

PROPOSED BY: Treasurer
INTRODUCTION DATE:

RESOLUTION NO. _____

RESOLUTION TO SELL COUNTY TAX TITLE PROPERTY BY NEGOTIATION

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

WHEREAS, the County has owned tax title parcel # 370124 013376 0000 (herein "Property"), further described below, since November 18, 1977 and,

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

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

WHEREAS, the Whatcom County Property Management Committee determined that it is not practical to build on the Property and recommends the property be sold, subject to a restrictive covenant that will limit the use of the Property to access and utility use purposes; and,

WHEREAS the Whatcom County Property Management Committee recommends that the Property be sold by private negotiation, without a call for bids, as per RCW 36.35.150(1)(b) for not less than the principal of the unpaid taxes, interest, penalty, and foreclosure costs; and,

WHEREAS, the principal taxes, interest, penalty, and foreclosure costs total \$562.50 and,

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

WHEREAS, the Whatcom County Code as well as the state law allows the County to reserve from the sale coal, oil, gas, gravel, mineral, ores, fossils, timber or other resources if the Council finds that it is in the best interest to reserve these;

NOW, THEREFORE, BE IT RESOLVED that it is in the best interest of the County to sell the Property described herein for a price to be negotiated by the Whatcom County Treasurer in an amount not less than the unpaid taxes, interest, penalty, and foreclosure costs totaling \$562.50:

41 Parcel # 370124 013376 0000 / PID 15126

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43 PLAT OF LUMMI ISLAND SCENIC ESTATES DIVISION NO. 6, TRACT D,
44 ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 9 OF
45 PLATS, PAGE 49, RECORDS OF WHATCOM COUNTY, WASHINGTON.

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

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51 BE IT FURTHER RESOLVED that the Property shall be sold subject to a restrictive
52 covenant that limits the use of the Property for access and utility purposes; and,

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

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

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61 BE IT FURTHER RESOLVED that the Whatcom County Treasurer is hereby authorized
62 and directed to sell such property at not less than a certified price and said sale shall take place
63 in accordance with the duties as established in RCW 36.35.120.

64 BE IT FURTHER RESOLVED by the Whatcom County Council, that a public hearing on
65 the matter of the sale of said property, under said terms, be held on the _____ day of
66 _____, 2023, at _____ p.m., at _____,
67 Whatcom County, Washington; and,

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69 BE IT FURTHER RESOLVED that the Clerk of the Whatcom County Council shall give
70 notice of such hearing in the manner prescribed by law under RCW 36.34.030.

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73 APPROVED this _____ day of _____, 2023.

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76 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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78
79 _____
80 Dana Brown-Davis, Council Clerk

Barry Buchanan, Chair

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82 APPROVED AS TO FORM:

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85 /s/Royce Buckingham approved via email on 9/12/2023/MR
86 Civil Deputy Prosecuting Attorney