

Item No. 10b_reso
Meeting Date: May 10, 2022

**PORT OF SEATTLE
RESOLUTION NO. 3803**

A RESOLUTION of the Port Commission of the Port of Seattle amending Unit 20 of the Comprehensive Scheme of Harbor Improvements of the Port of Seattle (Lower Duwamish Industrial Development District) by: (i) declaring certain real property surplus and no longer needed for port district purposes; (ii) deleting said property from Unit 20 of the Comprehensive Scheme; and (iii) authorizing the Executive Director, or his designee, to finalize negotiation, preparation and execution all necessary documents to sell said real property to King County for purposes of developing a Combined Sewer Overflow (CSO) facility.

WHEREAS, the original Comprehensive Scheme of Harbor Improvements of the Port of Seattle was fixed in Resolution No. 17 of the Port Commission and was ratified by the qualified electors of the Port District at a special election held therein on March 5, 1912; and

WHEREAS, Unit 20 of the Comprehensive Scheme – the Lower Duwamish Industrial Development District was initially created by Port Commission adoption of Resolution No. 2769 on May 27, 1980; and

WHEREAS, the boundaries of said Unit 20 were subsequently revised and restated by Port Commission adoption of Resolution No. 2805 on February 10, 1981, as subsequently amended; and

WHEREAS, included within said Unit 20 is the Port-owned real property located in the vicinity of 6000 W. Marginal Way SW, King County, State of Washington (portion of Parcel No. 5367202505), legally described on attached Exhibit A (the “Property”); and

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35 **WHEREAS**, King County has offered to purchase the Property for use as a proposed site
36 for a Combined Sewer Overflow (CSO) facility to be developed by King County; and

37 **WHEREAS**, the Port has negotiated a purchase and sale agreement (the “Purchase and
38 Sale Agreement”) with King County to sell the Property to King County for a purchase price of
39 Two Million Two Hundred Thousand Dollars (\$2,200,000) pursuant to appraisal and negotiation;
40 and

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

46 **WHEREAS**, a resolution declaring the Property surplus and deleting the Property from
47 Unit 20 of the Comprehensive Scheme is a prerequisite to sale of the Property; and

48 **WHEREAS**, an official public hearing was held May 10, 2022, after notice of such hearing
49 was duly published as provided by law, to consider whether said Unit 20 of the Comprehensive
50 Scheme should be amended to provide for the Property to be declared surplus to Port of Seattle
51 needs and no longer needed for Port purposes, to delete the Property from Unit 20 of the
52 Comprehensive Scheme, and to authorize its sale to King County; and

53 **WHEREAS**, the Port of Seattle Commission has heard from all persons desiring to speak
54 at said public hearing with regard to the proposed amendment and modification to Unit 20; and

55 **WHEREAS**, the members of the Port of Seattle Commission have discussed and
56 considered the proposed amendment to Unit 20 of the Comprehensive Scheme in light of all
57 comments by members of the public at the public hearing;

58 **NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of the Port of
59 Seattle as follows:

60 Section 1. The Property, which is part of Unit 20 of the Comprehensive Scheme, is hereby
61 declared surplus to Port of Seattle needs and no longer needed for Port purposes and deleted from
62 Unit 20 of the Comprehensive Scheme.

63 Section 2. The Executive Director is authorized to take all necessary steps and to execute
64 all documents, including the Purchase and Sale Agreement, necessary to accomplish sale of the
65 Property to King County, in accordance with state law.

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

Exhibit A

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Legal Description

ALL THAT PORTION OF REAL PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, AND CITY OF SEATTLE LOT BOUNDARY ADJUSTMENT NO. 2207807 RECORDED UNDER KING COUNTY RECORDING NO. 20030211900004, MORE PARTICULARLY DESCRIBED AS: LOTS 10-20 INCLUSIVE, BLOCK 19 OF THE PLAT OF JOSEPH R. MCLAUGHLIN'S WATERFRONT ADDITION TO THE CITY OF SEATTLE, RECORDED IN VOLUME 13 OF PLATS, PAGE 28, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THOSE PORTIONS OF ADJOINING ALLEY AND THE WEST HALF OF VACATED 1ST AVENUE SW LYING BETWEEN THE SOUTHERN RIGHT OF WAY LINE OF SW MICHIGAN STREET RECORDED UNDER KING COUNTY RECORDING NO. 20051129002557, CONVEYED TO THE CITY OF SEATTLE, AND EXHIBIT "T" IN QUITCLAIM DEED RECORDED UNDER KING COUNTY RECORDING NO. 20051129002573, CONVEYED TO THE STATE OF WASHINGTON.

EXCEPT THOSE PORTIONS OF TRACT 2 LYING WITHIN LOTS 15 AND 16 IN QUITCLAIM DEED AS RECORDED UNDER KING COUNTY RECORDING NO. 200511290556, AS CONVEYED TO THE STATE OF WASHINGTON.

AND EXCEPT THOSE PORTIONS OF LOTS 10 AND 20, LYING WITHIN SW MICHIGAN STREET PER QUITCLAIM DEED RECORDED UNDER KING COUNTY RECORDING NO. 20051129002557.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.