. Cover Memo
 2. Resolution
 3. Map of Site

| | | | | | |
|------------------------|---------|--------|-----------------------------------|---------|----------|
| SEPA review required? | () Yes | (X) NO | Should Clerk schedule a hearing ? | () Yes | (X) NO |
| SEPA review completed? | () Yes | () NO | Requested Date: | | |

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Per RCW and Whatcom County Code, the Whatcom County Property Management Committee has recommended the sale of Whatcom County real property located on Deeter Road, tax parcel number 400415 338138 0000, as surplus property. The property is approximately 0.74 acres, and is to be sold by sealed bid with the minimum sale price of \$5,000.00 (five thousand 00/100 dollars).

COMMITTEE ACTION:

9/11/2018: Forwarded to Council for approval

COUNCIL ACTION:

9/11/2018: Approved 7-0, Resolution 2018-030

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Res. 2018-030

Please Note: *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.*

WHATCOM COUNTY
PUBLIC WORKS DEPARTMENT

JON HUTCHINGS
DIRECTOR



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Bellingham, WA 98225-4042
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MEMORANDUM

To: The Honorable County Executive Jack Louws and Honorable Members of the County Council

Through: Jon Hutchings, Director *JH*

From: Andrew Hester, Real Estate Coordinator *AH 8-28-18*

Date: August 28, 2018

Re: Resolution Approving the Surplus Real Property

Enclosed is a resolution requesting the approval of the surplus Whatcom County real property.

Requested Action

Public Works respectfully requests that the Whatcom County Council approve the surplus of Whatcom County real property and schedule a public hearing on the sale of the property.

Background and Purpose

Public Works received an application to purchase Whatcom County real property located on Deeter Road, tax parcel number 400415 338138 0000. The property was formally Township property that the County obtained when townships were formally dissolved. The property consists of two small rectangular tracts and is bisected by Deeter Road. It is approximately 0.74 acres. Public Works determined that the property was not needed for Public Works' operations. The Property Management Committee (PMC) reviewed the application and determined that the property was useless and not needed by any other department. Per RCW and Whatcom County Code, the PMC has recommended the sale of the property. The property is to be sold by sealed bid with the minimum sale price of \$5,000 (five thousand 00/100 dollars).

Funding Amount and Source

The successful bidder is responsible for paying all costs associated with the sale of property.

Please contact me at extension 6216 if you have any questions or concerns regarding this resolution.

Encl.

1 SPONSORED BY: _____

2 PROPOSED BY: Public Works

3 INTRODUCTION DATE: _____

4
5 RESOLUTION NO. 2018-030

6 IN THE MATTER OF THE SALE OF SURPLUS PROPERTY AND SETTING A DATE FOR PUBLIC
7 HEARING THEREON PURSUANT TO WCC 1.10

8
9 WHEREAS, RCW 36.34.005 authorizes counties to establish comprehensive procedures for the
10 management of county property, including the sale of surplus real estate where it is found to be in the best
11 interest of a county to sell same; and

12
13 WHEREAS, in Whatcom County Code (WCC), Chapter 1.10, Whatcom County has established
14 those procedures; and

15
16 WHEREAS, the Whatcom County Property Management Committee has recommended the sale of
17 Whatcom County real property located on Deeter Road, tax parcel number 400415 338138 0000, to the
18 highest bidder, by sealed bid, for not less than the amount as listed below, plus costs; and

19
20 WHEREAS, WCC 1.10.290 authorizes the Whatcom County Property Management Committee to
21 use the County Assessor's value as the estimated market value if the value is \$15,000 or less; and

22
23 WHEREAS, the assessed value of the property is \$5,000 and has been determined by the
24 Whatcom County Property Management Committee to be the estimated market value for the property; and

25
26 WHEREAS, WCC 1.10.310 authorizes the Council, after receipt of estimated market values from
27 the Property Management Committee, to establish limitations and conditions upon sale of property, such as
28 the minimum price for said property and whether or not a contract will be allowed, or if it will be a cash
29 price; and

30
31 WHEREAS, WCC 1.10.310, as well as state law, allows the County to reserve from the sale oil,
32 gas, timber, mineral aggregates and other resources if the Council finds that it is the best interest of the
33 public to reserve these;

34
35 NOW, THEREFORE, BE IT RESOLVED that it is in the best interest of the County to sell tax
36 parcel number 400415 338138 0000 to the highest bidder sealed bid.

37
38 LEGAL DESCRIPTION OF PROPERTY TO BE SOLD

39
40 Whatcom County Tax Parcel Number 400415 338138 0000 (Approximately 0.74 acres, more or less)

41
42 A tract of land located in Section 15, Township 40 North, Range 4 East of W.M.,
43 described as follows:

44
45 Beginning at a point 514 feet West of the Northeast corner of the Southwest Quarter of the
46 Southeast Quarter; thence West 220 feet; thence South 99 feet; thence East 220 feet;
47 thence North 99 feet to the Point of Beginning. Also a tract beginning 30 rods West of the

1 Southeast corner of the Northwest Quarter of the Southeast Quarter; thence West 220 feet;
2 thence North 99 feet; thence East 220 feet; thence South 99 feet to the Point of Beginning.
3 Except Deeter Road.

4
5 Situate in Whatcom County, Washington.

6
7 BE IT FURTHER RESOLVED that the minimum bid for the property listed above shall be no less than
8 the assessed value of \$5,000.00 (five thousand 00/100 dollars) and that Buyer will pay any additional
9 Buyer closing costs normally associated with such a real property transaction; and

10
11 BE IT FURTHER RESOLVED that transfer of said real property be by quitclaim deed and that Buyer will
12 represent and warrant in writing to Seller Whatcom County, that Buyer has thoroughly inspected and
13 evaluated the property for sale, to Buyer's complete satisfaction and Buyer accepts the property AS IS with
14 full knowledge of potential liability the Buyer could incur for any environmental hazards or conditions
15 affecting the property. Buyer agrees that the purchase price of the property reflects the agreed upon value
16 of the property AS IS, taking into account the aforementioned disclosures; and

17
18 BE IT FURTHER RESOLVED that said purchase of said real property shall not be allowed under contract
19 and shall be paid either in cash, certified check or money order to the Whatcom County Treasurer at the
20 time of sale; and

21
22 BE IT FURTHER RESOLVED by the Whatcom County Council, that a public hearing on the matter of
23 the sale of said property, under said terms, be held on the 25th day of September, 2018, at or as soon
24 thereafter as is possible, in the Whatcom County Council Chambers at 311 Grand Avenue, Bellingham,
25 Washington; and,


26
27 BE IT FURTHER RESOLVED that the Clerk of the Whatcom County Council shall give notice of such
28 hearing in the manner prescribed by law under RCW 36.34.030.

29
30
31 APPROVED this 11th day of September, 2018

32
33 ATTEST:

34 
35 _____
36 Dana Brown-Davis, County Clerk

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39
40
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WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Rud Browne, Council Chair

APPROVED AS TO FORM:



Civil Deputy Prosecutor