

## **RESOLUTION NO. 3560**

**A RESOLUTION** of the Port Commission of the Port of Seattle, declaring certain real property located inland from the Seattle waterfront (commonly known as the First Avenue South Bridge Exchange Property) surplus and no longer needed for port district purposes and authorizing its transfer to 200 SW Michigan LLC.

**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**, on November 29, 2005, the Port transferred certain property and property rights to the State of Washington for the First Avenue South Bridge Project and, in exchange, the State transferred to the Port certain property rights and property (the "Exchange"), including the property legally described in Exhibit A to this Resolution ("Parcels D and E"); and

**WHEREAS**, pursuant to a Purchase and Sale Agreement dated March 14, 1998, between the Port and Foss Redevelopment-Michigan Street LLC ("Foss"), the Port agreed to sell to Foss Parcels D and E when the Exchange was completed (the "Agreement"); and

**WHEREAS**, due to unforeseen delays in the Exchange, the Port was unable to transfer Parcels D and E to 200 SW Michigan LLC ("200 SW Michigan"), assignee to Foss' rights under the Agreement within a reasonable period of time; and

**WHEREAS**, the Port Commission then authorized the transfer of other Port property legally described in **Exhibit B** to this Resolution (“Triangle Parcel”) until the Exchange was completed and the Port transferred the Property to 200 SW Michigan, at which time title to the Triangle Parcel would revert to the Port; and

**WHEREAS**, on April 30, 2003, the Port transferred the Triangle Parcel to 200 SW Michigan; and

**WHEREAS**, on November 29, 2005, the Exchange was completed and the Port is now able to transfer Parcels D and E to 200 SW Michigan and receive title to the Triangle Parcel.

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

**Section 1.** The real property legally described in **Exhibit A** to this Resolution is hereby declared surplus to Port of Seattle needs and is no longer needed for Port purposes.

**Section 2.** The Managing Director, Seaport Division, and the Manager, Seaport Property Management are authorized to take all necessary steps and to execute all documents necessary to accomplish the transfer of said **Exhibit A** real property to 200 SW Michigan LLC, in accordance with state law. The value of said real property determined pursuant to the terms of the Agreement is \$294,429.64.

**Section 3.** The Managing Director, Seaport Division, and the Manager, Seaport Property Management, are authorized to take all necessary steps and execute all documents necessary to accomplish reversion of title to the Port of the real property (Triangle Parcel) described in **Exhibit B** to this Resolution.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 14<sup>th</sup> day of February, 2006, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

Patricia Davis PATRICIA DAVIS

Lloyd Hana LLOYD HANA

Alec Fisker ALEC FISKEN

John Creighton JOHN CREIGHTON

Bob Edwards BOB EDWARDS

Port Commission

Exhibit A  
Resolution No. 3560

PARCEL "D"

THAT PORTION OF BLOCKS 20 AND 21, JOSEPH R. MCLAUGHLIN'S WATERFRONT ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 28, RECORDS OF KING COUNTY, WASHINGTON, LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M.,

