

**PORT OF SEATTLE
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 88,325 square feet (2.3 acres) of Port-owned real property located in the City of SeaTac, King County; and further authorizing the Executive Director, or his designee, to finalize negotiation, prepare and execute all necessary documents to convey in fee and permanent easement a portion of said real property to Sound Transit for use in the development of the Federal Way Link Extension Project

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 (the “Port”) 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 certain real property consisting of approximately 88,325 square feet (2.3 acres) located in the City of SeaTac, King County, Washington with the legal description as set forth on attached Exhibit A together with the improvements thereon (collectively, the “Property”); and

WHEREAS, the Central Puget Sound Regional Transit Authority (“Sound Transit”) by letter dated July 30, 2021 has offered to purchase a portion of the Property (the “Fee Take Property”), and to obtain a permanent Guideway Easement (the “Guideway Easement”) and a permanent Sewer Easement (the “Sewer Easement”) on other portions of the Property

40 (collectively, the “Sound Transit Acquisition Property”), from the Port, under threat of
41 condemnation, for the aggregate price of \$313,000 (the “Sound Transit Acquisition Offer”), said
42 offer price being determined based on a market value appraisal prepared by Richard P. Herman,
43 R.P. Herman & Associates LLC, Washington State Certified General Real Estate Appraiser (WA
44 License No. 1100435) (the “Sound Transit Appraisal”); and

45
46 **WHEREAS**, the individual legal descriptions for the Fee Take Property, the Guideway
47 Easement property and the Sewer Easement property are as set forth, collectively, on attached
48 Exhibits B-1, B-2 and B-3; and

49
50 **WHEREAS**, Sound Transit intends to utilize the Sound Transit Acquisition Property in
51 connection with its construction and operation of the Federal Way Link Extension, extending its
52 light system from the Angle Lake Station in the City of SeaTac to the Federal Way Transit Center;
53 and

54
55 **WHEREAS**, the Port has reviewed the Sound Transit Acquisition Offer and the Sound
56 Transit Appraisal, including review of a third-party validity assessment of the Sound Transit
57 Appraisal prepared by Kidder Mathew’s David M. Chudzik, Washington State Certified General
58 Real Estate Appraiser (WA Certificate No. 1102099), the Port’s Member Appraisal Institute
59 (MAI) appraiser; and

60
61 **WHEREAS**, the Port intends to sell at a later date the remainder of the Property (less the
62 portions consisting of the Fee Take Property), consisting of approximately 84,130 square feet (the
63 “Remainder Property”), to a suitable to-be-determined third party, for fair market value, pending
64 subsequent Commission review and authorization;

65
66 **WHEREAS**, pursuant to Chapter 39.33 of the Revised Code of Washington
67 (Intergovernmental Disposition of Property Act) the Port may sell, transfer, exchange, lease or
68 otherwise dispose of real and personal property to the state, any municipality or any political
69 subdivision thereof on such terms and conditions as may be mutually agreed upon by the governing
70 authorities of the participating entities; and

71

72 **WHEREAS**, a resolution declaring the Property surplus to port district needs and no longer
73 needed for port district purposes is a prerequisite to conveyance of the Sound Transit Acquisition
74 Property to Sound Transit as well as for the eventual sale of the Remainder Property to a suitable
75 third party purchaser; and

76
77 **WHEREAS**, an official public hearing was held March 22, 2022, after notice of such
78 hearing was duly published as provided by law, to consider whether the Property should be
79 declared no longer needed for port district purposes and surplus to port district needs and the
80 proposed conveyance of the Sound Transit Acquisition Property to Sound Transit; and

81
82 **WHEREAS**, the maps and other data regarding the Property, including the Sound Transit
83 Acquisition Property for proposed conveyance to Sound Transit, are on file at the offices of the
84 Port's Airport Properties Division; and

85
86 **WHEREAS**, the Port of Seattle Commission has heard from all persons desiring to speak
87 at the public hearing regarding the proposed surplusing of the Property and conveyance of the
88 Sound Transit Acquisition Property to Sound Transit; and

89
90 **WHEREAS**, the members of the Port of Seattle Commission have considered the proposed
91 surplusing of the Property, the proposed conveyance of the Sound Transit Acquisition Property to
92 Sound Transit, and any comments by members of the public attending the public hearing;

93
94 **NOW, THEREFORE, BE IT RESOLVED**, by the Port Commission of the Port of
95 Seattle that:

96
97 Section 1. The Property, described on Exhibit A attached to this Resolution, is no
98 longer needed for Port purposes and is hereby declared surplus to Port needs.

99
100 Section 2. The Executive Director, or his designee, is authorized to finalize
101 negotiation, prepare and execute all necessary documents to convey the Sound Transit Acquisition
102 Property to Sound Transit for the total price of Three Hundred Thirteen Thousand and 00/100
103 Dollars (\$313,000).

104

105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting thereof, held
this ____ day of _____, 2022, and duly authenticated in open session by the signatures of
the Commissioners voting in favor thereof and the seal of the Commission.

