

THE HOUSING AUTHORITY OF THE COUNTY OF KING

RESOLUTION NO. 5600

**A RESOLUTION AUTHORIZING ACQUISITION OF THE HOWE PROPERTY
LOCATED IN REDMOND, WASHINGTON**

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 the creation of affordable housing opportunities in areas with significantly appreciating housing costs; and

WHEREAS, RCW 35.82.070(2) and (3) provide, in part, that a housing authority shall have the power to provide for the construction of housing projects within its area of operations; 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, RCW 35.82.120 directs that in the planning and creation of any housing project a housing authority shall take into consideration the relationship of the

project to any larger plan or long-range program for the development of the area in which the housing authority functions; and

WHEREAS, King County (the “County”) has identified a specific property, comprised of a commercial building containing approximately 7,800 gross square feet located on a lot containing approximately 25,900 square feet, and commonly known as 16725 Cleveland Street, Redmond, Washington (the “Howe Property” or “Property”) as a priority location for a County bus layover site for transit servicing the planned adjacent light rail station; and

WHEREAS, the Housing Authority has identified the area surrounding and including the Property as a high priority location for locating a transit-oriented affordable housing project for low-income households; and

WHEREAS, the County has asked the Housing Authority to evaluate the viability of the Property for the co-location of a County bus transit layover facility and an affordable housing transit-oriented development apartment project; 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 by allowing the Authority to acquire the Property, prior to expected appreciation of property values, in anticipation of constructing low income housing units on the Property, which will be consistent with the larger plan for development of the area surrounding the Property; and

WHEREAS, RCW 35.82.070(5) authorizes a housing authority to acquire real property by exercise of the power of eminent domain or by purchase in lieu of exercise of the power of eminent domain; 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 provide affordable housing for persons of low income that is equitably distributed throughout areas of the Authority's operations, in planned mass transit corridors with rising rents and high housing market costs in particular, and in a location that takes into consideration the relationship of the project to the larger plan or long-range program for the development of the area in which the Housing Authority functions.

Section 2: If the Housing Authority should be unsuccessful in acquiring the Property from the owner on satisfactory terms through negotiation and purchase in lieu of condemnation, the Board of Commissioners hereby authorizes the Executive Director to acquire the Property by condemnation through the exercise of the Housing Authority's power of eminent domain for a price that is anticipated to be approximately Five Million Five Hundred Thousand Dollars but which shall not exceed 110% of the appraised value of the Property pursuant to an appraisal completed by a Washington State licensed 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.

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, 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 a non-refundable option payment not to exceed Three Hundred Thousand Dollars (\$300,000.00) which shall be applied toward the purchase price in the event the Housing Authority acquires the Property.

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. 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 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 or to make any other arrangements necessary, in order to provide all or part of the interim and/or permanent financing of the Property.

Section 6: 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 Jill Stanton, to execute on behalf of the Housing

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

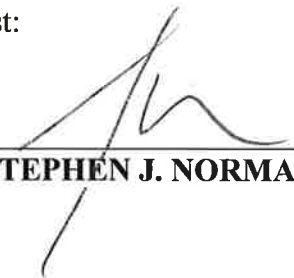
**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE HOUSING
AUTHORITY OF THE COUNTY OF KING THIS 18th DAY OF JUNE, 2018.**

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



DOUGLAS J. BARNES, Chair

Attest:



STEPHEN J. NORMAN, Secretary