

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Discussion on Resolution No. 498 – Surplus Property Designation of the Excess Property Acquired by the 145th Corridor (Phase 1) Project located at 14509 3rd Avenue N
<b>DEPARTMENT:</b>	Public Works
<b>PRESENTED BY:</b>	Tricia Juhnke, Interim Public Works Director
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

The State Route 523 (N/NE 145th St), Aurora Avenue N to I-5, Phase 1 project (I-5 to Corliss Avenue), hereinafter referred to as the 145th Corridor (Phase 1) project, is concluding the right-of-way (ROW) acquisition phase. At this time, one property has been identified to have remnants that can be declared surplus.

City-owned properties, which include the property at 14509 3rd Avenue N, are disposed of through the Surplus Property Declaration process defined in Shoreline Municipal Code Chapter 3.55. Tonight’s discussion of proposed Resolution No. 498 initiates the first step in the disposition process. This resolution would declare 14509 N 3rd Avenue N as surplus and authorize its sale through a negotiated sale process.

Tonight, Council is scheduled to discuss proposed Resolution No. 498. Council is currently scheduled to take action on proposed Resolution No. 498 on December 5, 2022, after the Public Hearing.

**RESOURCE/FINANCIAL IMPACT:**

14509 3rd Avenue N was acquired by the 145th Corridor (Phase 1) Project with State Connecting Washington funding. No City funds were used for the acquisition. Per 23 CFR 710.403(e), the income from the disposal of real property interests obtained with Title 23 funds shall be used by subsequent Title 23 projects. Staff recommends the funds from the disposal be directed to the ROW acquisition for the 145th Corridor (Phase 2) Project, which extends from Corliss Avenue N to Wallingford Avenue.

Proposed Resolution No. 498 impacts project resources and costs in two ways:

1. Proceeds from the sale of this remnant will be applied to Phase 2 ROW acquisition. By negotiating this sale ahead of Phase 1 construction, the funds will be available to support the needs of Phase 2.
2. In achieving the highest and best use for this property. This property is in a Mixed-Use Residential 70’ (MUR-70) zone. This zone is intended for the highest level of density surrounding the light rail stations to maximize the transit-oriented

development potential of two new urban centers in Shoreline. The market for this property is limited to abutting landowners and there is interest from the buyer of the abutting parcel for redevelopment at this time.

The value of 14509 3rd Avenue N was professionally appraised in March 2022 at \$145 per square foot. The appraisal is available to Council by request. At this time, no further appraisal is recommended if a sales agreement can be approved by March 2023.

There are some associated costs for notices and correspondence regarding proposed Resolution No. 498, including a notice of the public hearing, which was published in the Seattle Times on November 21, 2022, and notices sent via mail to property owners within five hundred (500) feet of the surplus properties no less than 14 days nor more than 25 days prior to the public hearing. These costs are included in the 145<sup>th</sup> Corridor Phase 1 budget.

### **RECOMMENDATION**

No Council action is requested tonight. Staff asks that Council discuss and provide feedback on proposed Resolution No. 498 for the Surplus Property Delegation of the excess property acquired by the 145th Corridor (Phase 1) Project located at 14509 3rd Avenue N. A Public Hearing and Action on this proposed Resolution is scheduled for the December 5, 2022, Council meeting.

Approved By:           City Manager **JN**   City Attorney **MK**

## **BACKGROUND**

In response to property remnants acquired as part of the Aurora Corridor Project, the City Council adopted [Ordinance No. 626](#) in January 2012, which established Shoreline Municipal Code (SMC) Chapter 3.55 to set forth the procedures for the disposition of surplus real property owned by the City. In December 2017, City Council adopted [Ordinance No. 809](#), which provided a code amendment allowing for the use of a licensed real estate broker for the disposition of surplus real property.

When declaring property to be surplus, the City Council is required to determine by which method the property is to be sold: sealed bid, auction, negotiated sale (when aggregating abutting properties), or by licensed real estate broker.

City-owned properties, such as the property at 14509 3rd Avenue N, shall be disposed of through the Surplus Property Declaration process defined in Shoreline Municipal Code Chapter 3.55 (Attachment A). Adoption of proposed Resolution No. 498 (Attachment B) initiates the first step in the disposition process. Adoption of this Resolution will declare 14509 N 3rd Avenue N as surplus and authorize its sale through a negotiated sale process.

