

## RESOLUTION NO. 3512

**A RESOLUTION** of the Port Commission of the Port of Seattle amending Unit 2 (Terminal 106 – Buildings 4 and 6) of the Comprehensive Scheme of Harbor Improvements of the Port of Seattle, declaring certain real property located inland from the Seattle waterfront (Terminal 106 East) surplus and no longer needed for Port District purposes and authorizing its sale.

**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 12, 2003, after notice of such hearing was duly published as provided by law, the question as to whether said Unit 2 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 2, including without limitation the environmental aspects of such amendment and modification; and

**WHEREAS**, the property in question, commonly known as Terminal 106-East (Buildings 4 and 6), consists of warehouses without water access, a use best served by private ownership; 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 2 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 and improvements (commonly known as Buildings 4 and 6) shown on the Drawing attached as Exhibit A and legally described as follows and which is part of Unit 2 of the Comprehensive Scheme is hereby declared surplus to Port of Seattle needs and is no longer needed for Port purposes.

THAT PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE CITY OF SEATTLE MONUMENT AT THE CENTERLINE INTERSECTION OF SOUTH DAKOTA STREET AND EAST MARGINAL WAY SOUTH PROCEED NORTH 90°00'00" EAST ALONG THE CENTERLINE OF SAID SOUTH DAKOTA STREET A DISTANCE OF 225.00 FEET; THENCE NORTH 0°00'00" EAST A DISTANCE OF 26.38 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING A POINT ON A CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 563.73 FEET THRU A CENTRAL ANGLE OF 8°23'33" THE INITIAL RADIAL OF WHICH BEARS NORTH 57°25'50" EAST, A DISTANCE OF 82.57 FEET TO AN INTERSECTION WITH THE GOVERNMENT MEANDER LINE; THENCE SOUTH 16°00'15" EAST ALONG SAID MEANDER LINE A DISTANCE OF 7.36 FEET; THENCE CONTINUING ALONG SAID MEANDER LINE ON A

BEARING OF SOUTH 18°00'09" EAST A DISTANCE OF 3.38 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 355, SEATTLE TIDE LANDS; THENCE CONTINUING SOUTH 18°00'09" EAST ALONG SAID MEANDER LINE A DISTANCE OF 4.56 FEET; THENCE SOUTH 41°02'58" EAST A DISTANCE OF 167.93 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 397.27 FEET THRU A CENTRAL ANGLE OF 8°12'24" A DISTANCE OF 56.90 FEET TO A POINT OF TANGENCY; THENCE SOUTH 32°50'34" EAST A DISTANCE OF 237.40 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1036.23 FEET THRU A CENTRAL ANGLE OF 8°09'42", A DISTANCE OF 147.61 FEET TO A POINT OF TANGENCY; THENCE SOUTH 24°40'52" EAST A DISTANCE OF 11.90 FEET MORE OR LESS TO A LINE PARALLEL TO AND 25.00 FEET EAST OF, MEASURED AT RIGHT ANGLES, THE WEST MARGIN OF COLORADO AVENUE SOUTH PRODUCED NORTH; THENCE SOUTH 0°00'00" WEST ALONG SAID LINE, A DISTANCE OF 266.21 FEET TO AN INTERSECTION WITH THE GOVERNMENT MEANDER LINE; THENCE SOUTH 86°15'04" WEST ALONG SAID MEANDER LINE A DISTANCE OF 25.05 FEET TO WEST MARGIN OF COLORADO AVENUE SOUTH; THENCE SOUTH 0°00'00" WEST ALONG SAID WEST MARGIN A DISTANCE OF 2546.18 FEET TO THE SOUTH LINE OF LOT 16, BLOCK 7, INDUSTRIAL ADDITION TO THE CITY OF SEATTLE; THENCE SOUTH 90°00'00" WEST A DISTANCE OF 246.52 FEET TO THE EAST MARGIN OF OHIO AVENUE SOUTH, THENCE NORTH 0°00'00" WEST A DISTANCE OF 1847.30 FEET; THENCE SOUTH 54°59'33" WEST PARALLEL TO SAID NORTHWESTERLY MARGIN OF DIAGONAL AVENUE SOUTH A DISTANCE OF 555.87 FEET TO THE EAST MARGIN OF EAST MARGINAL WAY SOUTH PRODUCED SOUTH; THENCE NORTH 0°00'00" EAST ALONG SAID EAST MARGIN A DISTANCE OF 1434.85 FEET; THENCE NORTH 4°39'00" EAST A DISTANCE OF 252.84 FEET TO A POINT ON THE SOUTH MARGIN OF SOUTH DAKOTA STREET, SAID POINT BEING A DISTANCE OF 20.50 FEET EAST OF THE NORTHWEST CORNER OF LOT 1, BLOCK 355, SEATTLE TIDE LANDS AS MEASURED ALONG SAID SOUTH MARGIN; THENCE NORTH 90°00'00" EAST ALONG SAID SOUTH MARGIN A DISTANCE OF 139.50 FEET; THENCE NORTH 0°00'00" EAST A DISTANCE OF 76.38 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 1,220,165 SQUARE FEET 28.011 ACRES

