



Whatcom County

COUNTY COURTHOUSE
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(360) 778-5010

Agenda Bill Report

File Number: AB2024-348

File ID:	AB2024-348	Version:	1	Status:	Approved
File Created:	05/21/2024	Entered by:	AHester@co.whatcom.wa.us		
Department:	Public Works Department	File Type:	Resolution Requiring a Public Hearing		
Assigned to:	Council			Final Action:	07/09/2024
Agenda Date:	07/09/2024			Enactment #:	RES 2024-033
Related Files:					

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

TITLE FOR AGENDA ITEM:

Resolution to Declare Whatcom County Real Property as Surplus and Approve Transfer

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Per RCW 36.34.130 and Whatcom County Code 1.10.340, the Whatcom County Property Management Committee has recommended to surplus and transfer Whatcom County real property, tax parcel 390109 183088 0000, subject to conservation easement, be transferred to the Lummi Nation for no consideration

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
06/04/2024	Council	INTRODUCED FOR PUBLIC HEARING Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremier Nay: 0	Council
07/09/2024	Council	APPROVED Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremier Nay: 0	

Attachments: Memo, Proposed Resolution, Appraisal, Aerial

SPONSORED BY: _____

PROPOSED BY: Public Works

INTRODUCTION DATE: _____

RESOLUTION NO. 2024-348

RESOLUTION TO DECLARE WHATCOM COUNTY REAL PROPERTY AS SURPLUS AND
APPROVE TRANSFER

WHEREAS, RCW 36.34.005 authorizes counties to establish comprehensive procedures for the management of county property, including the sale of surplus real estate where it is found to be in the best interest of a county to sell same; and

WHEREAS, in Whatcom County Code (WCC), Chapter 1.10, Whatcom County has established those procedures; and

WHEREAS, Public Works purchased a property in 2019 for mitigation purposes for the Birch Bay Drive and Pedestrian Facility project; and

WHEREAS, a permitting requirement is for a conservation easement to be recorded on the title of the property; and

WHEREAS, the property has no further utility or value to Public Works as encumbered by the conversation easement; and

WHEREAS, an appraisal was completed and the property was valued at \$125,000 as encumbered by the conservation easement; and

WHEREAS, the Lummi Nation has interest in ownership of the property and Public Works has interest in transferring the property to the Lummi Nation; and

WHEREAS, WCC 1.10.340 allows for a transfer of property to a governmental agency without a public sale; and

WHEREAS, RCW 36.34.130 allows for transfer of property from a County to another governmental agency by means of private negotiation upon such terms as may be agreed upon and for consideration as may be deemed to be adequate; and


WHEREAS, the Whatcom County Property Management Committee, having met and considered Whatcom County's best interest, recommends that the County Council declare Whatcom County real property, tax parcel number 390109 183088 0000, to be surplus property and that the property be transferred to the Lummi Nation for no consideration; and

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4 NOW, THEREFORE, BE IT RESOLVED that it is in the best interest of the County to declare
5 Whatcom County real property, tax parcel number 390109 183088 0000, to be surplus and that the
6 property be transferred to the Lummi Nation for no consideration.
7

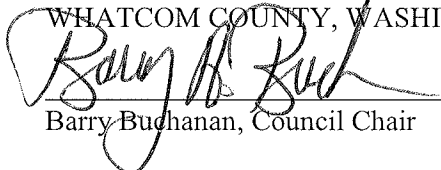
8 BE IT FURTHER RESOLVED that this transaction is subject to a conservation easement being recorded
9 on the title of the property prior to the transfer.
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12 APPROVED this 9th day of July, 2024

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14 ATTEST:

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16 
17 Cathy Halka, County Clerk
18

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

19
20 
Barry Buchanan, Council Chair
21

22 APPROVED AS TO FORM:

23 Christopher Quinn
24 Civil Deputy Prosecutor
(authorized via email 05/21/2024)