

RESOLUTION NO. 3279

A RESOLUTION of the Port Commission of the Port of Seattle authorizing the Executive Director to execute Amendments to the West Seattle Bridge Agreement (1980) and the Central Waterfront Agreement (1989)

WHEREAS, the Port of Seattle ("Port") and City of Seattle ("City") entered into the West Seattle Bridge Agreement in 1980 and the Central Waterfront Agreement in 1989 (together, the "Agreements") to express their responsibilities and obligations concerning public projects of mutual interest,

WHEREAS, under the terms of the Agreements, the Port paid the City \$15.8 million dollars and dedicated to the City real property valued at \$2.8 million to satisfy the street vacation compensation provisions of Chap 35.79 RCW and City street vacation ordinances for street vacation petitions on Port property,

WHEREAS, in 1995, the City granted the Port preliminary approval of the street vacations for the Southwest Harbor Redevelopment Project (SWHRP) and relied upon the street vacation compensation provisions of the Agreements in granting preliminary approval of the petition,

WHEREAS, the Port is currently undertaking the improvements required by the City as conditions of preliminary street vacation approval for the SWHRP, is scheduled to complete those improvements in 1998 and anticipates receiving final approval from the City of the street vacation petitions for the SWHRP in 1998,

WHEREAS, on April 21, 1998 the Transportation Committee of the City Council voted to grant preliminary approval of the street vacation petitions for the Terminal 18 Redevelopment Project (T-18) and relied upon the street vacation compensation provisions of the Agreements in granting preliminary approval of the petition,

WHEREAS, the Port and the City have mutually agreed that the street vacation compensation provisions of the 1980 West Seattle Bridge Agreement (paragraph H) and the 1989 Central Waterfront Agreement (paragraph 5) will be substantially satisfied after the City grants final approval of the street vacation petitions for the SWHRP and the T-18 Project,

WHEREAS, the Port agrees that the street vacation compensation provisions of the 1980 West Seattle Bridge Agreement (paragraph H) and the 1989 Central Waterfront Agreement (paragraph 5) will

not apply to future street vacation approvals sought by the Port from the City of Seattle, after the City grants final approval of the street vacation petitions for the SWHRP and the T-18 Project,

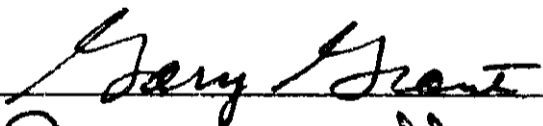
WHEREAS, the Port and the City intend that all other portions of the 1980 West Seattle Bridge Agreement, the 1989 Central Waterfront Agreement, with the exception of paragraph H and 5 respectively, and the Comprehensive Public Access Plan for the Duwamish Waterway will remain in full force and effect,

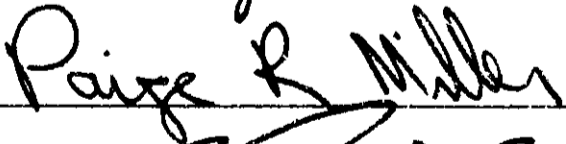
NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Seattle that

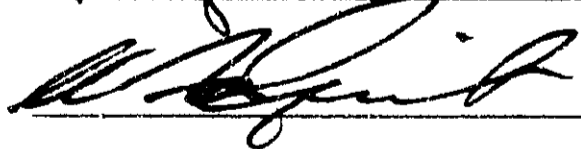
Section 1 The Port Commission resolves that those portions of the 1980 West Seattle Bridge Agreement (paragraph H) and the 1989 Central Waterfront agreement (paragraph 5) addressing compensation for street vacation approvals granted by the City to the Port will be satisfied once the City grants final approval of the Port's street vacation petitions for the Southwest Harbor Redevelopment Project and the Terminal 18 Redevelopment Project

Section 2 The Port Commission authorizes the Executive Director to execute amendments to the 1980 West Seattle Bridge Agreement and the 1989 Central Waterfront Agreement in the form provided for in exhibits A and B to this resolution upon final approval of the street vacation petitions by the City Council for the SWHRP and the T-18 Project

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting thereof, held this 12th day of May, 1998, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.







Port Commission

APR 24 '98 08:48AM

**AMENDMENT TO WEST SEATTLE FREEWAY BRIDGE
INTERLOCAL AGREEMENT**

THIS AMENDMENT to that certain West Seattle Freeway Bridge Interlocal Agreement ("Agreement") dated July 7, 1980, is made between the PORT OF SEATTLE, a municipal corporation of the State of Washington ("Port"), and THE CITY OF SEATTLE, a municipal corporation of the State of Washington ("City"), pursuant to Chapter 39.43 of the Revised Code of Washington.

The Port and the City agree that section H of Part III of the Agreement is amended as follows:

H. If, during the term of this Agreement, the Port shall identify street rights of way (such as Southwest Manning Street if the roadway is relocated and there is no further need in Phase II) in addition to those described in Exhibits "A", "B", "C", and "D", in regard to which the Port requests a street vacation or a street use permit, the City agrees to expedite consideration of any such Port request. ~~Any street vacations or street use permits granted in response to such requests shall be at no cost to the Port other than reasonable administrative costs incurred in processing the street vacation petitions or street use permits.~~ Neither party is relieved of its obligations as contained in the adopted "Comprehensive Public Access Plan for the Duwamish Waterway."

IN WITNESS WHEREOF, this Amendment has been executed by the parties thereto on the date affixed by the signatures of their respective executives.

PORT OF SEATTLE

THE CITY OF SEATTLE

By _____

By _____

DATE _____

DATE _____

AMENDMENT TO AGREEMENT

THIS AMENDMENT to that certain agreement ("Agreement") dated December 27, 1989 entered into in connection with the redevelopment of the Central Waterfront is made between the PORT OF SEATTLE, a municipal corporation of the State of Washington ("Port") and THE CITY OF SEATTLE, a municipal corporation of the State of Washington ("City").

The Port and the City agree that section 5 of the Agreement is amended as follows:

5. Any future street vacations granted to the Port as a result of the City street vacation application and review process ~~in the zones identified on the attached map (Exhibit 2)~~ shall be processed expeditiously and shall be at no cost to the Port ~~except for the City's administrative costs only, and shall not include any payment based upon the fair market value of the area vacated,~~ provided however, that the City shall review each petition ~~consistent for consistency with City Council the City's Street Vacation Policies adopted by Resolution 27527 as amended by Resolution 28605,~~ and ~~or other City resolutions or ordinances concerning~~ containing street vacation policies; and provided further, that this Agreement does not relieve either party of its obligations as contained in the adopted "Comprehensive Public Access Plan for the Duwamish Waterway."

IN WITNESS WHEREOF, this Amendment has been executed by the parties thereto on the date affixed by the signatures of their respective executives.

PORT OF SEATTLE

THE CITY OF SEATTLE

By _____

By _____

DATE _____

DATE _____