TOGETHER WITH: THAT PORTION OF LOTS 3, 4, 5 AND 6, BLOCKS 356, SEATTLE TIDE LANDS DESCRIBED AS FOLLOWS:

BEGINNING AT THE CITY OF SEATTLE MONUMENT AT THE CENTERLINE INTERSECTION OF SOUTH DAKOTA STREET AND EAST MARGINAL WAY SOUTH; PROCEED NORTH 90°00'00" EAST ALONG THE CENTERLINE OF SOUTH DAKOTA STREET A DISTANCE OF 96.00 FEET; THENCE NORTH 0°00'00" EAST A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH

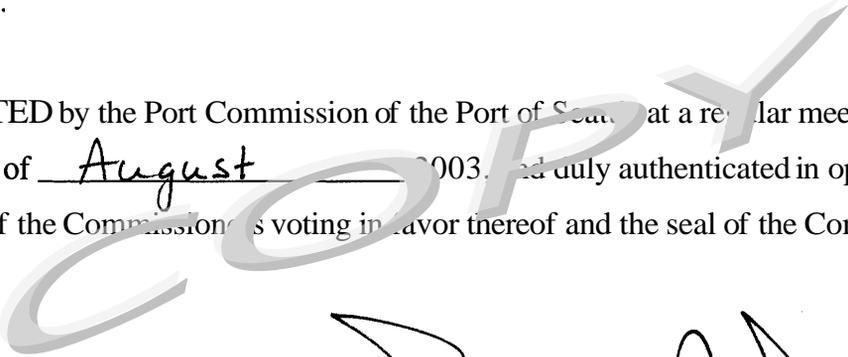
MARGIN OF SAID SOUTH DAKOTA STREET AND TRUE POINT OF BEGINNING, SAID POINT BEING A DISTANCE OF 31.00 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT 6 AS MEASURED ALONG SAID NORTH MARGIN; THENCE NORTH 2°34'00" EAST A DISTANCE OF 230.23 FEET TO THE NORTH LINE OF SAID LOT 3; THENCE NORTH 90°00'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 12.89 FEET TO A POINT, SAID POINT BEING A DISTANCE OF 54.20 FEET EAST OF THE WEST LINE OF SAID LOT 3 AS MEASURED ALONG SAID NORTH LINE; THENCE SOUTH 16°55'39" EAST A DISTANCE OF 240.40 FEET TO THE NORTH MARGIN OF SAID DAKOTA STREET; THENCE SOUTH 90°00'00" WEST ALONG SAID NORTH MARGIN A DISTANCE OF 93.20 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 12,199 SQUARE FEET 0.280 ACRES

ADDRESS: 4140 EAST MARGINAL WAY SOUTH

Section 2. Port staff is authorized to take all necessary steps to arrange for the sale of said real property and improvements, and to execute all documents necessary to accomplish its sale in accordance with state law. The real property described above has an appraised value of \$23,000,000.00.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 12<sup>th</sup> day of August 2003, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

  
Patricia J. Davis  
Paige R. Miller  
[Signature]  
[Signature]

Port Commission

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**STATE OF WASHINGTON - KING COUNTY**

--SS.

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161379  
PORT OF SEATTLE:SEAPORT

No. TERMINAL 106 EAST

**Affidavit of Publication**

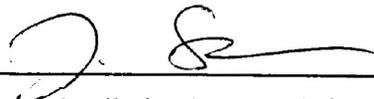
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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 12<sup>th</sup> 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

PNPH:PUBLIC HEARING

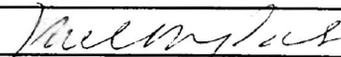
was published on

07/25/03 08/01/03



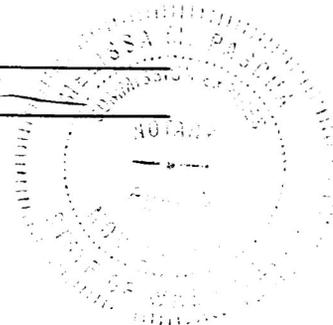
Subscribed and sworn to before me on

8/1/2003



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 53.20.010 RCW, notice is given that during the regular meeting of the Port of Seattle commencing at approximately 1:00 pm on Tuesday, August 12, 2003, in the Auditorium, Pier 69, 2711 Alaskan Way, Seattle there will be a public hearing for the purpose of considering whether to modify the Scheme of Harbor Improvements of the Port of Seattle by declaring certain real property surplus and no longer needed for Port district purposes and authorizing its conveyance. Such modification is not intended as a deletion from the said Comprehensive Scheme.

