

RESOLUTION NO. 3490

A RESOLUTION of the Port Commission of the Port of Seattle amending Unit 20 (Terminal 115) of the Comprehensive Scheme of Harbor Improvements of the Port of Seattle, declaring certain real property located inland from the Seattle waterfront surplus and no longer needed for Port District purposes and authorizing Its sale to Foss Development Corporation.

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 39.33.010, 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 original Comprehensive Scheme of Harbor Improvements of the Port of Seattle was fixed in Resolution No. 17 of the Port Commission and was ratified by the qualified electors of the Port District at a special election held therein on March 5, 1912; and

WHEREAS, an official public hearing was held August 13, 2002, after notice of such hearing was duly published as provided by law, the question as to whether said Unit 20 should be amended and modified to provide for certain portion thereof to be declared surplus to Port of Seattle needs; and

WHEREAS, the Port of Seattle Commission has heard from all persons desiring to speak at said public hearing with regard to the proposed amendment and modification to Unit 20, including without limitation the environmental aspects of such amendment and modification; and

WHEREAS, the members of the Port of Seattle Commission at said public hearing viewed maps, plans, and other data regarding the property proposed for sale, which maps, plans, and other data are on file in the office of the Port of Seattle Commission; and

WHEREAS, the members of the Port of Seattle Commission have discussed and considered the proposed amendment to Unit 20 of the Comprehensive Scheme in light of all comments by members of the public at the public hearing;

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

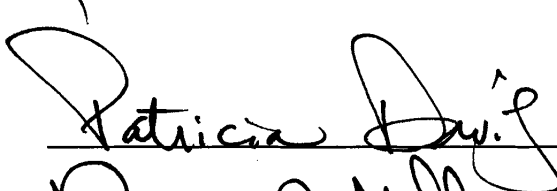
Section 1. The real property shown on the Drawing attached as Exhibit A and legally described as follows and which is part of Unit 20 of the Comprehensive Scheme is hereby declared surplus to Port of Seattle needs and is no longer needed for Port purposes:

THAT PORTION OF Terminal 115 described as follows:

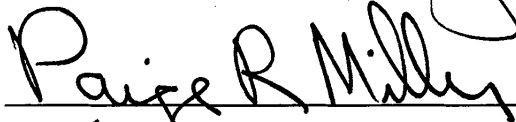
THAT PORTION OF SECTION 20, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M. IN THE CITY OF SEATTLE, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: LOTS 4 THROUGH 7, BLOCK 19, JOSEPH R. MCLAUGHLIN'S WATERFRONT ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT RECORDED IN VOLUME 13 OF PLATS, PAGE 28, IN KING COUNTY, WASHINGTON; TOGETHER WITH THAT PORTION OF THE WEST HALF OF VACATED 1ST AVENUE SOUTH, V.O. 96373, LYING NORTH OF THE EXTENDED SOUTH LINE OF LOT 7, SAID BLOCK 19, AND THE EXTENDED SOUTHWESTERLY MARGIN OF VACATED SOUTHWEST PENINSULA PLACE V.O. 94862; TOGETHER WITH THE SOUTHEASTERLY 56 FEET OF VACATED 1ST AVENUE SOUTHWEST, V.O. 94862, LYING NORTHEASTERLY OF THE EXTENDED SOUTH LINE OF SAID LOT 7 AND SOUTHWESTERLY OF THE EXTENDED SOUTHWESTERLY MARGIN OF VACATED SOUTHWEST PENINSULA PLACE.

Section 2. Port staff is authorized to take all necessary steps to arrange for the sale of said real property and to execute all documents necessary to accomplish its sale to Foss Development Corporation in accordance with state law. The Property described above has a market value of \$294,429.64.

ADOPTED by the Port Commission of the Port of Seattle at a ^{special}~~regular~~ meeting held this 26th day of August, 2002, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.



PATRICIA DAVIS



PAIGE MILLER



LAWRENCE T. MOLLOY



CLARE NORDQUIST

Port Commission

STATE OF WASHINGTON - KING COUNTY

--SS.

148067
Port of Seattle:ENGINEERING DEPT

No. HARBOR IMPROVEMENTS

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

PN:PUBLIC HEARING

was published on

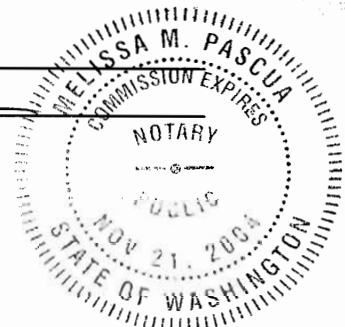
08/02/02 08/09/02

J. Sedman
Subscribed and sworn to before me on

8/9/2002

Melissa M. Pascua

Notary public for the State of Washington,
residing in Seattle



Affidavit of Publication

State of Washington, King County

Port of Seattle Notice of Public Hearing

Pursuant to Chapter 53.08 RCW and Chapter 53.25 RCW, notice is hereby given that during the regular meeting of the Port Commission of the Port of Seattle commencing at approximately 1:00 p.m. on Tuesday, August 13, 2002, in the Port Commission Chambers, 2711 Alaskan Way, Seattle, Washington, there will be a public hearing for the purpose of considering whether to modify the Comprehensive Scheme of Harbor Improvements of the Port of Seattle by declaring certain real property surplus and no longer needed for Port district purposes, and to determine the advisability of the sale of such property. Such modification is not intended as a deletion from the said Comprehensive Scheme.

The subject property is in Unit 20 of the Comprehensive Scheme of Harbor Improvements, located at Terminal 115, Seattle, Washington; said real property being legally described below:

THAT PORTION OF SECTION 20, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M. IN THE CITY OF SEATTLE, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

LOTS 4 THROUGH 7, BLOCK 19, JOSEPH R. MCLAUGHLIN'S WATERFRONT ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT RECORDED IN VOLUME 13 OF PLATS, PAGE 28, IN KING COUNTY, WASHINGTON; TOGETHER WITH THAT PORTION OF THE WEST HALF OF VACATED 1ST AVENUE SOUTH, V.O. 96373, LYING NORTH OF THE EXTENDED SOUTH LINE OF LOT 7, SAID BLOCK 19, AND THE EXTENDED SOUTHWESTERLY MARGIN OF VACATED SOUTHWEST PENINSULA PLACE V.O. 94862; TOGETHER WITH THE SOUTHEASTERLY 56 FEET OF VACATED 1ST AVENUE SOUTHWEST, V.O. 94862, LYING NORTHEASTERLY OF THE EXTENDED SOUTH LINE OF SAID LOT 7 AND SOUTHWESTERLY OF THE EXTENDED SOUTHWESTERLY MARGIN OF VACATED SOUTHWEST PENINSULA PLACE.

Maps, plans and other data showing the above legally described real property are now on file at the Seaport Property Management Department of the Port of Seattle at Pier 69, 2711 Alaskan Way, Seattle, Washington. Such maps, plans and other data will be available at said hearing. The Port Commission will also hear from all persons desiring to speak with regard to the adoption or rejection of an appropriate resolution modifying the Port's existing Comprehensive Scheme by declaring such above described real property surplus and no longer needed for Port district purposes, and authorizing the sale thereof.

PORT OF SEATTLE

M. R. Dihn
Chief Executive Officer

8/9(148067)