## **DISCUSSION**

### **Property Deemed Surplus (SMC 3.55.010A)**

The property located at 14509 3rd Avenue N ([Tax Parcel No. 288170-0373](#)) was acquired by the City on August 15, 2022, for the 145th Corridor (Phase 1) Project. The acquisition value was set by having the property appraised by an independent firm, then having that appraisal reviewed by a second independent firm. The appraisal and appraisal review are available to Council by request.

While only a portion of the property is needed to construct the 145th Corridor (Phase 1) Project, the entire property was acquired due to the structural impacts to the home during and after construction. The project requires 3,625 sf of the property, leaving 11,460 sf available to surplus. The new legal description and exhibit can be found in proposed Resolution No. 498 (Attachment B, Exhibit A).

The City has no identified current or future need for the remnants of the property. Staff has identified that the highest and best use for the property is to be aggregated with adjacent properties for future redevelopment.

### **Required Information to Surplus Real Property (SMC 3.55.011A)**

This Section of the Municipal Code requires the following information about the surplus property be provided in the staff report to Council:

#### **a. Description of the subject parcel's size, general location, and legal description**

The property is located at 14509 3rd Avenue N. It is on the northwest corner of the intersection between NE 145th Street and 3rd Avenue NE, just west of I-5 in the City of Shoreline. The surrounding area consists of a mix of older single-family residences of various age and condition. New development is occurring in

the immediate area in the form of multifamily apartments and townhome units that are under construction and/or planned for construction in the near future. The property is also west of the 148th Street Sound Transit Link Light Rail station that is currently under construction. The station and light rail are anticipated to be in service in 2024.

The King County Tax Parcel No. is 288170-0373. The current parcel size is 15,085 square feet (sf). The 145th Corridor (Phase 1) Project needs 3,625 sf to construct the project. The new parcel size is 11,460 sf.

The new legal description is revised to the description in Attachment B, Exhibit A. The property is in the 145th Street Station Subarea and is zoned for Multiuse Residential 70' (MUR-70').

**b. Description of the circumstances under which the subject parcel was obtained**

The City Council has discussed the need for improvements along the 145th Street Corridor since first learning that two light rail stations would be located within the City of Shoreline, one of which is the Shoreline South/148th Station just north of 145th Street adjacent to the east side of I-5.

The 145th Corridor project is being delivered in three phases:

- Phase 1: I-5 to Corliss Avenue (145th Interchange Project Interface to Corliss Avenue)
- Phase 2: Corliss Avenue to Wallingford Avenue
- Phase 3: Wallingford Avenue to Linden Avenue (Interurban Trail)

On May 24, 2021, Council approved [Resolution No. 476](#) and [Ordinance No. 931](#) for the increase in the City Manager's signing authority and use of eminent domain on specified properties for the right of way phase on the 145<sup>th</sup> Corridor (Phase 1) Project. 14509 3rd Avenue N was acquired on August 15, 2022.

On 8/12/2022, the City acquired the property from the property owner through an administrative settlement.

**c. Description of what funds were used to initially acquire the subject parcel**

The property was acquired for the 145th Corridor (Phase 1) Project. The property was purchased with State Connecting Washington funding. No City funds were used for the acquisition.

**d. Recommendation as to which fund the proceeds from its sale should be credited**

No City funds were used to acquire the property. The property was purchased with State Connecting Washington funds. Per 23 CFR 710.403(e), the proceeds from the disposal of real property interests obtained with Title 23 funds shall be used by subsequent Title 23 projects.

Staff is recommending the funds be directed to fund the ROW acquisition phase for the 145<sup>th</sup> Corridor (Phase 2) Project which extends from Corliss Avenue N to Wallingford Avenue and is a Title 23 project.

**e. History of municipal use, if any, or uses for which it might be held**

The property has been used as a single-family home. No other current or future City or public use has been identified.

**f. Value of the subject parcel and whether further appraisal before sale is recommended and the type of appraisal required (see SMC 3.55.012(A)(2))**

The value of the property was determined by a full appraisal in March 2022. The appraisal is available for Council by request. At this time, no further appraisal is recommended if a sales agreement can be approved by March 2023. If a sales agreement is not reached by this date an updated appraisal may be necessary.

