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3 **PORT OF SEATTLE**
4 **RESOLUTION NO. 3799**
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6 **A RESOLUTION** of the Port Commission of the Port of Seattle
7 declaring surplus and no longer needed for port
8 district purposes approximately 2.56 acres of Port-
9 owned real property, commonly referred to as Tract
10 “B” and located in the City of Des Moines, King
11 County; and further authorizing the transfer of said
12 real property to the City of Des Moines for
13 stormwater facilities in support of improvements at
14 Des Moines Business Park
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18 **WHEREAS,** the voters of King County, pursuant to the provisions of enabling legislation
19 adopted by the Legislature of the State of Washington, Chapter 92, Laws of 1911, RCW 53.04.010,
20 authorized and approved at a special election held in King County on the 5th day of September
21 1911, the formation of a port district coextensive with King County to be known as the Port of
22 Seattle; and

23 **WHEREAS,** the Port of Seattle was thereupon established as a port district and has since
24 been and now is a duly authorized and acting port district of the State of Washington; and

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

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

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

32 **WHEREAS**, the Property consists of 2.56 acres of land, more or less, and is within Unit 18
33 of the Comprehensive Scheme; and

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

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

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

44 **WHEREAS**, the Port Commission has publish noticed of an official public hearing to be
45 held on January 25, 2022, as required pursuant to Chapter 39.33 of the Revised Code of
46 Washington; and

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

49 **WHEREAS**, the members of the Port Commission have discussed and considered the
50 proposed Property transfer in light of all comments by members of the public at the public hearing.

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

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62 Section 1. The Property described on Exhibit A attached to this Resolution which is part
63 of Unit 18 of the Comprehensive Scheme is no longer needed for Port purposes and is declared
64 surplus to Port needs.

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

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

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72 **ADOPTED** by the Port Commission of the Port of Seattle at a regular meeting thereof, held
73 this ____ day of _____, 20__ and duly authenticated in open session by the
74 signatures of the Commissioners voting in favor thereof and the seal of the Commission.

75 **Port Commissioners**

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EXHIBIT “A” to Resolution No. _____

Legal Description of Property

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