

RESOLUTION NO. 3617

A RESOLUTION of the Port Commission of the Port of Seattle declaring surplus and no longer needed for Port District purposes nine parcels of Port-owned real property located in SeaTac, Washington, including a 0.64 acre detention pond site; a 0.02 acre remnant off South 188th Street; a 0.24 acre parcel at 1205 South 196th Street; four noncontiguous parcels (0.68 acres, 18.76 acres, 3.24 acres and 1.13 acres) in vicinity of Tye Golf Course at 18th Avenue South and South 200th Street; and two noncontiguous parcels (0.08 acres, 0.45 acres) in area bounded by 24th Avenue South, South 202nd Street and South 204th Street (“Property”) and authorizing the CEO to execute all documents necessary to transfer the Property to Washington State Department of Transportation (“WSDOT”) in exchange for WSDOT property and enter into airspace leases needed for current and future projects related to construction of the Rental Car Facility, improvements to the Northern Airport Expressway, maintenance and operation of the Third Runway approach lighting system, and construction of a bridge to the “L”-shaped parcel that would support future development of that land in support of airport cargo and operations.

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 operator of Seattle-Tacoma International Airport (“Airport”); and

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

WHEREAS, the Washington State Department of Transportation (“WSDOT”) owns the real property described on attached Exhibit B and the real property subject to the airspace leases identified on attached Exhibit C; and

WHEREAS, the Port-owned Property includes nine parcels of land that WSDOT needs to extend SR 509 to connect with I-5; and

WHEREAS, conveyance of said Port-owned Property to WSDOT will make possible a major redesign of access to the Airport from the south, which redesign was envisioned in the Port’s Comprehensive Development Plan.

WHEREAS, conveyance of said Port-owned Property to WSDOT would be pursuant to a property exchange agreement between the Port and WSDOT under which the Port would acquire from WSDOT title to the real property described at Exhibit B as well as certain airspace leases described at Exhibit C; and

WHEREAS, the Port needs the WSDOT property described at Exhibit B as well as certain airspace leases described at Exhibit C for current and future projects, including projects related to construction of a Rental Car Facility, improvements to the Northern Airport Expressway, installation of approach lights for the Third Runway, construction of a bridge to the Port’s “L”-shaped parcel, or other business development.

WHEREAS, the FAA has approved the exchange between the Port and WSDOT; 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 of any municipality of 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 WSDOT for the future extension of SR 509 are on file at the Port offices; and

WHEREAS, the Port of Seattle 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 of Seattle Commission have discussed and considered the proposed property transfer in light of all comments by members of the public at the public hearing; and

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 declared surplus to Port needs.

Section 2. The CEO is authorized to take all steps and execute all documents necessary to transfer the Property to WSDOT in exchange for WSDOT property described at Exhibit B and airspace leases described at Exhibit C to this Resolution. The Port-owned Property has an appraised fair market value of \$16,519,400.00. The WSDOT property to be conveyed in fee to the Port has an appraised fair market value of \$15,761,328.00. The airspace leases described at Exhibit C have the following appraised fair market rental values: \$15,618.00 per year; \$10,200.00 per year; and \$2,000.00 per year.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting thereof, held this ____day of _____, 2009 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. 3617

Legal Descriptions of Port-owned parcels to be conveyed in fee to WSDOT

1. 0.64 acre more or less (IC 1-17-08360 or 1-22568)

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., COUNTY OF KING, STATE OF WASHINGTON, FURTHER DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT OPPOSITE HIGHWAY ENGINEER’S STATION (hereinafter referred to as HES) SR 509 927+15 ON THE SR 509 LINE SURVEY OF SR 509: SR 516 TO DES MOINES WAY SOUTH, SHEET 11 OF 11, DATED DEC. 1 1969 AND 118.24 FEET NORTHEASTERLY THEREFROM;

THENCE NORTHWESTERLY TO A POINT OPPOSITE HES SR 509 929+50 AND 120.63 FEET NORTHEASTERLY THEREFROM;

THENCE EASTERLY TO A POINT OPPOSITE HES SR 509 928+74 AND 285.00 FEET NORTHEASTERLY THEREFROM;

THENCE SOUTHERLY TO A POINT OPPOSITE HES SR 509 926+85 AND 195.00 FEET NORTHEASTERLY FROM;

THENCE WESTERLY TO THE POINT OF BEGINNING.

