

## RESOLUTION NO. 3760

**A RESOLUTION** of the Port Commission of the Port of Seattle declaring surplus and no longer needed for port district purposes certain overpass structure and real property located south of South Spokane Street in the vicinity of Duwamish Avenue in the City of Seattle, Washington, and authorizing the Executive Director to execute all documents necessary to transfer title of the surplus property to the City of Seattle for use in furtherance of the East Marginal Way Grade Separation 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 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 the real property described on attached Exhibit A (the "Property"); and

**WHEREAS**, the City of Seattle ("City") has agreed to take title to the Property in accordance with the Memorandum of Agreement between the parties dated July 23, 2014 (the "MOA"); and

**WHEREAS**, Chapter 39.33 of the Revised Code of Washington provides that the Port may "sell, transfer, exchange, lease or otherwise dispose of any property ... to the state or any municipality or any political subdivision thereof ... on such terms and conditions as may be mutually agreed upon ..."; and

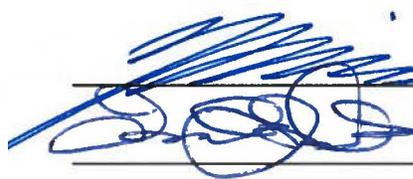
**WHEREAS**, the maps and other data regarding the Property are on file at the Port's offices;

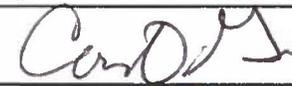
**NOW, THEREFORE, BE IT RESOLVED** by the Port of Seattle Commission as follows:

SECTION 1. The Property described on Exhibit A attached to this Resolution is no longer needed for Port of Seattle purposes and is declared surplus to Port needs.

SECTION 2. The Executive Director is authorized to take all steps and execute all documents necessary to transfer title of the Property to the City of Seattle.

**ADOPTED** by the Port of Seattle Commission at a duly noticed meeting thereof, held this 9<sup>th</sup> day of July, 2019, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

  
\_\_\_\_\_  
**RYAN CALKINS**  
  
\_\_\_\_\_  
**FRED FELLEMAN**

\_\_\_\_\_  
  
\_\_\_\_\_  
**COURTNEY GREGOIRE**

\_\_\_\_\_  
  
\_\_\_\_\_  
**STEPHANIE BOWMAN**  
Port of Seattle Commission

## EXHIBIT "A" to Resolution No. 3760

### Parcel B

### Legal Description

### Port of Seattle T104

THAT PORTION OF LOTS 2, 3, 44 AND 45, ALL IN BLOCK 385, SEATTLE TIDE LANDS, ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS, IN OLYMPIA, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT A MONUMENT, FOUND IN PLACE, A PUNCH IN BRASS ROD, AT THE INTERSECTION OF THE CENTERLINE INTERSECTION OF DUWAMISH AVE S. AND VACATED 6TH AVE SW;

THENCE NORTH 39°55'57" WEST A DISTANT OF 76.16 FEET ALONG SAID CENTERLINE OF DUWAMISH AVE S. TO THE WESTERLY MARGIN OF SAID VACATED 6TH AVE SW;

THENCE SOUTH 1°05'55" WEST ALONG SAID WESTERLY MARGIN 15.10 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WESTERLY MARGIN SOUTH 1°05'55" WEST 49.50 FEET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE NORTH TEN FEET OF SAID LOT 44;

THENCE NORTH 88°52'07" WEST ALONG THE SAID SOUTH LINE AND ITS EASTERLY EXTENSION 232.63 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 260.00 FEET;

THENCE NORTHWESTERLY 120.45 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26°32'34" TO THE SOUTHERLY LINE OF THE S SPOKANE STREET PERPETUAL STREET EASEMENT FILED UNDER KING COUNTY RECORDING NUMBER 8102100688;

THENCE SOUTH 88°51'40" EAST 341.20 FEET TO THE POINT OF BEGINNING.

