

ORDINANCE NO. **11438**

AN ORDINANCE authorizing the sale of a portion of County-owned property known as Section 36 located in council district 12 to Sammamish Plateau Water and Sewer District.

STATEMENT OF FACTS:

1. King County purchased a 633 acre parcel of property, known as Section 36, from the State of Washington in June 1993, under the 1993 Conservation Futures Acquisition Program.
2. At the time of acquisition, Sammamish Plateau Water and Sewer District had a pending condemnation action against the State of Washington to acquire: (1) a 6.43 acre portion of the site for a water storage tank, together with (2) an access and utility easement for access, construction and maintenance of water lines from the water tank.
3. Subsequent to the sale, King County was substituted for the State as a party to the condemnation.
4. The District has agreed to purchase the 6.43 acres and the access and utility easement for \$50,000 and grant the county trail and conservation easements over the property in lieu of pursuing its condemnation action against the county.
5. In accordance with King County council Motion 9015, the proceeds from the sale will be deposited in the Real Estate Excise Tax Fund for additional park acquisition projects.
6. K.C.C. 4.56.140 allows King County to dispose of county property to another governmental agency by negotiation, upon such terms as may be agreed upon and for such consideration as may be deemed by King County to be adequate.
7. The parks division, the office of open space, and the prosecuting attorney's office have been involved in the negotiations with the District and recommend the sale.
8. The King County executive has declared the subject property surplus.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County executive is hereby authorized to execute the necessary documents to grant an easement for water lines and to convey title to the following described property to Sammamish Plateau Water and Sewer District:

A portion of the West 1/2 of the SW 1/4 of Section 36, Township 25 North, Range 6 East, W.M., King County, Washington, being more particularly described

1 as follows: Beginning at a point on the West line of
2 said SW 1/4 from the West 1/4 corner, Bear S.01-45-53
3 W. 800.00 feet to the point of beginning; thence
4 S.01-45-53 W. along said line 700.00 feet; thence
5 S.88-14-07 E. 400.00 feet; thence N.01-45-53 E.
6 700.00 feet; thence N.88-14-07 W. 400.00 feet to the
7 point of beginning.

8
9 TOGETHER WITH a 40 foot easement for ingress, egress
10 and water main over the West 40 feet of the North 800
11 feet of the SW 1/4 of Section 36, Township 25 North,
12 Range 6 East, W.M.

13
14 SUBJECT TO the reservation of mineral rights as provided
15 for in RCW 79.01.224. Sammamish Plateau Water and Sewer
16 District shall have the right to excavate subsurface minerals
17 to the extent necessary for the construction of water reservoir
18 storage facilities but the State of Washington shall retain
19 ownership of any minerals removed.

1 SECTION 2. A. The purchase and sale agreement between
2 King County and the Sammamish Plateau Water and Sewer District
3 shall include language allowing King County an easement for
4 future road access should the need for such access become
5 necessary.

6 B. Such an easement for road access as may be agreed upon
7 shall not interfere with or preclude the Sammamish Plateau and
8 Water District's construction, installation and maintenance of
9 utilities and reservoir improvements.

10 C. At such time as King County notifies the district that
11 it intends to use said easement for road access, it shall pay
12 to the district an amount equal to the fair market value of the
13 easement as a condition precedent.

14 INTRODUCED AND READ for the first time this 5th day
15 of July, 1994.

16 PASSED by vote of 10 to 0 this 1st day of August, 1994.

19 KING COUNTY COUNCIL
20 KING COUNTY, WASHINGTON

24 Kent Pullen
25 Chair

27 ATTEST:

30 Janet Masno
31
32 Deputy Clerk of the Council

33 APPROVED this 5th day of August, 1994.

37 James Locke
38
39 King County Executive