**g. Whether the subject parcel is only usable by abutting owners or is marketable**

The property is developable as demonstrated in the March 2022 appraisal. The property is of sufficient size to support multifamily development, such as a small-scale apartment/condo project or townhouses. Residential development was concluded to be both financially feasible and maximally productive. The prominent corner with excellent visibility from the Interstate 5 interchange makes economic potential of the site very strong, however, there is a significant limitation to access the property. Access off N 145<sup>th</sup> Street will not be permitted by the Washington State Department of Transportation (WSDOT), and therefore the market for the property is limited to the abutting property owners.

**h. Whether special consideration ought to be given to some other public agency that has a use for the subject parcel**

No other public agency has indicated a public use of the property, nor has staff considered that is the case. The property's highest use is as a redevelopment property with the proceeds being used to fund a subsequent Title 23 project, the 145<sup>th</sup> Corridor (Phase 2) Project.

**i. Whether the subject parcel should be sold at auction, by sealed bid, by a licensed real estate broker, or by negotiation**

The property is appropriate to be sold by negotiation with the abutting property owners. The property at 14509 3rd Avenue N does not qualify for Special Disposition Process outlined in SMC 3.55.010(C). The property has value in itself, but is best served to the community if it is aggregated with the adjacent properties. Therefore, a Negotiated Sale process is most appropriate. Unless Council directs that another process be used, staff will use a negotiated sale process.

**j. Recommendation as to whether any special covenants or restrictions should be imposed in conjunction with sale of the subject parcel**

The 145<sup>th</sup> Corridor (Phase 1) Project needs a 10-foot temporary construction easement (TCE) on the southern side of the surplus property for the duration of

construction. The TCE is required as a “step-over” easement for the purposes of forming sidewalk and performing other necessary project tasks.

**k. For land acquired for public utility purposes, whether the land is no longer required to provide continued public utility service.**

The land was never used for public utility purposes.

**Public Hearing Notice (SMC 3.55.011A)**

The municipal code requires a public hearing with certain noticing requirement for the surplus of real property. A Public Hearing is scheduled for December 5, 2022. Notice of the Public Hearing was published in the City’s official newspaper (the Seattle Times) and was mailed to all property owners within five hundred (500) feet of 14509 3rd Avenue N on November 21, 2022, which is not less than 14 days nor more than 25 days prior to the hearing. The required notices are included in this staff report as Attachment C.

**Next Steps**

Tonight, Council is scheduled to discuss and provide staff with feedback on proposed Resolution No. 498. Council is currently scheduled to take action on proposed Resolution No. 498 on December 5, 2022, after the Public Hearing, which will take place on the same night.

**COUNCIL GOAL(S) ADDRESSED**

The proposed surplus of the property addresses the following City Council Goals:

- **Goal #1:** Strengthen Shoreline’s economic climate and opportunities.
- **Goal #2:** Continue to deliver highly-valued public services through management of the City’s infrastructure and stewardship of the natural environment.
- **Goal #3:** Continue preparation for regional mass transit in Shoreline.

**RESOURCE/FINANCIAL IMPACT**

14509 3rd Avenue N was acquired by the 145th Corridor (Phase 1) Project with State Connecting Washington funding. No City funds were used for the acquisition. Per 23 CFR 710.403(e), the income from the disposal of real property interests obtained with Title 23 funds shall be used by subsequent Title 23 projects. Staff recommends the funds from the disposal be directed to the ROW acquisition for the 145th Corridor (Phase 2) Project, which extends from Corliss Avenue N to Wallingford Avenue.

Proposed Resolution No. 498 impacts project resources and costs in two ways:

1. Proceeds from the sale of this remnant will be applied to Phase 2 ROW acquisition. By negotiating this sale ahead of Phase 1 construction, the funds will be available to support the needs of Phase 2.
2. In achieving the highest and best use for this property. This property is in a Mixed-Use Residential 70’ (MUR-70) zone. This zone is intended for the highest

level of density surrounding the light rail stations to maximize the transit-oriented development potential of two new urban centers in Shoreline. The market for this property is limited to abutting landowners and there is interest from the buyer of the abutting parcel for redevelopment at this time.

The value of 14509 3rd Avenue N was professionally appraised in March 2022 at \$145 per square foot. The appraisal is available to Council by request. At this time, no further appraisal is recommended if a sales agreement can be approved by March 2023.

There are some associated costs for notices and correspondence regarding proposed Resolution No. 498, including a notice of the public hearing, which was published in the Seattle Times on November 21, 2022, and notices sent via mail to property owners within five hundred (500) feet of the surplus properties no less than 14 days nor more than 25 days prior to the public hearing. These costs are included in the 145<sup>th</sup> Corridor Phase 1 budget.

