

RESOLUTION NO. 5596

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN INGRESS, EGRESS, AND AIR RIGHTS EASEMENT BURDENING CITY OWNED PROPERTY FOR THE BENEFIT OF AUBURN CITY CENTER SENIOR LIVING ASSOCIATES, LLC

WHEREAS, the City of Auburn owns a lot at the intersection of West Main Street and Division Street, which is used as a downtown public park plaza; and

WHEREAS, Auburn City Center Senior Living Associates, LLC is constructing a seven-story mixed-use building permitted by the City of Auburn under building permit BLD18-0140 which will abut the plaza on the south and west edges; and

WHEREAS, for the benefit of their development, Auburn City Center Senior Living Associates, LLC desires to purchase both an air rights easement and an ingress & egress easement across and above the west 8 feet and south 8 feet of the plaza, except for the east 10-foot portion of the south 8 feet; and

WHEREAS, the City has negotiated a price for the easement of \$65,000.00, which is considered to be the current fair market value for the property rights being granted.

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

Section 1. The Mayor is authorized to execute an easement in substantial the form of the easement attached as Exhibit A granting Auburn City Center Senior Living Associates, LLC and any successors in interest the rights of Ingress, Egress, and Air Rights on and above the City property at West Main Street and Division Street,

Section 2. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: _____

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney