

RESOLUTION NO. 5448

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DECLARING FORFEITED REAL PROPERTY AS SURPLUS AND AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE AGREEMENTS.

WHEREAS, on or about January 30, 2019, the City of Auburn initiated proceedings in the King County Superior Court to seize property located at 11626 SE 270th Street, in Kent, Washington, pursuant to RCW 69.50.505, as the property was used to manufacture of marijuana; and

WHEREAS, the owners of the property have agreed to forfeit their right, title, and interests in the real property, pursuant to a settlement agreement; and

WHEREAS, state law restricts the use of such forfeited property, and the proceeds from the sale of the property, to further activities related to the expansion and improvement of controlled substances law enforcement; and

WHEREAS, the Auburn Police Department has determined that law enforcement does not require use for the property and it is in the public interest to surplus the property and sell it for its fair market value.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RESOLVES as follows:

Section 1. The Mayor is authorized to enter into a Settlement Agreement substantially in the form of Exhibit A, to execute a Promissory Note substantially in the form of Exhibit B, and to accept the forfeited property on behalf of the City.

Section 2. The property described below is declared to be not necessary for law enforcement purposes, is declared to be surplus. The Mayor is authorized to dispose of

the property through an appropriate fair market sale, and to deposit any remaining proceeds in the City's drug forfeiture fund.

11626 SOUTHEAST 270TH STREET, KENT, KING COUNTY, WASHINGTON

PARCEL NO. 787900-0020-09

LOT 2, SOUTH BEND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 174 OF PLATS, PAGE(S) 30 THROUGH 32, RECORDS OF KING COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

Section 2. That the Mayor is authorized to implement such other administrative procedures as may be necessary to carry out this legislation.

Section 3. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2019.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Steven L. Gross, City Attorney