### **RECOMMENDATION**

No Council action is requested tonight. Staff asks that Council discuss and provide feedback on proposed Resolution No. 498 for the Surplus Property Delegation of the excess property acquired by the 145th Corridor (Phase 1) Project located at 14509 3rd Avenue N. A Public Hearing and Action on this proposed Resolution is scheduled for the December 5, 2022, Council meeting.

### **ATTACHMENTS**

Attachment A: Shoreline Municipal Code Chapter 3.55

Attachment B: Proposed Resolution No. 498

Attachment B, Exhibit A: Legal Description and Exhibit of Proposed Surplus Property

Attachment B, Exhibit B: Depiction of Proposed Surplus Property

Attachment C: Mailed Notice of Public Hearing to Property Owners within 500' of Proposed Surplus Property and Published Notice in the Seattle Times

## Chapter 3.55 SALE AND DISPOSAL OF REAL PROPERTY

Sections:

**3.55.010 Policy and procedures for disposition of city-owned real property.**

**3.55.011 Surplus property declaration.**

**3.55.012 Sale procedure.**

**3.55.013 Exemptions from requirements of chapter.**

### **3.55.010 Policy and procedures for disposition of city-owned real property.**

A. Policy. The city council declares that it is in the public interest and the policy of the city to dispose of all real property interests in which the city holds a fee, leasehold, easement or license interest, where such property is surplus to its current or future needs, and where such disposition would afford the city a reasonable return from the sale of fee property. For purposes of this chapter, “reasonable return” means sale at an amount equal to, or greater than, the fair market value under SMC 3.55.012. For purposes of this chapter, “surplus property” means both real property for which the city has no current or future need, as well as real property, which, if disposed of, would be put to a higher or better use for the community at large.

B. Procedures. Real property declared surplus may be disposed of for a reasonable return by any of the procedures of this chapter unless: (1) the property is authorized for special disposition process by the city council; or (2) the property was originally acquired for public utility purposes, in which case it shall be sold for fair market value pursuant to RCW 35.94.040.

C. Special Disposition Process. In cases where the public interest in a reasonable return is outweighed by the public benefit, due to factors such as the unique character or development potential of a given property, the city council may designate such property for disposal by a request for proposals, sealed bid, options to purchase, lease-purchase transactions, or other commonly used, commercially reasonable means of disposal. If an intergovernmental transfer is considered for a special disposition process, this chapter shall be supplemented with procedures of Chapter 39.33 RCW. [Ord. 677 § 1, 2013; Ord. 626 § 1, 2012]

### **3.55.011 Surplus property declaration.**

A. Real property owned by the city may be declared surplus by the city council after the following procedures have been completed:



1. The city manager shall include the following information in the staff report to council for each parcel under consideration:

- a. Description of the subject parcel's size, general location, and legal description;
- b. Description of the circumstances under which the subject parcel was obtained;
- c. Description of what funds were used to initially acquire the subject parcel;
- d. Recommendation as to which fund the proceeds from its sale should be credited;
- e. History of municipal use, if any, or uses for which it might be held;
- f. Value of the subject parcel and whether further appraisal before sale is recommended and the type of appraisal required (see SMC 3.55.012(A)(2));
- g. Whether the subject parcel is only usable by abutting owners or is marketable;
- h. Whether special consideration ought to be given to some other public agency that has a use for the subject parcel;
- i. Whether the subject parcel should be sold at auction, by sealed bid, by a licensed real estate broker, or by negotiation;
- j. Recommendation as to whether any special covenants or restrictions should be imposed in conjunction with sale of the subject parcel;
- k. For land acquired for public utility purposes, whether the land is no longer required to provide continued public utility service.

2. A public hearing shall be held to consider the surplus declaration for the subject parcel. Notice of said hearing shall be published in the city's official newspaper and mailed to all property owners within 500 feet of the subject parcel not less than 10 days nor more than 25 days prior to the hearing.

