

**PORT OF SEATTLE
RESOLUTION NO. 3800**

A RESOLUTION of the Port Commission of the Port of Seattle declaring surplus and no longer needed for port district purposes approximately 88,325 square feet (2.3 acres) of Port-owned real property located in the City of SeaTac, King County; and further authorizing the Executive Director, or his designee, to finalize negotiation, prepare and execute all necessary documents to convey in fee and permanent easement a portion of said real property to Sound Transit for use in the development of the Federal Way Link Extension Project

WHEREAS, the voters of King County, pursuant to the provisions of enabling legislation adopted by the Legislature of the State of Washington, Chapter 92, Laws of 1911, RCW 53.04.010, authorized and approved at a special election held in King County on the 5th day of September 1911, the formation of a port district coextensive with King County to be known as the Port of Seattle; and

WHEREAS, the Port of Seattle (the “Port”) was thereupon established as a port district and has since been and now is a duly authorized and acting port district of the State of Washington; and

WHEREAS, the Port owns certain real property consisting of approximately 88,325 square feet (2.3 acres) located in the City of SeaTac, King County, Washington with the legal description as set forth on attached Exhibit A together with the improvements thereon (collectively, the “Property”); and

WHEREAS, the Central Puget Sound Regional Transit Authority (“Sound Transit”) by letter dated July 30, 2021 has offered to purchase a portion of the Property (the “Fee Take Property”), and to obtain a permanent Guideway Easement (the “Guideway Easement”) and a permanent Sewer Easement (the “Sewer Easement”) on other portions of the Property

(collectively, the “Sound Transit Acquisition Property”), from the Port, under threat of condemnation, for the aggregate price of \$313,000 (the “Sound Transit Acquisition Offer”), said offer price being determined based on a market value appraisal prepared by Richard P. Herman, R.P. Herman & Associates LLC, Washington State Certified General Real Estate Appraiser (WA License No. 1100435) (the “Sound Transit Appraisal”); and

WHEREAS, the individual legal descriptions for the Fee Take Property, the Guideway Easement property and the Sewer Easement property are as set forth, collectively, on attached Exhibits B-1, B-2 and B-3; and

WHEREAS, Sound Transit intends to utilize the Sound Transit Acquisition Property in connection with its construction and operation of the Federal Way Link Extension, extending its light system from the Angle Lake Station in the City of SeaTac to the Federal Way Transit Center; and

WHEREAS, the Port has reviewed the Sound Transit Acquisition Offer and the Sound Transit Appraisal, including review of a third-party validity assessment of the Sound Transit Appraisal prepared by Kidder Mathew’s David M. Chudzik, Washington State Certified General Real Estate Appraiser (WA Certificate No. 1102099), the Port’s Member Appraisal Institute (MAI) appraiser; and

WHEREAS, the Port intends to sell at a later date the remainder of the Property (less the portions consisting of the Fee Take Property), consisting of approximately 84,130 square feet (the “Remainder Property”), to a suitable to-be-determined third party, for fair market value, pending subsequent Commission review and authorization; and

WHEREAS, pursuant to Chapter 39.33 of the Revised Code of Washington (Intergovernmental Disposition of Property Act) the Port may sell, transfer, exchange, lease or otherwise dispose of real and personal property to the state, any municipality or any political subdivision thereof on such terms and conditions as may be mutually agreed upon by the governing authorities of the participating entities; and

WHEREAS, a resolution declaring the Property surplus to port district needs and no longer needed for port district purposes is a prerequisite to conveyance of the Sound Transit Acquisition Property to Sound Transit as well as for the eventual sale of the Remainder Property to a suitable third party purchaser; and

WHEREAS, an official public hearing was held March 22, 2022, after notice of such hearing was duly published as provided by law, to consider whether the Property should be declared no longer needed for port district purposes and surplus to port district needs and the proposed conveyance of the Sound Transit Acquisition Property to Sound Transit; and

WHEREAS, the maps and other data regarding the Property, including the Sound Transit Acquisition Property for proposed conveyance to Sound Transit, are on file at the offices of the Port's Airport Properties Division; and

WHEREAS, the Port of Seattle Commission has heard from all persons desiring to speak at the public hearing regarding the proposed surplusing of the Property and conveyance of the Sound Transit Acquisition Property to Sound Transit; and

WHEREAS, the members of the Port of Seattle Commission have considered the proposed surplusing of the Property, the proposed conveyance of the Sound Transit Acquisition Property to Sound Transit, and any comments by members of the public attending the public hearing.

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

Section 1. The Property, described on Exhibit A attached to this Resolution, is no longer needed for Port purposes and is hereby declared surplus to Port needs.

Section 2. The Executive Director, or his designee, is authorized to finalize negotiation, prepare and execute all necessary documents to convey the Sound Transit Acquisition Property to Sound Transit for the total price of Three Hundred Thirteen Thousand and 00/100 Dollars (\$313,000).

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting thereof, held this 12 day of April, 2022, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

Ryan Calkins



Fred Felleman

Toshiko Grace Hasegawa



Port Commissioners

**EXHIBIT A
TO
RESOLUTION NO. 3800**

Legal Description of Property

PIN 3445000141

THE SOUTH 140 FEET OF TRACT 19, HOMESTEAD PARK FIVE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 7 OF PLATS, PAGE 88, IN KING COUNTY, WASHINGTON; EXCEPT THE EAST 5 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD BY DEED RECORDED IN VOLUME 8 OF DEEDS, PAGE 123.

