



**COMMISSION
AGENDA MEMORANDUM**

Item No. 10a

ACTION ITEM

Date of Meeting March 22, 2022

DATE: February 14, 2022

TO: Stephen P. Metruck, Executive Director

FROM: Jeff Moken, Interim Director Aviation and Business Properties
Steve Kennard, Property Manager

SUBJECT: First Reading and Public Hearing of Resolution No. 3800 to surplus two Port parcels near S 204th St and 28th Ave S and convey permanent easements

ACTION REQUESTED

Request First Reading and Public Hearing of 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 two acres of Port-owned real property, herein referred to as the 28th Ave Parcels "Parcels" and located in the City of SeaTac, King County; and further authorizing the transfer of a portion (approximately 4,000 square feet) of said real property to the Central Puget Sound Transit Authority (Sound Transit) for development of a light rail elevated guideway; and further authorizing the conveyance of permanent easements to Sound Transit required for permanent construction of the elevated guideway.

EXECUTIVE SUMMARY

This is a surplus action and a multi-part request for conveyance by the Port to Sound Transit.

Notice of Surplus Property: The subject Parcels were acquired by the Port with FAA funding in 2007 to mitigate noise impacts on residential property. Ten of the twelve acres of the combined area of the Parcels were conveyed to WSDOT in 20019 for development of the SR 509 extension. WSDOT declined to purchase the Parcels intact and instead purchased only the minimum land area needed for constructing SR 509. Sound Transit also declined to purchase the remaining two acres that now comprise the Parcels and is requiring the Port to sell approximately 4,000sf of the Parcels. It is the Port's intent to declare surplus the entirety of the Parcels and to convey the remainder (after Sound Transit's purchase) to a buyer as soon as reasonably possible and upon approval from the FAA. The Port has not identified an aviation related use for the Parcels.

Request for Conveyance: The sale of a portion of the Parcels and conveyance of permanent easements to Sound Transit will accommodate the extension of Sound Transit's rail line from Angle Lake Station to Federal Way. The elevated guideway which carries the trains will displace 28th Ave S and an adjacent public sewer to the West onto Port property about 25'. If approved,

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the displaced road will be built on the acquired portion of the Parcels, and the sewer and guideway will permanently encumber the remainder of the Parcels still owned by the Port.

JUSTIFICATION

This action supports an important expansion of Sound Transit’s regional rail system which is responsive to regional governmental policy and voter approval. The Parcels were acquired for noise mitigation and their disposal will include an avigation easement reserving the Port’s rights to operate the airport without obstruction and complaint. The Port has reviewed Sound Transit’s appraisal and agrees that the valuation is consistent with fair market value.

Scope of Work

Execute conveyance documents.

Schedule

Q2 2022

ALTERNATIVES AND IMPLICATIONS CONSIDERED

No alternatives since Sound Transit can require conveyance using its authority of eminent domain.

FINANCIAL IMPLICATIONS

The Port will receive market value for the property sold, and compensation for permanent value diminution resulting from the sewer and guideway easements.

Area	Square Footage	Valuation
Before Fee Take	90,282	\$2,708,460
Fee Take	(4,195)	\$(126,000)
Easement/Encumbrance Value Diminution	-	\$(187,000)
Total Compensation Value	-	Sub Total \$(313,000)
After Fee Take and Easements	86,087	\$2,395,460

All values have been reviewed and approved by Port appraiser.

ATTACHMENTS TO THIS REQUEST

- (1) Property Surplus Resolution No. 3800
- (2) Presentation slides

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PREVIOUS COMMISSION ACTIONS OR BRIEFINGS

July 12, 2007 (signature date)—Related Action—Resolution 3581: Authorization of acquisition of subject parcels

October 22, 2019 (meeting date)—Related Action—Resolution 3762: Surplus resolution for conveyance of a portion of Parcels to WSDOT