



Legislation Text

File #: 2009-0228, **Version:** 2

Clerk 03/26/2009

AN ORDINANCE authorizing the sale of King County-owned, unimproved property known as Mullen Slough, located adjacent to the city of Kent, within council district seven.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: A. King County's department of natural resources and parks, water and land resource division ("WLRD") is selling unimproved tax parcel 232204-9028, known as the Mullen Slough Natural Area ("Mullen Slough"), to the city of Kent ("Kent"). Kent is purchasing Mullen Slough for a city habitat restoration project. Kent has secured a Washington state salmon recovery fund grant for this purchase. WLRD, Kent and Washington state have mutually identified Mullen Slough as an excellent candidate for habitat restoration.

B. Mullen Slough's approximate fourteen acres are located adjacent to Kent on the north side of Kent-Des Moines Road South. The site is just outside city boundaries but proximate enough to Kent to warrant city habitat restoration.

SECTION 2. A. Mullen Slough was acquired by WLRD in August of 2006 with conservation futures tax ("CFT") funds. King county will sell Mullen Slough to Kent, which will steward this natural area consistent with the original funding source requirements for use as open space. Proceeds of sale will be returned to CFT for reallocation to a future purchase by WLRD of property for open space purposes. No target property has yet been identified.

B. The purchase price is two hundred eighty thousand dollars. The original appraised value was two

hundred ninety thousand dollars. However, hazardous substances were discovered on the site through a phase II environmental study investigation, warranting a ten-thousand-dollar clean-up cost. King county and Kent agreed to reduce the purchase price by the cost of that mitigation. A county review of the original appraisal substantiates a reduction in value as reasonable in light of the existence of contaminants. Kent has indemnified the county from any further environmental responsibility at Mullen Slough upon conveyance of title.

C. WLRD will reserve a river protection easement to assure that use of the property does not conflict with county's current environmental protection efforts on the banks of the Green river lying within this parcel.

SECTION 3. A. Pursuant to K.C.C. 4.56.100, the facilities management division ("FMD") determined that Mullen Slough does not meet the criteria for affordable housing.

B. Notices were circulated by FMD to other county departments regarding the county's plan to surplus and sell the property. None of the agencies expressed interest.

C. Pursuant to K.C.C. 4.56.100, in February 2008, FMD declared Mullen Slough surplus to the county's present and foreseeable needs.

D. Pursuant to K.C.C. 4.56.080, the council must approve sale of county-owned real property. The proposed ordinance authorizes the executive to execute the real estate purchase and sale agreement, which is Attachment B to this ordinance.

SECTION 4. The King County council, having determined that the land described in Attachment A to this ordinance is surplus to the needs of the county, and having determined that sale of the Mullen Slough is in the best interest of the public, does

hereby authorize the King County executive to execute the necessary documents to deliver Mullen Slough to Kent.

10 days, not more than 25 prior to hearing

Publish in area paper

Publish: Wed. 4/29/09

Newspaper: Kent Reporter

Public Hearing: 5/11/09