

RESOLUTION NO. 3389

A RESOLUTION of the Port Commission of the Port of Seattle providing for the acquisition by purchase and/or condemnation of certain real property known as Vacant Land, Tax ID #202304-9531 (Parcel 005R, Cunningham/King), in the City of Burien.

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 operator of Seattle-Tacoma International Airport (STIA); and

WHEREAS, the number of passengers and aircraft operations served by STIA have grown substantially in the last several decades and are projected to continue to increase significantly in the future; and

WHEREAS, the Port of Seattle is faced with a need to increase land area to the west of STIA for the present and reasonably foreseeable future needs of the Airport; and

WHEREAS, on May 27, 1997, the Port Commission of the Port of Seattle adopted Resolution No. 3245 authorizing the construction of a new dependent air carrier runway and the acquisition of necessary property interests to accomplish said construction; and

WHEREAS, the Port of Seattle has determined that the property described in Exhibit A hereto is necessary in order to provide the expansion capacity necessary for the construction of a new dependent air carrier; and

WHEREAS, the Port of Seattle has the power to acquire lands for the acquisition, establishment, construction, enlargement, improvement, maintenance, and operation of airport and airport related facilities; and

WHEREAS, the Port Commission has authorized the expenditure of funds allocated in the Port of Seattle's 10 year Capital Improvement Program, CIP #1138, sufficient to undertake the acquisition of properties required for the construction of the new dependent air carrier runway, including the property described in Exhibit A hereto;

NOW, THEREFORE, BE IT RESOLVED, that the Port of Seattle shall acquire by purchase and/or condemnation the following real property:

Vacant Land, Tax ID #202304-9531 (Parcel 005R, Cunningham/King)

situated in the City of Burien, County of King, State of Washington and legally described in Exhibit A, attached hereto and by this reference incorporated herein.

BE IT FURTHER RESOLVED, that the acquisition of said property is for a public use and purpose, to-wit: for the present and reasonably foreseeable future needs of STIA including, but not limited to, construction of a new dependent air carrier runway, expansion of facilities incidental for airport operations and facilities related to the supply, maintenance, and servicing of aircraft and/or airport operations.

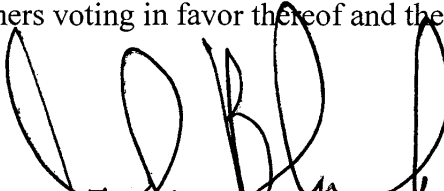
BE IT FURTHER RESOLVED, that there is a public necessity for the construction of a new dependent air carrier runway and expansion of facilities incidental for airport operations and facilities related to the supply, maintenance, and servicing of aircraft and/or airport operations.

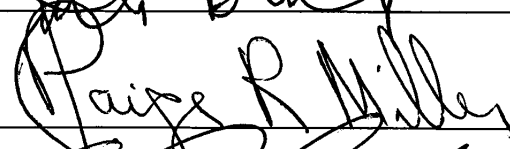
BE IT FURTHER RESOLVED, that the acquisition of said property is necessary for the proposed public use, and for the benefit of the public and the region.


BE IT FURTHER RESOLVED, that funds previously allocated in the Port's 10 year Capital Improvement Program, CIP #1138, shall be made available to carry out the provisions of this Resolution.


BE IT FURTHER RESOLVED, that the Port of Seattle Executive Director, Aviation Director, Senior Acquisition Specialist or designee are hereby authorized and directed to execute all documents for the acquisition of said property and bring proceedings in the manner provided for by law to condemn, take, damage, and appropriate the lands, property, and other property interests pursuant to the powers granted to the Port of Seattle including, but not limited to, those powers granted in RCW Chapters 8.12, 14.07, 14.08, 53.04, and 53.08, to carry out the provisions of this Resolution.


ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 25th day of January, 19 2006, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.











Port Commission

The land referred to in this commitment is situated in the county of King, state of Washington, and described as follows:

PARCEL A:

That portion of the southeast quarter of the northwest quarter of the northeast quarter of Section 20, Township 23 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the south line of said subdivision lying south 88°31'42" east thereon 400.00 feet from the southwest corner of said subdivision;
thence continuing south 88°31'42" east 152.50 feet to the northwesterly margin of Des Moines Way as existing 60.00 feet in width;
thence north 37°08'00" east along said street margin 75.15 feet to a point lying south 37°08'00" west thereon 90.90 feet from the east line of said subdivision;
thence north 66°32'00" west 112.73 feet;
thence south 43°06'00" west 138.17 feet to the point of beginning;
EXCEPT that portion thereof conveyed to the State of Washington for highway purposes by deed recorded under King County Recording Number 6437504.

PARCEL B:

That portion of the east half of the southeast quarter of the northwest quarter of the northeast quarter of Section 20, Township 23 North, Range 4 East, W.M., in King County, Washington, lying southerly of Reausaw Addition, according to the plat thereof recorded in Volume 54 of Plats, page 99, in King County, Washington; and lying northwesterly of the northwesterly margin of Primary State Highway Number 1 as established by deed recorded under Recording Number 6437504 and by King County Superior Court Cause Number 709329; and lying easterly of the easterly line of the plat of Burien Park Estates, according to the plat thereof recorded in Volume 75 of Plats, page 37, in King County, Washington; and lying westerly and southwesterly of the following described line:

Beginning at a point on the south line of said Reausaw Addition distant north 89°50'23" west 130 feet from the southeast corner of said addition;
thence south 03°42'04" west 297 feet;
thence south 67°55'50" east 112.73 feet to the northwesterly margin of Des Moines Highway as conveyed to King County by deed recorded under Recording Number 966431;