COMMENCING AT THE CENTERLINE INTERSECTION OF SW MICHIGAN STREET AND 2ND AVENUE SW; THENCE SOUTH 0°00'00" EAST ALONG THE CENTERLINE OF SAID 2ND AVENUE SW A DISTANCE OF 79.30 FEET; THENCE NORTH 90°00'00" WEST A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE WEST MARGIN OF SAID 2ND AVENUE SW AND THE SOUTHERLY MARGIN OF SAID SW MICHIGAN STREET; SAID POINT BEING ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, THE CENTER OF WHICH LIES SOUTH 28°59'08" WEST, 200.00 FEET DISTANT, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 0°00'00" EAST ALONG SAID WEST MARGIN 118.70 FEET TO STATION A2 38+10, 30.00 FEET LEFT PER W.S.D.O.T. PLANS FOR SR 98, MP 28.86 TO MP 27.18, SHEET 8 OF 11, APPROVED JANUARY 7, 1984; THENCE SOUTH 24°43'34" WEST A DISTANCE OF 45.67 FEET TO THE NORTH MARGIN OF WEST MARCONIAL WAY SW AS SHOWN ON SAID PLANS AT STATION W.M. 38+86, 65.00 FEET RIGHT; THENCE NORTH 84°07'07" WEST ALONG SAID MARGIN A DISTANCE OF 92.23 FEET TO STATION W.M. 39+77, 60.00 FEET RIGHT, AS SHOWN ON SHEET 11 OF 11 SAID PLANS; THENCE CONTINUING ALONG SAID MARGIN NORTH 75°35'30" WEST A DISTANCE OF 331.60 FEET TO THE SOUTHEASTERLY LINE OF LOT 7 SAID BLOCK 21; THENCE NORTH 48°20'45" EAST ALONG SAID LINE A DISTANCE OF 5.91 FEET TO THE SOUTH LINE OF VACATED ALLEY PER CITY OF SEATTLE ORDINANCE NUMBER 93673; THENCE NORTH 65°59'39" EAST ALONG SAID SOUTH LINE THROUGH THE SOUTHWEST CORNER OF LOT 16 SAID BLOCK 21 A DISTANCE OF 182.32 FEET TO A POINT ON THE EAST LINE OF SAID LOT 16, 33.00 FEET SOUTH OF THE NORTHEAST CORNER THEREOF AND THE SOUTHWEST CORNER OF VACATED 3RD AVENUE SW PER SAID ORDINANCE; THENCE NORTH 88°14'38" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 60.21 FEET TO THE WEST LINE OF LOT 13 SAID BLOCK 20, 28.00 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE NORTH 84°17'15" EAST A DISTANCE OF 190.50 FEET TO THE EAST LINE OF SAID LOT 13, 18.00 FEET SOUTH OF THE NORTHEAST CORNER THEREOF AND THE SOUTHWEST CORNER OF VACATED ALLEY PER SAID ORDINANCE; THENCE NORTH 88°28'10" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 16.03 FEET TO THE WEST LINE OF LOT 20 SAID BLOCK 20, 17.00 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTH 77°51'35" EAST A DISTANCE OF 80.81 FEET TO THE SOUTH LINE OF LOT 21 SAID BLOCK 20, 21.00 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE NORTH 36°14'20" EAST A DISTANCE OF 28.83 FEET TO THE ARC OF A CURVE TO THE RIGHT ON THE SOUTHERLY MARGIN OF SW MICHIGAN STREET HAVING A RADIUS OF 200.00 FEET THE CENTER OF WHICH LIES SOUTH 28°30'23" WEST, 200.00 FEET DISTANT; THENCE EASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 1°08'43" AN ARC LENGTH OF 4.00 FEET TO THE POINT OF BEGINNING.

CONTAINING +/- 32309 SF 0.74 AC

**Exhibit A**  
**Resolution No. 3560**

**PARCEL "E"**

THAT PORTION OF BLOCK 22, JOSEPH R. McLAUGHLIN'S WATERFRONT ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS, PAGE 28, RECORDS OF KING COUNTY, WASHINGTON, LOCATED IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY MARGIN OF SW MICHIGAN STREET AND THE WEST MARGIN OF 4TH AVENUE SW, BEING THE NORTHEAST CORNER OF SAID BLOCK 22; THENCE SOUTH 0°00'00" EAST ALONG SAID WEST MARGIN A DISTANCE OF 19.15 FEET TO THE NORTH MARGIN OF WEST MARGINAL WAY SW AS SHOWN ON PLAN FOR SR 89, NP 25.00 TO MP 27.18 SHEET 11 OF 11 APPROVED JANUARY 7, 1984; THENCE NORTH 78°25'30" WEST ALONG SAID MARGIN 67.18 FEET TO THE SOUTH MARGIN OF SAID SW MICHIGAN STREET; THENCE NORTH 84°54'44" EAST ALONG SAID MARGIN A DISTANCE OF 55.59 FEET TO THE POINT OF BEGINNING.

