



**COMMISSION
AGENDA MEMORANDUM**

Item No. 8g

ACTION ITEM

Date of Meeting April 12, 2022

DATE: March 21, 2022

TO: Stephen P. Metruck, Executive Director

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

SUBJECT: Adoption of Resolution No. 3800 to Convey Property and Permanent Easements to Sound Transit

ACTION REQUESTED

Request Commission adoption 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 2 acres of Port-owned real property, commonly referred to as the 28th Ave South Parcels (“Parcels”) located in the City of SeaTac, King County; and further authorizing the transfer of 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 on the Parcels that are required for permanent construction of its elevated guideway.

EXECUTIVE SUMMARY

This is a multi-part request for declaration of surplus and conveyance of real property interests by the Port to Sound Transit.

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 2019 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 and authorization by the Commission. 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

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28th Ave S and an adjacent public sewer to westward approximately 25 feet onto Port property. If the conveyance of land and easements is approved, the displaced road will be built on the acquired portion of the Parcels, and the sewer and guideway easements 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 were considered 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) Draft Resolution No. 3800
- (2) Presentation

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