



## Legislation Text

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**File #:** 2009-0492, **Version:** 2

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Clerk 02/05/2010

AN ORDINANCE authorizing the King County executive to execute a sale to the Port of Seattle of one unimproved parcel of county-owned real property in council district 5.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. King County's facilities management division ("FMD") is custodian of Assessor's Parcel No. 092204-9164. This is a parcel of unimproved land located within road right-of-way at the southwest corner of the intersection of 20th Avenue South and South 212th Street. The parcel consists of two thirty-foot wide legs joined at a ninety-degree angle. It has a total area of 9,930 square feet (0.23 acres), with overall length of 196.22 feet and overall width of 164.75 feet. Each leg of the property includes asphalt roadway paving along the northern and eastern portions respectively, with the balance of the land unimproved and overgrown ("the L-shaped parcel").

B. The King County department of executive services, finance and business operations division, treasury operations section ("the treasurer") unsuccessfully attempted to sell the subject property during foreclosure proceedings in December 1961 for an amount equal to unpaid property taxes. Subsequently, the treasurer deeded it as tax title property to King County in 1962. FMD is responsible for the management and disposition of tax title properties.

C. The L-shaped parcel lies south of SeaTac International Airport but is not related to other county fee-owned parcels that are proximate to the airport.

D. The Port of Seattle ("the port"), a governmental agency, regulates and maintains SeaTac International Airport.

E. Commencing in 1990 under the auspices of the Federal Aviation Administration's Noise Remedy Program, the port purchased all residential properties lying under the flight path south of the airport and removed all improvements ("the area"). The port fences, secures and controls the area.

F. The L-shaped parcel lies within the area.

G. As Federal Aviation Administration ("FAA") regulations prohibit any further residential use, the city of Des Moines ("the city") rezoned the Area to B-P Business Park in 1966 through the city's Ordinance 1162.

H. One of the port's functions is to support economic development within King County. With that goal, the port and the city joined together in 2007, through the city's Resolution No. 1049 to form an agreement to develop the Des Moines Creek Business Park.

I. The Des Moines Creek Business Park will lie within the area, representing a ninety-acre industrial park development project that is intended to stimulate opportunities for creating jobs and expanding commerce.

J. The port wishes to complete its purchase of parcels within the area and requests that the county sell the L-shaped parcel. The L-shaped parcel will be used in conjunction with the intended B-P zoning development. FMD has agreed to sell.

K. In accordance with K.C.C. 4.56.070, the facilities management division has declared the property legally described in Attachment A to be surplus to the foreseeable needs of the county.

L. FMD has determined that the L-shaped parcel does not meet the criteria for affordable housing as the FAA Noise Remedy Program prohibits residential development in the area. It is not a candidate for county governmental services, and the county has no underlying easements or reservations. Its highest value is use in conjunction with the adjacent lands under B-P zoning.

M. FMD has determined that the parcel's odd shape makes it impractical to build on the property.

SECTION 2. A. The state of Washington mandates disposition of tax title properties by the various

counties in which such parcels are located, through chapter 36.35 RCW, Tax Title Lands. Rights granted under chapter 36.35 RCW enable FMD to sell the L-shaped parcel for not less than the principal amount of the unpaid taxes at what it deems a reasonable estimate of value and to negotiate a direct sale with the port without holding public auction.

B. The port and FMD have agreed to the appraised value of \$38,000. The Real Estate purchase and sale agreement, which is Attachment B to this ordinance, represents the agreement between the parties.

C. FMD will recoup advertising, postage and selling fees from the gross proceeds of sale of approximately \$7,535. In accordance with RCW 36.35.110, the treasurer is directed to justly apportion sale proceeds to the various funds existing at the date of the sale, in the territory in which the L-shaped parcel is located, according to the tax levies of the year last in process of collection.

SECTION 3. Pursuant to K.C.C. 4.56.080, the King County council must approve sale of real property owned by the county valued in excess of \$10,000. The proposed ordinance authorizes the executive to execute the purchase and sale agreement, which is Attachment B to this ordinance.

SECTION 4. The King County council, having determined that it is not practical to build on the L-shaped parcel due to the physical characteristics of the property, and having determined that sale of the L-shaped parcel is in the best interest of the county, does hereby authorize the King County executive to execute the necessary documents to deliver L-shaped parcel to the port.