B. Following the public hearing, the council shall determine whether the subject parcel shall be declared surplus. Any declaration of surplus property shall be made by resolution. The resolution shall also make the following determinations:

1. Whether the subject parcel should be sold by sealed bid, at auction, by a licensed real estate broker, or through negotiated sale;
2. Whether special covenants or restrictions should be imposed as a condition of the sale; and

3. The minimum acceptable price, in accordance with SMC 3.55.010(B) and 3.55.012. [Ord. 809 § 1, 2017; Ord. 626 § 1, 2012]

### **3.55.012 Sale procedure.**

The following procedures and requirements shall apply to the sale of surplus property:

#### **A. Determination of Value/Minimum Acceptable Price.**

1. If the city has a sufficient and acceptable appraisal of the subject property, no additional appraisal shall be required.
2. If an acceptable appraisal is not available, the city manager shall obtain:
  - a. Limited opinion of value for properties under \$25,000;
  - b. Short form appraisal report for properties under \$50,000; or
  - c. Full narrative appraisal report.

#### **B. Sale by Bid or Auction. In the event the subject parcel is to be disposed of by sealed bid or by auction, the following notification procedures shall be followed:**

1. A notice of the city's intent to dispose of the subject parcel shall be conspicuously posted on the property no less than two weeks prior to the date set for the close of bids or the date set for the auction.
2. Notice shall be published in the city's official newspaper at least once each week for three consecutive weeks preceding the deadline for the submittal of sealed bids or the public auction. All notices shall include a description of the subject parcel, the procedure by which the subject parcel is to be disposed of, any earnest money deposits which must be made and the minimum price that will be accepted.

#### **C. Negotiated Sale. If the subject parcel can only be put to its highest and best use when aggregated with an abutter's property because of its size, shape, topography, or other restriction, the subject parcel may be negotiated for sale to the abutter, provided:**

1. The abutter is willing to purchase for the fair market value of the subject parcel as determined under subsection A of this section;
2. If more than one qualifying abutter expresses interest in purchasing the subject parcel, the city council may solicit sealed bids from all; and

3. A person shall not be deemed to be an abutter if a right-of-way separates their property from the subject parcel unless purchase will allow a higher and better use of the abutter's property.

D. Real Estate Broker Sale. In the event the subject parcel is to be disposed of by real estate broker sale, the following procedures shall be as follows:

1. The real estate broker shall be licensed in the state of Washington;
2. The property shall be listed for no less than the appraised fair market value or the price set by the council;
3. The property must be advertised on the open market for a minimum of two weeks by the use of newspapers, real estate multiple listing services, or other commercially reasonable methods; and
4. The broker's commission rate will be no more than that otherwise charged in the Shoreline area for such services.

E. Earnest Money/Time to Closing.

1. Disposition by Sealed Bid or Auction. Where a subject parcel is sold by sealed bids or auction, any and all bids submitted must be accompanied by a bid deposit in the form of a cashier's check payable to the city of Shoreline in the amount of five percent of the bid or \$5,000, whichever is greater. Such deposit accompanying the successful bid shall be deposited into an administrative trust account until closing on the purchase of the parcel and payment of the remaining amount of the purchase price shall be made within 30 days. In the event the purchaser is unable to pay the remaining amount within the required time, the earnest money deposit shall become nonrefundable as liquidated damages; provided, however, that the purchaser may deposit an additional \$5,000 extension fee, in which case the time to make full payment shall be extended for an additional 30 days. In the event full payment is not made by the conclusion of the additional period, all deposits shall be retained as liquidated damages for lost time and expense. The city council reserves the right to waive any irregularities in the bid process.

2. Disposition by Broker Sale or Negotiated Sale. Where property is sold by real estate broker sale or negotiated sale, the purchaser shall deposit earnest money into escrow in the amount of \$5,000 or five percent, whichever is greater, within three business days of execution of a purchase and sale agreement for the purchase of the subject parcel. Earnest money forfeitures and sale extensions under subsection (E)(1) of this section shall apply.

F. Form of Conveyance. All conveyances shall be made by quitclaim deed.

G. Closing Costs. All closing costs, exclusive of deed preparation, shall be borne by the purchaser including, but not limited to, survey work, title insurance if desired, recording costs, and escrow fees if applicable. [Ord. 809 § 2, 2017; Ord. 626 § 1, 2012]

**3.55.013 Exemptions from requirements of chapter.**

The city manager may administratively approve the release of an easement or termination of a lease agreement upon determination by the city manager that the easement or lease is no longer needed for existing or future needs of the city. A memorandum detailing these findings shall be provided to the city council 30 days prior to release. [Ord. 677 § 2, 2013]

