

PROPOSED BY: Treasurer
INTRODUCTION DATE:

RESOLUTION NO. _____

RESOLUTION TO SELL COUNTY TAX TITLE PROPERTY BY NEGOTIATION

1 WHEREAS, RCW 36.35.120 allows the County to sell real estate acquired by tax
2 foreclosure where it is found to be in the best interest of Whatcom County to sell the same;
3 and,
4

5 WHEREAS, the County has owned tax title parcel # 400527 490370 0000 (herein
6 "Property"), further described below, since November 20, 2015 and,
7

8 WHEREAS, the Whatcom County Property Management Committee recommends that
9 the resolution be passed to effectively meet the legal requirement for the disposal of the
10 Property; and,
11

12 WHEREAS, RCW 36.35.120 requires the Council to establish the minimum price for
13 said unit of property and to determine whether or not a contract will be allowed, or if it will be a
14 cash price; and,
15

16 WHEREAS, the Whatcom County Property Management Committee recommends the
17 Property be sold by private negotiation to a governmental agency for a public purpose, per
18 RCW 36.35.150(1)(a) and Whatcom County Code 1.10.340, for an amount not less than the
19 principal of the unpaid taxes, interest, and penalty; and,
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21 WHEREAS, the principal taxes, interest, and penalty, total \$254.59 and,
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23 WHEREAS, Resolution 95-005 designated the Whatcom County Treasurer as
24 negotiator in such sales; and
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26 WHEREAS, the Whatcom County Code as well as the state law allows the County to
27 reserve from the sale coal, oil, gas, gravel, mineral, ores, fossils, timber or other resources if
28 the Council finds that it is in the best interest to reserve these;
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30 NOW, THEREFORE, BE IT RESOLVED that it is in the best interest of the County to
31 sell the Property described herein for a price to be negotiated by the Whatcom County
32 Treasurer in an amount not less than the unpaid taxes, interest, and penalty totaling \$254.59:
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34 Parcel # 400527 490370 0000 / PID 144133
35

36 TRACT D, PLAT OF PARADISE LAKES COUNTRY CLUB, DIVISION NO.5, AS FILED
37 IN VOLUME 10 OF PLATS, PAGES 45 AND 46, RECORDS OF WHATCOM COUNTY,
38 WASHINGTON. EXCEPT THAT PORTION BEING MORE PARTICULARLY
39 DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 76
40 OF SAID PARADISE LAKES COUNTRY CLUB, DIVISION NO.5; THENCE NORTH

