

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 10492

Resolution authorizing the City Manager, or her designee, to partially reconvey and release certain interests in real property, located in Bothell, Washington, that were recorded as part of an ARCH Housing Trust Fund loan for the Samma Senior Apartments affordable housing project.

WHEREAS, A Regional Coalition for Housing (ARCH) is a partnership of East King County cities and towns, working to preserve and increase the supply of housing for low- and moderate-income households in the region;

WHEREAS, ARCH supports its member cities and towns by coordinating public investment in the development of affordable housing;

WHEREAS, pursuant to the Amended and Restated Interlocal Agreement for ARCH (ARCH Interlocal Agreement), dated July 1, 2010, the City of Bellevue serves as the ARCH administrative and fiscal agent;

WHEREAS, pursuant to the ARCH Interlocal, the City of Bellevue is authorized to enter into agreements with third parties for the use and application of Housing Trust Funds contributed by ARCH member cities and towns;

WHEREAS, in 2021, the ARCH member cities and towns authorized a combined total of \$500,000.00 in public funding to be loaned to the Samma Senior Apartments LLC in support of the Samma Senior Apartments affordable housing project – *i.e.*, the development of a 76-unit rental apartment building in Bothell, Washington, to serve seniors (55+) at or below 50% of the area median income;

WHEREAS, in 2022, recognizing the City of Bellevue served as both the administrative and fiscal agent for ARCH, Amazon made a \$2,000,000.00 donation to the City of Bellevue, requesting it be applied to the Samma Senior Apartments affordable housing project;

WHEREAS, the Samma Senior Apartments LLC and the City of Bellevue, in its capacity as the administrative and fiscal agent for ARCH, subsequently executed and recorded financing documents for a \$2,500,000.00 loan for the Samma Senior Apartments project;

WHEREAS, the City of Bellevue, in its capacity as the administrative and fiscal agent for ARCH, is the holder of a promissory note in the sum of \$2,500,000.00, which is secured by a Deed of Trust, dated October 14, 2022, and recorded October 17, 2022, in the records of King County, Washington, under Recording Number 20221017000300;

WHEREAS, the City of Bellevue, in its capacity as the administrative and fiscal agent for ARCH, is the grantee of a Regulatory Agreement and Declaration of Restrictive Covenants, dated October 4, 2022, and recorded on October 14, 2022, in the records of King County, Washington, under Recording No. 202210140006000;

WHEREAS, the aforementioned deed and covenant encumber real property located in Bothell, Washington, and owned by Samma Senior Apartments LLC;

WHEREAS, subsequent to the recording of the aforementioned deed and covenant, the City of Bothell required the Samma Senior Apartment LLC to dedicate 132.72 square feet of its property for Right-of-Way (ROW) purposes, free and clear of all encumbrances, which dedication would facilitate a future SR-522 Bus Rapid Transit (BRT) project by Sound Transit;

WHEREAS, the Samma Senior Apartments LLC asked the City of Bellevue, in its capacity as administrative and fiscal agent for ARCH, to execute (1) a request for a partial reconveyance of the recorded deed of trust, and (2) a partial release of the recorded regulatory agreement, so it might dedicate 132.72 square feet to the City of Bothell for ROW purposes free and clear of any encumbrances;

WHEREAS, the City of Bellevue adopted Resolution No. 10290, which authorized the City Manager, or designee, to execute the requested reconveyance and release;

WHEREAS, the aforementioned reconveyance and release were subsequently executed on August 10, 2023, and recorded on August 29, 2023, and September 25, 2023, in the records of King County, Washington, under Recording No's. 20230925000689 and 20230829000802;

WHEREAS, to complete the BRT project, Sound Transit requires an additional dedication of property, 197 square feet, free and clear of all encumbrances;

WHEREAS, the Samma Senior Apartments LLC has, again, asked the City of Bellevue, in its capacity as administrative and fiscal agent for ARCH, to execute an additional (1) request for a partial reconveyance of the recorded deed of trust, and (2) a partial release of the recorded regulatory agreement, so it might dedicate 197 square feet to Sound Transit, free and clear of any encumbrances, to complete the BRT project;

WHEREAS, even with an additional reconveyance and release, there is sufficient collateral to secure the \$2,500,000.00 invested by the ARCH member cities and towns in the Samma Senior Apartments affordable housing project;

WHEREAS, an additional reconveyance and release will not result in any loss of affordable housing units or otherwise affect the intended population to be served;

WHEREAS, an additional reconveyance and release is in the best interest of the public and the ARCH member cities; and

WHEREAS, in executing the additional reconveyance and release as described herein, the City of Bellevue as the Administering Agency for ARCH, is acting on behalf of each ARCH member, including itself, pursuant to the ARCH Interlocal Agreement and chapter 39.34 RCW; now therefore:

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Manager, or her designee, is authorized to execute and deliver to the appropriate person(s) a "Request for Partial Reconveyance Without Satisfaction" to partially reconvey the right, title, and interest presently held under a Deed of Trust recorded on October 17, 2022, in the records of King County, Washington, under Recording No. 20221017000300, and as modified by a previous partial reconveyance recorded under Recording No. 20230925000689, as it relates to the additional 197 sq. ft. of property described in the reconveyance authorized under

this resolution, a copy of which has been given Clerk's Receiving No.

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Section 2. The City Manager, or her designee, is authorized to execute and deliver to the appropriate person(s), for purposes of recording, a "Partial Release of Regulatory Agreement and Declaration of Restrictive Covenants," to partially release the property described in the Regulatory Agreement and Declaration of Restrictive Covenants recorded on October 14, 2022, in the records of King County, Washington, under Recording No. 202210140006000, and as modified by a previous partial release recorded under Recording No. 20230829000802, as it relates to the additional 197 sq. ft. of property described in the release authorized under this resolution, a copy of which has been given Clerk's Receiving No. \_\_\_\_\_.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2025, and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

(SEAL)

\_\_\_\_\_  
Lynne Robinson, Mayor

Attest:

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Charmaine Arredondo, City Clerk