CONTAINING: 28,008 SQ.FT. 0.64 ACRES. MORE OR LESS.

2. 0.02 acre more or less (IC 1-17-08364 or 1-16884)

PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., KING COUNTY, STATE OF WASHINGTON, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 32, THENCE SOUTH 89°56’19” WEST ALONG SUBDIVISION LINE, A DISTANCE OF 1,475.03 FEET; THENCE SOUTH 00°03’41” EAST, A DISTANCE OF 194.39 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 30°18’50” EAST, A DISTANCE OF 80.95 FEET;

THENCE SOUTH 51°39’00” EAST, A DISTANCE OF 17.03 FEET;

THENCE SOUTH 38°23’07” WEST, A DISTANCE OF 5.76 FEET;

THENCE NORTH 51°36'53" WEST, A DISTANCE OF 50.02 FEET;

THENCE NORTH 11°58'09" WEST, A DISTANCE OF 55.10 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 859.0 SQUARE FEET. 0.02 ACRES MORE OR LESS

3. 0.24 acre more or less (IC 1-17-08361 or 1-16852)

PORTION OF LOT 1, KOESSNER ADDITION, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 57 OF PLATS, PAGES 75, 76 AND 77 IN KING COUNTY, WASHINGTON. LYING IN THE EAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., COUNTY OF KING, STATE OF WASHINGTON, FURTHER DESCRIBED AS FOLLOWS;

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 5, THENCE NORTH 05°26'07" WEST ALONG SUBDIVISION LINE, A DISTANCE OF 1561.46 FEET; THENCE SOUTH 84°33'53" WEST, A DISTANCE OF 1023.27 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 01°07'33" WEST, A DISTANCE OF 74.90 FEET;

THENCE NORTH 88°52'22" WEST, A DISTANCE OF 99.34 FEET;

THENCE NORTH 48°30'27" WEST, A DISTANCE OF 91.95 FEET;

THENCE NORTH 15°54'48" EAST, A DISTANCE OF 15.87 FEET;

THENCE SOUTH 88°52'25" EAST, A DISTANCE OF 165.34 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 10,570 SQ.FT. 0.24 ACRES MORE OR LESS.

4. 0.68 acre more or less (IC 1-17-08362 or 1-16827)

COMMENCING AT POINT "D"; THENCE SOUTH 89°10'53" WEST, A DISTANCE OF 14.99 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°11'05" WEST, A DISTANCE OF 87.60 FEET;

THENCE NORTH 36°24'47" WEST, A DISTANCE OF 21.13 FEET;

THENCE NORTH 00°48'55" WEST, A DISTANCE OF 279.56 FEET;

THENCE NORTH 89°03'12" EAST, A DISTANCE OF 99.90 FEET;

THENCE SOUTH 00°48'55" EAST, A DISTANCE OF 296.97 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 29,550 SQ.FT. 0.68 ACRES MORE OR LESS.

ALONG WITH:

5. 18.76 acres more or less (IC 1-17-08406 or 1-16827)

COMMENCING AT POINT "A"; THENCE NORTH 00°07'09" EAST, A DISTANCE OF 65.31 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 88°29'41" WEST, A DISTANCE OF 294.91 FEET;

THENCE SOUTH 00°06'53" WEST, A DISTANCE OF 42.46 FEET;

THENCE NORTH 89°52'55" WEST, A DISTANCE OF 220.03 FEET;

THENCE NORTH 88°27'21" WEST, A DISTANCE OF 218.55 FEET;

THENCE NORTH 00°48'54" WEST, A DISTANCE OF 14.64 FEET;

THENCE NORTH 88°24'18" WEST, A DISTANCE OF 107.40 FEET;

THENCE NORTH 01°35'46" EAST, A DISTANCE OF 10.29 FEET;

THENCE SOUTH 88°27'37" EAST, A DISTANCE OF 111.29 FEET;

THENCE NORTH 13°34'04" WEST, A DISTANCE OF 216.23 FEET;

