

RESOLUTION 2022-

A RESOLUTION declaring the property located at 501 South 12th Street, Yakima, Washington, to be surplus to the uses and needs of the City of Yakima, and authorizing disposition of such parcel to Douglas H. Lemon pursuant to RFP 12233P and upon mutually acceptable terms and conditions.

WHEREAS, pursuant to RCW 35.22.280(3), the City of Yakima can purchase and dispose of real estate; and

WHEREAS, in 2006, the City of Yakima (City) acquired the property at 501 South 12th Street, Yakima, Washington, 98901 ("Subject Property") through a Quit Claim Deed to the City of Yakima, Parks and Recreation Department; and

WHEREAS, since that date, the City has not used the property for public purpose and it has remained vacant since that date; and

WHEREAS, the property currently stands as an empty lot which must be maintained by the City at City cost; and

WHEREAS, the City Council finds and determines that the property at 501 South 12th Street, Yakima, Washington, is surplus to the uses and needs of the City of Yakima, and that a declaration that the property is surplus, and an authorization for the disposition of the property are in the best interests of the residents of the City of Yakima, and will promote the public health, safety, and welfare; and

WHEREAS, the City solicited proposals for the construction of housing on the property through RFP 12233P; and

WHEREAS, RFP 12233P was awarded to Douglas H. Lemon, who responded to the RFP indicating his intention to build a duplex on the property; and

WHEREAS, the City obtained an appraisal of the property and it appraised at an amount equal to or less than the amount for which Douglas H. Lemon has agreed to pay; and

WHEREAS, the property and surrounding properties are zoned general commercial, but because of the City's need for housing, a covenant shall be placed on the property requiring it remain in a residential use until 25 years elapse and surrounding properties are converted to commercial use; and

WHEREAS, the City Council has reviewed the Purchase and Sale Agreement and Covenant and finds that the purchase price of \$65,000.00 is the fair market value of the property taking into account the current condition of the property, and that it is being sold "as is," the assessed value of the property; and

WHEREAS, the City Council finds and determines that authorizing the City Manager to enter into the Purchase and Sale Agreement with Douglas H. Lemon is in the best interests of the residents of the City of Yakima and will promote the general health, safety and welfare; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:

Section 1. Fee title ownership of the property at 501 South 12th Street, Yakima, Washington (Yakima County Assessor's Tax Parcel Number 191320-32484) (referred to as the "Subject Property") is hereby declared surplus to the uses and needs of the City of Yakima.

Section 2. The City Manager is hereby authorized to dispose of the Subject Property through executing the Purchase and Sale Agreement with Douglas H. Lemon, which is approved by the City Council and attached hereto and based on the following:

- (a) Douglas H. Lemon was awarded RFP 12233P, a published request for proposals to develop this City-owned property, the recommendation for which was approved by vote of the City Council on September 6, 2022;
- (b) The property is sold "as is" to Douglas H. Lemon;
- (c) The sale of the Subject Property will facilitate Douglas H. Lemon to construct additional housing in the City of Yakima;
- (d) A Covenant to ensure that the property remain housing and used as a residential use until surrounding properties are converted to commercial uses is required on the property; and
- (e) The sale of the Subject Property is subject to the terms and conditions as detailed in the Purchase and Sale Agreement attached hereto.

Section 3. The City Manager is authorized to sign and enter into a Purchase and Sale Agreement between the City of Yakima and Douglas H. Lemon to sell the property commonly known as 501 South 12th Street, Yakima, Washington, 98901, pursuant to the terms and conditions listed in the Agreement, Exhibit "1," attached hereto and fully incorporated herein.

Section 4. The City Manager is authorized to approve the Covenant, attached hereto as Exhibit "2," to ensure that the property remains in residential use, despite the fact that it is zoned for general commercial use, until 25 years elapse and surrounding properties are converted to commercial use.

Section 5. The City Manager is authorized to prepare and execute a deed of conveyance to accomplish such sale in accordance with the terms and conditions above, and within the Purchase & Sale Agreement, and to deliver such deed for recording by the purchaser upon payment in full to the City of Yakima of the consideration described above.

Section 6. The City Manager is authorized to sign and/or execute any other documents necessary to close the sale of the property under the terms and conditions of the RFP, Purchase and Sale Agreement, Covenant, or closing requirements for the Subject Property.

Section 7. To the extent allowed by law, the City Council directs that the proceeds from the sale of the Subject Property shall be paid to the City's general fund to be used by the Parks & Recreation Department pursuant to the Quit Claim Deed.

ADOPTED BY THE CITY COUNCIL this 6th day of September, 2022.

Janice Deccio, Mayor

ATTEST:

Sonya Claar Tee, City Clerk