The subject property is in Unit 2 of the Comprehensive Scheme of Harbor Improvements, located at 4140 East Marginal Way S and 4746 Ohio Avenue S, Seattle Washington; said real property being legally described below:

TERMINAL 106 EAST  
THAT PORTION OF THE EAST HALF OF THE SOUTH-EAST QUARTER OF SECTION 18, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:  
BEGINNING AT THE CITY OF SEATTLE MONUMENT AT THE CENTERLINE INTERSECTION OF SOUTH DAKOTA STREET AND EAST MARGINAL WAY SOUTH PROCEED NORTH 90°00'00" EAST ALONG THE CENTERLINE OF SAID SOUTH DAKOTA STREET A DISTANCE OF 225.00 FEET; THENCE NORTH 0°00'00" EAST A DISTANCE OF 26.38 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING A POINT ON A CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A RADIUS OF 563.73 FEET THRU A CENTRAL ANGLE OF 8°23'33" THE INITIAL RADIAL OF WHICH BEARS NORTH 57°25'50" EAST, A DISTANCE OF 82.57 FEET TO AN INTERSECTION WITH THE GOVERNMENT MEANDER LINE; THENCE SOUTH

16°00'15" EAST ALONG SAID MEANDER LINE A DISTANCE OF 7.36 FEET; THENCE CONTINUING ALONG SAID MEANDER LINE ON A BEARING OF SOUTH 18°00'09" EAST A DISTANCE OF 3.38 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 355, SEATTLE TIDE LANDS; THENCE CONTINUING SOUTH 18°00'09" EAST ALONG SAID MEANDER LINE A DISTANCE OF 4.56 FEET; THENCE SOUTH 41°02'58" EAST A DISTANCE OF 167.93 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 397.27 FEET THRU A CENTRAL ANGLE OF 8°12'24" A DISTANCE OF 56.90 FEET TO A POINT OF TANGENCY; THENCE SOUTH 32°50'34" EAST A DISTANCE OF 237.40 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1036.23 FEET THRU A CENTRAL ANGLE OF 8°09'42", A DISTANCE OF 147.61 FEET TO A POINT OF TANGENCY; THENCE SOUTH 24°40'52" EAST A DISTANCE OF 11.90 FEET MORE OR LESS TO A LINE PARALLEL TO AND 25.00 FEET EAST OF, MEASURED AT RIGHT ANGLES, THE WEST MARGIN OF COLORADO AVENUE SOUTH PRODUCED NORTH; THENCE SOUTH 0°00'00" WEST ALONG SAID LINE, A DISTANCE OF 266.21 FEET TO AN INTERSECTION WITH THE GOVERNMENT MEANDER LINE; THENCE SOUTH 86°15'04" WEST ALONG SAID MEANDER LINE A DISTANCE OF 25.05 FEET TO WEST MARGIN OF COLORADO AVENUE SOUTH; THENCE SOUTH 0°00'00" WEST ALONG SAID WEST MARGIN A DISTANCE OF 2546.18 FEET TO THE SOUTH LINE OF LOT 16, BLOCK 7, INDUSTRIAL ADDITION TO THE CITY OF SEATTLE; THENCE SOUTH 90°00'00" WEST A DISTANCE OF 246.52 FEET TO THE EAST MARGIN OF OHIO AVENUE SOUTH; THENCE NORTH 0°00'00" WEST A DISTANCE OF 1847.30 FEET; THENCE SOUTH 54°59'33" WEST PARALLEL TO SAID NORTHWESTERLY MARGIN OF DIAGONAL AVENUE SOUTH A DISTANCE OF 355.87 FEET TO THE EAST MARGIN OF EAST MARGINAL WAY SOUTH PRODUCED SOUTH;

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CONTAINING: 1,220,161 SQUARE FEET 28.011 ACRES  
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WEST CORNER OF SAID LOT 6 AS MEASURED ALONG SAID NORTH MARGIN; THENCE NORTH 2°34'00" EAST A DISTANCE OF 230.23 FEET TO THE NORTH LINE OF SAID LOT 3; THENCE NORTH 90°00'00" EAST ALONG SAID NORTH LINE A DISTANCE OF 12.89 FEET TO A POINT, SAID POINT BEING A DISTANCE OF 54.20 FEET EAST OF THE WEST LINE OF SAID LOT 3 AS MEASURED ALONG SAID NORTH LINE; THENCE SOUTH 16°55'39" EAST A DISTANCE OF 240.40 FEET TO THE NORTH MARGIN OF SAID DAKOTA STREET; THENCE SOUTH 90°00'00" WEST ALONG SAID NORTH MARGIN A DISTANCE OF 93.20 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 12,199 SQUARE FEET 0.280 ACRES

ADDRESS: 4140 EAST MARGINAL & WAY SOUTH

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 Pier 69, 2711 Alaskan Way, Seattle WA. 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 its conveyance.

Port of Seattle  
M.R. Dinsmore  
Chief Executive Officer  
8/1(161379)