

PORT OF OLYMPIA COMMISSION
Resolution 2008-07

**A Resolution of the Port of Olympia Authorizing the sale of real property
located in downtown Olympia in Thurston County.**

WHEREAS, the Port of Olympia owns certain real property described as Lot 4 (Plaza) of East Bay Redevelopment Short Plat, City of Olympia Master File #07-0154, Parcel No. 66130000100, 78201100600 and by this reference incorporated herein (the "Property").

WHEREAS, the LOTT Alliance wishes to purchase the Property, and to use the Property for a civic plaza. The new East Bay Civic Plaza will be a gathering space situated at the center of the East Bay Redevelopment Project, surrounded by the new LOTT Alliance headquarters to the West and the Hands On Children's Museum to the North. The East Bay Civic Plaza will contain public restrooms, staging area, and water features, and allow for continued public access to the East Bay waterfront. The LOTT Alliance and the City of Olympia will contribute to the environmental cleanup of the Property and pay for the design, construction, and maintenance of the East Bay Civic Plaza pursuant to an inter-local agreement to be entered into between the LOTT Alliance, the City of Olympia, and the Port of Olympia, which will also provide for the ongoing ownership, additional construction, and maintenance of the Property. The creation of the East Bay Civic Plaza is in the public interest, and the Port wishes to sell the Property to the LOTT Alliance for the uses stated above.

WHEREAS, the consideration to be received by the Port for the Property will include non-monetary consideration in the form of the agreement by the LOTT Alliance and the City of Olympia assume responsibility for the environmental cleanup of the Property and pay for the design, construction, and maintenance of the East Bay Civic Plaza pursuant to an Interlocal Agreement to be entered into between the LOTT Alliance, the City of Olympia, and the Port of Olympia, which will also provide for the ongoing ownership, additional construction, and maintenance of the Property. The cleanup and development of the East Bay Plaza will provide a valuable public space in the East Bay Redevelopment area. The valuable public space and amenity created by East Bay Plaza will also add value to the remaining parcels owned by the Port in the East Bay Redevelopment area and surrounding areas.

WHEREAS, following public notice and hearing the Port Commission has by resolution found and determined that the Property is no longer needed for Port district purposes and is surplus to the Port's needs, and that the sale of such Property for the uses stated above is in the public interest.

WHEREAS, following public notice and hearing the Port Commission has by resolution also found and determined that the Comprehensive Plan should be amended and has so amended the Comprehensive Plan to find the Property surplus to Port needs and removed the Property from the State Avenue District section of the Comprehensive Plan to permit the proposed sale of the Property to the LOTT Alliance for the uses stated above.

WHEREAS, public notice was given and a public hearing was held pursuant to RCW 53.08.090 and RCW 39.33.020 regarding a proposed sale of the Property to the LOTT Alliance.

NOW, THEREFORE, be it resolved that:

The proposed sale of the Property to the LOTT Alliance for the uses stated above is in the public interest. The Port is authorized to sell the Property to the LOTT Alliance for its true and full value and on such terms and conditions as may be mutually agreed to by the parties (which may include money or other consideration), and the managing officials of the Port are hereby authorized to act on behalf of the Port to negotiate any and all additional agreements as may be necessary or appropriate in connection with the sale of such Property and to execute and deliver the Purchase And Sale Agreement negotiated by the parties and any and all additional documents, instruments and certificates, and to take any and all action as may be necessary, appropriate or required to carry out the terms and provisions of this resolution and the agreements to be entered into between the Port and the LOTT Alliance pursuant thereto.

ADOPTED this 14th day of April 2008, by the Port of Olympia Commission. _

Bill McGregor, President

Paul Telford, Vice President

George Barner, Secretary/Treasurer