41 54°27'19" EAST A DISTANCE OF 60.98 FEET; THENCE NORTH 25°40'00" EAST A
42 DISTANCE OF 201.44 FEET; THENCE NORTH 71°41'07" WEST A DISTANCE OF
43 58.22 FEET TO THE NORTHEAST CORNER OF LOT 86 OF SAID PARADISE LAKES
44 COUNTRY CLUB, DIVISION NO.5; THENCE SOUTH 05°31'28" WEST ALONG THE
45 EAST LINE OF SAID LOT 86 A DISTANCE OF 40.95 FEET TO A POINT; THENCE
46 ALONG A CURVE TO THE RIGHT ALONG THE SOUTHERLY AND WESTERLY
47 BOUNDARIES OF LOTS 86, 85, 84 AND 83, SAID CURVE HAVING A RADIUS OF
48 165.00 FEET, A CENTRAL ANGLE OF 152°47'29" FOR AN ARC LENGTH OF 440.02
49 FEET TO THE NORTHWEST CORNER OF LOT 83 OF SAID DIVISION NO.5 AND
50 THE SOUTHERLY RIGHT-OF-WAY LINE OF SANTA FE TRAIL; THENCE SOUTH
51 78°30'00" WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF
52 23.24 FEET TO THE NORTHEAST CORNER OF LOT 82 OF SAID DIVISION NO.5;
53 THENCE ALONG THE NORTHERLY AND EASTERLY BOUNDARIES OF LOTS 82,
54 81, 80, 79, 78 AND 77 OF SAID DIVISION NO.5: SOUTH 18°24'06" EAST A
55 DISTANCE OF 45.24 FEET; THENCE SOUTH 24°12'31" EAST A DISTANCE OF 38.92
56 FEET; THENCE SOUTH 50°45'13" EAST A DISTANCE OF 60.21 FEET; THENCE
57 SOUTH 60°01'34" EAST A DISTANCE OF 61.85 FEET; THENCE SOUTH 86°22'12"
58 EAST A DISTANCE OF 32.48 FEET TO THE NORTHWEST CORNER OF LOT 77 OF
59 SAID DIVISION NO.5; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 77
60 AND A CURVE TO THE RIGHT HAVING A RADIUS OF 165.00 FEET, A CENTRAL
61 ANGLE OF 33°56'42" FOR AN ARC LENGTH OF 97.75 FEET TO THE NORTHEAST
62 CORNER OF SAID LOT 77; THENCE SOUTH 44°00'37" WEST ALONG THE EAST
63 LINE OF SAID LOT 77 A DISTANCE OF 120.82 FEET TO THE SOUTHEAST
64 CORNER OF SAID LOT 77, SAID CORNER IS A POINT ON A CURVE TO THE RIGHT
65 HAVING A RADIUS POINT THAT BEARS SOUTH 30°58'05" WEST A DISTANCE OF
66 45.00 FEET; THENCE ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF
67 45.00 FEET, A CENTRAL ANGLE OF 26°40'46" FOR AN ARC LENGTH OF 20.17
68 FEET TO THE MOST WESTERLY CORNER OF LOT 76 OF SAID DIVISION NO.5;
69 THENCE NORTH 44°00'37" EAST ALONG THE NORTHERLY AND WESTERLY LINE
70 OF SAID LOT 76 A DISTANCE OF 120.82 FEET TO THE POINT OF BEGINNING.
71 SITUATE IN WHATCOM COUNTY, WASHINGTON.
72

73 BE IT FURTHER RESOLVED that said price shall not be allowed under contract and
74 shall be paid in either cash, certified check, or money order to the Whatcom County Treasurer
75 at the time of sale; and,
76

77 BE IT FURTHER RESOLVED that the Property shall be sold subject to restrictive
78 covenants allowing for imposition of Community Association fees, if any, as set forth in
79 Whatcom County Resolution No. 88-37; and,

80 BE IT FURTHER RESOLVED that this sale transfer to the owners all coal, oil, gas,
81 gravel, minerals, ores, fossils, timber or other resources on or in said land and the right to mine
82 for and remove the same in conformity with zoning regulations in force and effect; and,
83

84 BE IT FURTHER RESOLVED that the Whatcom County Treasurer is hereby authorized
85 and directed to sell such property at not less than a certified price and said sale shall take place
86 in accordance with the duties as established in RCW 36.35.120.
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91 BE IT FURTHER RESOLVED by the Whatcom County Council, that a public hearing on
92 the matter of the sale of said property, under said terms, be held on the _____ day of
93 _____, 2023, at _____ p.m., at _____,
94 Whatcom County, Washington; and,
95

96 BE IT FURTHER RESOLVED that the Clerk of the Whatcom County Council shall give
97 notice of such hearing in the manner prescribed by law under RCW 36.34.030.
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99
100 APPROVED this _____ day of _____, 2023.

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102
103 ATTEST: WHATCOM COUNTY COUNCIL
104 WHATCOM COUNTY, WASHINGTON

105
106 _____
107 Dana Brown-Davis, Council Clerk

106 _____
107 Barry Buchanan, Chair

108
109 APPROVED AS TO FORM:
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111
112 /s/Royce Buckingham approved via email on 9/12/2023/MR
113 Civil Deputy Prosecuting Attorney