

RESOLUTION NO. 3731

A RESOLUTION of the Port Commission of the Port of Seattle declaring surplus and no longer needed for port district purposes approximately 4.56 acres of Port-owned real property, commonly referred to as Tract “A,” and located in the City of Des Moines, King County; and further authorizing the transfer of said real property to the City of Des Moines for stormwater facilities in support of improvements at Des Moines Creek Business Park.

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 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 of Seattle Port Commission established the Port of Seattle’s Comprehensive Scheme in 1912 by adoption of Resolution No. 17; and

WHEREAS, on November 5, 1946, the Port Commission established Unit 18 of the Comprehensive Scheme by adoption of Resolution No. 1194, which unit has been subsequently amended as provided by law; and

WHEREAS, the Port owns the real property described on attached Exhibit A (the “Property”); and

WHEREAS, the Property consists of 4.56 acres of land, more or less, and is within Unit 18 of the Comprehensive Scheme; and

WHEREAS, the Property includes stormwater improvements in support of the Port-owned property commonly known as Des Moines Creek Business Park (“DMCBP”), said stormwater improvements were constructed by the Port’s tenant at DMCBP and transferred to the City of Des Moines; and

WHEREAS, Chapter 39.33 of the Revised Code of Washington provides that the Port may “sell, transfer, exchange, lease or otherwise dispose of any property ... to the state or any municipality or any political subdivision thereof ... on such terms and conditions as may be mutually agreed upon ...;” and

WHEREAS, the maps and other data regarding the Property proposed for conveyance to the City of Des Moines are on available at the Port offices; and

WHEREAS, the Port Commission published notice of an official public hearing to be held on April 11, 2017, as required pursuant to Chapter 39.33 of the Revised Code of Washington; and

WHEREAS, the Port Commission has heard from all persons desiring to speak at said public hearing with regard to the proposed Property transfer; and

WHEREAS, the members of the Port Commission have discussed and considered the proposed Property transfer in light of all comments by members of the public at 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 which is part of Unit 18 of the Comprehensive Scheme is no longer needed for Port purposes and is declared surplus to Port needs.

Section 2. The Port's Interim Chief Executive Officer is authorized to take all steps and execute all documents necessary to transfer title of the Property to the City of Des Moines in accordance with Chapter 39.33 of the Revised Code of Washington

Section 3. The Comprehensive Scheme is hereby amended to reflect that the Property is hereby deleted from Unit No. 18.

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

Port Commissioners

EXHIBIT “A” to Resolution No. 3731

Legal Description of Property

Tract A, City of Des Moines Short Plat No. LUA2013-0036 Alteration, as recorded under Recording No. 20160426900009, records of King County, Washington.