

RESOLUTION NO. 3396, as Amended

A RESOLUTION of the Port Commission of the Port of Seattle: 1) Declaring certain real property at Seattle-Tacoma International Airport surplus and no longer needed for Port purposes and authorizing its sale in accordance with Port real estate policies; 2) Authorizing the Executive Director or Director, Aviation Division, to execute all documents necessary for the sale of said property to the City of SeaTac for the City's construction of the 28th/24th Avenue South Arterial road project and associated storm water management facility; and 3) Authorizing the Executive Director or Director, Aviation Division, to negotiate and execute an agreement and all other documents necessary, including documents required by the Federal Aviation Administration, giving the City of SeaTac immediate use and possession of said property pending resolution of valuation issues.

WHEREAS, The City of SeaTac ("City") has designed and will construct the 28th/24th Avenue South Arterial roadway ("Arterial"); and the locations of the Arterial right-of-way and associated drainage facilities require the use of certain real property ("Property") owned by the Port of Seattle; and

WHEREAS, The Port of Seattle ("Port") has cooperated with the City of SeaTac in the planning and design of the Arterial and will benefit from the Arterial, which will improve access to southern property at Seattle-Tacoma International Airport ("Airport") and will also improve traffic circulation in the Airport vicinity; and

WHEREAS, The City has formed a Local Improvement District ("LID") to fund the major part of the Arterial's cost and the Port has agreed to pay its appropriate share of the cost of the Arterial through the LID; and

WHEREAS, The Port and the City have been negotiating the sale of the Property, as previously authorized by the Port Commission, and these negotiations are continuing; and

WHEREAS, The Port and the City have been coordinating with the Federal Aviation Administration (“FAA”), which must approve the sale of airport property which was purchased with the aid of federal funds and has certain requirements for such sales; and

WHEREAS, The negotiations between the Port and the City and coordination with the FAA will require additional time beyond the start of Arterial construction, as contracted for by the City, and the City has therefore requested from the Port an agreement for the immediate use and possession of the Property so that Arterial construction may proceed; and

WHEREAS, The Port believes that it is in the Port’s and the public’s best interests that the Arterial construction proceed and that a cooperative response to the City’s request is appropriate; and

WHEREAS, The Port believes that negotiations with the City for the sale of the Property will be successfully concluded and that FAA approval will be obtained in the reasonable future;

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

Section 1. The real property legally described in Exhibit A, attached hereto is hereby declared surplus and no longer needed for Port purposes and may be sold in accordance with Port real estate policies.

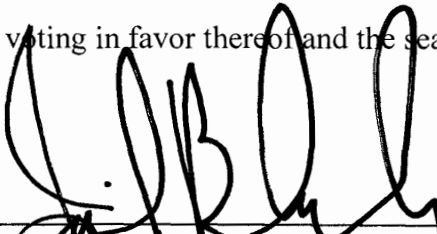
Section 2. The Executive Director or the Director, Aviation Division, are hereby authorized to sell said property to the City of SeaTac for the City’s construction of the 28th/24th Avenue South Arterial road project and associated storm water management facility, and to execute all documents necessary to accomplish the sale.


Section 3. The Executive Director or Director, Aviation Division, are hereby authorized to negotiate and execute an agreement and all other documents necessary, including documents required by the Federal Aviation Administration, giving the City of SeaTac

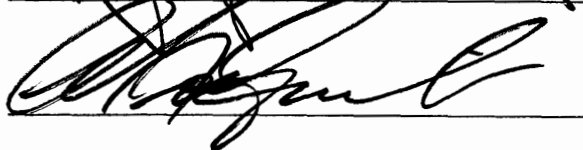
immediate use and possession of said property pending resolution of valuation issues and conclusion of the property sale.

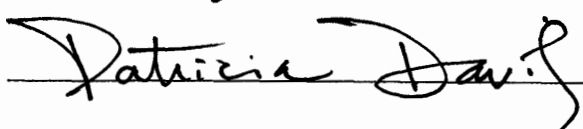
Section 4. Upon resolution of the property valuation issues, the Executive Director and the Director, Aviation Division are hereby authorized to take all steps necessary to settle the condemnation action brought by the City of SeaTac for acquisition of the property described in Exhibit A to this Resolution.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 22nd day of February, 2000, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.









Port Commission

thence along a 3048.00 foot radius curve to the right with a central angle of $2^{\circ}17'28''$, an arc distance of 121.87 feet.
thence North $87^{\circ}21'57''$ West 4.00 feet to a point on a non tangent curve from which a radius point bears South $87^{\circ}22'07''$ East;
thence along a 3,052.00 foot radius curve to the right with a central angle of $0^{\circ}10'38''$, an arc distance of 9.44 feet;
thence North $2^{\circ}48'56''$ East 223.07 feet;
thence North $43^{\circ}46'20''$ West 23.22 feet;
thence North $2^{\circ}35'35''$ East 29.61 feet to the north line of the above described parcel;
thence along said north line South $86^{\circ}48'50''$ East 26.45 feet to the POINT OF BEGINNING.