CONTAINING +/- 530 SF 0.01 AC

**Exhibit B**  
**Resolution No. 3560**

**PARCEL A:**

PORTIONS OF LOTS 2 THROUGH 7, INCLUSIVE, AND LOTS 21 THROUGH 25, INCLUSIVE, ALL IN BLOCK 19 OF JOSEPH R. MCLAUGHLIN'S WATERFRONT ADDITION TO THE CITY OF SEATTLE, ACCORDING TO PLAT RECORDED IN VOLUME 13 OF PLATS AT PAGE(S) 21, IN KING COUNTY, WASHINGTON, INCLUDING PORTIONS OF FIRST AVENUE SOUTH VACATED UNDER CITY OF SEATTLE ORDINANCE NO. 93673, FIRST AVENUE SOUTHWEST VACATED UNDER CITY OF SEATTLE ORDINANCE NO. 94862 AND THE ALLEY IN SAID BLOCK 19 VACATED UNDER CITY OF SEATTLE ORDINANCE NO. 93673, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 7 WITH THE CENTERLINE OF SAID VACATED FIRST AVENUE SOUTH;  
THENCE SOUTH  $89^{\circ}57'03''$  WEST, ALONG SAID EASTERLY EXTENSION AND THE SOUTH LINES OF SAID LOTS 7 AND 23, A DISTANCE OF 241.11 FEET TO THE INTERSECTION WITH AN 8 FOOT TALL CHAIN LINK AND BAR-WIRE FENCE;  
THENCE NORTH  $41^{\circ}30'26''$  EAST, ALONG SAID FENCE AND THE NORTHEASTERLY EXTENSION THEREOF, A DISTANCE OF 325.95 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY MARGIN OF SOUTHWEST PENINSULA PLACE VACATED UNDER CITY OF SEATTLE ORDINANCE NO. 93673;  
THENCE SOUTH  $66^{\circ}39'09''$  EAST, ALONG SAID SOUTHWESTERLY MARGIN, A DISTANCE OF 28.04 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF SAID VACATED FIRST AVENUE SOUTH;  
THENCE SOUTH  $00^{\circ}00'00''$  EAST, ALONG SAID CENTERLINE, A DISTANCE OF 233.56 FEET TO THE POINT OF BEGINNING;

(ALSO KNOWN AS PARCEL F OF KING COUNTY LOT BOUNDARY ADJUSTMENT NO. 2207307, RECORDED UNDER RECORDING NO. 20030211900004.

**PARCEL B:**

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, DESCRIBED AS FOLLOWS:

THE WEST 60.50 FEET OF LOT 23 IN BLOCK 19 OF JOSEPH R. MCLAUGHLIN'S WATERFRONT ADDITION TO THE CITY OF SEATTLE, ACCORDING TO PLAT RECORDED IN VOLUME 13 OF PLATS AT PAGE(S) 21, IN KING COUNTY, WASHINGTON,  
TOGETHER WITH THOSE PORTIONS OF FIRST AVENUE SOUTHWEST VACATED UNDER CITY OF SEATTLE ORDINANCE NO. 94862 AND SECOND AVENUE SOUTH VACATED UNDER CITY OF SEATTLE ORDINANCE NO. 93673 WHICH LIE BETWEEN THE NORTH AND SOUTH LINES OF SAID LOT 23 EXTENDED WESTERLY TO THE EAST LINE OF THE WEST 10.00 FEET OF SAID VACATED SECOND AVENUE SOUTH AND EXTENDED EASTERLY TO THE CENTERLINE OF SAID VACATED FIRST AVENUE SOUTHWEST;  
EXCEPT ANY PORTION LYING WITHIN THE ABOVE PARCEL A.