

1 SPONSORED BY: \_\_\_\_\_

2 PROPOSED BY: Public Works

3 INTRODUCTION DATE: \_\_\_\_\_

4 RESOLUTION NO. \_\_\_\_\_

5 RESOLUTION TO DECLARE WHATCOM COUNTY REAL PROPERTY AS SURPLUS AND  
6 APPROVE TRANSFER  
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8 WHEREAS, RCW 36.34.005 authorizes counties to establish comprehensive procedures for the  
9 management of county property, including the sale of surplus real estate where it is found to be in the best  
10 interest of a county to sell same; and

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

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

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

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED that this transaction is subject to a conservation easement being recorded on the title of the property prior to the transfer.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, County Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED AS TO FORM:

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