

## RESOLUTION NO. 642-16

**A Resolution of the Commission of the Port of Port Townsend, Washington, pursuant to RCW 53.08.090 and RCW 53.25.120 declaring the three adjoining “Westerly New Day Fisheries Buildings” located 2427 Washington Street in Port Townsend as surplus to its needs and amending its Comprehensive Scheme of Improvements to delete said buildings from its Comprehensive Scheme to allow a negotiated transfer for consideration.**

**WHEREAS**, pursuant to RCW 53.20.010, the Port of Townsend Washington has adopted a Comprehensive Scheme of Improvements for the development of capital improvements upon lands owned by the Port of Port Townsend, throughout Jefferson County, Washington.

**WHEREAS**, the Port’s land ownership described within the Port’s Comprehensive Scheme of Improvements includes three adjoining buildings (a concrete block structure, a freezer unit, and a wood framed/partially enclosed weight room) known collectively as the “Westerly New Day Fisheries Buildings”, located on the spit south of the dock at 2427 Washington Street, Port Townsend, Washington, and generally identified in the current Comprehensive Scheme of Improvements as a fish processing facility.

**WHEREAS**, the subject buildings have housed a portion of New Day Fisheries, Incorporated, a seafood processing and sales business, since 1987 as tenants of the Port, and said buildings have now exceeded their anticipated useful lifespan;

**WHEREAS**, on January 19, 2016, the Port Commission, following proper notice and public hearing, voted to declare surplus to Port needs the 10,200 square foot “New Day Fisheries Building” lying adjacent and to the east of the “Westerly New Day Fisheries Building” described in this Resolution;

**WHEREAS**, the “Westerly New Day Fisheries Buildings” were not specifically identified in the resolution approved by the Port Commission on January 19, 2016;

**WHEREAS**, pursuant to RCW 53.08.090, the Port’s Chief Executive Officer or designee has made written certification to the Commission that the Westerly New Day Fisheries Buildings (i.e., not the underlying real property, which is to be retained by the Port) are no longer needed for port district purposes;

**WHEREAS**, pursuant to RCW 53.08.090, property which is part of the Port’s Comprehensive Scheme of Improvements shall not be disposed of until the Port’s Comprehensive Scheme has been modified to find the property surplus to Port needs, after public notice and hearing as provided by RCW 53.20.010 and 020;

**WHEREAS**, proper public notice was given and a public hearing was held on February 24, 2016 as required by statute;

**WHEREAS**, the Port Commission, after hearing, and after duly considering all relevant evidence and testimony presented, believes that the Westerly New Day Fisheries Buildings are no longer needed for current or future Port operations; and

**WHEREAS**, such property having been certified in writing as not needed for Port purposes by the Executive Director, its managing official, a copy of said certification is marked Exhibit “A” and attached to this Resolution,

**NOW, THEREFORE BE IT HEREBY RESOLVED** by the Port Commission of the Port of Port Townsend that:

1. The Westerly New Day Fisheries Buildings be declared surplus, and that the Executive Director be authorized to sell or dispose of the property in the best manner which he, in his discretion, shall determine, including by negotiated transfer for consideration.

2. That the Port's Comprehensive Scheme shall be, and hereby is, amended to find the referenced Property surplus to Port needs and to remove the Property from the Port's Comprehensive Scheme of Harbor Improvements to permit the proposed transfer of same.

**ADOPTED this 24<sup>th</sup> day of February 2016 by the Commission of the Port of Port Townsend and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission duly affixed.**

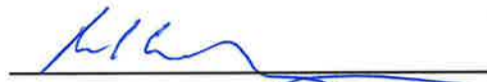
**ATTEST:**



Peter W. Hanke, President



Stephen R. Tucker, Vice President



Brad A. Clinefelter, Secretary

**APPROVED AS TO FORM:**



Eric R. Toews, Port Attorney



**EXHIBIT "A":**

**CERTIFICATE THAT CERTAIN PORT DISTRICT PROPERTY IS SURPLUS**

The undersigned, Larry C. Crockett, Executive Director, the managing official of the Port District of the Port of Port Townsend, hereby certifies that the following property is surplus and is not needed for Port District purposes.

The "Westerly New Day Fisheries Buildings" – consisting of three adjoining buildings including: an approximately 1,240 square foot concrete block structure with a composition roof and concrete floor; an approximately 465 square foot attached freezer unit presently used for storage; and an approximately 156 square foot wood framed/partially enclosed weight room. All together the three attached structures comprise approximately 1,861 square feet of space, and are situated on the spit south of the loading pier at 2427 Washington Street, Port Townsend, Jefferson County, Washington, on underlying real property which is to be retained by the Port.

**DATED this 24<sup>th</sup> day of February, 2016**

  
Larry C. Crockett, Executive Director