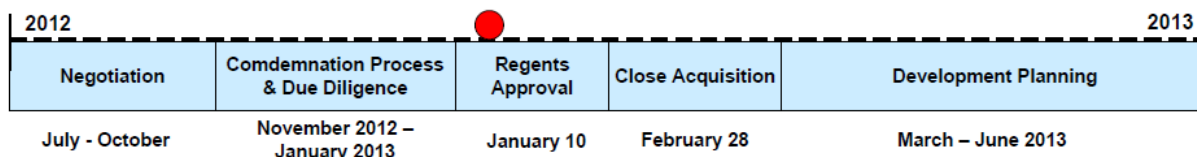


VII. STANDING COMMITTEES

B. Finance, Audit and Facilities Committee

UW Tacoma – Condemnation of Quan Property



RECOMMENDED ACTION

It is the recommendation of the administration and the Finance, Audit and Facilities Committee that the Board of Regents:

1. Authorize the exercise of eminent domain (condemnation) of the Quan property at UW Tacoma; and
2. Delegate to the President or his designee the authority to execute all documents related to this transaction, and prosecute a condemnation action through the Office of Attorney General in Pierce County Superior Court.

BACKGROUND

Property Description

This property is located at 1726 Market Street in Tacoma. It is within the UW Tacoma campus boundaries, and the University owns the immediately adjacent properties on both the north and south sides.

The property is a single tax parcel of vacant land. The total site is approximately 6,000sf. Current zoning is DMU (Downtown Mixed Use, 100’ height limit). Its appraised value is \$180,000.

Purpose and Benefit

This parcel is in the UW Tacoma Master Plan as a development site. The University has diligently pursued acquisition with the property owner, but negotiations have not yet resulted in a signed purchase and sale agreement. Condemnation of the property is a necessary action due to its location and the planned development for this part of the UW Tacoma Campus in 2013.

VII. STANDING COMMITTEES

B. Finance, Audit and Facilities Committee

UW Tacoma – Condemnation of Quan Property (continued, p. 2)

Purchase and Sale Agreement

There is a pending Purchase and Sale Agreement for the Quan property. The key terms are:

- Seller: Susie Lam Quan
- Purchase Price: \$200,000.00
- Closing Date: On or before February 28, 2013
- Contingencies:
 - UW approval of property condition
 - UW approval of title report

Condemnation would proceed if timely agreement cannot be reached on the terms of the Purchase and Sale Agreement. Initiation of condemnation will not preclude further negotiations.

Property Condition and Title

A Phase 1 environmental assessment has been completed and shows possible underground storage tanks (USTs) on the property. A Phase 2 environmental assessment will be performed contingent on property owner's approval. The title report is acceptable.

Funding & Development

The purchase price for the property, whether through negotiated transaction or condemnation, will be from State appropriations for UW Tacoma campus development and remediation. After acquisition, the property will be developed and managed consistent with the UW Tacoma Master Plan.

CONDEMNATION AUTHORIZATION

The *Board of Regents Governance*, Standing Orders, Chapter 1, Section 7, "Commencement of Legal Action" states:

The President of the University or the President's designee is authorized to act for the Board of Regents regarding all legal action necessary to protect the interests of the University: provided, that no litigation shall be instituted against a public entity or official or in exercise of the power of eminent domain without consultation with the President of the Board of Regents or, in the absence of the President, the Vice President of the Board of Regents.

VII. STANDING COMMITTEES

B. Finance, Audit and Facilities Committee

UW Tacoma – Condemnation of Quan Property (continued, p. 3)

Approval of this item constitutes consultation pursuant to the standing order, and authorizes the recommended action to proceed to commence condemnation in Pierce County Superior Court. A negotiated settlement may be reached either before or after initiation of the condemnation action.

