

## RESOLUTION No. 1155 (2020)

A Resolution authorizing the public sale of vessels, dinghies, boat related gear and storage unit items because of abandonment or non-payment of moorage and storage fees.

**WHEREAS**, the Port of Everett operates a moorage facility pursuant to statutory authorization and has such powers to dispose of abandoned vessels, dinghies, boat related gear and storage unit items and to enforce collection of unpaid moorage and storage fees under law including, without limitation, the provisions of RCW 53.08.310 *et seq.* and Chapter 79.100 RCW.

**WHEREAS**, the vessels, dinghies, boat related gear or storage unit items identified and described on Exhibit A to this Resolution have been abandoned and/or have unpaid moorage and/or storage fees which despite notification to the owners thereof pursuant to legal requirements such items remain abandoned and/or such moorage and/or storage fees remain unpaid.

**WHEREAS**, pursuant to RCW 53.08.320, the Port Commission of the Port of Everett desires to authorize public sale of the vessels, dinghies, boat related gear or storage unit items described and identified on Exhibit A attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of the Port of Everett that:

**Section 1.** Staff are hereby authorized to conduct a public sale(s) of the vessels, dinghies, boat related gear or storage unit items described and identified on Exhibit A to this Resolution. In conducting such public sale(s), Staff is further authorized to exercise all powers set forth in RCW 53.08.320 and/or Chapter 79.100 RCW, for the conduct of and terms and conditions relating to such public sale(s).

**Section 2.** Staff may engage the services of auctioneers and/or marine sale consultants to assist in the public sale(s) authorized by this Resolution.

**Section 3.** The sale of any vessels, dinghies, boat related gear or storage unit items authorized by this Resolution shall be without warranty as to title, except that the Port of Everett shall represent that it has followed the required notification processes to authorize the particular vessel and dinghy sale(s).

**Section 4.** The proceeds generated from the sales of the vessels, dinghies, boat related gear or storage unit items described and identified in Exhibit A shall be

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applied as required by law including, without limitation, first to the costs of sale and other obligations owed to the Port of Everett.

ADOPTED this 6<sup>th</sup> day of October, 2020.

DocuSigned by:



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Glen Bachman, President



Tom Stiger, Vice President

DocuSigned by:



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David Simpson, Secretary