

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2009-231

Clearances	Initial	Date	Date Received In Council Office	Agenda Date	Assigned To:
Originator:..	JP	4/13/09		4/28/09	Introduction
Division Head:				5/12/09	Hearing
Dept. Head:	JMA	4/13/09			
Prosecutor:	DL	04/13/09			
Purchasing/Budget:	BD	4/17/09			
Executive:	JAD OR	4-20-09			

TITLE OF DOCUMENT: Resolution approving sale of F34 and Laurel gravel pits as surplus real property. County tax parcel Nos.390320 018086, 390320 016043 & 390319 494039.

- ATTACHMENTS:** 1. Memorandum
2. Resolution

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

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Per RCW and Whatcom County Code, the Whatcom County Property Management Committee has recommended the sale of the F34 and Laurel gravel pits (sometimes referred to as the Murray Pits) as surplus property. The properties, comprising a total area of approximately 11 acres, are to be sold together by sealed bid with the minimum sale price of \$1,100,000 (one million, one hundred thousand dollars) per the May 22, 2008, appraisal prepared by Sherwood Appraisals.

COMMITTEE ACTION:

COUNCIL ACTION:

4/28/2009: Introduced
 5/12/2009: Council Approved 5-2 Brenner & Kelly opposed Res. 2009-029

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number: Res. 2009-029

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: Public Works

PROPOSED BY: Property Management Committee

INTRODUCTION DATE: April 28, 2009

RESOLUTION NO. 2009-029

IN THE MATTER OF APPROVING THE SALE OF SURPLUS GRAVEL PITS

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

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

WHEREAS, the Whatcom County Property Management Committee has recommended the sale of Whatcom County real property known as F34 and Laurel gravel pits (sometimes known as Murray Pits) and the gravel aggregates, minerals and ores contained therein to the highest bidder, by sealed bid, for not less than the appraisal amount as listed below, plus costs; and

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

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

NOW, THEREFORE, BE IT RESOLVED that it is the best interest of the County to sell the F34 and Laurel gravel pits, comprising a total combined area of approximately 11 acres, more or less, to the highest bidder by sealed bid

LEGAL DESCRIPTION OF PROPERTIES TO BE SOLD

Sell parcel No. 390320 018086 0000 (Approximately .94 acres, more or less)

The south 132 feet of the north four acres of the west 10 acres of the Southwest quarter of the Southwest quarter of Section 20, Township 39 North, Range 3 East, W.M.; EXCEPT the west 20 feet thereof.

Sell parcel No. 390320 016043 0000 (Approximately 5.95 acres, more or less)

The south six acres of the west quarter of the Southwest quarter of the Southwest quarter; the west 20 feet of the North four acres of the west half of the Southwest quarter of the Southwest quarter; and the west 20 feet of the Northwest quarter of the Southwest quarter: all in Section 20, Township 39 North, Range 3 East, W.M.

EXCEPT Axton Road along the southerly boundary thereof.

Situate in Whatcom County, Washington.

1
2 **Sell parcel No. 390319 494039 0000** (Approximately 4.09 acres, more or less)

3 That portion of the Southeast quarter of the Southeast quarter of Section 19, Township 39
4 North, Range 3 East, W.M. described as follows:

5 Beginning at a point on the east line of said section, 30 feet north of the southeast corner
6 thereof; thence North, along the east line of said section, 660 feet; thence West 270 feet; thence
7 South parallel with said east line, 660 feet to the northerly right-of-way line of the Axton Road;
8 thence East, along said right-of-way line, 270 feet to the Point of Beginning.

9
10 Situate in Whatcom County, Washington.

11
12 BE IT FURTHER RESOLVED that the minimum bid for the parcels listed above shall be no less than
13 their combined appraised value of \$1,100,000.00 (one million, one hundred thousand dollars) and that
14 Buyer will pay any additional Buyer closing costs normally associated with such a real property
15 transaction; and

16
17 BE IT FURTHER RESOLVED that transfer of said real properties be by quitclaim deed and that Buyer
18 will represent and warrant in writing to Seller Whatcom County, that Buyer has thoroughly inspected and
19 evaluated the properties for sell, to Buyer's complete satisfaction and Buyer accepts the properties AS-IS
20 with full knowledge of potential liability the Buyer could incur for any environmental hazards or
21 conditions affecting the properties, including, but not limited to, state or federal-mandated reclamation of
22 the properties. Buyer agrees that the purchase price of the properties reflects the agreed upon value of the
23 properties AS-IS, taking into account the aforementioned disclosures; and

24
25 BE IT FURTHER RESOLVED that said purchase of said real properties shall not be allowed under
26 contract and shall be paid either in cash, certified check or money order to the Whatcom County Treasurer
27 at the time of sale; and


28
29 BE IT FURTHER RESOLVED that the Whatcom County Treasurer is hereby directed to sell said
30 properties together at no less than the combined appraised value of \$1,100,000.00 (one million, one
31 hundred thousand dollars) and that said sale shall take place in accordance with the duties as established in
32 WCC 10.290-110.090. If the minimum bid is not reached, the properties shall not be sold.

33
34 APPROVED this 4th day of May, 2009.

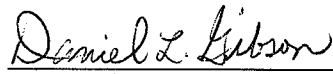
35
36 ATTEST:

37
38 A circular seal for Whatcom County, Washington. The outer ring contains the text "WHATCOM COUNTY WASHINGTON" and "COUNTY COUNCIL". The inner part contains "STATE OF WASHINGTON" and "COUNTY COM". There are stars around the inner text.
39 Dana Brown-Davis, County Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

40
41 A handwritten signature in black ink, appearing to read "Seth Fleetwood".
42 Seth Fleetwood, Council Chair

43 APPROVED AS TO FORM:

44 A handwritten signature in black ink, appearing to read "Daniel L. Gibson".
45 Senior Civil Deputy Prosecuting Attorney