

**RESOLUTION 2019 - 03**

**RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE PORT DISTRICT NO. 3 OF GRANT COUNTY  
APPROVING PURCHASE OF REAL PROPERTY  
AND AUTHORIZING COMMISSIONERS TO TAKE ALL  
NECESSARY ACTIONS TO CLOSE THE SAME**

**WHEREAS**, Retirement II, LLC, a Washington limited liability company, hereinafter referred to as “Seller”) leased a parcel of real property from the Port District No. 3 of Grant County (hereinafter referred to as “Port”), the term of which lease expired July 31, 2019, said real property being more particularly described as follows:

Lot 3, Wahluke Industrial Park Phase 1, according to the plat thereof recorded in Volume 30 of Plats, pages 1 through 4, records of Grant County, Washington;

APN: 153769000

(hereinafter referred to as the “Real Property”);

**WHEREAS**, during the course of Seller’s tenancy upon the Real Property, Seller constructed buildings, improvements and fixtures upon the Real Property which are owned by Seller, more particularly described as follows:

All buildings, improvements and fixtures situated upon Lot 3, Wahluke Industrial Park Phase 1, according to the plat thereof recorded in Volume 30 of Plats, pages 1 through 4, records of Grant County, Washington, (APN: 153769000), including but not limited to the following:

4,800 square foot, +/-, shed with steel frame construction, concrete foundation and floor, metal enamel exterior and metal roof, OSB and some drywall, fluorescent lighting, sealed, insulated, two (2) ceiling mounted electric heaters, two (2) wall mounted AC units in the waiting area, video and alarm system and 240 power, four (4) 12’ x 14’ rollup doors, two (2) restrooms with sink and toilet, service counter, 12’ x 30’ mezzanine, counter with sink, 6’ x 8’ rollup door and 30’ x 45’ attached steel frame metal roof, covered canopy, 30’ x 77’ concrete slab and 7’ security fencing with three 3 gates.

(hereinafter referred to as the “Property”); and

**WHEREAS**, the Port District No. 8 of Grant County (the “Port”) may acquire by purchase all lands, property, property rights, leases or easements necessary for its purposes; and

**WHEREAS**, pursuant to RCW 53.08.080, the Port is authorized to lease all real property owned or controlled by the Port for such purposes and upon such terms as the Port Commission deems proper; and

**WHEREAS**, the Port desires to acquire the Property for future economic development; and

**WHEREAS**, the Port finds it to be in the best interests of the District and in furtherance of the Port's general plan of industrial development to purchase the Property for the purpose of promoting economic investment and industrial development within the District; and

**WHEREAS**, the Port finds it to be in the best interest of the District to continue to lease the Real Property to Seller until the purchase of the Property can be closed; and

**WHEREAS**, the Port has statutory authority to purchase the Property pursuant to the terms and conditions of the Purchase and Sale Agreement attached hereto as Exhibit "A" and to lease the Real Property to Seller pursuant to the Lease attached hereto as Exhibit "B"; **NOW THEREFORE**

**BE IT RESOLVED**, by the Board of Commissioners of the Port District No. 3 of Grant County as follows:

1. It is in the best interest of the District and the people thereof and in furtherance of the Port's general plan of industrial development to purchase the Property;
2. The Port, by and through the Executive Director, Lars Leland, is authorized and approved to execute the Purchase and Sale Agreement attached hereto as Exhibit "A" in the form and manner presented to the Commission on this day with only those changes as shall be approved by the Port's Executive Director, Lars Leland, and the Port's legal counsel, Christopher F. Ries;
3. The Board of Commissioners of Port District No. 3 of Grant County hereby approves the Lease, a copy of which is attached as Exhibit "B" and authorizes the Executive Director, Lars Leland to execute the Lease on behalf of the Port ;
4. The Port, by and through its Executive Director, Pat Millard, is authorized and directed to perform any and all acts necessary to tender sufficient funds to close the purchase of the Property from Seller under the terms of the Purchase and Sale Agreement and any addendums or amendments thereto.

5. The Executive Director, Lars Leland, for and on behalf of the Port, is directed to perform any and all acts necessary to complete the conveyance of the Property from Seller to the Port under the terms of the Purchase and Sale Agreement and addendums thereto including, but not limited to, the execution of the Real Estate Contract, deeds, closing statements, certifications of non-foreign status, closing certificates and excise tax affidavits.

6. This Resolution shall be effective immediately upon passage and signatures hereon.

PASSED and DATED this 15th day of October, 2019.

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Jim Wise, Commissioner

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Lauri Dayton, Commissioner

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Glenn Leland, Commissioner