THENCE NORTH 45°35'49" WEST, A DISTANCE OF 90.85 FEET;

THENCE NORTH 00°54'23" WEST, A DISTANCE OF 262.02 FEET;

THENCE SOUTH 89°11'07" WEST, A DISTANCE OF 259.61 FEET;

THENCE NORTH 45°35'45" WEST. A DISTANCE OF 92.95 FEET;

THENCE NORTH 36°24'49" WEST, A DISTANCE OF 187.59 FEET;

THENCE NORTH 00°49'07" WEST, A DISTANCE OF 143.33 FEET TO A POINT HEREAFTER KNOWN AS "D";

THENCE CONTINUE NORTH 00°49'07" WEST, A DISTANCE OF 357.00 FEET;

THENCE SOUTH 89°03'15" WEST, A DISTANCE OF 13.40 FEET;
THENCE NORTH 01°07'36" EAST, A DISTANCE OF 141.21 FEET;
THENCE SOUTH 88°52'25" EAST, A DISTANCE OF 4.95 FEET;
THENCE SOUTH 47°01'18" EAST, A DISTANCE OF 80.59 FEET;
THENCE SOUTH 01°07'35" WEST, A DISTANCE OF 145.13 FEET;
THENCE NORTH 89°03'12" EAST, A DISTANCE OF 65.05 FEET;
THENCE NORTH 01°07'35" EAST, A DISTANCE OF 84.55 FEET;
THENCE SOUTH 47°01'18" EAST, A DISTANCE OF 119.66 FEET;
THENCE SOUTH 62°40'34" EAST, A DISTANCE OF 381.80 FEET;
THENCE SOUTH 42°22'38" EAST, A DISTANCE OF 2.65 FEET;
THENCE SOUTH 00°41'10" EAST, A DISTANCE OF 16.90 FEET;
THENCE NORTH 89°11'05" EAST, A DISTANCE OF 15.02 FEET;
THENCE SOUTH 42°21'46" EAST, A DISTANCE OF 216.81 FEET;
THENCE SOUTH 54°43'13" EAST, A DISTANCE OF 187.95 FEET;
THENCE SOUTH 40°34'34" EAST, A DISTANCE OF 311.56 FEET;
THENCE SOUTH 25°10'58" EAST A DISTANCE OF 541.90 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINES: 817,175 SQ. FT. 18.76 ACRES MORE OR LESS.

ALONG WITH:

6. 3.24 acres more or less (IC 1-17-08407 or 1-16827)

COMMENCING AT POINT "B"; THENCE NORTH 00°07'09" EAST, A DISTANCE OF 55.72 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 28°21'10" WEST, A DISTANCE OF 416.10 FEET;

THENCE SOUTH 79°06'47" EAST, A DISTANCE OF 200.65 FEET;

THENCE SOUTH 66°38'09" EAST, A DISTANCE OF 354.82 FEET;
THENCE SOUTH 00°58'55" EAST, A DISTANCE OF 75.98 FEET;
THENCE SOUTH 63°54'21" EAST, A DISTANCE OF 314.83 FEET;
THENCE NORTH 89°53'07" WEST, A DISTANCE OF 438.49 FEET;
THENCE NORTH 65°23'56" WEST, A DISTANCE OF 54.81 FEET;
THENCE NORTH 88°29'41" WEST, A DISTANCE OF 120.92 FEET TO THE TRUE
POINT OF BEGINNING.

CONTAINING: 140,939 SQ. FT. 3.24 ACRES MORE OR LESS.

ALONG WITH:

7. 1.13 acres more or less (IC 1-17-08408 or 1-16827)

PORTIONS OF THE NORTH HALF OF SECTION 4, TOWNSHIP 22 NORTH, RANGE 4 EAST W.M. AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., COUNTY OF KING, STATE OF WASHINGTON, FURTHER DESCRIBED AS FOLLOWS;

