

Resolution 2018-01

Whereas the Port has previously approved the purchase of the Illahee Store, if and when it should become available for purchase, and

Whereas Port counsel has been working with Flett Dairy to come up with a purchase agreement, and

Whereas Flett Dairy has now provided new language in the Purchase and Sale Agreement (PSA) regarding the Port's assumption of risk for environmental issues, and

Whereas the Port is fully aware of those issues and risks, and has plans to abate said issues in conjunction with a Washington State Pollution Liability Insurance Agency (PLIA) grant, and

Whereas time is of the essence with regards to a possible Sheriff's Sale of the Illahee Store, and

Whereas time is of the essence with regards to submittal of an Aquatic Lands Enhancement Account Program (ALEA) grant with the Washington State Recreation and Conservation Office (RCO),

Therefore, the Port authorizes Commissioner Aho to: (1) Waive the new language in the Flett Dairy Purchase and Sale Agreement (PSA) regarding the Port's assumption of risk for environmental issues; (2) Sign the Real Estate Purchase and Sale Agreement when it is finalized and approved by counsel; (3) To prepare and sign the RCO required "Applicant Resolution/ Authorization" document, and (4) To prepare and sign a RCO Waiver of Retroactivity letter prior to the subject sale to provide the required matching funds for an ALEA grant.

The Port further authorizes counsel to work with the title company to begin preparing for the transfer of the property via assignment of judgement versus transfer via deed.

Commissioner Burton


Commissioner Buesch


Commissioner Aho