(End of legal description)

PARCEL 141

Parcel A

That part of southwest quarter of the northeast quarter of Section 4, Township 22 North, Range 4 East, W.M., in King County, Washington being described as follows:

Commencing at the southeast corner of the southwest quarter of the northeast quarter of Section 4, Township 22 North, Range 4 East, W.M., in King County, Washington: thence along the south line of said southwest quarter North $88^{\circ}26'41''$ West 395.28 feet;
thence North $1^{\circ}33'19''$ East 30.00 feet to the point of beginning;
thence North $1^{\circ}09'04''$ West 10.01 feet;
thence North $88^{\circ}26'41''$ West 152.96 feet;
thence North $42^{\circ}36'15''$ West 43.51 feet to a point on a non tangent curve from which a radius point bears South $73^{\circ}50'31''$ East;
thence along a 623.0 foot radius curve to the right with a central angle of $14^{\circ}37'04''$ an arc distance of 159.07 feet;
thence South $59^{\circ}12'44''$ East 1.00 feet to a point on a non tangent curve from which a radius point bears South $59^{\circ}12'44''$ East;
thence along a 622.0 foot radius curve to the right with a central angle of $16^{\circ}25'59''$ an arc distance of 178.40 feet;
thence North $1^{\circ}09'04''$ West 17.58 feet;
thence South $88^{\circ}12'34''$ East 19.47 feet to a point on a non tangent curve from which a radius point bears South $40^{\circ}25'32''$ East;
thence along a 622.0 foot radius curve to the right with a central angle of $06^{\circ}37'04''$ an arc distance of 71.84 feet to a point of reverse curve;
thence along a 728.00 foot radius curve to the left with a central angle of $22^{\circ}35'56''$ an arc distance of 287.14 feet;
thence South $63^{\circ}43'55''$ East 63.88 feet to a point on the west line of 28th Avenue South;

thence along said west line North 1°08'20" West 831.19 feet to north line of said southwest quarter of the northeast quarter of section 4;
 thence North 87°45'50" West 33.06 feet;
 thence South 1°08'20" East 388.96 feet;
 thence along a 622.00 foot radius curve to the right with a central angle of 57°19'52" an arc distance of feet 622.38 feet to a point of reverse curve;
 thence along a 728.00 foot radius curve to the left with a central angle of 25°24'17" an arc distance of 322.79 feet;
 thence South 59°12'44" East 1.00 feet to a point on a non tangent curve from which a radius point bears South 59°12'44" East;
 thence along a 727.00 foot radius curve to the left with a central angle of 17°25'38" an arc distance of 221.13 feet;

thence South 56°44'34" West 57.59 feet;
 thence South 88°26'41" East 339.78 feet to the Point of Beginning;
 containing 130,641 square feet.

Parcel B

The east 23.00 feet of lots 2, 22, 23, 24 and 25 of Lowe's Terrace No. 4 according to the plat thereof recorded in Volume 48 of Plats, page 63, in King County, Washington; containing 8,264 square feet.

Less that portion of Lot 2 deeded to the Highline School District No. 401, as recorded under recording number 9208061392 records of King County Washington.

Parcel C

That part of southwest quarter of the southeast quarter of Section 33, Township 23 North, Range 4 East, W.M., in King County, Washington being described as follows:

Beginning at a point that bears North 87°42'35" West 30.0 feet and North 3°11'10" East 30.0 feet of the southeast corner of said southwest quarter of the southeast quarter of section 33;
 thence North 87°42'35" West 64.81 feet;
 thence North 2°17'26" east 12.0 feet;
 thence south 87°42'35" east 15.0 feet;
 thence North 3°11'10" East 600.15 feet;
 thence North 86°48'50" West 26.45 feet;
 thence North 2°35'11" East 37.40 feet;
 thence North 49°32'55" East 23.52 feet;
 thence North 2°48'32" East 144.74 feet;
 thence along a 3,052.0 foot radius curve to the right with a central angle of 2°08'51" an arc distance of 114.40 feet;
 thence North 4°57'23" East 275.44 feet;

thence North 41°36'48" West 21.59 feet to the south line of South 188th Street;
thence east along said south line South 88°10'13" East 76.10 feet to the west line of 28th
Avenue South;
thence south along said west line to the point of beginning.

Parcel D

That portion of the southwest quarter of Section 4, Township 22 North, Range 4 East, W.M., in King County, Washington being described as follows:

The south 650 feet of the east 300 feet of the northeast quarter of the southwest quarter of said Section 4 and the north 150 feet of the east 300 feet of the southeast quarter of the southwest quarter of said section 4; containing 5.16 acres.

(End of legal description)

PARCEL 202, 205 and 207

A portion of the following described Parcels A, B, C

PARCEL A:

That portion of Government Lot 1 in Section 4, Township 22 North, Range 4 East, W.M., in King County, Washington, described as follows:

Commencing at the north line of Government Lot 1, 328 feet east of the intersection of the north line with centerline of County Road No. 366;
thence South 00°35'00" east 30 feet to the TRUE POINT OF BEGINNING;
thence South 00°35'00" east 132 feet;
thence west 299.31 feet to the easterly line of said County Road;
thence North 03°38'15" west along the said easterly line 132.26 feet to the south line of the north 30 feet of Government Lot 1;
thence easterly along said line 303.36 feet to the TRUE POINT OF BEGINNING.

PARCEL B:

That portion of the north half of the north half of Government Lot 1 in Section 4, Township 22 North, Range 4 East, W.M., in King County, Washington, described as follows:

The north half of the following described property:

Commencing at the intersection of the centerline of County Road No. 366 with the north line of said Government Lot 1;
thence east along said north line 20.04 feet;