



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
Bellingham, WA 98225-4038  
(360) 778-5010

## Agenda Bill Report

File Number: AB2023-566

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<b>File ID:</b>	AB2023-566	<b>Version:</b>	1	<b>Status:</b>	Approved
<b>File Created:</b>	08/29/2023	<b>Entered by:</b>	jking@co.whatcom.wa.us		
<b>Department:</b>	Treasurer's Office	<b>File Type:</b>	Resolution Requiring a Public Hearing		
<b>Assigned to:</b>	Council			<b>Final Action:</b>	10/10/2023
<b>Agenda Date:</b>	10/10/2023			<b>Enactment #:</b>	RES 2023-026
<b>Related Files:</b>					

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Primary Contact Email: jking@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Resolution to sell county tax title property by negotiation

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Per RCW 36.35.150(1)(a) and Whatcom County Code 1.10.340, the Whatcom County Property Management Committee has recommended sale of the following tax title property by private negotiation to a governmental agency for a public purpose, for an amount not less than the principal of the unpaid taxes, interest, and penalty of \$254.59.

Tax parcel number 400527 490370 0000 / PID 144133; TRACT D, PLAT OF PARADISE LAKES COUNTRY CLUB, DIVISION NO. 5.

### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
09/12/2023	Council	INTRODUCED FOR PUBLIC HEARING	Council
		Aye: 6 Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner	
		Nay: 1 Elenbaas	
10/10/2023	Council	APPROVED	
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner	
		Nay: 0	

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**Attachments:** Proposed Resolution, Parcel Information

PROPOSED BY: Treasurer  
INTRODUCTION DATE: 9/12/2023

RESOLUTION NO. 2023 - 026

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,  
20

21 WHEREAS, the principal taxes, interest, and penalty, total \$254.59 and,  
22

23 WHEREAS, Resolution 95-005 designated the Whatcom County Treasurer as  
24 negotiator in such sales; and  
25

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;  
29

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:  
33

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,

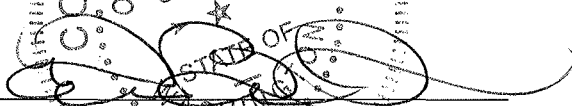
83  
84 BE IT FURTHER RESOLVED that the Whatcom County Treasurer is hereby authorized  
85 and directed to sell such property at not less than a certified price and said sale shall take place  
86 in accordance with the duties as established in RCW 36.35.120.  
87  
88  
89  
90

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 10th day of  
93 Ocotober, 2023, at 6:00 p.m., at 311 Grand Avenue, Bellingham,  
94 Whatcom County, Washington; and,  
95

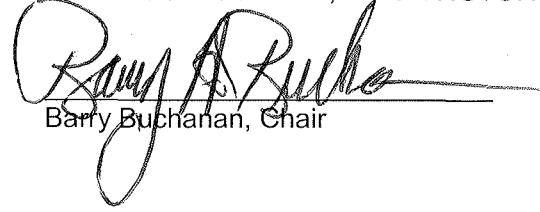
96 BE IT FURTHER RESOLVED that the Clerk of the Whatcom County Council shall give  
97 notice of such hearing in the manner prescribed by law under RCW 36.34.030.  
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99  
100 APPROVED this 10th day of October, 2023.  
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102  
103 ATTEST:

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106   
107 Dana Brown-Davis, Council Clerk  
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WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
Barry Buchanan, Chair

APPROVED AS TO FORM:

/s/Royce Buckingham approved via email on 9/12/2023/MR

Civil Deputy Prosecuting Attorney