

RESOLUTION NO. 453

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AUTHORIZING AN INTERGOVERNMENTAL SALE OF REAL PROPERTY TO THE CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY (SOUND TRANSIT) IN EXCHANGE FOR SURPLUS PROPERTY.

WHEREAS, Chapter 39.33 RCW authorizes the intergovernmental disposition of property by sale, transfer, exchange, lease, or to otherwise dispose of real property or property rights to another political subdivision; and

WHEREAS, the Central Puget Sound Regional Transit Authority (Sound Transit) is constructing a light rail project, the Lynnwood Link Extension Project, that transects the City from North to South; and

WHEREAS, Sound Transit has acquired private properties to facilitate the construction of the Lynnwood Link Extension Project but also needs portions of City-owned land; and

WHEREAS, in 1961, the State of Washington (Department of Transportation) obtained land for state highway purposes; namely the construction of State Highway 1, what is now Interstate 5, and, in 1986 conveyed to King County by quit claim deed, recorded under King County Recording No. 8603110515, all of the State's right, title, and interest for certain lands that were not required for state highway purposes, provided that these lands were for road purposes and that any vacation, sale or rental of such road shall be placed in a fund used exclusively for road purposes; and

WHEREAS, upon incorporation, the City received from King County, in fee, various public rights-of-way which King County had received by Quit Claim Deed from the Washington State Department of Transportation as surplus to the Interstate 5 project; two such rights-of-way were a portion of 7th Avenue NE and NE 185th Street; and

WHEREAS, Sound Transit now seeks to acquire the fee simple ownership in these rights-of-way, which totals approximately 24,068 square feet to facilitate the construction of the Shoreline North/185th Station; and

WHEREAS, in addition to the proposed intergovernmental transfer, a 620 square foot portion of 7th Avenue NE is the subject of a street vacation under Ordinance No. 875 and for which a public hearing was held before the Hearing Examiner on October 9, 2019; and

WHEREAS, an appraisal for that portion of the right-of-way to be sold was prepared and accepted by the City, showing the fair market value of the property is \$724,133.92; and

WHEREAS, the City and Sound Transit have been working to develop an agreement in which, at the conclusion of the construction of the Lynnwood Link Light Rail, Sound Transit

would convey portions of surplus property of equivalent fair market value to the City in lieu of cash payment for the fee simple property; and

WHEREAS, the property anticipated to be conveyed by Sound Transit would be used for multimodal transportation projects such as the 148th Street Non-motorized Bridge and the Trail Along The Rail; and

WHEREAS, as required by RCW 39.33.020, the City Council held a public hearing on the proposed intergovernmental transfer; and

WHEREAS, the City Council has determined that an intergovernmental transfer of the property for property that will serve multimodal transportation projects is in the best interests of the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Property Agreement. Sound Transit shall enter in a Property Agreement with the City to provide for just compensation of the vacated right-of-way on or before December 31, 2020. If Sound Transit does not execute the Agreement by December 31, 2020, then Sound Transit shall pay the City \$724,133.92 no later than January 31, 2021.

Section 2. Deed. Pursuant to RCW 39.33.010 and upon execution of the Property Agreement or payment of the fair market value, the City Manager is authorized to execute a Quit Claim Deed or Warranty Deed to Sound Transit in a form acceptable to the City Attorney along with any other necessary paperwork for the sale of real property depicted on Exhibit A and legally described on Exhibit B in exchange for surplus real property that will be addressed in a Property Agreement between the City and Sound Transit.

Section 3. Deed Restriction. The executed Deed shall contain the following language as set forth in the 1986 Quit Claim Deed:

It is understood and agreed that the above referenced property is transferred for road purposes and that all revenue resulting from any vacation, sale or rental of such road shall be placed in the county road fund and used exclusively for road purposes.

Section 4. Directions to Director of Public Works. Upon the execution of the Deed transferring the property, the Director of Public Works shall cause to amend the official maps to reflect the vacation of that portion of 7th Avenue NE.

Section 5. Directions to City Clerk. The City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this Resolution, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering and references.

Section 6. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this Resolution or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or its application to any person or situation.

