

RESOLUTION NO. 3638

A RESOLUTION of the Port Commission of the Port of Seattle declaring certain real property located in the City of Redmond (a portion of the Redmond Spur segment of the Woodinville Subdivision) and its improvements surplus and no longer needed for Port purposes; and authorizing the Chief Executive Officer to execute all documents necessary for transfer to the City of Redmond.

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 owns the real property described on attached Exhibit A (the “Property”) and all fixtures and improvements thereon consisting primarily of railroad tracks and ties and associated fixtures (the “Improvements”); and

WHEREAS, on November 5, 2009, the Port entered into a Memorandum of Understanding (the “MOU”) with King County, Sound Transit, Cascade Water Alliance, Puget Sound Energy and the City of Redmond setting forth the mutual understanding of the parties for the completion of future transactions where the Regional Partners would purchase from the Port interests in the Woodinville Subdivision and thus share in the cost of acquiring it; and

WHEREAS, the City of Redmond desires to acquire the Property and Improvements from the Port at this time for future trail, utility and transportation uses; and

WHEREAS, Sound Transit, King County, Cascade Water District, and Puget Sound Energy intend to complete the purchase from the Port of other property interests in the Woodinville Subdivision at a later date (the “Regional Transaction”).

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 transfer to Redmond 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 considered the proposed property sale and comments by members of the public attending 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 and Improvements thereon are no longer needed for Port purposes and are declared surplus to Port needs.

Section 2. The Chief Executive Officer is authorized to take all steps and execute all documents necessary to sell the Property and Improvements to the City of Redmond for a purchase price of Ten Million Dollars (\$10,000,000).

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting thereof, held this ____ day of June, 2010, 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 3638

City of Redmond
Project No. 036321
June 1, 2010

**CITY OF REDMOND
BNSF RAILWAY CORRIDOR
REDMOND SPUR
LEGAL DESCRIPTION**

That portion of a strip of land, varying in width on each side of the centerline of the originally located and constructed Main Track centerline of the Redmond Spur, BNSF Railway Company's (formerly Northern Pacific Railway Company) Woodinville to Kennydale, Washington Branch Line, according to Quit Claim Deed recorded under King County Recording Number 20091218001537, more particularly described as follows:

COMMENCING at the Northeast corner of the Southwest Quarter of Section 27, Township 26 North, Range 5 East, W.M., thence Westerly along the North line of said Southwest Quarter to its intersection with the centerline of the originally located and constructed Main Track centerline of the Redmond Spur, BNSF Railway Company's (formerly Northern Pacific Railway Company) Woodinville to Kennydale, Washington Branch Line; Thence Southerly along said centerline to its intersection with the South margin of Northeast 124th Street, extended Westerly, and the **POINT OF BEGINNING**;

A strip of land, 100.0 feet in width, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the South 1/2 of Section 27, Township 26 North, Range 5 East, W.M., bounded on the North by the South margin of Northeast 124th Street extended and on the South by the South line of said South 1/2, the sidelines thereof to be lengthened or shortened as necessary to commence at the South margin of Northeast 124th Street extended and terminate on the South line of the Southwest Quarter of said Section 27;

Together with a strip of land, 50.0 feet in width, being 25.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the West 1/2 of the Northeast Quarter of Section 34, Township 26 North, Range 5 East, W.M., bounded on the North by the North line of said West 1/2, and on the South by the South line of said West 1/2, the sidelines thereof to be lengthened or shortened as necessary to commence and terminate on the North and South lines of said West 1/2, Northeast Quarter, Section 34;

Together with a strip of land, 50.0 feet in width, being immediately adjacent to and Westerly of said Main Track 50.0 foot right-of-way in the West 1/2 of the Northeast Quarter of Section 34, Township 26 North, Range 5 East, W.M., bounded on the North by the North line of said West 1/2, and on the South by a line perpendicular to said Main Track centerline at a point 1400 feet Southerly of the North line of said West 1/2, Northeast Quarter, Section 34;

