

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA, WASHINGTON,
APPROVING A PURCHASE AND SALE AGREEMENT FOR CERTAIN EXCESS CITY-OWNED
REAL PROPERTY TO GOLDWIN AND EUGINA DEMPSEY**

WHEREAS, the City of Olympia is the owner of certain real property located in Thurston County, Washington, consisting of an approximately 250 square foot rectangle, which is more particularly described on Exhibit “A” (legal description) and Exhibit “B” (sketch) attached to the Real Estate Purchase and Sale Agreement (“the Rectangular Property”); and

WHEREAS, Goldwin and Eugina Dempsey own certain real property located at 1330 7th Ave SE in Olympia, Thurston County Parcel No. 32700300011, and legally described as follows: AYERS L 4 B 3 S ½ & L 4 S 5F OF N 135F OF W 1/2 LESS S 30F ST; and

WHEREAS, the Rectangular Property is located at the northeast corner of the Dempsey’s adjacent property described above and it is embedded in their lot; the Rectangular Property is bordered by the Dempsey’s property on the west and south and is bordered on the north by a 20-foot wide unopened and unused City of Olympia alley, running east-west at this location; and

WHEREAS, in September 2022, a survey of the Dempseys’ property, commissioned by the Dempseys, revealed that the Rectangular Property was not a part of the Dempsey’s adjacent property as they and their predecessors had long believed, but was owned by the City. Prior to this revelation, the Dempseys, and their predecessors, had assumed that the Rectangular Property was part of the Dempsey’s adjacent property and had treated it as such, including constructing and maintaining a garage on part of the Rectangular Property, which had stood for decades, before it was recently torn down due to its dilapidated condition. The City and Thurston County, also, did not realize that the Rectangular Property was owned by the City. The Rectangular Property was not identified as being owned by the City in the Thurston County Assessor’s parcel information and the City’s own inventory of properties under its ownership did not show the Rectangular Property as being City-owned; and

WHEREAS, the Rectangular Property is not, and has not been, used by the City for any municipal purpose; in particular, the Rectangular Property is not used by the City for municipal utility purposes or for transportation services; and

WHEREAS, pursuant to the City’s Procedures for the Evaluation of City Real Property for Reuse and Disposal, City staff have determined that the Rectangular Property is “Excess Property” not needed for any current or future City use (however, given the unique size and shape of the Rectangular Property, and its adjacency to the Dempseys’ property, it is apparent that it will have basically no value to any City Department, any other government agency, or any private party, other than the Dempseys. City staff therefore determined that the provision of notice of potential disposition of the Rectangular Property should be dispensed with; and

WHEREAS, the Dempseys wish to purchase the Rectangular Property from the City so that they can incorporate it into their lot and so they can proceed with re-constructing their garage. The Dempseys have indicated that they are willing to pay the fair market value for the Rectangular Property, as

determined by the City, and are willing to pay all closing and other costs associated with the purchase of the Rectangular Property; and

WHEREAS, using the average value of the land per the Thurston County Assessor for the years 2021, 2022, and 2023 and dividing that by the assessed square footage of the parcel, the City's former City Surveyor determined the fair market value of the Rectangular Property is \$2,765.00; and

WHEREAS, it is in the City's interest to divest itself of the Rectangular Property because doing so will relieve the City of any obligations to maintain the property and of any potential liabilities associated with owning it;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE as follows:

1. The Olympia City Council hereby approves the Real Estate Purchase and Sale Agreement between the City of Olympia as Seller and Goldwin and Eugina Dempsey as Buyer of the Rectangular Property legally described in Exhibit A and as shown in Exhibit B.
2. The City Manager is directed and authorized to execute on behalf of the City of Olympia the Real Estate Purchase and Sale Agreement between the City of Olympia and Goldwin and Eugina Dempsey and any other documents necessary to complete the sale of the Rectangular Property to the Dempseys, and to make any minor amendments or modifications as may be required and are consistent with the intent of the Real Estate Purchase and Sale Agreement, or to correct any clerical or scrivener's errors.

PASSED BY THE OLYMPIA CITY COUNCIL this _____ day of _____ 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young

DEPUTY CITY ATTORNEY