

**CITY OF REDMOND**  
**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF REDMOND, WASHINGTON, DECLARING CERTAIN  
UTILITY AND NON-UTILITY ASSETS AND EASEMENTS  
LOCATED ON THE MICROSOFT REFRESH PROJECT TO BE  
SURPLUS TO THE CURRENT AND LONG-TERM NEEDS OF  
THE CITY AND AUTHORIZING THE MAYOR OR HIS  
DESIGNEE VACATE AND RELEASE SUCH SURPLUS  
ASSETS AND EASEMENTS

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WHEREAS, the City currently owns certain utility and non-utility assets and easements located within the 81-acre Microsoft Refresh project site in Exhibit 1; and

WHEREAS, these assets and easements were originally acquired by the City as a condition of development approval to provide for stormwater, water and wastewater utility services, and access to parcels and buildings within the boundaries of the Microsoft Refresh project site; and

WHEREAS, Microsoft submitted plans to the City of Redmond and received approval to demolish 13 office buildings and construct 17 new office buildings totaling approximately 2,094,000 square feet, to accommodate up to 8,000 more employees and an underground parking structure on the Microsoft Refresh project site; and

WHEREAS, certain original assets and easements, provided to serve the 13 office buildings to be demolished cannot serve the 17 new office buildings and underground parking structure that are to be built within the Microsoft Refresh project site; and

WHEREAS, to build the Microsoft Refresh project, new utility and non-utility assets and easements are needed, and certain original assets and easements 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 easements as surplus property 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 and easements on March 5, 2019, and after considering all testimony received, is determined to enact this resolution declaring that certain utility and non-utility assets and easements 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 and easements depicted in Exhibits 2 and 3 of this resolution, and if necessary, any other such surplus

utility and non-utility assets and easements related to the Microsoft Refresh project, each of which was originally acquired for utility purposes and access, are not required to provide for future public utility service and access and are hereby declared to be surplus to the City's needs.

Section 2. Authority of Mayor or Designee. The Mayor or his designee is hereby authorized and directed to take appropriate action of his/her choosing to release and extinguish certain utility and non-utility assets and easements described in exhibits 2 and 3, and to release and extinguish any other utility and non-utility assets and easements that may be necessary to provide for the redevelopment of the City-approved Microsoft Refresh project. The City Council has determined that satisfactory consideration for releasing and extinguishing these utility and non-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 to the Microsoft campus, (2) that certain new private utility assets provided as part of the Microsoft Refresh development will reduce financial and service demands on the City's utilities, and (3) that the NE 40<sup>th</sup> Street stormwater trunk line funded by Microsoft to serve the Microsoft campus provides excess service capacity that is a significant benefit to the customers of the City's stormwater utility.

ADOPTED by the Redmond City Council this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
MAYOR, JOHN MARCHIONE

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

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