

**CITY OF REDMOND
RESOLUTION NO. 1443**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DECLARING THE FEE INTEREST IN CERTAIN REAL PROPERTIES OWNED BY THE CITY'S WATER UTILITY AND COMMONLY KNOWN AS THE PERRIGO SPRINGS WATERSHED, TO BE SURPLUS TO THE NEEDS OF THE UTILITY, AND TRANSFERRING OWNERSHIP OF THE SAME TO THE GENERAL FUND TO BE USED FOR STREET PURPOSES, RESERVING TO THE UTILITY THE RIGHT TO UTILIZE THE SAME FOR UTILITY PURPOSES

WHEREAS, certain properties commonly known as the Perrigo Springs Watershed in the City of Redmond, are assets of the City of Redmond's water utility; and

WHEREAS, a portion of the properties are encumbered by access easements to provide access to adjacent properties; and

WHEREAS, a portion of one asset property was previously declared surplus to the needs of the water utility and improved as a public street; and

WHEREAS, the water utility has made improvements of a street, pedestrian sidewalk and drainage system on the asset properties not yet declared surplus; and

WHEREAS, the owner of an immediately adjacent property to the improved, but not yet surplus properties, has approached the City about additional rights to access the improvements in order to service and support further development of its property; and

WHEREAS, the Public Works Department has advised the City Council that the fee interest in portions of the utility properties is surplus to the utility's needs, and the utility need only maintain the right to place waterlines and a transmission main, and have access thereto, in the properties as the means of serving the area; and

WHEREAS, the Public Works Department has recommended the fee interest in portions of the properties be declared surplus to the utility's needs and that the same be transferred to the general fund for use of the property for public right-of-way purposes, in exchange for the sum of Fifty Thousand and no/100 Dollars which is the fair market value of the improved property interest encumbered by the existing access easements and the continued utilities use; and

WHEREAS, pursuant to RCW 35.94.040, the City Council held a public hearing in order to consider declaring the fee interest to be surplused and to specify the terms and conditions under which the transfer could take place, and 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. The fee interest area in those properties commonly known as the Perrigo Springs Watershed and legally described on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full, is hereby declared to be surplus to the needs of the City's water utility and the only interest required by the utility for providing continued water utility service is declared to be an easement or use right.

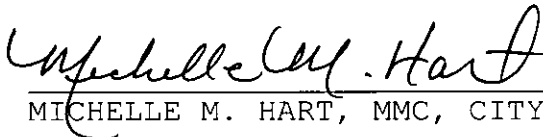
Section 2. Authorization for Transfer. The Mayor and Finance Director are hereby authorized to take such steps as may be necessary to transfer the properties described on Exhibit A from being assets of the utility to being assets of the general fund for purposes of public street right-of-way, subject to the utility retaining the right to utilize the properties for utility purposes. The transfer shall take place in exchange for the payment of Fifty Thousand and no/100 Dollars from the general fund to the appropriate utility fund. . Such transfer shall be made upon payment to the city of the sum of Fifty Thousand and no/100 Dollars by a third-party.

ADOPTED by the Redmond City Council this 5th day of January,
2016.

APPROVED:


JOHN MARCHIONE, MAYOR

ATTEST:


MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

FILED WITH THE CITY CLERK: December 15, 2015
PASSED BY THE CITY COUNCIL: January 5, 2016
RESOLUTION NO. 1443

YES: ALLEN, BIRNEY, CARSON, MARGESON, MYERS, SHUTZ, STILIN

EXHIBIT A

Property Area 1: THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SUBDIVISION;
THENCE N88°46'05"W, ALONG THE NORTH LINE OF SAID SUBDIVISION, 1902.52 FEET TO THE MOST WESTERLY CORNER OF A TRACT OF LAND CONVEYED TO THE TOWN OF REDMOND BY DEED RECORDED UNDER RECORDING NUMBER 2788466; THENCE THE FOLLOWING SEVEN COURSES AND DISTANCES ALONG THE SOUTHERLY LINE OF SAID TRACT;
THENCE S56°01'25"E 453.30 FEET;
THENCE S53°13'02"E 195.93 FEET;
THENCE N80°17'18"E 121.44 FEET;
THENCE S56°20'27"E 105.32 FEET;
THENCE S41°30'27"E 99.52 FEET;
THENCE S62°26'27"E 267.84 FEET;
THENCE S52°54'27"E 315.14 FEET TO AN ANGLE POINT OF SAID TRACT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE THE FOLLOWING TWO COURSES AND DISTANCES ALONG SAID SOUTHERLY LINE; THENCE N52°54'27"W 315.14 FEET; THENCE N62°26'27"W 157.84 FEET;
THENCE N27°33'33"E 60.00 FEET;
THENCE S62°26'27"E 162.84 FEET;
THENCE S52°54'27"E 304.68 FEET MORE OR LESS TO A POINT BEARING N22°38'19"E FROM THE POINT OF BEGINNING;
THENCE S22°38'19"W 61.96 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Property Area 2: THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SUBDIVISION;
THENCE N88°46'05"W, ALONG THE NORTH LINE OF SAID SUBDIVISION, 1902.52 FEET TO THE MOST WESTERLY CORNER OF A TRACT OF LAND CONVEYED TO THE TOWN OF REDMOND BY DEED RECORDED UNDER RECORDING NUMBER 2788466; THENCE

THE FOLLOWING SEVEN COURSES AND DISTANCES ALONG THE SOUTHERLY LINE OF SAID TRACT;
THENCE S56°01'25"E 453.30 FEET;
THENCE S53°13'02"E 195.93 FEET;
THENCE N80°17'18"E 121.44 FEET;
THENCE S56°20'27"E 105.32 FEET;
THENCE S41°30'27"E 99.52 FEET;
THENCE S62°26'27"E 267.84 FEET;
THENCE S52°54'27"E 315.14 FEET TO AN ANGLE POINT OF SAID TRACT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S0°48'18"W, ALONG THE WESTERLY LINE OF SAID TRACT, 192.07 FEET TO THE NORTH LINE OF THAT PARCEL DESCRIBED IN CITY OF REDMOND RESOLUTION NUMBER 1017;
THENCE S87°46'23"E, ALONG SAID NORTH LINE, 63.30 FEET TO THE EASTERLY LINE OF SAID TRACT; THENCE N2°13'37"E, ALONG SAID EASTERLY LINE, 221.69 FEET TO AN ANGLE POINT OF SAID TRACT; THENCE N45°31'34"W, ALONG THE NORTHERLY LINE OF SAID TRACT, 57.57 FEET MORE OR LESS TO A POINT ON SAID NORTHERLY LINE BEARING N22°38'19"E FROM THE POINT OF BEGINNING ; THENCE S22°38'19"W 72.97 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Property Area 3: THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WITHIN THAT LAND PURCHASED BY DEED RECORDED UNDER RECORDING NUMBER 20040419000688, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SUBDIVISION;
THENCE N88°46'05"W, ALONG THE NORTH LINE OF SAID SUBDIVISION, 1902.52 FEET TO THE MOST WESTERLY CORNER OF A TRACT OF LAND CONVEYED TO THE TOWN OF REDMOND BY DEED RECORDED UNDER RECORDING NUMBER 2788466; THENCE THE FOLLOWING SEVEN COURSES AND DISTANCES ALONG THE SOUTHERLY LINE OF SAID TRACT;
THENCE S56°01'25"E 453.30 FEET;
THENCE S53°13'02"E 195.93 FEET;
THENCE N80°17'18"E 121.44 FEET;
THENCE S56°20'27"E 105.32 FEET;
THENCE S41°30'27"E 99.52 FEET;
THENCE S62°26'27"E 267.84 FEET;
THENCE S52°54'27"E 315.14 FEET TO AN ANGLE POINT OF SAID TRACT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE S0°48'18"W, ALONG THE WESTERLY LINE OF SAID TRACT, 233.00 FEET TO THE SOUTH LINE OF THAT PARCEL DESCRIBED IN DEED RECORDED UNDER RECORDING NUMBER 4675904;
THENCE N89°11'42"W, ALONG SAID SOUTH LINE, 13.00 FEET;
THENCE N0°48'18"E 166.59 FEET TO THE BEGINNING OF A 150.00-FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°00'54" A DISTANCE OF 123.09 FEET TO THE WEST LINE OF THAT PARCEL DESCRIBED IN DEED RECORDED UNDER RECORDING NUMBER 4967531;
THENCE N15°11'53"E, ALONG SAID WEST LINE, 1.10 FEET TO SAID SOUTH LINE OF SAID TRACT; THENCE S52°54'27"E, ALONG SAID SOUTH LINE, 75.00 FEET TO THE POINT OF BEGINNING.