

**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

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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

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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

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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; and

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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

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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.

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Port Commissioners

DRAFT



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

169 **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:  
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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 TOGETHER WITH:

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

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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:

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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.

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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**.

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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:  
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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**.  
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275 CONTAINING 2,297 SQUARE FEET, MORE OR LESS.