



## Legislation Details (With Text)

**File #:** 2013-0331      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:**      **In control:** Committee of the Whole

**On agenda:**      **Final action:** 10/28/2013

**Enactment date:** 11/8/2013      **Enactment #:** 17679

**Title:** AN ORDINANCE approving a new industrial ground lease to continue a forty-seven-year occupancy for Saint-Gobain Containers, Inc., located at 5801 East Marginal Way South, and include an additional property located at 5427 Ohio Avenue South, Seattle, in council district eight.

**Sponsors:** Joe McDermott

**Indexes:** Lease

**Code sections:**

**Attachments:** 1. Ordinance 17679.pdf, 2. A. Lease Agreement Between King County and Saint-Gobain Containers, Inc., dated 10-14-13, 3. A. Lease Agreement Saint-Gobain Containers, Inc., 4. 2013-0331 fiscal note, 5. 2013-0331 transmittal letter, 6. 2013-0331 Saint-Gobain Lease (10-14-13)sr.doc, 7. Attachment 4 Memo re Direct Neg - St Gobain Lease.pdf, 8. Attachment 5 Map of Lease site.pdf, 9. Attachment 6 Amendment 1 to PO 2013-0331 .docx, 10. Attachment A to Attachment 6 St Gobain-King County Lease (10-14-13).doc, 11. A. Lease Agreement Between King County and Saint-Gobain Containers, Inc., dated 10-14-13, 12. 2013-0331 Revised Staff Report Saint-Gobain Lease (10-15-13)revised sr.doc, 13. 2013-0331 Attachment A.doc

Date	Ver.	Action By	Action	Result
10/28/2013	2	Metropolitan King County Council	Passed	Pass
10/28/2013	2	Metropolitan King County Council	Hearing Held	
10/14/2013	1	Committee of the Whole	Recommended Do Pass Substitute	Pass
9/3/2013	1	Metropolitan King County Council	Referred	
8/19/2013	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE approving a new industrial ground lease to continue a forty-seven-year occupancy for Saint-Gobain Containers, Inc., located at 5801 East Marginal Way South, and include an additional property located at 5427 Ohio Avenue South, Seattle, in council district eight.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. The properties subject to this proposed ground lease are Harbor Bond Properties acquired by King County between 1912 and 1919 using proceeds of the 1910 Harbor Bond Issue and are managed by the

facilities management division as financial investment properties pursuant to K.C.C. 4.56.075.

B. King County entered into a ground lease in 1966 with the predecessor-in-interest of Saint-Gobain Containers, Inc., for property located adjacent to the Duwamish river, Seattle.

C. The King County executive has negotiated a new lease with Saint-Gobain Containers, Inc.

D. The King County executive is authorized to lease real property for use by the county as provided in K.C.C. 4.56.186 and consistent with the provisions of K.C.C. 4.04.040 requiring approval by ordinance of any lease with a cumulative term of two years. The subject lease provides an initial term of five years.

SECTION 2. The King County executive is hereby authorized to execute the lease in substantially similar form as provided in Attachment A to this ordinance and all actions up to now taken by county officials, agents and employees consistent with the terms and conditions of the lease agreement are hereby ratified, confirmed and approved.

SECTION 3. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the county is declared by any court of competent jurisdiction to be contrary to law, then such a covenant or covenants, agreement or agreements are null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and in no way affect the validity of the other provisions of this ordinance or of the lease.

SECTION 4. The subject lease is hereby approved in substantially similar form to that of Attachment A to this ordinance.