Section 7. Effective Date. The effectiveness of this Resolution is subject to satisfaction of the conditions set forth in Section 1 and shall be effective immediately upon the satisfaction of those conditions. If such conditions are not satisfied on or before the dates set forth in Section 1, this Resolution shall become null and void and be of no further effect.

ADOPTED BY THE CITY COUNCIL ON MARCH 16, 2020.

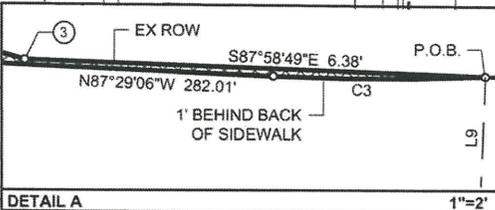
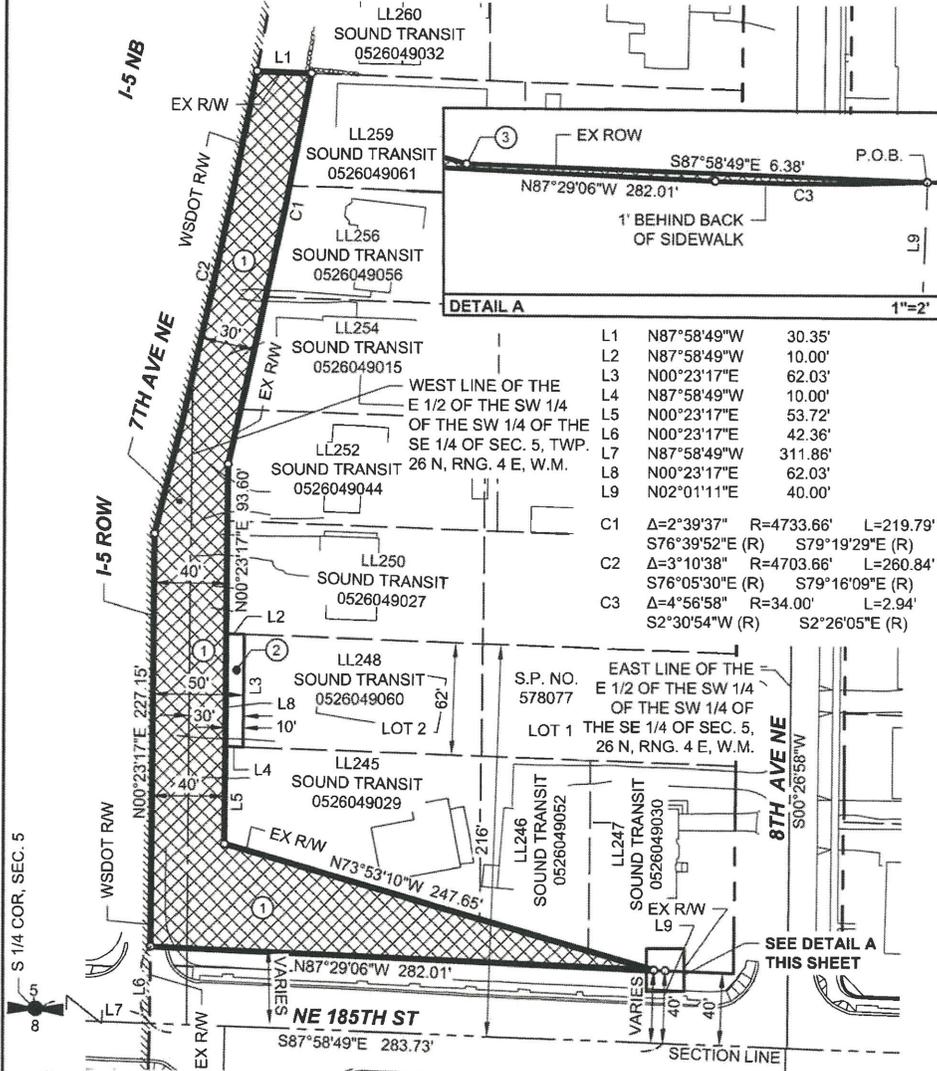


Mayor Will Hall

ATTEST:


Jessica Simulcik Smith, City Clerk

7TH AVE NE & NE 185TH STREET
INTERGOVERNMENTAL TRANSFER
 SW 1/4 SE 1/4 SEC 5, T 26 N, R 4 E, W.M.