**Parcel Z**  
**Legal Description**  
**Port of Seattle T104**

THAT PORTION OF LOTS 1 THROUGH 7, 26 THROUGH 30, BLOCK 378, LOT 44, BLOCK 385, AND VACATED 6TH AVENUE SW OF SEATTLE TIDE LANDS, ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS IN OLYMPIA, WASHINGTON, BEING SITUATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M., KING COUNTY WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID LOT 28 WITH THE WESTERLY RIGHT OF WAY MARGIN OF DUWAMISH AVE S, SAID RIGHT OF WAY MARGIN BEING 45.00 FEET DISTANT FROM THE MONUMENTED CENTERLINE OF SAID DUWAMISH AVE;

THENCE SOUTH 39°53'59" EAST ALONG SAID WESTERLY RIGHT OF WAY MARGIN 24.22 FEET TO THE WESTERLY RIGHT OF WAY MARGIN OF EAST MARGINAL WAY S;

THENCE SOUTH 01°08'26" WEST ALONG SAID WESTERLY RIGHT OF WAY MARGIN 120.39 FEET;

THENCE NORTH 88°50'05" WEST 0.43 FEET;

THENCE NORTH 01 °08'36" EAST 29.96 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 192.50 FEET;

THENCE NORTHERLY 13.49 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°00'55";

THENCE SOUTH 83°17'10" WEST 2.42 FEET;

THENCE NORTH 08°47'05" WEST 4.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 190.00 FEET;

THENCE NORTHWESTERLY 102.65 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°57'20" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST THE RADIAL CENTER OF WHICH BEARS SOUTH 49°17'45" WEST 264.50 FEET DISTANT;

THENCE NORTHWESTERLY 99.34 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°31'07";

THENCE NORTH 88°52'07" WEST 41.45 FEET;

THENCE NORTH 48°24'41" WEST 6.94 FEET;

THENCE NORTH 49°17'38" WEST 95.19 FEET;

THENCE NORTH 53°12'26" WEST 19.27 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST THE RADIAL CENTER OF WHICH BEARS NORTH 65°27'31" WEST 30.50 FEET DISTANT;

THENCE NORTHERLY 39.25 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 73°44'30";

THENCE NORTH 49°12'00" WEST 206.14 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 349.50 FEET;

THENCE NORTHWESTERLY 148.47 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°20'24";

THENCE NORTH 24°51'36 "WEST 7.01 FEET;

THENCE NORTH 21°47'44" WEST 11.68 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS 349.38 FEET;

THENCE NORTHERLY 71.22 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°40'48";

THENCE NORTH 10°06'56" WEST 39.84 FEET;

THENCE NORTH 15°06'49" WEST 27.06 FEET;

THENCE NORTH 21 °54'22" WEST 54.89 FEET TO THE NORTH LINE OF THE SOUTH 20 FEET OF SAID LOT 44;

THENCE SOUTH 88°52'07" EAST ALONG SAID NORTH LINE AND ITS EASTERLY EXTENSION 29.82 FEET TO SAID WESTERLY RIGHT OF WAY MARGIN OF DUWAMISH AVENUE S;

THENCE SOUTH 39°53'59.11 EAST ALONG SAID WESTERLY RIGHT OF WAY MARGIN 821.92 FEET TO THE POINT OF BEGINNING.

**Standalone Parcel**  
**Legal Description**  
**Port of Seattle T104**

THAT PORTION OF LOTS 2, 3 AND 4, TOGETHER WITH THAT PORTION OF VACATED NORTHEASTERLY 70 FEET OF DUWAMISH AVENUE ADJOINING OR ABUTTING THEREON, WHICH UPON VACATION, ATTACHED TO SAID PREMISES BY OPERATION OF LAW, LYING NORTH OF THE NORTHERN PACIFIC RAILWAY COMPANY RIGHT OF WAY, IN BLOCK 377 OF SEATTLE TIDE LANDS. ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS IN OLYMPIA, WASHINGTON: EXCEPT THAT PORTION OF SAID LOT 2 AND OF SAID VACATED NORTHEASTERLY 70 FEET OF DUWAMISH AVENUE ADJOINING, LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, SAID BLOCK 377;

