

#63  
Fidalgo Heights  
Tank

RESOLUTION NO. 1828-98

A RESOLUTION OF THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON AUTHORIZING THE GENERAL MANAGER TO TRADE PROPERTY IN LIEU OF CONDEMNATION

WHEREAS, the Commissioners of Public Utility District No. 1 of Skagit County, Washington, has determined that it is necessary to acquire a tank site in the Gibraltar area of Fidalgo Island; the Commissioners, pursuant to Resolution No. 1827-98 incorporated herein by this reference, authorized the Manager to proceed with condemnation of the properties legally described therein and referred to herein as Parcels "A", "B", and "C".

WHEREAS, the Portis Family owns property above the Sunrise Estates that is suitable for the construction of a tank (Parcel "A") to serve the Gibraltar Road and surrounding areas;

WHEREAS, the County owns property previously used as a gravel pit, known as the Gibraltar property, that the County has determined is surplus to their needs;

WHEREAS, the Portis Family is, as an alternative to condemnation, willing to deed over to the District property for a tank site (Parcel "A") and further deed an easement (Parcel "B") over the contiguous property sufficient to access the tank site together with another parcel (Parcel "C") in exchange for the County deeding the parcel known as the Gibraltar parcel to the District;

WHEREAS, the District finds that it is in the public's best interest to acquire the tank site at no cost and in lieu of condemnation proceedings. As consideration for the District's acquisition, the District has agreed to deed the property deeded to the District by the Portis Family (Parcel "C") to the County and to deed the Gibraltar property to the Portis Family.

WHEREAS, the District has determined that the additional property deeded to the District by the Portis Family (Parcel "C") will be surplus to the District's needs and can be deeded to the County pursuant to an inter-governmental transaction.

NOW, THEREFORE, be it resolved as follows:

1. The District shall take title to the Gibraltar tank site, the easement thereto, and the Portis property from the Portis Family (described as Parcels "A", "B", and "C") in lieu of condemnation of the tank site and easement.
2. The District shall take title to the Gibraltar property from the County and shall declare such property surplus and deed it to the Portis Family as partial consideration for the tank site and easement.
3. The District shall declare the Portis property (Parcel "C") surplus and deed it to the County.

ADOPTED by the Commission of Public Utility District No. 1 of Skagit County, Washington, at a regular open meeting held this 29th day of September, 1998.



ATTEST

James E. Atterberry  
James E. Atterberry, President

Lee D. Bode  
Lee D. Bode, Vice President

Al Littlefield  
Al Littlefield, Secretary