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Title: AN ORDINANCE authorizing the county executive to purchase the property known as the "Branch Villa Health Care Center," located in Council District 10, from the U.S. Department of Housing and Urban Development (HUD), and sell said property to Opportunities Industrialization Center of Washington (OIC) a Washington State non-profit corporation.

Sponsors: Larry Gossett, Larry Phillips, Carolyn Edmonds

Indexes: Property

Code sections:

Attachments: 1. Ordinance 14687.pdf, 2. 2003-0281 Fiscal Note.doc, 3. 2003-0281 Revised Staff Report, 4. 2003-0281 Staff Report 6-18-03, 5. 2003-0281 Transmittal Letter.doc, 6. A. Real Estate Purchase and Sale Agreement, 7. B. U.S. Department of Housing and Urban Development - Property Disposition Program Contract of Sale - Cash Sale, 8. Branch Villa Memo Dated June 17 2003.pdf, 9. Map of the Property.doc

Date	Ver.	Action By	Action	Result
6/23/2003	2	Metropolitan King County Council	Passed	Pass
6/23/2003	2	Metropolitan King County Council	Hearing Held	
6/18/2003	2	Budget and Fiscal Management Committee		
6/18/2003	1	Budget and Fiscal Management Committee		
6/16/2003	1	Metropolitan King County Council	Introduced and Referred	

Clerk 06/19/2003

AN ORDINANCE authorizing the county executive to purchase the property known as the "Branch Villa Health Care Center," located in Council District 10, from the U.S. Department of Housing and Urban Development (HUD), and sell said property to Opportunities Industrialization Center of Washington (OIC) a Washington State non-profit corporation.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings.

A. The Branch Villa Health Care Center, located in the central area of Seattle at 2611 South Dearborn Street, has been providing culturally competent nursing home care to the community for more than 30 years.

B. The United States Department of Housing and Urban development (HUD) is the mortgagee of the property known as the Branch Villa Health Care Center (Branch Villa Property). HUD is in the process of foreclosing on the current legal owners for failure to comply with the FHA note and mortgage agreement.

C. The Opportunities Industrialization Center of Washington (OIC), a non-profit organization with headquarters in Yakima, Washington, proposes to purchase the Branch Villa Property in order to continue providing culturally relevant nursing home care to its residents.

D. OIC has obtained a license to operate the facility from the Washington State Department of Social and Health Services, and has entered into a lease agreement for the property with Branch Villa Health Care Properties Inc., Branch Villa Properties LLC and Andrew Branch, the current owners of the Branch Villa Property. Under its operation, OIC has re-named the facility the Leon Sullivan Health Care Center.

E. HUD regulations under the Multifamily Property Disposition Reform Act do not allow HUD to negotiate a non-competitive sale price on properties in foreclosure with non-profit organizations, such as OIC. The same regulations do allow HUD to negotiate a non-competitive sale price on properties in foreclosure with local governments, such as King County.

F. HUD allows a local government to conduct a simultaneous closing selling a property to a non-profit organization on the same day that the property is purchased from HUD.

G. To ensure continuity of care for the Branch Villa nursing home residents and to ensure the continued existence of culturally appropriate and culturally responsive care for such a fragile population in this region, King County proposes to purchase the Branch Villa Property, including real and personal property, through a negotiated sale with HUD, at the request of and for the sole purpose of transferring the property to OIC, at no cost or liability to King County.

H. Pursuant to King County Code 4.56.100, the County may negotiate the sale of real and personal

property when it has been determined that unique circumstances make a negotiated direct sale in the best interests of the public.

I. The findings in this section constitute unique circumstances; therefore, it is in the best interests of the public that King County facilitate a simultaneous purchase of the Branch Villa Property from HUD for the sole purpose of immediate sale to OIC.

SECTION 2. The county executive is hereby authorized to facilitate transfer of the Branch Villa Property from HUD to OIC by purchasing the Branch Villa Property from HUD and immediately transferring the Branch Villa Property to OIC by executing purchase and sale agreements with HUD and OIC in substantially the forms set forth in Exhibits A and B to this ordinance, provided that prior to the execution of any such agreement, OIC shall provide the county executive satisfactory evidence that OIC has sufficient funds available in cash or its equivalent to pay the purchase price and all other costs of the transactions, which the agreements allocate to OIC. Attachments may be amended to add the sales price.

SECTION 3. The appropriate county officials, agents and representatives are hereby authorized and directed to do everything necessary and desirable to accomplish the transfer of the Branch Villa Property from HUD to OIC, including but not limited to

execution of such ancillary documents as may be required or requested as part of the transfer.