

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION 21-222

AUTHORIZING THE EXECUTIVE TO EXECUTE LEASE DOCUMENTS FOR
BOMARC BUSINESS PARK LOTS 1 & 2 INCLUDING A PARTIAL TERMINATION,
LEASE AMENDMENT, AGREEMENT TO RECORD ENVIRONMENTAL COVENANT
AND NEW LEASE TO BOSA BOMARC, LLC AT THE SNOHOMISH COUNTY
AIRPORT

WHEREAS, Snohomish County Executive is authorized to enter, sign and amend leases pursuant to SCC 2.10.010(12) and SCC 15.04.040(3), which provide, among other items, the county executive may recommend individual licenses or leases for approval by the county council; and

WHEREAS, Snohomish County Airport (County) and Boeing are parties to a land lease dated July 19, 1989, pursuant to which Boeing leases from the County two parcels of land, known as Bomarc Lot 1 and Bomarc Lot 2; and

WHEREAS, Boeing is currently negotiating the terms of an agreed order with the Washington State Department of Ecology, that will supersede Agreed Order No. DE 96HS-N274 dated January 29, 1997 with respect to Bomarc Lot 1 and pursuant to which Boeing will be obligated to, among other things, perform certain remedial actions at Bomarc Lot 1 and work with the County to record an environmental covenant that will burden Bomarc Lot 1; and

WHEREAS, notwithstanding the obligations under the Agreed Order that Boeing is currently negotiating in relation to Bomarc Lot 1, Boeing desires to terminate its leasehold interest in, and certain obligations arising under the Lease that relate to, Bomarc Lot 1, thereby allowing the County to enter into a new lease agreement with a new tenant, Bosa Bomarc, LLC for Bomarc Lot 1 and amend the Bomarc Lot 2 Lease by removing Lot 1 from the premises covered by that Lease; and

WHEREAS, the Airport is in agreement and requests approval of the following documents:

- Agreement to Record Environmental (Restrictive) Covenant and to Amend a Lease; and
- Partial Termination of Lease (Bomarc LOT 1); and
- Lease Amendment No. 4 to Lot 2 Bomarc (Bomarc Lot 2); and
- Land Lease 21-013 with Bosa Bomarc, LLC (Bomarc Lot 1); and

NOW, THEREFORE, ON MOTION, the Snohomish County Council authorizes the Snohomish County Executive to execute: (1) Agreement to Record Environmental (Restrictive) Covenant and to Amend a Lease; and (2) Partial Termination of Lease (Bomarc LOT 1); and (3) Lease Amendment No. 4 to Lot 2 Bomarc (Bomarc Lot 2); and (4) Land Lease 21-013 with Bosa Bomarc, LLC (Bomarc Lot 1).

PASSED this 16th day of June, 2021.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Japhanie Wright

Council Chair

ATTEST:

Melua Rao

Asst. Clerk of the Council