**RESOLUTION NO. 498**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DECLARING CERTAIN CITY-OWNED REAL PROPERTY LOCATED AT 14509 THIRD AVENUE N, SHORELINE, WASHINGTON, TAX PARCEL 288170-0373, AS SURPLUS, AND AUTHORIZING SALE OF THE REAL PROPERTY AS PROVIDED IN SHORELINE MUNICIPAL CODE, CHAPTER 3.55.**

WHEREAS, Shoreline Municipal Code (SMC) Chapter 3.55 authorizes the City to dispose of real property surplus to the current or future needs of the City and where the disposition would afford the City a reasonable return from the sale; and

WHEREAS, to facilitate City's 145<sup>th</sup> Street Corridor Improvements and 145<sup>th</sup> Street/Interstate 5 Interchange Improvements capital projects, the City acquired real property located at 14509 Third Avenue N, Shoreline, Washington, Tax Parcel 288170-0373 ("Property") in 2022; and

WHEREAS, the appraised value of the Property at the time of acquisition in August 2022 was \$145.00 per square foot (\$2,187,325.00); however, to avoid condemnation proceedings, the City paid 10% over that value (\$2,405,700) as authorized by the City Council; and

WHEREAS, City Staff has determined that approximately 11,460 square feet of the Property, as described in Exhibit A and depicted in Exhibit B, is surplus to the City's current and future needs ("Surplus Property") and, sale would provide the City with a reasonable return on its investment; and

WHEREAS, real property may be declared surplus by the City Council if all of the procedures in SMC 3.55.011(A) have been completed; and

WHEREAS, a staff report has been provided to the City Council with the information mandated by SMC 3.55.011(A)(1) and the public hearing required by SMC 3.55.011(A)(2) was held on December 5, 2022, after proper notice; and

WHEREAS, RCW 3.55.012(C) states that if property can only be put to its highest and best use when aggregated with an abutter's property because of its size, shape, topography, or other restriction, the property may be negotiated for sale to the abutting property owner if the abutter is willing to purchase the property for fair market value or, if more than one qualifying abutter expresses an interest, then the City may solicit sealed bids from all such abutters; and

WHEREAS, the Surplus Property is located within the 145<sup>th</sup> Street Station Subarea and is zoned MUR-70; the appraised value determined that the highest and best use of the Surplus Property is the removal of the existing structure to make way for redevelopment consistent with its highest and best use as if vacant; and

WHEREAS, while the Surplus Property is surplus to the City's needs, this surplus determination is contingent on reserving a ten (10) foot wide temporary construction easement

along the southern edge of the Surplus Property, as shown in Exhibit B, to facilitate the construction of the capital projects and any purchaser must take title to the Surplus Property subject to that reservation without a reduction in the fair market value; and

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

**Section 1. Declaration of Surplus Real Property.** The City Council has determined that the portion of the real property located at 14509 Third Avenue N, Shoreline, Washington, Tax Parcel 288170-0373, described in Exhibit A and depicted in Exhibit B, is not currently needed by the City nor will it be needed in the future, and that the City will attain a reasonable return from its sale. Therefore, the City Council declares this real property surplus.

**Section 2. Authorization to Sell and Dispose of Surplus Real Property.** The City Manager is hereby authorized to sell and dispose of the surplus real property by negotiated sale to an abutting property owner as provided in SMC 3.55.012(C) and subject to the procedures and requirements set forth in SMC 3.55.012. If more than one qualifying abutting property owner expresses interest in purchasing the Property, the City Manager shall solicit sealed bids from all qualified owners and shall sell the bidder who is providing the City with a reasonable return equal to or more than the fair market value of the Property.

**Section 3. Reservation of Temporary Construction Easement.** Any sale of the Property pursuant to Section 2 shall reserve a temporary construction easement, as depicted on Exhibit B, for the City to facilitate the construction of the 145<sup>th</sup> Street Corridor Improvements and/or the 145<sup>th</sup> Street/I-5 Interchange Improvements. Given the temporary nature of the easement, said easement shall not reduce the fair market value of the Surplus Property by a qualifying buyer.

**Section 4. Minimum Acceptable Price.** As provided in SMC 3.55.011(B)(3), the real property shall be sold for at least 100% of the market value as established by written independent appraisal for the property or for such other reasonable and lawful terms and conditions the City Manager determines to be in the best interests of the City. Provided, that if the sale price is below the market value, the City Manager shall receive City Council approval prior to completion of the sale.

