



RESOLUTION NO. 38899

1 A RESOLUTION relating to surplus property; declaring certain real property owned
2 by the Department of Public Utilities, Water Division (d.b.a. "Tacoma
3 Water"), consisting of an approximately .45-acre (19,514 square feet) parcel
4 of property near the intersection of State Highway 165 and Ryan Road in
5 Buckley, Washington, surplus to the needs of the City; and authorizing the
6 negotiated sale and conveyance of said property in fee simple to the City of
7 Buckley.

8 WHEREAS the City of Tacoma, Department of Public Utilities, Water
9 Division (d.b.a. "Tacoma Water"), owns a .45 acre (19,514 square feet) parcel of
10 property near the intersection of State Highway 165 and Ryan Road in Buckley,
11 Washington ("Property"), with an estimated market value of \$43,000, as more fully
12 described in the documents on file in the office of the City Clerk, and

13 WHEREAS the City of Buckley ("Buckley") has requested the Property to
14 help facilitate a road project, and

15 WHEREAS Tacoma Water has determined the Property is not needed for
16 current or future needs, and

17 WHEREAS Buckley has an outstanding 2012 damage claim with Tacoma
18 Water related to a storm water line that needed to be rerouted after Buckley relied
19 on inaccurate records supplied by Tacoma Water, and

20 WHEREAS, in order to resolve this 2012 damage claim, Tacoma Water
21 has agreed to subtract the sum of \$28,488, which represents a portion of the
22 additional costs related to rerouting the storm water line, from the estimated
23 market value of the Property, resulting in net proceeds of \$14,512, and

24 WHEREAS, on March 12, 2014, by adoption of Public Utility Board
25 Resolution No. U-10678, the Property was declared surplus to the needs of
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Tacoma Water and approved for sale, pending confirmation from the City Council,
1 and

2 WHEREAS, pursuant to Tacoma Municipal Code 1.12.229, the Director of
3 Utilities for the Department of Public Utilities shall approve all claims against the
4 Department up to \$30,000, and the Director has approved the release and
5 settlement of the claim by the City of Buckley against the Department, valued at
6 \$28,488, pending confirmation of the conveyance of the Property by the City
7 Council, and
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9 WHEREAS City Council held a Public Hearing on April 8, 2014, as required
10 by state law, to allow the public to comment on the proposed sale, and
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12 WHEREAS, there being no foreseeable need for continued ownership of the
13 Property by Tacoma Water, a declaration of surplus and negotiated disposition of
14 the Property in fee simple to the City of Buckley appears to be in the best interests
15 of the City, pending final approval from the City Council; Now, Therefore,
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17 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

18 Section 1. That the approximately .45-acre (19,514 square feet) parcel of
19 property near the intersection of State Highway 165 and Ryan Road in Buckley,
20 Washington ("Property"), owned by the City of Tacoma, Department of Public
21 Utilities, Water Division (d.b.a. "Tacoma Water"), is not essential to the needs of the
22 City and is hereby declared surplus property pursuant to RCW 35.22.020 and
23 Article I, Section 1.2, and Article IX of the Tacoma City Charter.
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Section 2. That the proper officers of the City are hereby authorized to enter into a negotiated sale and conveyance of said Property in fee simple to the City of Buckley, said document to be substantially in the form of the Agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10678