

RESOLUTION NO. 3762

A RESOLUTION of the Port of Seattle Commission declaring surplus and no longer needed for port district purposes approximately 417,963 square feet (9.6 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 transfer said real property to WSDOT for use in the extension of SR-509 in connection with WSDOT's SeaTac to I-5 Freeway Extension/SR-509 Corridor Completion Program Phase I 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 417,963 square feet (9.6 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 State of Washington Department of Transportation ("WSDOT") by letter dated August 7, 2018, has offered to purchase the Property from the Port, under threat of condemnation, for the purchase price of \$7,410,000 (the "WSDOT Purchase Offer"), said offer price being determined based on a market value appraisal prepared by Philip L. Brodt, Washington State Certified General Real Estate Appraiser (License No. 1101898) (the "WSDOT Appraisal"); and

WHEREAS, WSDOT intends to utilize the Property as part of the right-of-way for the extension of SR-509 in connection with its SeaTac to I-5 Freeway Extension/SR-509 Corridor Completion Program Phase I project; and

40 **WHEREAS**, the Port has reviewed the WSDOT Purchase Offer and the WSDOT
41 Appraisal, including review of a third-party validity assessment of the WSDOT Appraisal
42 prepared by Kidder Mathews, the Port’s Member Appraisal Institute (MAI) appraiser; and
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44 **WHEREAS**, pursuant to Chapter 39.33 of the Revised Code of Washington
45 (Intergovernmental Disposition of Property Act) the Port may sell, transfer, exchange, lease or
46 otherwise dispose of real and personal property to the state, any municipality or any political
47 subdivision thereof on such terms and conditions as may be mutually agreed upon by the
48 governing authorities of the participating entities; and
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50 **WHEREAS**, a resolution declaring the Property surplus to port district needs and no
51 longer needed for port district purposes is a prerequisite to sale of the Property; and
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53 **WHEREAS**, an official public hearing was held October 8, 2019, after notice of such
54 hearing was duly published as provided by law, to consider whether the Property should be
55 declared surplus to port district needs and no longer needed for port district purposes, and
56 authorization for its sale to WSDOT; and
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58 **WHEREAS**, the maps and other data regarding the Property proposed for transfer to
59 WSDOT are on file at the offices of the Port’s Airport Properties Division; and
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61 **WHEREAS**, the Port of Seattle Commission has heard from all persons desiring to speak
62 at the public hearing regarding the proposed transfer of the Property; and
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64 **WHEREAS**, the members of the Port of Seattle Commission have considered the
65 proposed sale of the Property to WSDOT and any comments by members of the public
66 attending the public hearing;
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68 **NOW, THEREFORE, BE IT RESOLVED** by the Port of Seattle Commission as follows:
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70 Section 1.
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72 The Property, described on Exhibit A attached to this Resolution, is no longer needed for Port
73 purposes and is hereby declared surplus to Port needs.
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75 Section 2.
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77 The Executive Director, or Executive Director’s designee, is authorized to finalize negotiation,
78 prepare, and execute all necessary documents to sell the Property to WSDOT for a purchase
79 price of Seven Million Four Hundred Ten Thousand and 00/100 Dollars (\$7,410,000).

80 **ADOPTED** by the Port Commission of the Port of Seattle at a duly noticed public meeting
81 thereof, held this _____ day of _____, 2019, and duly
82 authenticated in open session by the signatures of the commissioners voting in favor thereof
83 and the seal of the commission.

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Port of Seattle Commission

DRAFT FOR INTRODUCTION