TOGETHER WITH THAT PORTION OF 26TH AVENUE SOUTH AS VACATED BY ORDINANCE NO. 4010, RECORDED UNDER RECORDING NO. 7901181063, AS WOULD ATTACH BY OPERATION OF LAW.

EXCEPT THAT PORTION OF SAID TRACT 19 CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER RECORDING NUMBER 2020012801255, IN KING COUNTY, WASHINGTON.

TOGETHER WITH:

PIN 3445000155

TRACT 22, HOMESTEAD PARK FIVE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 7 OF PLATS, PAGE 88, IN KING COUNTY, WASHINGTON; EXCEPT THE EAST 5 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD BY DEED RECORDED IN VOLUME 8 OF DEEDS, PAGE 123.

TOGETHER WITH THAT PORTION OF 26TH AVENUE SOUTH AS VACATED BY ORDINANCE NO. 4010, RECORDED UNDER RECORDING NO. 7901181063, AS WOULD ATTACH BY OPERATION OF LAW.

AND EXCEPT THAT PORTION OF SAID TRACT 22 CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER RECORDING NUMBER 20200128001255, IN KING COUNTY, WASHINGTON.

**EXHIBIT B-1
TO
RESOLUTION NO. 3800**

Legal Description of the Fee Take Property

THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PROPERTY;
THENCE ALONG THE EAST LINE THEREOF, S00°30'38"E A DISTANCE OF 140.09 FEET
TO THE SOUTHEAST CORNER OF SAID PROPERTY;
THENCE ALONG THE SOUTH LINE THEREOF, N88°29'27"W A DISTANCE OF 21.96 FEET;
THENCE LEAVING SAID SOUTH LINE, N04°21'02"W A DISTANCE OF 17.91 FEET;
THENCE N02°06'16"W A DISTANCE OF 16.61 FEET;
THENCE N02°23'15"E A DISTANCE OF 16.74 FEET;
THENCE N10°33'24"E A DISTANCE OF 43.67 FEET;
THENCE N17°06'51"E A DISTANCE OF 47.50 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 2,309 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PROPERTY;
THENCE ALONG THE EAST LINE THEREOF, S00°30'38"E A DISTANCE OF 101.02 FEET;
THENCE LEAVING SAID EAST LINE, S85°38'58"W A DISTANCE OF 15.08 FEET;
THENCE N04°21'02"W A DISTANCE OF 103.04 FEET TO THE NORTH LINE OF SAID PROPERTY;
THENCE ALONG SAID NORTH LINE, S88°29'27"E A DISTANCE OF 21.96 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,886 SQUARE FEET, MORE OR LESS.

**EXHIBIT B-2
TO
RESOLUTION NO. 3800**

Legal Description of the Guideway Easement Property

THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PROPERTY;
THENCE S17°06'51 "W A DISTANCE OF 47.50 FEET;
THENCE S10°33'24"W A DISTANCE OF 9.47 FEET;
THENCE N04°20'40"W A DISTANCE OF 55.39 FEET TO THE NORTH LINE OF SAID PROPERTY;
THENCE ALONG SAID NORTH LINE, S88°29'27"E A DISTANCE OF 19.92 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 523 SQUARE FEET, MORE OR LESS.

TOGETHER WITH:

THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY;
THENCE ALONG THE EAST LINE THEREOF, S00°30'38"E A DISTANCE OF 101.02 FEET TO THE **POINT OF BEGINNING**;
THENCE CONTINUING ALONG SAID EAST LINE, S00°30'38"E A DISTANCE OF 55.19 FEET; THENCE LEAVING SAID EAST LINE, N04°20'40"W A DISTANCE OF 55.07 FEET TO A POINT THAT BEARS S85°38'58"W FROM THE POINT OF BEGINNING;
THENCE N85°38'58"E A DISTANCE OF 3.69 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 102 SQUARE FEET, MORE OR LESS.

**EXHIBIT B-3
TO
RESOLUTION NO. 3800**

Legal Description of the Sewer Easement Property

THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY;
THENCE S17°06'51"W A DISTANCE OF 4.11 FEET TO THE **POINT OF BEGINNING**;
THENCE CONTINUING, S17°06'51"W A DISTANCE OF 43.39 FEET;
THENCE S 10°33 '24"W A DISTANCE OF 40.36 FEET;
THENCE N00°42'37"W A DISTANCE OF 69.94 FEET;
THENCE N61°56'24"E A DISTANCE OF 23.83 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 641 SQUARE FEET MORE OR LESS.

TOGETHER WITH:

COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY;
THENCE ALONG THE NORTH LINE THEREOF, N88°29'27"W A DISTANCE OF 21.96 FEET TO THE **POINT OF BEGINNING**;
THENCE LEAVING SAID NORTH LINE, S00°49'23"E A DISTANCE OF 4.95 FEET;
THENCE S00°03'50"E A DISTANCE OF 215.40 FEET;
THENCE S83°51 '42"E A DISTANCE OF 23.76 FEET TO THE EAST LINE OF SAID PROPERTY;
THENCE ALONG SAID EAST LINE, N00°30'38"W A DISTANCE OF 15.10 FEET;
THENCE LEAVING SAID EAST LINE, N83°51 '42"W A DISTANCE OF 8.55 FEET;
THENCE N00°03'50"W A DISTANCE OF 104.70 FEET;
THENCE S85°38'58"W A DISTANCE OF 7.38 FEET;
THENCE N04°21 '02"W A DISTANCE OF 103.04 FEET TO **POINT OF BEGINNING**.

CONTAINING 2,297 SQUARE FEET, MORE OR LESS.