



## Legislation Text

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**File #:** 2015-0070, **Version:** 1

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Clerk 02/03/2015

AN ORDINANCE approving the conveyance of the surplus 1.97 acre portion of the property located at 5285 A Street S.E., Auburn, in council district seven.

### STATEMENT OF FACTS:

1. The water and land resources division of the department of natural resources and parks is the custodian of certain property located at street address 5285 A Street S.E., Auburn, and within the jurisdictional boundaries of the city of Pacific, Washington. The division declared 1.97 acres of this 9.1 acre property, located within council district seven, surplus to its needs on November 3, 2014.
2. The facilities management division offered the 1.97 acre portion of the property to other county agencies on December 12, 2014, and received no interest.
3. The facilities management division declared the 1.97 acre portion of the property surplus to the current and future foreseeable needs of the county on January 20, 2015.
4. The facilities management division found the 1.97 acre portion of the property unsuitable for affordable housing development on December 19, 2014.
5. King County, as service provider to the King County flood control zone district, implements the district's work program, of which the Countyline Levee Setback project is an element. The county acquired the 9.1 acre property as part of the project and has determined that the 1.97 acre portion of the property is not necessary for the project.
6. The county negotiated a purchase and sale agreement for the sale of the 1.97 acre portion of

the property to the BNSF Railway Company for \$240,000.00.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: The sale of the 1.97 acre portion of the property through a negotiated direct sale is authorized under K.C.C. 4.56.100.A.2. because unique circumstances make the sale in the best interests of the public. Unique circumstances are present because King County acquired title to the entire 9.1 acre parcel through settlement of a condemnation lawsuit, and the amount paid in settlement of that lawsuit was premised on a contribution to the settlement amount by the BNSF Railway Company of \$240,000.00 in exchange for the 1.97 acre portion of the property that the BNSF Railway Company intends to use for its future third rail line. The purchase price exceeds on a square-foot basis the appraised value of the entire parcel on a square-foot basis.

SECTION 2. The executive is authorized to convey the 1.97 acre portion of the property to the BNSF Railway Company consistent with a purchase and sale agreement substantially in the form of Attachment A to this ordinance and to take all actions necessary to implement the terms of the purchase and sale agreement.