



**RESOLUTION NO.** 8089

**A RESOLUTION Declaring Property Located at 1301 Lombard as Surplus and Establishing Procedures for its Sale and Disposition**

**WHEREAS,**

- A. Pursuant to chapter 35.80A RCW, the City in early 2024 acquired real property then commonly known as the Waits Motel. This real property is located at 1301 Lombard Ave., Everett, Washington, Assessor's Parcel Number 29051700301400, with legal description as follows:

ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS;

BEGINNING AT THE QUARTER CORNER BETWEEN SECTIONS 17 AND 18 OF SAID TOWNSHIP AND RANGE;

THENCE EASTERLY ON CENTER LINE OF SAID SECTION 17, 966.57 FEET TO WEST LINE OF ALLEY BETWEEN BROADWAY AND LOMBARD IN CITY OF EVERETT;

THENCE ANGLE RIGHT 90°36' FOR 28.39 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE ON SAME STRAIGHT LINE FOR 200 FEET;

THENCE ANGLE RIGHT 90°, 120 FEET;

THENCE ANGLE RIGHT 90°, 200 FEET;

THENCE ANGLE RIGHT 90°, 120 FEET TO THE TRUE POINT OF BEGINNING.

This real property, together with all improvements thereon and easement(s) thereto, is referred to as the 'Property' in this Resolution.

- B. The Everett City Council finds and determines that (1) the Property is not required for City purposes and is, therefore, declared to be surplus; (2) the Property should be disposed of in accordance with the procedures stated in this resolution; and (3) City is acting in compliance with the City Charter and the requirements of chapter 35.80A RCW and chapter 3.84 EMC.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

**Section 1.** The "WHEREAS" provisions of this resolution shall constitute findings, determinations, and conclusions of the City Council, which are incorporated by reference as if fully set forth herein. The Property is no longer required for City purposes and sale of the Property is in the best interests of the City, and is, therefore, declared to be surplus property.

**Section 2.** The City Council authorizes the sale of the Property according to the following prescribed reasonable competitive procedures, which the City Council deems appropriate and in the best public interest:

- a) The Property will be sold for not less than its fair market value, as established by written independent appraisal for the Property.
- b) The City will market and list the Property for sale with a licensed real estate broker in a commercially reasonable manner, with the object of obtaining proposals from interested and experienced developers.
- c) The Property will be sold to a developer under a Property Disposition Agreement. The Property Disposition Agreement with the developer will be submitted to City Council for approval prior to closing of the sale of the Property. The Property sale will not close without City Council approval of the Property Disposition Agreement. The City Council reserves the right to reject at its sole discretion any proposed Property Disposition Agreement for the Property.
- d) The Property Disposition Agreement may contain a covenant that will, among other items, require that the purchaser/developer's project on the Property be a townhouse project with a maximum of 16 townhouse units, not to exceed three floors in height, with substantial majority of all roofs with pitch at 6/12 or greater and with all windows facing Lombard Avenue being multi-paned.
- e) If the City receives multiple proposals from developers, selection between them will not only be based on proposed purchase price, but also based on developer experience, financial capacity, proposed start date, proposed commitments to encourage owner occupancy and first-time homebuyers, and other relevant factors, all in accordance with applicable law.

**Section 3.** The Property has certain associated easements (including those recorded under Auditor's File No. 8209130157 and under Auditor's File No. 8302220223) that are no longer needed for the Property. The City's Real Property Manager is authorized to release those easements to the underlying landowner(s) in accordance with applicable law separately from the transaction(s) described in the Section 2 above.

*Scott G Bader*

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Councilmember introducing resolution

Passed and approved this 30th day of October, 2024.

*Tom R. Schwal*

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Council President










# RES 8089\_1301 Lombard Surplus Resolution AS PASSED.SD

Final Audit Report

2024-12-10

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