

RESOLUTION NO. 3190, AS AMENDED

A RESOLUTION of the Port Commission of the Port of Seattle Adopting Certain Amendments and Additions to the Lower Duwamish Industrial Development District (Unit 20) of the Port of Seattle's Existing Comprehensive Scheme of Harbor Improvements to Include Properties Already Acquired or Which may be Acquired in the Future and to Provide for Redevelopment of and Improvements to said Property and Adjacent Street and Related Project Improvements.

WHEREAS, the voters of King County, pursuant to the provision of enabling legislation adopted by the legislature of the State of Washington, Chapter 92, Laws of 1911, RCW Title 53, 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, (the "Port"); 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 (the "Comprehensive Scheme") 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 on March 5, 1912; and

WHEREAS, the Lower Duwamish Industrial Development District was created and a Comprehensive Scheme of harbor improvements and industrial developments for such district was established and adopted by the Port Commission by Resolution No. 2111 (ratification thereof by the qualified electors of the Port was not required at the time of the adoption of such resolution) and is now referred to as Unit 20 of the Comprehensive Scheme; and

WHEREAS, both a plan-level Environmental Impact Statement on the Port's long-term Container Terminal Development Plan ("Plan EIS") and a project-level Environmental Impact Statement on the Southwest Harbor Cleanup and Redevelopment Project ("Project EIS") have been prepared and issued, including the identification of preferred alternatives which resulted from the EIS process and formal hearings on August 23, 1991, October 16, 1991, February 24, 1994, and December 13, 1994; and

WHEREAS, the Port Commission authorized the acquisition of 12 parcels of real property between Spokane Street SW, Harbor Avenue SW, the East Waterway, and Elliott Bay at meetings on September 22, 1992, August 12, 1993, November 22, 1993, January 11, 1994, March 22, 1994, May 24, 1994, June 14, 1994, June 28, 1994, September 13, 1994 and October 11, 1994; and

WHEREAS an official public hearing was held on December 13, 1994 after notice to the public duly published on December 2, 1994 as provided by RCW 53.20.020, on the question of whether the Port's Comprehensive Scheme of harbor improvements should be amended and modified to provide for redevelopment of, and improvements to the property as depicted on Exhibit "A" to this Resolution; and

WHEREAS, the Port Commission heard from all persons desiring to speak at said public hearing with regard to the proposed amendment to the Port's Comprehensive Scheme; and

WHEREAS, the members of the Port Commission have discussed and considered the proposed modification of the Comprehensive Scheme in light of all comments by members of the public at the public hearing, and have decided to authorize the implementation of the Southwest Harbor Cleanup and Redevelopment Project (West Waterway alternative) to provide additional container shipping facilities for Terminal 5, substantially as described in the Project EIS and by separate Port Commission motion of December 13, 1994, and to modify the Port's Comprehensive Scheme as hereinafter provided;

