



Legislation Text

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Clerk 05/23/2006

AN ORDINANCE authorizing the King County executive to sell the Northgate park and ride lot at 11203 5th Avenue NE, Seattle 98125, to the city of Seattle for use as a public park; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. King County's growth management policies promotes the creation of housing in urban areas to minimize sprawl and encourage urban development, walking and other benefits of downtown development.

B. Consolidation of the park and ride spaces adjacent to the Northgate Transit Center provides important benefits to Metro's customers and provides better service and reliability.

C. The relocation of the Northgate park and ride lot at 11203 5th Avenue NE, Seattle, Washington, to parking stalls closer to the Northgate Transit Center will consolidate the Metro transit service and will help stimulate development near and around the transit center.

D. The plan to replace existing park and ride facilities that are presently provided at the Northgate park and ride lot located at 11203 5th Avenue NE, and to convey that lot to the city of Seattle requires the execution of leases for replacement garage parking space with two project developers as well as a purchase and sale agreement with the city of Seattle, together with an appropriation necessary to fund the leases. The project developers have existing deadlines for the execution of leases with the county and for the conveyance of property between them that are necessary to support their project financing that will expire during the first week in June 2006. Delay of execution of these agreements past those deadlines would create a significant risk

of cancellation of the projects or substantial project delays and cost increases to the county. Unless this ordinance is enacted as an emergency ordinance it will not be possible to accomplish the timely execution of the leases and purchase and sale agreement, all of which are necessary to allow the plan to proceed.

SECTION 2. The Metro transit division is declaring the Northgate park and ride lot at 11203 5th Avenue NE, surplus to its needs. Pursuant to K.C.C. 4.56.140, the county may 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 the county to be adequate. The proceeds from the sale will provide revenue to pay for the lease of replacement stalls in a location closer to the transit center. This surplus agreement is subject to sale at the price identified in the real estate purchase and sale agreement attached to this ordinance.

SECTION 3. The King County executive is hereby authorized on behalf of the county to execute a purchase and sale agreement with the city of Seattle, for sale of the Northgate park and ride lot 11203 5th Avenue NE, in substantially the form of Attachment A to this ordinance.

SECTION 4. The appropriate county officials, agents and employees are hereby authorized to take all actions necessary to implement the sale and all actions up to now taken by county officials, agents and employees consistent with the terms and purposes of the purchase and sale agreement are hereby ratified, confirmed and approved.

SECTION 5. If any one or more of the covenants or agreements provided in this ordinance to be performed on the part of the county is declared by any court of competent jurisdiction to be contrary to law, then such a covenant or covenants, agreement or agreements, are null and void and shall be deemed separable from the remaining covenants and agreements of this ordinance and shall in no way affect the validity of the other provisions of this ordinance or of the purchase and sale agreement.

SECTION 6. The council finds as a fact and declares that an emergency exists

and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the

support of county government and its existing public institutions.