

## **RESOLUTION NO. 3438**

**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 1006 South 174<sup>th</sup> Street (Parcel 447R, Schuh), in the City of SeaTac and repealing Port Commission Resolution No. 3394.

**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 runway; 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:

1006 South 174<sup>th</sup> Street (Parcel 447R, Schuh), in the City of SeaTac and repealing Port Commission Resolution No. 3394.

situated in the City of SeaTac, 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.

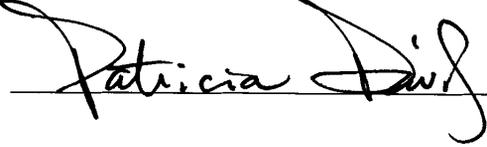
**BE IT FURTHER RESOLVED**, that the Port of Seattle Executive Director, Aviation Director, Senior Acquisition Specialist or designee are hereby authorized and directed to execute all documents for the acquisition of said property and bring proceedings in the manner provided for by law to condemn, take, 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 22nd day of August, 2000, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

  
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PAIGE MILLER

  
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CLARE NORDQUIST

  
\_\_\_\_\_  
BOB EDWARDS

  
\_\_\_\_\_  
PATRICIA DAVIS

\_\_\_\_\_  
Port Commission

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

The northeast quarter of the northwest quarter of the southwest quarter of the southeast quarter of Section 29, Township 23 North, Range 4 East, W.M., in King County, Washington;  
EXCEPT that portion of the above described parcel:

Commencing at the southeast corner, which is also the southwest corner of Lot 9 of the plat of Sunnydale Hills, according to the plat thereof recorded in Volume 61 of Plats, page 72, in King County, Washington;  
Thence north  $1^{\circ}33'12''$  east 101.65 feet along the east line of said subdivision which is the west line of the plat of Sunnydale Hills to the TRUE POINT OF BEGINNING;

Thence from said TRUE POINT OF BEGINNING north  $1^{\circ}33'12''$  east 100.00 feet;

Thence north  $88^{\circ}26'48''$  west 94.00 feet;

Thence south  $1^{\circ}33'12''$  west 100.00 feet;

Thence south  $88^{\circ}26'48''$  east 94.00 feet to the TRUE POINT OF BEGINNING;

AND EXCEPT the portion beginning at the southwest corner of the above described tract:

Thence north along the west line 127 feet;

Thence southeasterly in a straight line to a point on the south line 157 feet east of the southwest corner;

Thence west along the south line 157 feet to the point of beginning;

AND EXCEPT that **portion** lying within State Highway 509;

TOGETHER WITH road and utility service easement per Statutory Warranty Deed dated April 4, 1962, recorded under King County Recording Number 5409396 as amended by Grant of Easement Agreement dated May 19, 1998, recorded under King County Recording Number 9805280271 and Mutual Right-of-Way Agreement dated January 13, 1962, recorded under King County Recording Number 5375631.

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 SW SE 29-23-04