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 4;
THENCE SOUTH 89°52'51" EAST ALONG SUBDIVISION LINE, A DISTANCE OF 515.59 FEET TO A POINT HEREAFTER KNOWN AS "A"; THENCE CONTINUE SOUTH 89°52'51" EAST, A DISTANCE OF 396.76 FEET TO A POINT HEREAFTER KNOWN AS "B"; THENCE CONTINUE SOUTH 89°52'51" EAST A DISTANCE OF 988.68 FEET TO A POINT HEREAFTER KNOWN AS "C"; THENCE NORTH 00°07'09" EAST, A DISTANCE OF 30.15 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°06'53" EAST, A DISTANCE OF 24.00 FEET;
THENCE SOUTH 89°53'07" EAST, A DISTANCE OF 59.00 FEET;
THENCE NORTH 27°19'51" EAST, A DISTANCE OF 39.36 FEET;
THENCE NORTH 78°08'58" EAST, A DISTANCE OF 308.71 FEET;
THENCE SOUTH 65°53'47" EAST, A DISTANCE OF 218.19 FEET;
THENCE SOUTH 88°27'12" EAST, A DISTANCE OF 120.04 FEET;

THENCE SOUTH 00°06'53" WEST, A DISTANCE OF 31.00 FEET;

THENCE NORTH 89°53'07" WEST, A DISTANCE OF 699.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 49,245 SQ.FT. 1.13 ACRES MORE OR LESS.

8. 0.08 acre more or less (IC 1-17-08363 or 1-16825)

PORTIONS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., COUNTY OF KING, STATE OF WASHINGTON, FURTHER DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4, THENCE NORTH 02°44'39" WEST ALONG SUBDIVISION LINE, A DISTANCE OF 1115.24 FEET TO A POINT "A"; THENCE CONTIUNUE NORTH 02°44'39" WEST A DISTANCE OF 856.99 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°52'44" WEST, A DISTANCE OF 299.79 FEET;

THENCE SOUTH 02°44'50" EAST, A DISTANCE OF 31.52 FEET;

THENCE NORTH 49°02'12" WEST, A DISTANCE OF 25.29 FEET;

THENCE NORTH 02°15'24" WEST, A DISTANCE OF 24.96 FEET:

THENCE SOUTH 89°52'44: EAST, A DISTANCE OF 317.88 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 3,603 SQ. FT. 0.08 ACRES MORE OR LESS

ALONG WITH;

9. 0.45 acre more or less (IC 1-17-08409 or 1-16825)

BEGINNING AT POINT "A", THENCE SOUTH 66°53'14" WEST, A DISTANCE OF 92.03 FEET;

THENCE NORTH 89°01'08" WEST, A DISTANCE OF 102.58 FEET;

THENCE NORTH 43°14'28" WEST, A DISTANCE OF 125.05 FEET;

THENCE SOUTH 89°51'32" EAST, A DISTANCE OF 270.19 FEET;

THENCE SOUTH 02°44'39" EAST, A DISTANCE OF 56.12 FEET TO THE POINT OF BEGINNING.

CONTAINING: 19,498 SQ. FT. 0.45 ACRES MORE OR LESS

EXHIBIT “B” to Resolution No. 3617

Legal Descriptions of WSDOT-owned parcels to be conveyed in fee to Port

1. 2.32 acres more or less (IC 1-17-03329)

That portion of Tract “X” described as follows:

Beginning at a point opposite Highway Engineer’s Station (hereinafter referred to as HES) N–E 14+50 on the N–E Ramp line survey of SR 518, Riverton Heights: SR 509 to SR 5 and 60 feet Southeasterly therefrom;
thence Northeasterly parallel with said line survey to a point opposite HES N–E 19+50;
thence Northeasterly to a point opposite HES N–E 22+00 on said N–E Ramp line survey and 87 feet Southeasterly therefrom;
thence Easterly to a point opposite HES N–E 23+70 on said line survey and 105 feet Southerly therefrom;
thence Southeasterly to a point opposite HES PHS 422+70 on the PHS line survey of said highway and 62 feet Northwesterly therefrom;
thence Southwesterly to a point opposite HES PHS 420+03 on said PHS line survey and 63 feet Northwesterly therefrom;
thence Southwesterly to a point opposite HES BR 18+00 on the BR Ramp line survey of said highway and 60 feet Southerly therefrom;
thence Westerly to a point opposite HES BR 19+00 on said BR Ramp line survey and 70 feet Southwesterly therefrom;
thence Northwesterly parallel with said BR Ramp line survey to a point opposite HES BR 20+30;
thence Northwesterly to a point opposite HES N–E 19+50 on the N–E line survey of said highway and 90 feet Southeasterly therefrom;
thence Southwesterly to the point of beginning.

