

RESOLUTION NO. 2006-18

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF CHELAN COUNTY DECLARING CERTAIN REAL PROPERTY IN PESHASTIN, CHELAN COUNTY WASHINGTON AS SURPLUS TO THE NEEDS OF THE PORT OF CHELAN COUNTY, AND AUTHORIZING AN AMENDMENT TO THE PORT OF CHELAN COUNTY COMPREHENSIVE PLAN TO REMOVE SAID PROPERTY FROM THE PLAN

WHEREAS the Port of Chelan County (the "Port") owns real property located in the Peshastin area of Chelan County, Washington, and legally described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS the Property is included as part of the Port's inventory and is considered part of the Port's Comprehensive Plan; and

WHEREAS the Port gave proper public notice of the hearing to consider declaring the Property as surplus to the Port's needs and to amend the Port's Comprehensive Plan accordingly; and

WHEREAS the Property has certain vested rights associated with development permits obtained by the Port in 2003, but the vested rights may expire in the near future if all of the conditions set forth in the development permits are not satisfied; and

WHEREAS the Property is currently zoned to allow industrial use; and

WHEREAS the citizens of the greater Peshastin area have commenced a public process to establish an urban growth area that would include the Property, but that process will not be completed prior to the anticipated deadlines associated with the vested rights; and

WHEREAS the Port has evaluated several options with regard to the Property, including the highest and best use of the Property in light of the Port's limited authority, participating as a property owner in the establishment of an urban growth area, holding onto the Property and letting the vested rights lapse, the possibility of selling some or all of the Property, and a combination of some or all of these strategies; and

WHEREAS the Property is unique and has been a challenge to market as currently zoned and for the types of uses within the scope of the Port's limited authority; and

WHEREAS maintaining the vested rights is an important consideration to protect the value and developable portions of the Property as envisioned under the development permits; and

WHEREAS in order to provide the most flexibility and with a desire to protect the vested rights, the Port is receptive to alternative concepts and proposals with regard to the Property, which may include a sale or some or all of the Property; and

WHEREAS after a public hearing held on December 13, 2006, at the time and place set forth in the public notice, the Commissioners decided that retaining the Property is not absolutely necessary or needed for the Port's purposes and concluded that the Comprehensive Plan should be amended to remove the Property from the Plan.

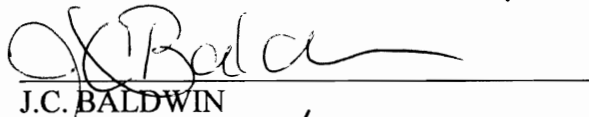
NOW, THEREFORE, THE BOARD OF COMMISSIONERS HEREBY RESOLVE AS FOLLOWS:

1. The Property legally described on attached Exhibit "A", which is incorporated herein by this reference, is no longer needed or necessary for the Port's purposes, and is hereby declared to be surplus.
2. The Port's Comprehensive Plan is hereby modified to delete the Property from the Comprehensive Plan.
3. Some or all of the Property may be leased or sold on such terms and conditions as the Board of Commissioners deem appropriate. Any decision to lease or sell all or a portion of the Property shall be made in a future open public meeting.
4. Nothing here precludes the Commission from deciding, in the future, to incorporate all or a portion of the Property as part of the Port's Comprehensive Plan.

ADOPTED by the Commission of the Port of Chelan County at a regular meeting thereof held this 13th day of December, 2006.

PORT OF CHELAN COUNTY


MICHAEL MACKEY


J.C. BALDWIN

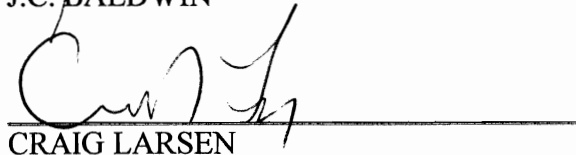

CRAIG LARSEN

EXHIBIT "A"

Government Lot 3 and all that portion of Government Lot 4 and of the Southwest quarter of the Northwest quarter of the Southeast quarter of Section 8, Township 24 North, Range 18, E.W.M., Chelan County, Washington, lying Southwesterly of the Great Northern Railroad right of way as it presently exists, EXCEPT that portion described as follows:

Commencing at the corner of Sections 8, 9, 16 and 17, Township 24 North, Range 18, E.W.M.; thence South 89°42' West along the South line of said Section 8, a distance of 1379.4 feet; thence North 39°59' West a distance of 921.7 feet to the centerline of the Great Northern Railway track and the Southeast face of the Northwest wall of the concrete undercrossing Great Northern Railway Structure Number 1670.18; thence South 50°01' West at right angles to the Great Northern Railway centerline a distance of 125.0 feet to the Southwest boundary of the Great Northern Railway right of way and the True Point of Beginning; thence continue on the same course a distance of 105.16 feet; thence North 55°30' West a distance of 661.09 feet; thence North 50°01' East, 332.02 feet to the Great Northern Railway right of way; thence South 39°59' East along the Southwest boundary of the Great Northern Railway right of way and 75 feet parallel to the centerline of railway a distance of 564.0 feet; thence South 50°01' West along the Great Northern Railway right of way a distance of 50.0 feet; thence South 39°59' East along the right of way a distance of 73.0 feet to the said True Point of Beginning,

TOGETHER WITH and including the North 1784.42 feet of that portion of Government Lots 7 and 8 of Section 17, Township 24 North, Range 18, E.W.M., (including any portion thereof lying within the Plat of Peshastin Land Company's Plat of Peshastin Orchards, according to the plat thereof recorded in Volume 2 of Plats, Page 46) lying West of the Burlington Northern Railroad right of way as it presently exists (as of August 1990).