

RESOLUTION 2020-_____

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF PORT DISTRICT NO. 3 OF GRANT COUNTY
MAKING FINDINGS ON THE ADVISABILITY
OF SALE OF REAL PROPERTY WITHIN AN INDUSTRIAL
DEVELOPMENT DISTRICT AND AUTHORIZING THE
SALE OF REAL PROPERTY TO LOVE IN AN ELEVATOR LLC**

WHEREAS, Port District No. 3 of Grant County (the “Port”) owns the real property described in Exhibit “A” attached hereto (the “Property”); and

WHEREAS, by Resolution 2018-02, the Port made findings and determination in favor of the sale of the Property to an appropriate purchaser in the manner described in RCW 53.25.140; and

WHEREAS, the Property lies within one of the Port’s Industrial Development Districts formed pursuant to RCW 53.25.040, *et seq.*, namely Industrial Development District No. 1; and

WHEREAS, pursuant to RCW 53.25.140, the Port may sell the Property by negotiated sale provided that the purchase price must not be less than the fair market value of the Property which shall be determined by an average of at least two (2) independent appraisals performed by licensed real estate brokers or professionally designated real estate appraisers; and

WHEREAS, the Port has obtained two (2) independent appraisals of the Property, the average of which is not more than \$294,000; and

WHEREAS, the Port has negotiated with Love In An Elevator LLC a Purchase and Sale Agreement under which Love In An Elevator LLC is to purchase the Property at a price of \$294,000; and

WHEREAS, the Port has reviewed Love In An Elevator LLC’s plans and specifications for the development of the Property as a restaurant and other uses associated therewith; and

WHEREAS, the Port has statutory authority to sell the Property to Love In An Elevator LLC; and

WHEREAS, the Port Commission finds that the execution of the Purchase and Sale Agreement attached hereto as Exhibit “B” is in the best interests of the Port and in furtherance of the Port’s general plan of industrial development; **NOW THEREFORE**

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

1. The Board of Commissioners of Port District No. 3 of Grant County hereby approves Love In An Elevator LLC's plans and specifications for the development of the Property as a restaurant and other uses associated therewith pursuant to RCW 53.25.120.
2. The Port, by and through its Executive Director, Lars Leland, is authorized and approved to sell the Property to Love In An Elevator LLC pursuant to the terms and conditions of the Purchase and Sale Agreement, a copy of which is attached hereto as Exhibit "B."
3. The Executive Director, Lars Leland, for and on behalf of the Port is directed to execute the Purchase and Sale Agreement, a copy of which is attached hereto as Exhibit "B", and to perform, on behalf of the Port, any and all acts necessary to complete the conveyance of the Property to Love In An Elevator LLC under the terms of the Purchase and Sale Agreement including, but not limited to, the execution of the Purchase and Sale Agreement, deeds, closing statements, certifications of non-foreign status, closing certificates and excise tax affidavits.
4. This Resolution shall be effective immediately upon passage and signatures hereon.

PASSED and DATED this _____ day of _____, 2020.

Glenn Leland, Commissioner

Lauri Dayton, Commissioner

Verlyn Coulson, Commissioner

EXHIBIT "A"

LEGAL DESCRIPTION

Lot 10, Plat of Wahluke Industrial Park Phase 2, according to the plat thereof, recorded under Recording No. 1406543, in Volume 31 of Plats, Pages 38 through 41, records of Grant County, Washington.

APN: 153780000

EXHIBIT "B"

**PORT DISTRICT NO. 3 OF GRANT COUNTY /
LOVE IN AN ELEVATOR LLC**

PURCHASE AND SALE AGREEMENT