L1	N87°58'49\"W	30.35'
L2	N87°58'49\"W	10.00'
L3	N00°23'17\"E	62.03'
L4	N87°58'49\"W	10.00'
L5	N00°23'17\"E	53.72'
L6	N00°23'17\"E	42.36'
L7	N87°58'49\"W	311.86'
L8	N00°23'17\"E	62.03'
L9	N02°01'11\"E	40.00'
C1	Δ=2°39'37\"	R=4733.66' L=219.79'
	S76°39'52\"E (R)	S79°19'29\"E (R)
C2	Δ=3°10'38\"	R=4703.66' L=260.84'
	S76°05'30\"E (R)	S79°16'09\"E (R)
C3	Δ=4°56'58\"	R=34.00' L=2.94'
	S2°30'54\"W (R)	S2°26'05\"E (R)

- ① RW CONVEYED TO KING COUNTY BY DEED, RECORDING NO. 8603110515.
- ② 10' ADDITIONAL RW CONVEYED TO KING COUNTY BY SHORT PLAT NO. 578077, RECORDING NO. 7901170721.
- ③ CURRENT R/W ANGLE POINT OPPOSITE ENGINEERS STATION 10+70 ON THE "E. 185TH U.C." LINE SURVEY OF WSDOT R/W PLAN "SR5, SEATTLE FREEWAY, EAST 145TH ST TO EAST 200TH ST."

LEGEND

- RIGHT-OF-WAY LINE
- EXISTING RIGHT-OF-WAY LINE
- STREET CENTER LINE
- PROPERTY LINE
- INTERGOVERNMENTAL TRANSFER PARCEL

40 20 0 40 80 NAD 83 (2011)

SCALE IN FEET

<p>SOUNDTRANSIT</p>	<p>HNTB Jacobs</p>	<p>L & A LIN & ASSOCIATES</p>	
<p>LINK LIGHT RAIL TRANSIT SYSTEM</p>			<p>VACATION AREA: 24,068 SF DATE: 2/21/2020</p> <p>EXHIBIT "C" R/W NO. LL509.1 (KING COUNTY QUIT CLAIM DEED)</p> <p>SHORELINE INTERGOVERNMENTAL TRANSFER</p>
<p>CITY OF SHORELINE</p>			<p>KING COUNTY, WA</p>

R/W No. LL-509.1
7TH AVE NE
CITY OF SHORELINE

INTERGOVERNMENTAL TRANSFER AREA:

ALL OF 7TH AVE NE AND PORTION OF NE 185TH STREET IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 26 NORTH, RANGE 4 EAST, LYING **NORTHERLY** OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 26 NORTH, RANGE 4 EAST;
THENCE S87°58'49"E ALONG THE SOUTH LINE OF SAID SECTION, BEING THE CENTERLINE OF NE 185TH STREET, A DISTANCE OF 595.59 FEET;
THENCE AT RIGHT ANGLES N02°01'11"E A DISTANCE OF 40 FEET TO A POINT ON THE EXISTING NORTH MARGIN OF SAID STREET, BEING THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED LINE, BEING THE BEGINNING OF A NON-TANGENT CURVE HAVING A RADIUS OF 34.00 FEET, TO WHICH POINT A RADIAL LINE BEARS S02°26'05"E;
THENCE LEAVING SAID MARGIN, WESTERLY, TO THE RIGHT ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°56'58" AN ARC DISTANCE OF 2.94 FEET;
THENCE N87°29'06"W A DISTANCE OF 282.01 FEET TO THE EAST MARGIN OF SR 5, BEING THE END OF THE HEREIN DESCRIBED LINE;

EXCEPT THE EAST 10 FEET OF THE WEST 30 FEET OF THE NORTH 62 FEET OF THE SOUTH 216 FEET OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, AS DEDICATED TO KING COUNTY UPON RECORDING OF SHORT PLAT NUMBER 578077, RECORDED UNDER RECORDING NUMBER 7901170721, IN KING COUNTY, WASHINGTON;

CONTAINING 24,068 SQUARE FEET

Earl J. Bone 2/21/20

