

RESOLUTION NO. 649

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RUSTON, DECLARING TWO PARCELS OF REAL PROPERTY AS “SURPLUS”, DIRECTING THE SALE OF THESE PARCELS, AUTHORIZING THE MAYOR TO IMPLEMENT THIS RESOLUTION, INCLUDING OBTAINING APPRAISALS, PLACING THE PROPERTY ONTO THE OPEN MARKET WITH CONDITIONS OF SALE AS OUTLINED HEREIN, AND AUTHORIZING THE MAYOR TO FINALIZE THE SALES, AFTER CONSULTING WITH THE COUNCIL.

WHEREAS, the City of Ruston owns two parcels of undeveloped real property within its borders which are currently not in use. These two parcels are:

1. Address: 5114 N. 49th Street, Ruston WA 98407

 Parcel No.: 2365000700

 Zoning: Residential (RES Zone)

 Improvement: Vacant land – undeveloped

2. Address: 5405 N. Commercial Street, Ruston WA 98407

 Parcel No.: 4002050050

 Zoning: Residential (RES Zone)

 Improvement: Vacant land – undeveloped; and

WHEREAS, neither of these parcels were purchased by the City for utility property; and

WHEREAS, the Mayor and Planning Director do not anticipate any city use for either of these parcels and recommend that the Council consider declaring both of these properties “surplus” and directing their sale on the open market for fair market value or greater; and

WHEREAS, under Washington law (RCW 35A.11.010), the City has the right to sell surplus property; and

WHEREAS, the City has complied with the State law requirement to allow the sale of surplus real property by holding a duly-noticed public hearing on March 7, 2107; and

WHEREAS, notice of the public hearing was published a minimum of 10 days (and no more than 25 days) prior to the hearing in the City's Official Newspaper and included the information required by State statute; and

WHEREAS, in addition to publishing notice in its official newspaper, the City also sent press releases about the public hearing to the Tacoma News Tribune and Tacoma Weekly and posted copies of the Notice on the Announcement Board at City Hall, at the Mary Joyce Community Center and on the City of Ruston Website; and

WHEREAS, the Council held the public hearing on March 7, 2017 and had discussion on the issue following the hearing; and

WHEREAS, the Council continued to consider and discuss this issue during the April 4, 2017 Council meeting; and

WHEREAS, following the public hearing and two Council discussions, and considering the public interest and welfare of the City of Ruston, the City Council has determined that the two parcels of real property described in this Resolution are not needed by the City at the present time and no future need or use is anticipated; and

WHEREAS, after considering the input of the City Planning Director, the City Council deems it in the public interest to require certain development conditions and timeline as part of the sale as described in this Resolution; and

WHEREAS, the City Council deems it in the public's best interest to authorize the Mayor to implement this resolution and to undertake the sale of these parcels on behalf of the City as described in this Resolution; **NOW, THEREFORE,**

THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY RESOLVES AS

FOLLOWS:

Section 1. Properties Declared Surplus. The City Council hereby declares the following two parcels of real property as “surplus” to the City’s needs.

- a. Address: 5114 N. 49th Street, Ruston WA 98407
Parcel No.: 2365000700
Zoning: Residential (RES Zone)
Improvement: Vacant land – undeveloped
- b. Address: 5405 N. Commercial Street, Ruston WA 98407
Parcel No.: 4002050050
Zoning: Residential (RES Zone)
Improvement: Vacant land – undeveloped

Section 2. Mayor Authorized to Sell the Surplus Real Property with Conditions. The Mayor of Ruston is hereby authorized to take any and all appropriate acts to sell the property described above, including:

- a. Obtaining an appraisal of each property to establish fair market value.
- b. Placing the property onto the market and market it for sale. This authority includes the authority to hire a listing agent, if desired.
- c. As part of the marketing of the properties, the following conditions of sale shall be required of any purchaser:

Parcel 1: 5114 N. 49th Street, Ruston WA 98407

- 1. The City shall require that any home developed on this lot have a front porch of a minimum depth of 8-feet which is at least as half as wide as the overall width of the main structure.

2. The City shall also require that the lot be developed within 24 months of closing.

Parcel 2: 5405 N. Commercial Street, Ruston WA 98407

1. The City shall require that any home developed on this lot have a front porch of a minimum depth of 8-feet which is at least as half as wide as the overall width of the main structure.
 2. This property shall not be permitted to develop a garage in the front of the lot.
 3. The City shall also require that the lot be developed within 24 months of closing.
- d. The Mayor shall keep the Councilmembers informed as to the status of the property, including sharing any offers to purchase.
- e. The Mayor is authorized to take any other actions necessary to sell the two parcels of real property and to maximize the price thereof. In no case shall the properties be sold for less than the appraised valuation.

PASSED by the City Council of the City of Ruston, signed by the Mayor and attested by the City Clerk in authentication of such passage on this 4th day of April, 2017.

Bruce Hopkins, Mayor

ATTEST:

Judy Grams, City Clerk

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
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