**ADOPTED BY THE CITY COUNCIL ON \_\_\_\_\_, 2022.**

\_\_\_\_\_  
Mayor Keith Scully

**ATTEST:**

\_\_\_\_\_  
Jessica Simulcik Smith, City Clerk

**EXHIBIT A**

SURPLUS DESCRIPTION

SE ¼, SW ¼ SEC. 17, T. 26 N., R. 4 E., W.M.

KING COUNTY, WASHINGTON

TPN 288170-0373

THAT PORTION OF LOT 1 OF KING COUNTY SHORT PLAT NO. 778047, RECORDED UNDER RECORDING NUMBER 7812121103, RECORDS OF KING COUNTY, WASHINGTON, TOGETHER WITH AN UNDIVIDED 1/4TH INTEREST IN PRIVATE ROAD WITHIN SAID SHORT PLAT, DESCRIBED AS FOLLOWS:

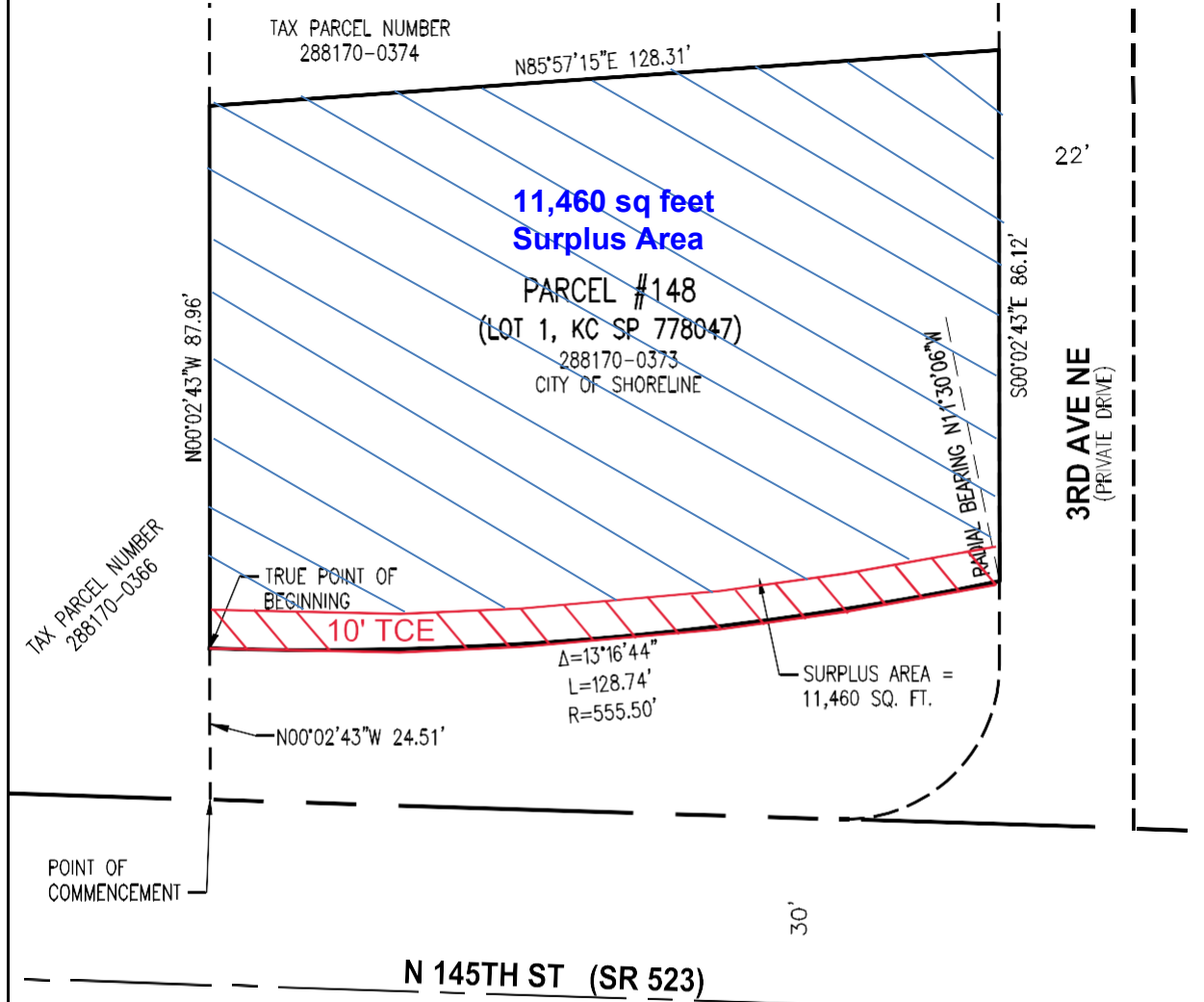
**COMMENCING** AT THE SOUTHWEST CORNER OF SAID LOT 1, ALSO BEING THE NORTHERLY RIGHT OF WAY OF NORTH 145<sup>TH</sup> STREET;  
THENCE NORTH 00°02'43" WEST ALONG THE WEST LINE OF SAID LOT 1, 24.51 FEET TO THE **TRUE POINT OF BEGINNING**;  
THENCE CONTINUING NORTH 00°02'43" WEST ALONG SAID WEST LINE, 87.96 FEET TO THE NORTH LINE OF SAID LOT 1;  
THENCE NORTH 85°57'15" EAST ALONG SAID NORTH LINE, 128.31 FEET TO THE EAST LINE OF SAID LOT 1, ALSO BEING THE WESTERLY RIGHT OF WAY OF 3<sup>RD</sup> AVENUE NORTHEAST (PRIVATE DRIVE);  
THENCE SOUTH 00°02'43" EAST ALONG SAID EAST LINE, 86.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 555.50 FEET, THE CENTER OF WHICH BEARS NORTH 11°30'06" WEST;  
THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°16'44", FOR AN ARC LENGTH OF 128.74 FEET TO THE **TRUE POINT OF BEGINNING**;