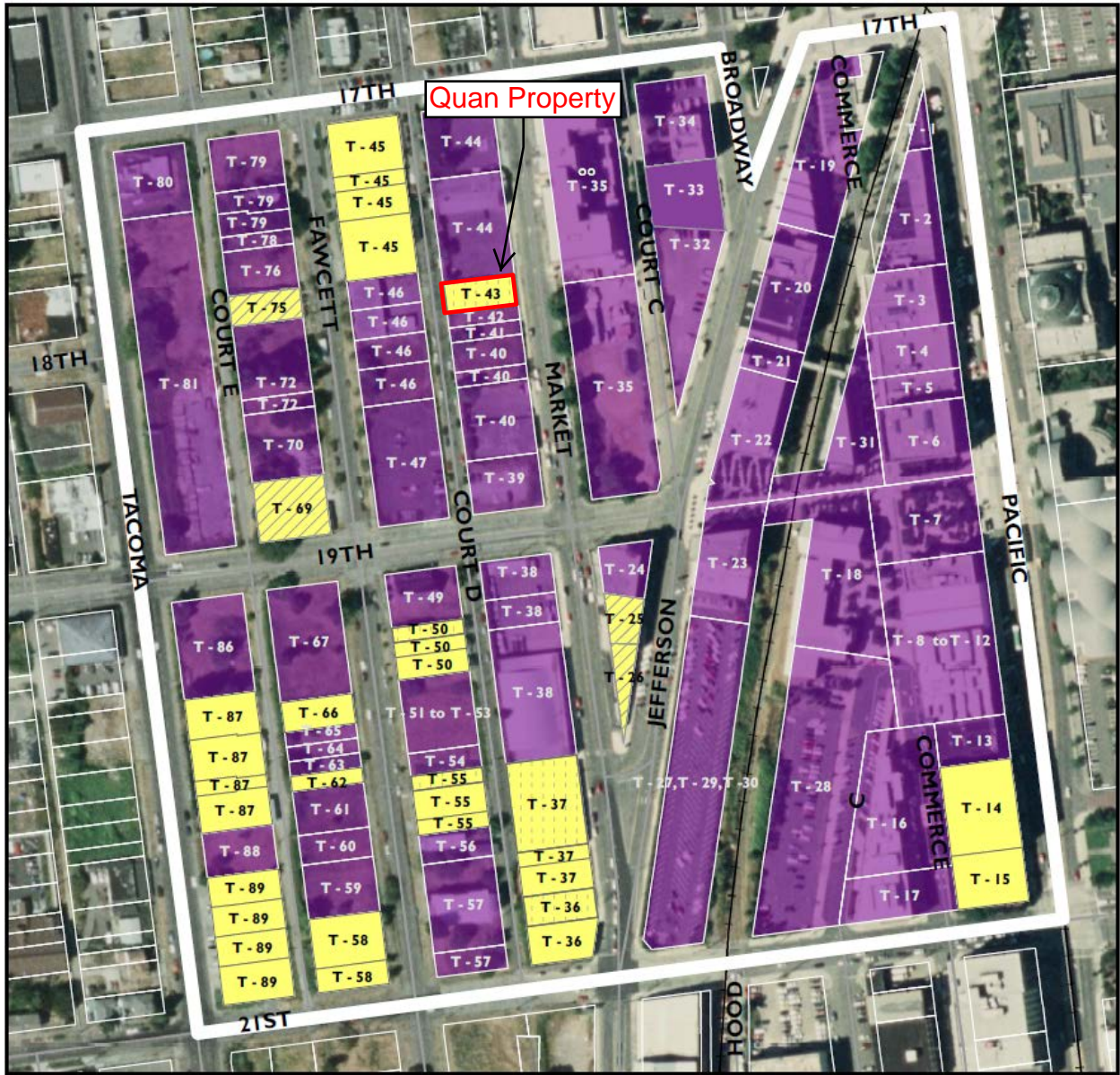
REVIEW & APPROVAL

Condemnation of the Quan property has been reviewed and recommended for approval by the Senior Vice President, the Vice Chancellor, Administrative Services of UW Tacoma, the Vice Provost for Planning and Budgeting, and the Chief Real Estate Officer.

Attachment

Campus Master Plan Map with Property of Interest

Campus Master Plan Map with Property of Interest



 University Owned Properties

 Privately Owned