Tract “X”

Parcel 1

Lots 6, 7 and 8 Block 2 of Lowe’s Terrace No. 14, according to the plat recorded in Volume 56 of Plats, page 67, records of King County.

Parcel 2

The Southeast quarter of the Southeast quarter of Section 21, Township 23 North, Range 4 East, W.M.

Parcel 3

The Southwest quarter of the Southwest quarter of Section 22, Township 23 North, Range 4 East, W.M.

2. 3.76 acres more or less (IC 1-17-07989)

That portion of the hereinafter described Tract "X" lying within a tract of land described as:

Beginning at a point opposite Highway Engineer's Station (herein after referred to as HES) S. 160th St. 8+78 on the S. 160th St. line survey of SR 518, Riverton Heights: SR 509 to SR 5 and 30 feet Northerly therefrom;
thence Northeasterly, parallel with the A.S.R. line survey of said highway to a point opposite HES ASR 140+15.90 on said A.S.R. line survey and 35 feet Southeasterly therefrom;
thence Southeasterly to a point opposite HES N-W 227+21.64 on the N-W line survey of said highway and 54.16 feet Southeasterly therefrom;
thence Southwesterly to a point opposite HES N-W 228+83.45 on said N-W line survey and 50.23 feet Southeasterly therefrom;
thence Southwesterly to a point opposite HES N-W 229+57.69 on said N-W line survey and 68.05 feet Southeasterly therefrom;
thence Southwesterly to a point opposite HES N-W 229+78.09 on said N-W line survey and 75.48 feet Southeasterly therefrom;
thence Southwesterly to a point opposite HES S. 160th St. 13+48.33 on said S. 160th St. line survey and 36.24 feet Northerly therefrom;
thence Westerly to a point opposite HES S. 160th St. 13+12.19 on said S. 160th St. line survey and 30 feet Northerly therefrom;
thence Westerly, parallel with said S. 160th St. line survey, to the point of beginning.

Tract "X"

Parcel 1

The Southeast quarter of the Southeast quarter of Section 21, Township 23 North, Range 4 East, W.M.

Parcel 2

The Southwest quarter of the Southeast quarter of Section 21, Township 23 North, Range 4 East, W.M.

Parcel 3

Lot 1 and Lots 3 through 9 inclusive, Glenroy Acres, according to the plat recorded in Volume 51 of Plants, page 82, records of King county, Washington.

Parcel 4

28th Ave. South as shown on the Plat of Glenroy Acres, according to the plat recorded in Volume 51 of Plants, page 82, records of King county, Washington.

3. 0.25 acre more or less (IC 1-17-07993)

That portion of the hereinafter described Tract "X" lying within the following described tract of land:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) DMW 36+43.29 on the DMW line survey of SR 509, SR 99 to S. 188th St. Vic. and 68 feet Southeasterly therefrom; thence Northwesterly, parallel with said line survey, to a point opposite HES DMW 36+10; thence Northwesterly to a point opposite HES 883+24 on the SR 509 line survey of said highway and 378 feet Southeasterly therefrom; thence Northerly to a point opposite HES 885+48 on said SR 509 line survey and 344.76 feet Southeasterly therefrom; thence Southeasterly to the point of beginning.

Tract X:

That portion of the Northwest Quarter of the Southeast Quarter and the Southwest Quarter of the Northeast Quarter, all in Section 32, Township 23 North, Range 4 East, W.M, King County, Washington, lying within that certain parcel as deeded to the State of Washington under recording number 7203090277.

EXHIBIT “C” to Resolution No. 3617

Airspace Leases

1. Airspace Lease of 0.094 acres (4,096 square feet) for soil nail retaining wall use.
2. Airspace Lease of 0.46 acres (20,089 square feet) for Third Runway north approach lighting system use.
3. Airspace Lease of 0.56 acres (24,488 square feet) for bridge to Port-owned “L”-shaped parcel use.