

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2005-409A

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	dlg <i>DLG</i>	9/28/05	DISTRIBUTED TO OCT 18 2005 ALL COUNCIL MEMBERS WHATCOM COUNTY COUNCIL	10/25/05	Introduction
Division Head:				11/9/05	Public Hearing
Dept. Head:					
Prosecutor:	dlg <i>DLG</i>	09/30/05			
Purchasing/Budget:					
Executive:	PK	10-18-05			

TITLE OF DOCUMENT: Resolution to dispose of Tax-Title property by deed to the City of Bellingham, Request #2005-064

ATTACHMENTS: Map

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

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

The Property Management Committee recommends that the resolution be passed to effectively meet the legal requirement for the disposal of tax-title property.

Parcel # 380317-435440-0000
 W 30 FT of SW NE NE – EXC N 490 FT THEREOF - Situate in Section 17, Township 38, Range 3 East W.M.
 Parcel # 380317-263531-0000
 E 30 FT of NE NE NW – LESS RD – Situate in Section 17, Township 38, Range 3 East W.M.

For an amount of \$0.00 in view of the absence of a market value for land lying underneath city streets, the dedication of which to the City of Bellingham was a condition of annexation when this area was annexed into the City of Bellingham. The legal propriety of this disposition in light of RCW 36.35.150 has been discussed with the State Auditor's local examiner, who concurs with this conclusion in consideration of the circumstances.

COMMITTEE ACTION:

COUNCIL ACTION:

10/25/05: Introduced
 11/9/2005: Approved 7-0, Res. #2005-064

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Res. #2005-064

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.

SPONSORED BY: Consent
PROPOSED BY: Treasurer
INTRODUCTION DATE: 10/25/05

RESOLUTION NO. 2005-064

TO SELL COUNTY TAX TITLE PROPERTY

REQUEST NO. 2005-06

WHEREAS, RCW 36.35.120 allows the County to dispose of real estate acquired by tax foreclosure where it is found to be in the best interest of Whatcom County to dispose of the same; and,

WHEREAS, the Whatcom County Property Management Committee recommends the conveyance of the subject property by quit claim deed to the City of Bellingham to effectively meet that legal requirement for disposal; and,

WHEREAS, RCW 36.35.120 ordinarily requires the Council to establish the minimum price for said unit of property and to determine whether or not a contract will be allowed, or if it will be a cash price; and,

WHEREAS, the Whatcom County Code as well as the state law allows the County to reserve from the sale coal, oil, gas, gravel, mineral, ores, fossils, timber or other resources if the Council finds that it is in the best interest to reserve these; and

WHEREAS, in this particular instance the parcels in question lie underneath the streets of the City of Bellingham and have no market value because of their location and practical inaccessibility; and

WHEREAS, the propriety of disposition of the property in this manner has been discussed and confirmed with one of the local examiners of the State Auditor's office in light of the unique circumstances that exist in this particular case;

NOW, THEREFORE, BE IT RESOLVED that it is in the best interest of the County to dispose of the following parcels:

Parcel # 380317-435440-0000

W 30 FT of SW NE NE – EXC N 490 FT THEREOF - Situate in Section 17, Township 38, Range 3 East W.M.

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34 Parcel # 380317-263531-0000

35 E 30 FT of NE NE NW – LESS RD – Situate in Section 17, Township 38, Range 3 East
36 W.M.

37 For an amount of \$0.00 in view of the absence of a market value for land lying
38 underneath city streets, the dedication of which to the City of Bellingham was a
39 condition of annexation when this area was annexed into the City of Bellingham; and

40 BE IT FURTHER RESOLVED that said conveyance to the City of Bellingham be
41 in the form of a quit claim deed from Whatcom County to the city; and

42 BE IT FINALLY RESOLVED that this conveyance transfer to the owners all coal,
43 oil, gas, gravel, minerals, ores, fossils, timber or other resources on or in said land and
44 the right to mine for and remove the same in conformity with zoning regulations in force
45 and effect.

46 APPROVED this 9th day of November, 2005.

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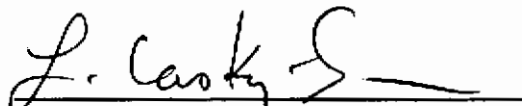
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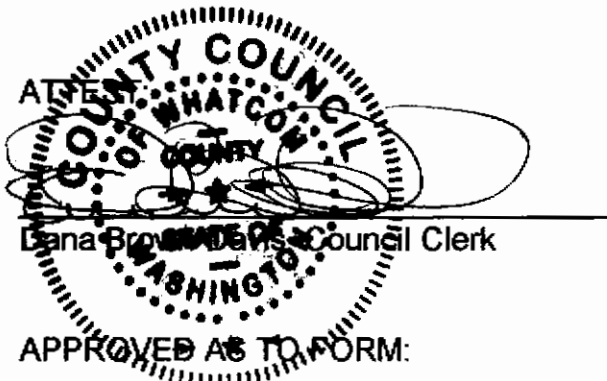
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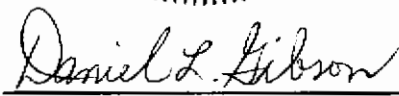
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Laurie Caskey-Schreiber, Chair



Dana Brown Davis, Council Clerk

APPROVED AS TO FORM:


Civil Deputy Prosecuting Attorney