



RESOLUTION NO. U-11146

1 A RESOLUTION relating to Tacoma Water; declaring utility-owned real
2 property surplus and authorizing the sale to Nash Cascadia Verde
3 LLC.

4 WHEREAS the City of Tacoma, Department of Public Utilities, Water
5 Division (d.b.a. "Tacoma Water"), requests that the Board declare surplus and
6 approve the negotiated sale to Nash Cascadia Verde LLC ("Nash") of
7 approximately 4.74 acres ("Property"), identified as a portion of Pierce County
8 Assessor Tax Parcel No. 0519084009 - located adjacent to the Tehaleh Master
9 Planned Community in the Bonney Lake vicinity of unincorporated Pierce
10 County, WA, and

11 WHEREAS the sale tract is in a semi-rural to suburban location in
12 southeast Pierce County and has been used for an access road in support of
13 Pipeline No. 1, and

14 WHEREAS due to the steep topography in this area, Nash approached
15 Tacoma Water to utilize this tract for installation of a storm water conveyance
16 pipeline connecting to a storm water detention pond on their property, and

17 WHEREAS as long as the sale includes an easement to Tacoma Water
18 for use of the access road Tacoma Water does not see a need to retain
19 ownership of the tract as ownership entails additional management time and
20 expense, and

21 WHEREAS the sale price of \$125,000, includes consideration of the road
22 easement and is believed to reflect Fair Market Value based on recent sale
23 activity, and
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WHEREAS the terms and conditions of the purchase and sale agreement have been reviewed by the City Attorney's Office, approved by Tacoma Water management and Real Property Services, and

WHEREAS, due to the retained easement rights, Tacoma Water has determined that the Property sought by Nash is not essential for continued effective utility service and has deemed the Property surplus to Tacoma Water's needs pursuant to RCW 35.94.040 and TMC 1.06.280; Now, Therefore,

BE IT RESOLVED BY THE PUBLIC UTILITY BOARD OF THE CITY OF TACOMA:

Sec. 1. That it is in the best interests of the City of Tacoma to approve the negotiated sale to Nash Cascadia Verde LLC ("Nash") of approximately 4.74 acres, identified as a portion of Pierce County Assessor Tax Parcel No. 0519084009 - located adjacent to the Tehaleh Master Planned Community in the Bonney Lake vicinity of unincorporated Pierce County, WA, and as more fully described in the documents on file with the Clerk of the Board.

Sec. 2. That the Property is not essential for continued effective utility service by Tacoma Water and is properly declared surplus property and excess to Tacoma Water's needs.

Sec. 3. Tacoma Water has negotiated the sale price of \$125,000, with consideration of an easement to Tacoma Water for current and future operations.

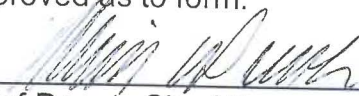
Sec. 4. Tacoma Water will seek Council approval for a declaration of surplus property and approval of sale by April 10, 2020.



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Sec. 4. That the City Council is requested to hold a public hearing on this matter pursuant to RCW 35.04.040, and thereafter approve this recommended sale and authorize the proper officers of the City of Tacoma to execute all necessary documents, substantially in the same form as on file with the Clerk and approved by the City Attorney.

Approved as to form:



Chief Deputy City Attorney

Chair

Secretary

Clerk

Adopted _____



Board Action Memorandum

TO: Jackie Flowers, Director of Utilities
COPY: Charleen Jacobs, Director and Board Offices
FROM: Greg Volkhardt, Water Source and Treatment Operations Division Manager,
Tacoma Water
Greg Muller, Real Estate Officer, Real Property Services
MEETING DATE: February 26, 2020
DATE: February 14, 2020

SUMMARY: Declare surplus and authorize the sale of approximately 4.74 acres of Tacoma Water property to Nash Cascadia Verde LLC ("Nash") for \$125,000.00. As part of the transaction, Nash will complete, at its sole expense, a Boundary Line Adjustment for the sale tract. In addition, an easement will be granted to Tacoma Water for continued use of the existing access road in support of Pipeline No. 1 current and future operations. This request is made to allow improved storm water retention and treatment in support of the Tehaleh master planned community in the Bonney Lake vicinity.

BACKGROUND: No previous request has been submitted to Board in relation to this proposal. The sale tract is in a semi-rural to suburban location in southeast Pierce County and has been used for an access road in support of Pipeline No.1. Due to steep topography in this area, Nash approached Tacoma Water to utilize this tract for installation of a storm water conveyance pipeline connecting to a storm water detention pond on their property. As Tacoma Water does not see a need to retain ownership of the tract as ownership entails additional management time and expense, it agreed to the sale with easement for the access road. The sale price, which includes consideration of the road easement, is believed to reflect Fair Market Value based on recent sales activity. The terms and conditions of the purchase and sale agreement have been reviewed by the City Attorney's Office and approved by Tacoma Water management and Real Property Services.

Upon approval by the Board, a separate request will be made to the City Council to hold a Public Hearing to be followed by Final Approval. Closing of the sale is expected by April 10, 2020.



Board Action Memorandum

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? No.

IF THE EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.
N/A.

IF THE ACTION REQUESTED IS APPROVAL OF A CONTRACT, INCLUDE LANGUAGE IN RESOLUTION AUTHORIZING \$200,000 INCREASE IN ADMINISTRATIVE AUTHORITY TO DIRECTOR? No.