SAID PORTION CONTAINING 11,460 SQUARE FEET, MORE OR LESS.




11/9/2022

**EXHIBIT B**  
**SE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub> SECTION 17, TOWNSHIP 26 N, RANGE 4 E, W.M.**  
**SURPLUS - PARCEL 148**  
**CITY OF SHORELINE, KING COUNTY**



**LEGEND**

 SURPLUS AREA

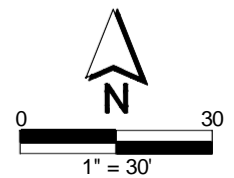


11/9/2022

**REFERENCE**

GREEN LAKE FIVE ACRE IRACIS, VOL. 11 OF PLAIS,  
 PAGE 72, RECORDS OF KING COUNTY, WASHINGTON

KING COUNTY SHORT PLAT NO. 778047, RECORDED UNDER AF  
 NO. 197812121103, RECORDS OF KING COUNTY, WASHINGTON



**Parametrix**  
 ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES





**CITY OF SHORELINE PUBLIC HEARING NOTICE: Declaration of Surplus Property**

The City Council of the City of Shoreline will hold a Public Hearing during a regular meeting of the City Council on **Monday, December 5, 2022**, at 7:00 p.m. in the Council Chamber at Shoreline City Hall, 17500 Midvale Avenue N., Shoreline, WA 98133 to consider the following: City of Shoreline's intent to surplus one (1) property located along N 145th Street as those portions are not required for the City's 145th Corridor (Phase 1) Project. The property is located at:

Site Address	Tax Parcel No.	Proposed Surplus (square feet)
14509 3rd Avenue N	288170-0373	11,460 sf

This hearing is being held pursuant to SMC 3.55 and RCW 39.33.020.

This meeting is being conducted in a hybrid format and you may attend the meeting in person or join via Zoom webinar or over the telephone. For those wishing to attend remotely through Zoom, you may join through this link: <https://zoom.us/j/95015006341>, or by phone at 253-215-8782 and enter the webinar ID#: 950 1500 6341.

Public testimony is being accepted in person, remotely, or by submitting written comment. In person public commenters must sign up in person at the meeting, and remote public commenters must sign-up online by 6:30 p.m. the night of the meeting using the following form: <http://www.shorelinewa.gov/government/council-meetings/city-council-remote-speaker-sign-in>. A request to sign-up can also be made directly to the City Clerk at (206) 801-2230. Written comments should be submitted to Cory Nau, PE, Project Manager, at [cnau@shorelinewa.gov](mailto:cnau@shorelinewa.gov) by no later than 4:00 p.m. local time on the date of the hearing.

Any person requiring a disability accommodation should also contact the City Clerk at 206-801-2230 in advance for more information. For TTY telephone services call 206-546-0457. Each request will be considered individually according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.