

THE HOUSING AUTHORITY OF THE COUNTY OF KING

RESOLUTION NO. 5503

**A RESOLUTION AUTHORIZING ACQUISITION OF
THE VILLAGES AT SOUTH STATION**

WHEREAS, RCW 35.82.070(2) provides, in part, that a housing authority shall have the power to acquire housing projects within its area of operations, and RCW 35.82.070(5) authorizes a housing authority to acquire real property by exercise of the power of eminent domain; and

WHEREAS, there is an increasingly serious shortage of affordable housing in King County, which the King County Housing Authority (“Housing Authority”) is charged with addressing pursuant to its mission of providing quality affordable housing opportunities equitably distributed within King County; and

WHEREAS, it is a goal of local government and the Housing Authority to further fair housing in the region affirmatively, in part through preservation of existing affordable housing opportunities in areas with significantly appreciating housing costs; and

WHEREAS, there is a growing loss of affordable housing within transit corridors and around light rail stations in King County; and

WHEREAS, access to reliable public transportation is a critical resource for low-income households, providing access to work, services, school, shopping, cultural and other activities for these residents; and

WHEREAS, the Housing Authority has identified acquiring and developing housing along planned mass transit corridors as a strategic priority to

ensure the long-term availability of low-income housing near reliable public transportation; and

WHEREAS, the Villages at South Station (the “Property”) comprise 191 units of housing located at 3724 South 154th Street, in Tukwila, Washington, in an area of King County that is within a transit corridor and close to light rail where rents are increasingly unaffordable to low-income households; and

WHEREAS, acquisition of the Property by the Housing Authority will serve the mission of the Housing Authority and the housing goals of the region through an approach that is considerably less expensive than constructing the same number of new units; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF KING, THAT;

Section 1: Acquisition of the Property by the Housing Authority is necessary to preserve and provide housing for persons of low income that is equitably distributed in various areas of its operations, and in areas of rising rents, planned mass transit corridors and high housing market costs in particular.

Section 2: The Board of Commissioners hereby authorizes the Executive Director to acquire the Property by condemnation through exercise of the Housing Authority’s power of eminent domain, if it is unsuccessful in acquiring the Property on satisfactory terms through negotiation with and purchase from the owner in lieu of condemnation for a price anticipated to be approximately twenty nine million three hundred thousand dollars (\$29,300,000) (\$153,403.14

per unit) but which shall not exceed 105% of the appraised value of the Property pursuant to an appraisal completed by a Washington State licensed MAI appraiser. The Executive Director is hereby further vested with the authority, and with discretion in the exercise thereof, to give notice to the current owner of the Property of the Housing Authority's intention to acquire the Property by eminent domain if it is unsuccessful in acquiring the Property on satisfactory terms through negotiation and purchase in lieu of condemnation. The Executive Director shall certify to the Board of Commissioners in writing the final determination he has made, i.e., whether to acquire the Property (i) by condemnation through exercise of the Housing Authority's power of eminent domain, or (ii) through negotiation with and purchase from the owner of the Property in lieu of condemnation.

Section 3: The Executive Director is hereby vested with the authority, and with discretion in the exercise thereof, to attempt to negotiate purchase of the Property from the owner in lieu of condemnation. If the Executive Director is successful in negotiation of the purchase of the Property from the owner in lieu of condemnation for the price authorized above, then the Executive Director is hereby authorized (a) to sign a Purchase and Sale Agreement providing for the acquisition of the Property containing such terms and conditions as are customary in such transactions and as are deemed by the Executive Director to be in the best interests of the Housing Authority, and (b) to pay into the purchase escrow the earnest money deposit for the purchase of the Property provided for under the Purchase and Sale Agreement under terms that would permit the

earnest money to be forfeited to the seller as liquidated damages if the sale fails to close through no fault of the seller.

Section 4: The Executive Director is further hereby vested with the authority, and with discretion in the exercise of such authority, to make a final determination after reviewing the results of the due diligence of the Property as to whether to proceed with the purchase of the Property if he deems it in the best interest of the Housing Authority. The Executive Director shall certify to the Board of Commissioners in writing the final determination he has made. If the Executive Director makes a final determination to proceed, the Board of Commissioners hereby further authorizes the Executive Director, Stephen J. Norman, to take any and all actions necessary to consummate acquisition of the Property.

Section 5: The Board of Commissioners hereby elects pursuant to RCW 8.26.010(2) not to comply with the provisions of RCW 8.26.035 through RCW 8.26.115 in connection with the acquisition of the Property because no existing occupants of the Property will be displaced by reason of the acquisition.

Section 6: The Board of Commissioners hereby authorizes the Executive Director, Stephen J. Norman, to execute any and all applications, agreements, certifications or other documents in connection with the submission of various funding and financing applications, in order to provide all or part of the interim and/or permanent financing of the Property.

Section 7: The Board of Commissioners hereby authorizes the Executive Director, Stephen J. Norman, and in his absence, Deputy Executive Director Daniel R. Watson or Deputy Executive Director Constance C. Davis, to

execute any and all contracts, agreements, certifications or other documents in connection with the acquisition of Property.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF KING THIS 20th DAY OF
APRIL, 2015.**

**THE HOUSING AUTHORITY OF THE
COUNTY OF KING, WASHINGTON**


DOUGLAS J. BARNES, Chair

Attest:


STEPHEN J. NORMAN, Secretary