Port Commissioners

DRAFT

166 **EXHIBIT B-1**
167 **TO**
168 **RESOLUTION NO. 3800**

169 **Legal Description of the Fee Take Property**

170
171
172 THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN
173 EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

174
175 **BEGINNING** AT THE NORTHEAST CORNER OF SAID PROPERTY;
176 THENCE ALONG THE EAST LINE THEREOF, S00°30'38"E A DISTANCE OF 140.09
177 FEET
178 TO THE SOUTHEAST CORNER OF SAID PROPERTY;
179 THENCE ALONG THE SOUTH LINE THEREOF, N88°29'27"W A DISTANCE OF 21.96
180 FEET;
181 THENCE LEAVING SAID SOUTH LINE, N04°21'02"W A DISTANCE OF 17.91 FEET;
182 THENCE N02°06'16"W A DISTANCE OF 16.61 FEET;
183 THENCE N02°23'15"E A DISTANCE OF 16.74 FEET;
184 THENCE N10°33'24"E A DISTANCE OF 43.67 FEET;
185 THENCE N17°06'51"E A DISTANCE OF 47.50 FEET TO THE **POINT OF**
186 **BEGINNING.**

187
188 CONTAINING 2,309 SQUARE FEET, MORE OR LESS.

189
190 TOGETHER WITH:

191
192 THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN
193 EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

194
195 **BEGINNING** AT THE NORTHEAST CORNER OF SAID PROPERTY;
196 THENCE ALONG THE EAST LINE THEREOF, S00°30'38"E A DISTANCE OF 101.02
197 FEET;
198 THENCE LEAVING SAID EAST LINE, S85°38'58"W A DISTANCE OF 15.08 FEET;
199 THENCE N04°21'02"W A DISTANCE OF 103.04 FEET TO THE NORTH LINE OF SAID
200 PROPERTY;
201 THENCE ALONG SAID NORTH LINE, S88°29'27"E A DISTANCE OF 21.96 FEET TO
202 THE **POINT OF BEGINNING.**

203
204 CONTAINING 1,886 SQUARE FEET, MORE OR LESS.

205 **EXHIBIT B-2**
206 **TO**
207 **RESOLUTION NO. 3800**

208
209 **Legal Description of the Guideway Easement Property**

210
211 THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN
212 EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

213
214 BEGINNING AT THE NORTHEAST CORNER OF SAID PROPERTY;
215 THENCE S17°06'51 "W A DISTANCE OF 47.50 FEET;
216 THENCE S10°33'24"W A DISTANCE OF 9.47 FEET;
217 THENCE N04°20'40"W A DISTANCE OF 55.39 FEET TO THE NORTH LINE OF SAID
218 PROPERTY;
219 THENCE ALONG SAID NORTH LINE, S88°29'27"E A DISTANCE OF 19.92 FEET TO
220 THE **POINT OF BEGINNING**.

221
222 CONTAINING 523 SQUARE FEET, MORE OR LESS.

223
224 TOGETHER WITH:

225
226 THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN
227 EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

228
229 COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY;
230 THENCE ALONG THE EAST LINE THEREOF, S00°30'38"E A DISTANCE OF 101.02
231 FEET TO THE **POINT OF BEGINNING**;
232 THENCE CONTINUING ALONG SAID EAST LINE, S00°30'38"E A DISTANCE OF
233 55.19 FEET; THENCE LEAVING SAID EAST LINE, N04°20'40"W A DISTANCE OF
234 55.07 FEET TO A POINT THAT BEARS S85°38'58"W FROM THE POINT OF
235 BEGINNING;
236 THENCE N85°38'58"E A DISTANCE OF 3.69 FEET TO THE **POINT OF BEGINNING**.

237
238 CONTAINING 102 SQUARE FEET, MORE OR LESS.

239
240

241 **EXHIBIT B-3**
242 **TO**
243 **RESOLUTION NO. 3800**

244
245 **Legal Description of the Sewer Easement Property**

246
247
248 THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN
249 EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:

250
251 COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY;
252 THENCE S17°06'51"W A DISTANCE OF 4.11 FEET TO THE **POINT OF BEGINNING**;
253 THENCE CONTINUING, S17°06'51"W A DISTANCE OF 43.39 FEET;
254 THENCE S 10°33 '24"W A DISTANCE OF 40.36 FEET;
255 THENCE N00°42'37"W A DISTANCE OF 69.94 FEET;
256 THENCE N61°56'24"E A DISTANCE OF 23.83 FEET TO THE **POINT OF BEGINNING**.

257
258 CONTAINING 641 SQUARE FEET MORE OR LESS.

259
260 TOGETHER WITH:

261
262 COMMENCING AT THE NORTHEAST CORNER OF SAID PROPERTY;
263 THENCE ALONG THE NORTH LINE THEREOF, N88°29'27"W A DISTANCE OF 21.96
264 FEET TO THE **POINT OF BEGINNING**;
265 THENCE LEAVING SAID NORTH LINE, S00°49'23"E A DISTANCE OF 4.95 FEET;
266 THENCE S00°03'50"E A DISTANCE OF 215.40 FEET;
267 THENCE S83°51 '42"E A DISTANCE OF 23.76 FEET TO THE EAST LINE OF SAID
268 PROPERTY;
269 THENCE ALONG SAID EAST LINE, N00°30'38"W A DISTANCE OF 15.10 FEET;
270 THENCE LEAVING SAID EAST LINE, N83°51 '42"W A DISTANCE OF 8.55 FEET;
271 THENCE N00°03'50"W A DISTANCE OF 104.70 FEET;
272 THENCE S85°38'58"W A DISTANCE OF 7.38 FEET;
273 THENCE N04°21 '02"W A DISTANCE OF 103.04 FEET TO **POINT OF BEGINNING**.

274
275 CONTAINING 2,297 SQUARE FEET, MORE OR LESS.