

HIGHLINE SCHOOL DISTRICT NO. 401

RESOLUTION NO. 17-23

WHEREAS, Highline School District No. 401 (the "District") owns certain real property generally located at 22705 24th Ave S. in Des Moines, Washington, the site of Pacific Middle School (the "Property"); and

WHEREAS, the City of Des Moines (the "City") requires the conveyance by the District of a portion of the Property (the "Fee Real Estate"), as described and depicted in the deed attached as Exhibit A ("Deed"), on which the City intends to construct roadway improvements, which may include sidewalks, bike lanes, reduced travel lane widths, a two-way left turn lane, storm drainage and/or decorative street lighting, as part of the City's 24th Ave. S. roadway improvements infrastructure project (the "Project").

WHEREAS, the City also wishes to acquire a temporary construction easement in accordance with the Temporary Construction Easement agreement attached as Exhibit B (the "TCE") over the area described and depicted in the TCE ("Easement Area"), as a work area for constructing improvements associated with the Project in or around the Fee Real Estate.

WHEREAS, the Fee Real Estate is not subject to an authorized school use and is no longer required for school purposes; and

WHEREAS, the Easement Area will not be subject to an authorized school use nor required for school purposes during the term of the TCE; and

WHEREAS, the District estimates the value of the Fee Real Estate and the TCE to be less than \$50,000; and

WHEREAS, the Intergovernmental Disposition of Property Act, Chapter 39.33 RCW, provides municipal corporations of the State of Washington with the authority to transfer real property and interests therein on such terms and conditions as may be mutually agreed upon by the proper authorities of such municipal corporations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors, pursuant to the District's authority under Chapter 39.33 RCW for the disposition of property to a municipal corporation for a public purpose, that:

- a) the Board of Directors declare, and hereby declares, the Fee Real Estate is not subject to an authorized school use and is no longer needed for school purposes; and
- b) the Board of Directors declare, and hereby declares, the Easement Area will not be subject to an authorized school use, nor will it be needed for school purposes during the term of the TCE; and

- c) the Superintendent of the District (or the Superintendent's designee) is authorized and directed to: execute, acknowledge and deliver the Deed in substantially the form attached hereto as Exhibit A, conveying the Fee Real Estate; execute, acknowledge and deliver the TCE, in substantially the form attached hereto as Exhibit B, granting the TCE; and to do all other things necessary and advisable to be done to accomplish the sale of the Fee Real Estate and the grant of the TCE to the City in accordance with applicable law.

ADOPTED at a regular meeting of the Board of Directors of Highline School District No. 401, this twenty-first day of June 2023.

HIGHLINE SCHOOL DISTRICT NO. 401
Board of Directors

Joe Van

[Joe Van \(Jun 22, 2023 13:53 PDT\)](#)

Angelica Alvarez

[Angelica Alvarez \(Jun 22, 2023 14:06 PDT\)](#)

Azeb Hagos

[Azeb Hagos \(Jun 23, 2023 10:39 PDT\)](#)

ATTEST:

Dr. Ivan Duran

Dr. Ivan Duran,
Superintendent and Secretary to the Board

EXHIBIT A
Form of Deed

EXHIBIT B
Form of Temporary Construction Easement