(legal description, continued)

LEGAL DESCRIPTION, continued:

EXCEPT that portion thereof described as follows:

That portion of the northwest quarter of the northeast quarter of Section 20, Township 23 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the south line of Reausaw Addition, according to the plat thereof recorded in Volume 54 of Plats, page 99, in King County, Washington distant north $88^{\circ}31'41''$ west 130 feet from the southeast corner of said addition; thence continue north $88^{\circ}31'41''$ west 10.27 feet to the east margin of 11th Avenue South as shown on said plat; thence along the east margin of Burien Park Estates, according to the plat thereof recorded in Volume 75 of Plats, page 37, in King County, Washington, south $1^{\circ}14'30''$ west 109.87 feet and south $6^{\circ}35'03''$ west 36.54 feet; thence south $83^{\circ}24'57''$ east to the west line of that property conveyed to Robert E. Beebe and Ella May Beebe, his wife by deed recorded under Recording Number 3320890; thence northerly along the west line of said Beebe tract 150 feet, more or less, to the point of beginning;

AND EXCEPT that portion thereof described as follows:

That portion of the southeast quarter of the northwest quarter of the northeast quarter of Section 20, Township 23 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the south line of said subdivision lying south $88^{\circ}31'42''$ east thereon 400.00 feet from the southwest corner of said subdivision; thence continuing south $88^{\circ}31'42''$ east 152.50 feet to the northwesterly margin of Des Moines Way as now existing 60.00 feet in width; thence north $37^{\circ}08'00''$ east along said street margin 75.15 feet to a point lying south $37^{\circ}08'00''$ west thereon 90.90 feet from the east line of said subdivision; thence north $66^{\circ}32'00''$ west 112.73 feet; thence south $43^{\circ}06'00''$ west 138.17 feet to the point of beginning.

(legal description, continued)

LEGAL DESCRIPTION, continued:

PARCEL C:

That portion of the northwest quarter of the northeast quarter of Section 20, Township 23 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the south line of Reausaw Addition, according to the plat thereof recorded in Volume 54 of Plats, page 99, in King County, Washington, distant north $88^{\circ}31'41''$ west 130 feet from the southeast corner of said addition; thence continue north $88^{\circ}31'41''$ west 10.27 feet to the east margin of 11th Avenue South as shown on said plat; thence along the east margin of Burien Park Estates, according to the plat thereof recorded in Volume 75 of Plats, page 37, in King County, Washington, south $1^{\circ}14'30''$ west 109.87 feet and south $6^{\circ}35'03''$ west 36.54 feet; thence south $83^{\circ}24'57''$ east to the west line of that property conveyed to Robert E. Beebe and Ella May Beebe, his wife, by deed recorded under Recording Number 3320890; thence northerly along the west line of said Beebe tract 150 feet, more or less, to the point of beginning; EXCEPT portion lying within the following described property:

That portion of the east half of the southeast quarter of the northwest quarter of the northeast quarter of Section 20, Township 23 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at the southeast corner of Lot 3, Block 2, Reausaw Addition, according to the plat thereof recorded in Volume 54 of Plats, page 99, in King County, Washington; thence north $88^{\circ}31'41''$ west along the south line of said lot 140.27 feet to the southwest corner thereof; thence south $1^{\circ}14'30''$ west 69 feet along the east line 11th Avenue South as shown on Burien Park Estates, according to the plat thereof recorded in Volume 75 of Plats, page 37, in King County, Washington; thence south $67^{\circ}50'28''$ east 150.03 feet to the east line of said subdivision; thence north $1^{\circ}18'03''$ east along said east line 122 feet to the point of beginning;

AND EXCEPT that portion thereof lying southerly of the following described line:

(legal description, continued)

LEGAL DESCRIPTION, continued:

Beginning at the northwest corner of the following described Parcel 1;

PARCEL 1:

That portion of the northwest quarter of the northeast quarter of Section 20, Township 23 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at a point on the easterly line of the east half of the southeast quarter of the northwest quarter of the northeast quarter of said Section 20 which is 135.59 feet northerly of the southeast corner thereof, said point being on the northwesterly margin of the Seattle-Des Moines Highway as now located;

thence north $01^{\circ}13'43''$ west, along said easterly line 265.05 feet;

thence north $89^{\circ}50'23''$ west 130.00 feet;

thence south $03^{\circ}42'04''$ west 207.45 feet;

thence south $67^{\circ}55'50''$ east 112.73 feet to a point on the northwesterly margin of said Seattle-Des Moines Highway;

thence north $35^{\circ}44'10''$ east, along the northwesterly margin 90.90 feet to the point of beginning;

EXCEPT that portion lying within the following described property:

Beginning at a point on the east line of the east half of the southeast quarter of the northwest quarter of the northeast quarter of Section 20, Township 23 North, Range 4 East, W.M., in King County, Washington, 278.64 feet north of the southeast corner thereof;

thence north $01^{\circ}13'43''$ west 122.00 feet along said east line;

thence north $89^{\circ}50'23''$ west 130.00 feet;

thence south $03^{\circ}42'04''$ west 70 feet;

thence south $69^{\circ}03'28''$ east 146.83 feet to the point of beginning;

AND EXCEPT that portion thereof condemned in King County Superior Court Cause No. 709329 for Primary State Highway No. 1

thence north $89^{\circ}03'38''$ west 10 feet, more or less, to the east line of 11th Avenue South, according to the plat of Burien Park Estates recorded in Volume 75 of Plats, page 37, in King County, Washington, and the terminus of this line description.

END OF SCHEDULE A

NOTE FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per amended RCW 65.04. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document.

NW NE, 20-23-04