

**CITY OF REDMOND
RESOLUTION NO. _____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DECLARING CERTAIN UTILITY AND NON-UTILITY ASSETS, EASEMENTS, AND FEE PROPERTY LOCATED ALONG OR NEAR THE DOWNTOWN REDMOND LINK EXTENSION ALIGNMENT TO BE SURPLUS TO THE CURRENT AND LONG-TERM NEEDS OF THE CITY AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO VACATE AND RELEASE SUCH SURPLUS ASSETS, EASEMENTS, AND FEE PROPERTY

WHEREAS, the City currently owns certain utility and non-utility assets, easements, and fee property located along or near the 3.4-mile Downtown Redmond Link Extension (DRLE) project alignment as generally shown in Exhibit 1; and

WHEREAS, these assets, easements, and fee properties were originally acquired by the City to provide for stormwater, water and wastewater utility services, property and building access, and for park, open space, recreation, street or road purposes along or near the DRLE alignment; and

WHEREAS, Sound Transit plans to construct, operate, and maintain a light rail transit system in the alignment generally shown in Exhibit 1; and

WHEREAS, certain existing assets and easements must be relocated or replaced, and fee property sold, to accommodate Sound Transit's light rail transit system; and

WHEREAS, to build the DRLE project, new utility and non-

utility assets and easements and other property rights are needed, and certain original assets and easements and other property rights must be released and extinguished; and

WHEREAS, RCW 35.94.040 provides that the City may, by resolution of its legislative body after a public hearing, declare such certain original utility assets and easements as surplus properties, and thereafter cause such properties to be leased, sold, or conveyed; and

WHEREAS, RCW 39.33 provides that the City may declare such certain original non-utility property as surplus and thereafter cause such properties to be leased, sold, or conveyed; and

WHEREAS, the Redmond City Council held a public hearing on the surplus utility and non-utility assets, easements, and fee property on June 18, 2019, and after considering all testimony received, is determined to enact this resolution declaring that certain utility and non-utility assets, easements, and fee property are surplus to the City's needs, and authorizes their release and extinguishment; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Properties Declared Surplus. The surplus utility and non-utility assets, easements, and fee property depicted in Exhibits 2 and 3 of this resolution, and if necessary, any other such surplus utility and non-utility assets, easements,

and fee property related to the DRLE project, each of which was originally acquired for utility, access, or other public purposes, are not required to provide for future public utility service, access, or other public purposes and are hereby declared to be surplus to the City's needs.

Section 2. Authority of Mayor or Designee. The Mayor or his/her designee is hereby authorized and directed to take appropriate action of his/her choosing to release and extinguish certain utility and non-utility assets, easements, and convey fee property described in exhibits 2 and 3, and to release and extinguish any other utility and non-utility assets, easements, and convey fee property that may be necessary to facilitate the DRLE project.

Section 3. Consideration for Utility Assets and Easements. The City Council has determined that satisfactory consideration for releasing and extinguishing these utility assets and easements is provided by the following benefits: (1) that the City will no longer need to maintain and reserve money for replacement of utility assets and easements that no longer have value nor provide service, (2) that Sound Transit will relocate and replace utility assets and easements that leave Redmond's utility systems in an equal or better condition than they would otherwise be.

Section 4. Consideration for Non-Utility Assets,

Easements, or Fee Property. The Mayor or his/her designee is authorized to negotiate the terms and conditions for conveying non-utility assets, easements, or fee property consistent with RCW 39.33.010, RCW 39.33.020, RCW 43.09.210, and other applicable laws.

ADOPTED by the Redmond City Council this 18th day of June, 2019.

APPROVED:

MAYOR, JOHN MARCHIONE

ATTEST:

MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
RESOLUTION NO: