1 Item No.: 8g reso 2 Meeting Date: April 12, 2022 3 4 5 PORT OF SEATTLE 6 **RESOLUTION NO. 3800** 7 8 9 **A RESOLUTION** of the Port Commission of the Port of Seattle 10 declaring surplus and no longer needed for port district purposes approximately 88,325 square feet 11 (2.3 acres) of Port-owned real property located in the 12 13 City of SeaTac, King County; and further authorizing 14 the Executive Director, or his designee, to finalize negotiation, prepare and execute all necessary 15 16 documents to convey in fee and permanent easement 17 a portion of said real property to Sound Transit for use in the development of the Federal Way Link 18 19 **Extension Project** 20 21 WHEREAS, the voters of King County, pursuant to the provisions of enabling legislation 22 adopted by the Legislature of the State of Washington, Chapter 92, Laws of 1911, RCW 53.04.010, 23 authorized and approved at a special election held in King County on the 5th day of September 24 1911, the formation of a port district coextensive with King County to be known as the Port of 25 Seattle; and 26 WHEREAS, the Port of Seattle (the "Port") was thereupon established as a port district 27 28 and has since been and now is a duly authorized and acting port district of the State of Washington; 29 and 30 WHEREAS, the Port owns certain real property consisting of approximately 88,325 31 32 square feet (2.3 acres) located in the City of SeaTac, King County, Washington with the legal 33 description as set forth on attached Exhibit A together with the improvements thereon 34 (collectively, the "Property"); and 35 36 WHEREAS, the Central Puget Sound Regional Transit Authority ("Sound Transit") by 37 letter dated July 30, 2021 has offered to purchase a portion of the Property (the "Fee Take 38 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

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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
14	License No. 1100435) (the "Sound Transit Appraisal"); and
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WHEREAS, the individual legal descriptions for the Fee Take Property, the Guideway Easement property and the Sewer Easement property are as set forth, collectively, on attached Exhibits B-1, B-2 and B-3; and

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

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

WHEREAS, the Port intends to sell at a later date the remainder of the Property (less the portions consisting of the Fee Take Property), consisting of approximately 84,130 square feet (the "<u>Remainder Property</u>"), to a suitable to-be-determined third party, for fair market value, pending subsequent Commission review and authorization; and

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

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
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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	WITEDEAS the Deut of Scottle Commission has bond from all necessary desiring to another
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
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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	NOW THE PEROPE BY IT PEROLUTED 1 1 P 1 C 1 P 1 C 1
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).

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106	ADOPTED by the	Port Commission of the Port of Seattle at a regular meeting thereof, held
107	this day of	, 2022, and duly authenticated in open session by the signatures of
108	the Commissioners voti	ng in favor thereof and the seal of the Commission.
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120		Port Commissioners
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122	EXHIBIT A
123	ТО
124	RESOLUTION NO. 3800
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126	Legal Description of Property
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128	PIN 3445000141
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130	THE SOUTH 140 FEET OF TRACT 19, HOMESTEAD PARK FIVE ACRE TRACTS,
131	ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 7 OF PLATS, PAGE 88
132	IN KING COUNTY, WASHINGTON; EXCEPT THE EAST 5 FEET THEREOF CONVEYED
133	TO KING COUNTY FOR ROAD BY DEED RECORDED IN VOLUME 8 OF DEEDS, PAGE
134	123.
135	TOGETHER WITH THAT PORTION OF 26TH AVENUE SOUTH AS VACATED BY
136	ORDINANCE NO. 4010, RECORDED UNDER RECORDING NO. 7901181063, AS WOULD
137	ATTACH BY OPERATION OF LAW.
138	EXCEPT THAT PORTION OF SAID TRACT 19 CONVEYED TO THE STATE OF
139	WASHING TON BY DEED RECORDED UNDER RECORDING NUMBER 2020012801255,
140	IN KING COUNTY, WASHINGTON.
141	
142	TOGETHER WITH:
143	
144	PIN 3445000155
145	TRACT 22 HOMESTEAD BARKENIE ACRE TRACTS ACCORDING TO THE RIAT
146	TRACT 22, HOMESTEAD PARK FIVE ACRE TRACTS, ACCORDING TO THE PLAT
147	THEREOF RECORDED IN VOLUME 7 OF PLATS, PAGE 88, IN KING COUNTY,
148	WASHINGTON; EXCEPT THE EAST 5 FEET THEREOF CONVEYED TO KING COUNTY
149	FOR ROAD BY DEED RECORDED IN VOLUME 8 OF DEEDS, PAGE 123.
150	TOGETHER WITH THAT PORTION OF 26TH AVENUE SOUTH AS VACATED BY
151	
152 153	ORDINANCE NO. 4010, RECORDED UNDER RECORDING NO. 7901181063, AS WOULD ATTACH BY OPERATION OF LAW.
154	ATTACH BY OPERATION OF LAW.
155	AND EXCEPT THAT PORTION OF SAID TRACT 22 CONVEYED TO THE STATE OF
156	WASHINGTON BY DEED RECORDED UNDER RECORDING NUMBER 20200128001255.
157	IN KING COUNTY, WASHINGTON.
158	IN KING COUNTY, WASHINGTON.
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166	EXHIBIT B-1
167	TO
168	RESOLUTION NO. 3800
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170	Legal Description of the Fee Take Property
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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.
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190	TOGEHER 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
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209	Legal Description of the Guideway Easement Property
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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	2017 P. P. P. C. CO. C. P. F. F. F. L. C. P. P. C. P. P. C. P. P. C. P.
222	CONTAINING 523 SQUARE FEET, MORE OR LESS.
223	TO OFFICER WITH
224	TOGETHER WITH:
225	THAT PORTION OF THE PROPERTY (CAMP PROPERTY PERIODEGRAPER BY
226	THAT PORTION OF THE PROPERTY (SAID PROPERTY BEING DESCRIBED IN
227	EXHIBIT "A" ATTACHED HERETO), DESCRIBED AS FOLLOWS:
228	COMMENCING AT THE NORTHEACT CORNER OF CAID PROPERTY
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
231 232	FEET TO THE POINT OF BEGINNING ; THENCE CONTINUING ALONG SAID EAST LINE, S00°30'38"E A DISTANCE OF
232	55.19 FEET; THENCE LEAVING SAID EAST LINE, N04°20'40"W A DISTANCE OF
233	55.07 FEET TO A POINT THAT BEARS S85°38'58"W FROM THE POINT OF
234	BEGINNING;
236	THENCE N85°38'58"E A DISTANCE OF 3.69 FEET TO THE POINT OF BEGINNING .
237	THENCE NOS 36 36 E A DISTANCE OF 3.09 FEET TO THE POINT OF DEGINNING.
237	CONTAINING 102 SQUARE FEET, MORE OR LESS.
238	CONTAINING 102 SQUARE FEET, MORE OR LESS.
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241	EXHIBIT B-3
242	TO
243	RESOLUTION NO. 3800
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245	Legal Description of the Sewer Easement Property
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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 .
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258	CONTAINING 641 SQUARE FEET MORE OR LESS.
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260	TOGETHER WITH:
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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	CONTEADIBLE 2 207 COLLA DE EFET. MODE OD 1 EGG
275	CONTAINING 2,297 SQUARE FEET, MORE OR LESS.