

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2285

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,
AMENDING SECTION 3.28.030 “COMPETITIVE BIDS FOR SALE OF
REAL PROPERTY – EXCEPTION” ADDING EXCEPTIONS FOR CITY
TRADES OR EXCHANGES OF REAL PROPERTY, AND CITY TRADES,
EXCHANGES OR SALE OF STREETS NOT SUBJECT TO VACATION
UNDER 12.48 SMC.**

WHEREAS, unique situations occasionally arise where the City’s requirement of competitive bid for sale of real property is not in the best interest of the City; and

WHEREAS, among those situations are trades or exchanges of real property of comparable value and trades, exchanges, or sales of City interests in fee owned property used for streets, and not subject to the vacation procedures of Chapter 12.48 SMC; and

WHEREAS, the City wishes to establish an exception to competitive bidding but to insure proper public notice and that fair and equal value is achieved;

NOW, THEREFORE, The City Council of the City of Snohomish, Washington, do ordain as follows:

Section 1. Snohomish Municipal Code Section 3.28.030 is hereby amended to read as follows:

3.28.030 Competitive Bids for Sale of Real Property – Exception. The City Clerk shall advertise for written competitive bids on any sale of real property except:

- A. When selling to a government agency in which event the transfer shall be approved by the court or as otherwise provided by law;
- B. When the value of the property to be sold is less than two hundred dollars;
- C. When the real property is being traded or exchanged for real property and the appraised value of real property received by the City is equal to or greater than the appraised value of real property relinquished by the City, after compliance with the procedures in F below;
- D. When the real property is City real property owned in fee that was acquired for or used for street purposes and the property is being traded, transferred or sold and equal value can be obtained, the real property is not subject to vacation under Chapter 12.48 SMC, and compliance with the procedures in F below occurs; and

- E. When the Council setting forth the facts by resolution has declared an emergency to exist.
- F. A trade or exchange under C, or a trade, exchange or sale under D shall be commenced by an application by the proposed transferee, exchangee or purchaser. Fees for such application shall be set by Council resolution. The proposed trade, exchange or sale shall be placed on a Council agenda for preliminary Council consideration and authority to proceed. If authority to proceed is approved, the properties shall be surveyed, and appraisals shall be obtained to determine the value of the real properties. The costs of such surveying and appraisals shall be borne by the applicant unless the Council authority to proceed specifies otherwise. Upon completion of surveying and appraisal, if at least equal value to the City is demonstrated, the City Council may approve a trade, exchange or sale and authorize the City Manager to sign such documents as are necessary to close the trade, exchange or sale subject to compliance with RCW 58.17 and Chapter 14.215 SMC. Property exchanged, traded, or sold under D that has no zoning or land use designation at the time of the transaction shall be regulated according to the same zoning or land use designation(s) as adopted for the abutting parcel.

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 3. Effective Date. This ordinance shall be effective five days after adoption and publication by summary.

ADOPTED by the City Council and **APPROVED** by the Mayor this 17th day of February, 2015.

CITY OF SNOHOMISH

By _____
KAREN GUZAK, MAYOR

ATTEST:

APPROVED AS TO FORM:

By _____
TORCHIE COREY, CITY CLERK

By _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____