THENCE SOUTH  $1^{\circ}07'58''$  WEST 79.10 FEET ALONG THE WEST LINE OF SAID LOT 2 PRODUCED TO THE TRUE POINT OF BEGINNING;

THENCE NORTH  $85^{\circ}11'11''$  EAST 216.30 FEET TO THE EAST LINE OF SAID LOT 2 AND THE END OF THIS LINE DESCRIPTION;

ALSO, ALL THAT PORTION OF GOVERNMENT LOT 1, SECTION 18, TOWNSHIP 24 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, AND LOTS 11 AND 12 IN BLOCK 377 OF SEATTLE TIDE LANDS, ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS IN OLYMPIA, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF THE INTERSECTION OF THE SOUTH MARGIN OF SOUTH SPOKANE STREET AS ESTABLISHED BY ORDINANCE NO.31237 WITH THE WEST MARGIN OF EAST MARGINAL WAY SOUTH AS ESTABLISHED BY ORDINANCE NO. 32881;

THENCE WEST ALONG THE SAID SOUTH MARGIN 160 FEET;

THENCE SOUTH PARALLEL TO SAID WESTERLY MARGIN 170 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID LOT 11;

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 11 TO THE SOUTHEAST CORNER THEREOF;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID BLOCK 377 TO THE NORTHERLY MARGIN OF THE RIGHT OF WAY OF THE NORTHERN PACIFIC RAILROAD COMPANY;

THENCE NORTHEASTERLY ALONG SAID NORTH MARGIN TO THE WEST MARGIN OF EAST MARGINAL WAY SOUTH;

THENCE NORTH ALONG SAID WEST MARGIN TO THE POINT OF BEGINNING;

TOGETHER WITH ALL THAT PORTION OF GOVERNMENT LOT I, SECTION 18, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, AND LOTS 10, 11, 12 AND 13 IN BLOCK 377 OF SEATTLE TIDE LANDS, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH MARGIN OF SOUTH SPOKANE STREET AS ESTABLISHED BY ORDINANCE NO. 31237, 160 FEET WEST OF THE WEST MARGIN OF EAST MARGINAL WAY SOUTH AS ESTABLISHED BY ORDINANCE NO. 32881;

THENCE WEST ALONG SAID SOUTH MARGIN OF SOUTH SPOKANE STREET 55 FEET;

THENCE SOUTH 180 FEET TO THE NORTH MARGIN OF THE RIGHT OF WAY OF THE NORTHERN PACIFIC RAILROAD COMPANY;

THENCE EASTERLY ALONG SAID MARGIN OF RIGHT OF WAY TO A POINT ON A LINE PARALLEL WITH AND 160 FEET WEST OF THE WEST MARGIN OF THE EAST MARGINAL WAY SOUTH;

THENCE NORTH ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF LOT 10 IN BLOCK 377 OF SEATTLE TIDE LANDS, ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS IN OLYMPIA, WASHINGTON. LYING NORTH OF THE NORTHERN PACIFIC RAILROAD COMPANY RIGHT OF WAY;

EXCEPT THE WEST 55 FEET THEREOF;

EXCEPT THAT PORTION OF SAID LOTS 12 AND 13 AND SAID GOVERNMENT LOT 1, LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE INTERSECTION OF THE SOUTH MARGIN OF SOUTH SPOKANE STREET AS ESTABLISHED BY ORDINANCE NO. 31237 WITH THE WEST MARGIN OF EAST MARGINAL WAY SOUTH AS ESTABLISHED BY ORDINANCE NO. 32881

THENCE SOUTH  $1^{\circ}08'39''$  WEST ALONG SAID WEST MARGIN 45.31 FEET TO THE TRUE POINT OF BEGINNING AND A POINT OF CURVE;

THENCE NORTHERLY AND WESTERLY ON A CURVE TO THE LEFT, HAVING A RADIUS OF 10.00 FEET AN ARC DISTANCE OF 16.75 FEET;

THENCE SOUTH  $85^{\circ} 11' 11''$  WEST 205.07 FEET TO THE WEST LINE OF SAID LOT 12 AND THE END OF THIS LINE DESCRIPTION.