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11/08/95

RESOLUTION NO. 1013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DECLARING THE PROPERTY COMMONLY KNOWN AS THE VIEWPOINT RESERVOIR SITE, LOCATED AT THE CORNER OF NORTHEAST 28TH STREET AND 172ND AVENUE NORTHEAST, TO BE SURPLUS TO THE NEEDS OF THE CITY'S WATER UTILITY, AND AUTHORIZING THE CONVEYANCE OF THE SITE TO HABITAT FOR HUMANITY ON CERTAIN TERMS AND CONDITIONS FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING.

WHEREAS, the property commonly known as the Viewpoint Reservoir site and located at the corner of Northeast 28th Street and 172nd Avenue Northeast in the City of Redmond, is an asset of the City of Redmond's water utility, and

WHEREAS, the Public Works Department has advised the City Council that the site is surplus to the utility's needs, and

WHEREAS, Habitat for Humanity has approached the City about acquiring the site for the purpose of providing affordable housing, and

WHEREAS, the City Council considers the provision of affordable housing to be an important public goal and purpose and the City Council strongly desires to further the provision of affordable housing in the City, and

WHEREAS, pursuant to RCW 35.94.040, the City Council held a public hearing on November 21, 1995 in order to consider declaring the Viewpoint Reservoir site to be surplus

and to specify the terms and conditions under which transfer to Habitat for Humanity could take place, and

WHEREAS, after considering all public testimony received at the hearing, the City Council has determined to pass this resolution, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
HEREBY RESOLVES AS FOLLOWS:

Section 1. Property Declared Surplus. That certain property commonly known as the Viewpoint Reservoir site and legally described on Exhibit A attached hereto and incorporated herein by this reference as set forth in full, is hereby declared to be surplus to the needs of the City's water utility and is no longer required for providing continued utility service.

Section 2. Authorization for Conveyance. The Mayor or her designee is hereby authorized to execute a purchase and sale agreement with Habitat for Humanity of East King County for the purpose of conveying ownership of the site formerly occupied by the Viewpoint Reservoir and legally described on Exhibit A to Habitat for Humanity. The agreement shall contain appropriate terms and conditions to insure the following:

A. Title to the parcel shall be conveyed to Habitat for Humanity by deed of trust in consideration of Habitat's commitment to provide affordable ownership housing on the Viewpoint Reservoir site.

B. The transfer of title shall not take place until Habitat has held a minimum of one (1) neighborhood meeting with surrounding residents for the purpose of informing residents of development plans on the Viewpoint Reservoir site and soliciting resident input on the project. If community opposition is overwhelming, in the determination of the Mayor, the

matter shall be returned to the Council for further consideration. In the absence of such overwhelming community opposition, the Mayor is authorized to execute the necessary documents without further Council action.

C. Within a time-frame to be determined by the City and Habitat, Habitat agrees to develop two (2) single family residences on the Viewpoint Reservoir site which shall be made affordable and sold to households earning fifty percent (50%) or less of the King County medium income.

D. Title documentation for both residences to be developed by Habitat shall assign first right of refusal to Habitat and second right of refusal to the City for the purpose of insuring that future resales of the properties remain affordable and are sold to households earning fifty percent (50%) or less of the King County medium income.

E. Prior to the submittal of a building permit application for the first residence to be developed on the Viewpoint Reservoir site, Habitat shall submit a complete short subdivision application. Short subdivision approval shall be obtained prior to issuance of any building permits for the site.

F. Any other conditions deemed necessary by the Planning Director, Public Works Director or the City Attorney to insure that the intent of this resolution to provide affordable housing on the Viewpoint Reservoir site is accomplished shall be included in the agreements.

G. Any other usual and customary terms and conditions for purchase and sale agreements shall also be included in the agreement.

H. The property shall be conveyed as is, with no warranties other than warranties of title.

Section 3. Waiver of Fees. In consideration for Habitat's commitment to provide affordable housing on the Viewpoint Reservoir site, and in order to provide for the necessary support of the poor and infirm, the Mayor or her designee is hereby authorized to waive all utility connection and development related fees for the construction of up to two (2) single family dwelling units on the Viewpoint Reservoir site as set forth in the above-referenced purchase and sale agreement conditions. Monthly service charges post-occupancy shall not be waived.

RESOLVED this 21st day of November, 1995.

CITY OF REDMOND


for ROSEMARIE IVES, MAYOR Mayor Pro Tempore

ATTEST/AUTHENTICATED:


BONNIE MATTSON, CITY CLERK

FILED WITH THE CITY CLERK: November 16, 1995
PASSED BY THE CITY COUNCIL: November 21, 1995
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Exhibit A

Legal Description for property located at the corner of Northeast 28th Street and 172nd Avenue Northeast (Viewpoint Reservoir Site);

Beginning at the southwest corner of the southeast 1/4 of Section 24, Township 25 north, Range 5 east W.M. in King County, Washington.

Thence north along the west line of said southeast 1/4 section, a distance of 1336.00 feet more or less.

Thence continuing north along said west line of said southeast 1/4 Section, a distance of 127.50 feet to a point on said west line of said southeast 1/4 section.

Thence S 89° 03'46" E a distance of 99.87 feet to the true point of beginning.

Thence S 00° 56'14" W a distance of 26.70 feet,

Thence S 88° 03'47" E a distance of 135.33 feet,

Thence S 00° 56'14" W a distance of 75.00 feet,

Thence N 88° 03'47" W a distance of 35.33 feet,

Thence S 00° 56'14" W a distance of 20.00 feet,

Thence N 88° 03'47" W a distance of 130.00 feet,

Thence N 00° 56'14" E a distance of 120.00 feet, to a point on the southerly margin of N.E. 28th Street of the plat of Sammamish Forest Manors - Division 2, as recorded in Volume 87 of Plats, pages 87 through 91, records of King County, Washington.

Thence easterly along said southerly margin of N.E. 28th Street, a distance of 30.03 feet to the true point of beginning.

End.