

RESOLUTION 2162

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN ACCESS AND UTILITY EASEMENT AGREEMENT AND A QUIT CLAIM DEED RELATED TO THE ALM WAY STREET VACATION, AND ACCEPTING PAYMENT FROM 90 NB INVESTMENTS LLC IN THE SUM OF \$337,858 IN CONSIDERATION OF EXECUTION OF THE QUIT CLAIM DEED

WHEREAS, on August 20, 2024, the City of North Bend (“City”) adopted Ordinance 1812, which vacated a 60 foot wide right-of-way corridor on Alm Way (also known as SE 106th Street) (“subject ROW corridor”) subject to 90 NB Investments LLC, also known as “Vector,” (hereafter “90 NB”) in consideration of the payment by 90 NB to the City of the sum of \$337,858; and

WHEREAS, by operation of law under RCW 35.79.040, upon vacation of the subject ROW corridor, the north 30 feet of the vacated ROW reverted to the City as the fee owner of abutting Parcel No. 042308-9031; and

WHEREAS, because the terms of Ordinance 1812 provided for vacation of the entire 60-foot wide segment of the subject ROW corridor, the City desires to execute a Quit Claim Deed to grant the north 30 feet of the subject ROW corridor back to 90 NB as a fee simple transaction; and

WHEREAS, 90 NB will also reserve easements for Tanner Electric and Northwest Railway Museum through separate transactions with those parties;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City Council of the City of North Bend authorizes the Mayor to execute the Access and Utility Easement Agreement with 90 NB Investments, LLC attached hereto as Exhibit A.

Section 2. The City Council of the City of North Bend authorizes the Mayor to execute the Quit Claim Deed attached hereto as Exhibit B.

Section 3. Upon full execution of the Access and Utility Easement Agreement referenced in Section 1 and the Quit Claim Deed referenced in Section 2 herein, 90 NB Investments, LLC shall pay to the City within five (5) business days, and the City shall accept, the sum of \$337,858 (“subject funds”) in consideration of the City ROW vacation and execution of

the accompanying instruments. Upon receipt of payment, the City shall promptly record the subject Access and Utility Easement Agreement and Quit Claim Deed with the King County Recorder's Office.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 16TH DAY OF SEPTEMBER, 2025.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Effective: September 16, 2025

Posted: September 17, 2025

Susie Oppedal, City Clerk