Together with a strip of land, 100.0 feet in width, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the West 1/2 of the Southeast Quarter of Section 34, Township 26 North, Range 5 East, W.M., the Northeast Quarter of Section 3, the Southwest Quarter of the Southwest Quarter of the Northwest Quarter, the Southwest Quarter, and the Southwest Quarter of the Southwest Quarter of the Southeast Quarter, Section 2, all in Township 25 North, Range 5 East, W.M., bounded on the North by the North line of said West 1/2, Southeast Quarter, Section 34 and on the South by the South line of said Section 2, **Excepting Therefrom**, the Easterly 25.0 feet of said 100.0 foot wide Redmond Spur right-of-way, upon, over and across the West 1/2, Southeast Quarter, Section 34, Township 26 North, Range 5 East, W.M., and the North 1/2, Northeast Quarter, Section 3, Township 25 North, Range 5 East, W.M., lying between two lines drawn parallel and concentric with and distant, respectively, 25.0 and 50.0 feet Easterly, as measured at right angles and radially from said Main Track centerline, bounded on the North by the North line of said West 1/2, Southeast Quarter, Section 34, Township 26 North, Range 5 East, W.M., and bounded on the Southeast by a line drawn parallel with and 40.0 feet Northwesterly, as measured at right angles from the centerline of Northeast 98th Court, as located and constructed upon, over and across said North 1/2, Northeast Quarter, Section 3, Township 25 North, Range 5 East, W.M.;

Together with a strip of land, 100.0 feet in width, being 75.0 feet Northerly of and 25.0 feet Southerly of said Main Track centerline, as originally located and constructed, upon, over and across the North 1/2, Northeast Quarter and the Northeast Quarter of the Northwest Quarter, Section 11, and the West 1/2, Northwest Quarter of Section 12, all in Township 25 North, Range 5 East, W.M., bounded on the North by the North line of said Section 11 and on the East by the East line of said West 1/2, Northwest Quarter, Section 12, **Excepting Therefrom**, that portion of said 100.0 foot wide Redmond Spur right-of-way in the Northeast Quarter of the Northeast Quarter of said Section 11, lying between two lines parallel with and distant, respectively 25.0 feet and 75.0 feet Northerly, as measured at right angles from said Main Track centerline, as located and constructed, bounded on the East by the Southerly extension of the Westerly line of Leary Street, according to the Plat of Redmond recorded in Volume 7 of Plats at Page 74, records of King County, Washington, and bounded on the West by a line parallel with and distant 110.0 feet Westerly, as measured at right angles from said Southerly extension of the Westerly line of Leary Street, **Also Excepting Therefrom**, that portion of said 100.0 foot wide Redmond Spur right-of-way in the Northeast Quarter of the Northeast Quarter of said Section 11, lying between two lines parallel with and distant, respectively 25.0 feet and 75.0 feet Northeasterly, as measured at right angles from said Main Track centerline, as located and constructed, the most Northerly parallel line being also the Southwesterly lines of Block 1 and 2 of said Plat of Redmond, bounded on the Northwest by the Southwesterly extension of the Easterly line of Leary Street, according to said Plat, and bounded on the Southeast by a line perpendicular to said Main Track centerline that extends Northeasterly to the intersection of a line parallel with and distant 75.0 feet Northeasterly, as measured at right angles from said Main Track centerline with the East line of the Northeast Quarter of the Northeast Quarter of said Section 11;

Together with a 25.0 foot strip of land lying immediately adjacent to and Southerly of said Redmond Spur 100.0 foot wide right-of-way in the Northwest Quarter of the Northeast Quarter of Section 11, Township 25 North, Range 5 East, W.M., lying Northwesterly of a line perpendicular to said Main Track centerline at a point 855 feet Southeasterly of the North line of said Section 11, as measured along said Main Track centerline, as originally located and constructed;

Together with a strip of land, 100.0 feet in width, being each side of said Main Track centerline as originally located and constructed, upon, over and across the Southeast Quarter of the Northwest Quarter of Section 12, Township 25 North, Range 5 East, W.M., bounded on the West and East by the West and East lines of said Southeast Quarter, Northwest Quarter, Section 12, terminating on the East line thereof at Milepost 7.3, **Excepting Therefrom** that portion of said 100.0 foot wide Redmond Spur right-of-way in the Southeast Quarter, of the Northwest Quarter of said Section 12, described as follows: Beginning at the intersection of the West line of said Southeast Quarter, Northwest Quarter, Section 12 with the Southerly line of said 100.0 foot wide right-of-way; Thence North $01^{\circ}10'44''$ East, along said West line, 26.55 feet to a point 25 feet Southwesterly of, as measured at right angles from said Main Track centerline; Thence South $69^{\circ}07'30''$ East, parallel with said Main Track centerline, 639.91 feet to the Southerly extension of the Westerly right-of-way line of 170th Avenue Northeast, said right-of-way being 70 feet in width; Thence South $23^{\circ}37'30''$ West, along the Southerly extension of the Westerly right-of-way line of 170th Avenue Northeast, 25.03 feet to the Southerly right-of-way line of said 100.0 foot wide right-of-way; Thence North $69^{\circ}07'30''$ West, along the Southerly right-of-way line of said 100.0 foot wide right-of-way, 629.76 feet to the Point of Beginning.