ATTACHMENTS: Tacoma Water Real Estate Purchase and Sale Agreement No. A3206 (including Exhibit "B" Quit Claim Deed No. 6767 and Exhibit "C" Easement No. 2712); Location Map

CONTACT: Primary Contact: Greg Muller, Real Estate Officer, Ext 8256
Supervisor: Dylan Harrison, Senior Real Estate Officer, Ext 8836



City of Tacoma

City Council Action Memorandum

TO: Elizabeth Pauli, City Manager
FROM: Jackie Flowers, Director of Utilities
COPY: City Council and City Clerk
SUBJECT: Resolution – Declaration of Surplus and Sale of Tacoma Water Real Property – City Council Consent Agenda for March 17, 2020
DATE: February 14, 2020

SUMMARY AND PURPOSE:

To set Tuesday, March 31, 2020 as the date for a Public Hearing regarding the declaration of surplus and sale of approximately 4.74 acres of Tacoma Water property for \$125,000.00 to Nash Cascadia Verde LLC.

BACKGROUND:

This Department's recommendation is based on a request from the Buyer to purchase the property for improved storm water retention and treatment in conjunction with their development of the Tehaleh master planned community in the Bonney Lake vicinity. As Tacoma Water does not see a need to retain ownership of the tract as ownership entails additional management time and expense, it agreed to the sale, retaining an easement for an access road to support current and future operations of the adjacent Pipeline No. 1 water supply transmission main. The sale is subject to both Public Utility Board and City Council approval. The terms and conditions of the purchase and sale agreement have been reviewed by the City Attorney's Office and approved by Tacoma Water management and Real Property Services.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

As the sale involves an unimproved tract of land in a suburban to semi-rural location in Pierce County, and the buyer, whose property surrounds the sale tract, is the only logical buyer of the property, no further community engagement efforts were identified and no potential impacts are foreseen to the local community.

2025 STRATEGIC PRIORITIES:**Equity and Accessibility:**

The sale will allow continued development of the Tehaleh master planned community, providing housing, educational, employment, and recreational opportunities in line with state-mandated Growth Management policies. As the sale property lies outside the corporate limits of the City, no Equity Index Scores have been identified.

ALTERNATIVES:

Presumably, your recommendation is not the only potential course of action; please discuss other alternatives or actions that City Council or staff could take. Please use table below.

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Retain property	None.	Costs for maintenance and liability.



City of Tacoma

City Council Action Memorandum

EVALUATION AND FOLLOW UP:

This is a one-time sale with no on-going evaluation required.

STAFF/SPONSOR RECOMMENDATION:

None.

FISCAL IMPACT:

There is no fiscal impact to setting this Public Hearing.

Are there financial costs or other impacts of not implementing the legislation?

No

Will the legislation have an ongoing/recurring fiscal impact?

No

Will the legislation change the City's FTE/personnel counts?

No

ATTACHMENTS:

None.



TACOMA PUBLIC UTILITIES
3628 South 35th Street
Tacoma, Washington 98409-3192

Date: February 12, 2020
From: Jackie Flowers, Director of Utilities
To: Dylan Harrison, Senior Real Estate Officer, Real Property Services
Subject: Declaration of Surplus of Tacoma Water Property at Tehaleh

Tacoma Water owns a tract of land identified as a 4.74-acre portion of Pierce County Assessor Tax Parcel Number 0519084009 located adjacent to the Tehaleh Master Planned Community in the Bonney Lake vicinity of unincorporated Pierce County. The tract provides access between portions of Tacoma Water's Pipeline No. 1. Subject to completion of a Boundary Line Adjustment with the abutting TPN 0519093017, following is the Property Legal Description:

A PORTION OF THAT PARCEL OF LAND CONVEYED TO THE CITY OF TACOMA BY DEED DATED MARCH 25, 1933 IN VOLUME 538 PAGES 25-26 (RECORDING NO. 1083485) OF PIERCE COUNTY RECORDS, BEING SITUATED WITHIN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 9, THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, SOUTH 88° 50' 35" EAST A DISTANCE OF 800.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND CONVEYED TO THE CITY OF TACOMA, ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL, NORTH 28° 50' 35" WEST A DISTANCE OF 360.56 FEET TO A POINT BEING 75.00 FEET SOUTHERLY OF, WHEN MEASURED PERPENDICULAR THERETO, THE CENTERLINE OF THE CITY OF TACOMA PIPELINE RIGHT-OF-WAY AS RECORDED IN AUDITOR'S FILE NO. 359284 OF PIERCE COUNTY RECORDS;

THENCE ALONG A LINE PARALLEL WITH, AND 75.00 FEET SOUTHERLY OF SAID CENTERLINE THE FOLLOWING TWO COURSES:

THENCE NORTH 73° 56' 42" EAST A DISTANCE OF 463.92 FEET TO A POINT OF CURVATURE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 394.48 FOOT RADIUS TANGENT CURVE CONCAVE NORTHWESTERLY THROUGH A CENTRAL ANGLE OF 22° 50' 37", AN ARC DISTANCE OF 157.28 FEET TO THE EASTERLY LINE OF SAID PARCEL OF LAND CONVEYED TO THE CITY OF TACOMA;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL SOUTH 01° 09' 25" WEST A DISTANCE OF 524.40 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL, BEING COINCIDENT WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, NORTH 88° 50' 35" WEST A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 206,607 SQUARE FEET OR 4.74 ACRES, MORE OR LESS.



Upon review by Tacoma Water management, it has been concluded that there is no foreseeable need for Tacoma Water to retain fee ownership of the property when operational needs can be met by the proposed easement rights to be retained. Therefore, pursuant to City of Tacoma Municipal Code Section 1.06.280, I hereby certify that, subject to the BLA and Easement, this property has no further public use, is surplus to the needs of Tacoma Public Utilities, and that disposing of it would be in the best interests of the City of Tacoma.

APPROVED:

Jackie Flowers
Jackie Flowers, Director of Utilities

cc: Jennifer Hines, Public Works ADM for Facilities Management/Real Property Services