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

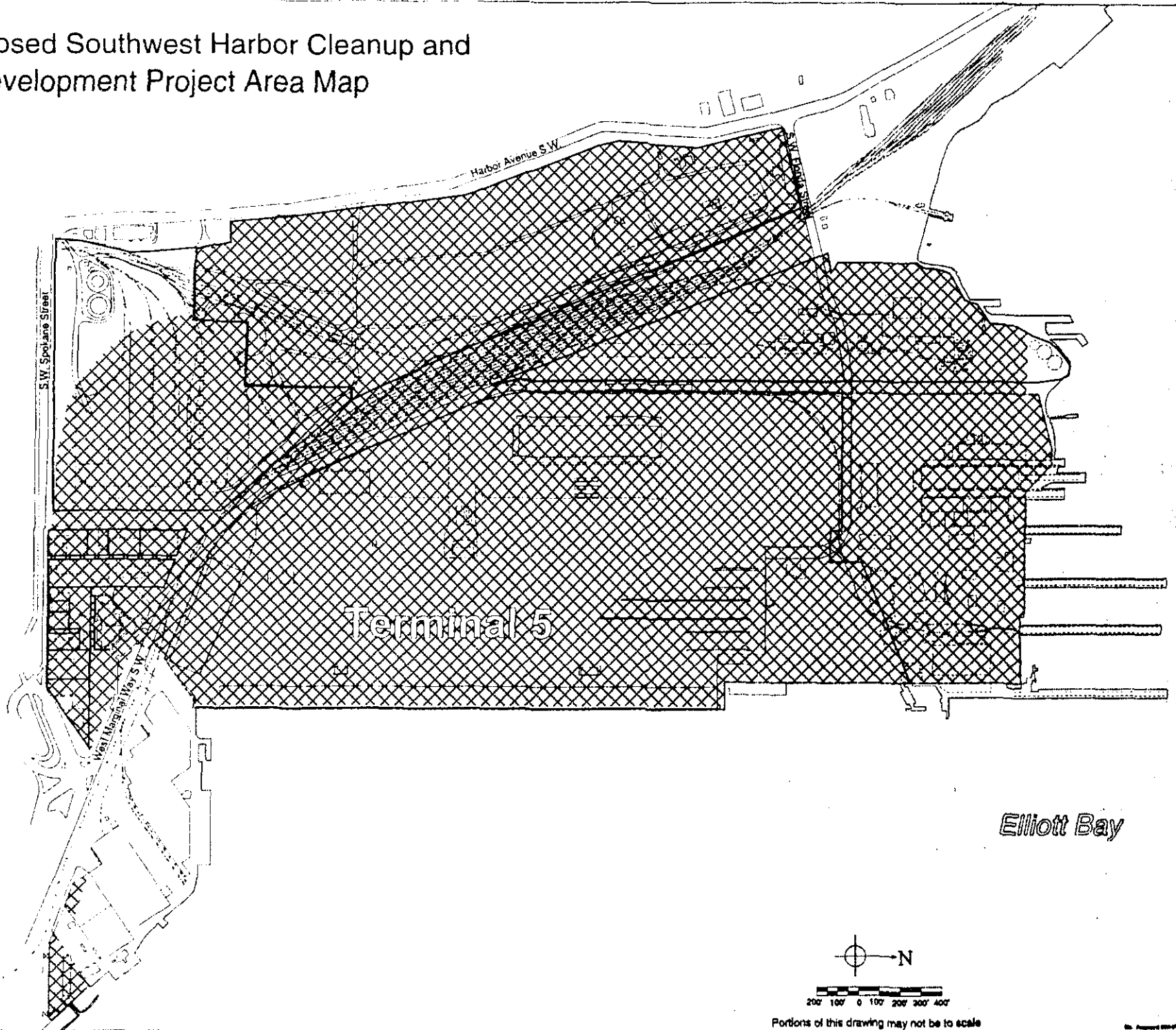
Section 1. Unit 20 of the Port of Seattle's Comprehensive Scheme of Harbor Improvements is amended to include properties already acquired, or which may be acquired in the future, in the area outlined on Port Drawing entitled Proposed Southwest Harbor Cleanup and Redevelopment Project of Washington Map which is attached hereto as Exhibit "A," and to provide for the redevelopment of, and improvements to said property as a container shipping terminal and adjacent street and other improvements related to the project as further described by separate motion of the Port Commission on December 13, 1994. The Port Commission further more adopts the findings and conclusions attached hereto as Exhibit "B" with respect to the legislative decisionmaking process to authorize this project.

Section 2. Except as expressly amended herein, the Port's Comprehensive Scheme of Harbor Improvements, including all previous amendments thereto, shall remain in full force and effect.

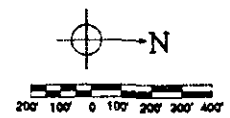
ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 13th day of December, 1994, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission.

Patricia Davis
Paul Sibley
Paul S. Bank
Paige K. Miller
John Grant
Port Commission

Proposed Southwest Harbor Cleanup and Redevelopment Project Area Map



Elliott Bay



Portions of this drawing may not be to scale

Exhibit B

LEGISLATIVE FINDINGS

Based on several years of planning and working with the public, other agencies and Tribes, the f the Port of Seattle Commission hereby makes the following findings and conclusions with respect to the legislative decisionmaking process to authorize the Southwest Harbor Cleanup and Redevelopment Project:

1. In 1986, the Port adopted the Harbor Development Strategy for Marine Cargo Facilities ("HDS") after extensive consultation with agencies and citizens to articulate overall strategies and policy directives for marine activities.
2. As part of its regular updating from time to time of various elements of the HDS, the Port prepared the Container Terminal Development Plan (Container Plan) and accompanying programmatic Environmental Impact Statement ("Plan EIS"), issued the Container Plan and final Plan EIS in October 1991, and modified the HDS by Resolution No. 3095 as amended, dated November 12, 1991, after public, tribal and agency review, and public meetings and hearings. No challenges or appeals were filed to the Container Plan, HDS amendments, or Plan EIS.
3. The Container Plan and final Plan EIS affirmed the designation and screening of harbor area development sites in the HDS (which are in conformity with adopted and applicable comprehensive land use and shoreline plans) and detailed the steps the Port must take to accommodate projected container shipping demand.
4. The Container Plan and final Plan EIS establish a high priority for redeveloping, enlarging, and increasing the efficiency of container shipping terminal facilities in the Southwest Harbor area because of the attributes of this area, including deep water moorage in Elliott Bay, substantial container marshaling yard area adjacent to berthage, and the ability for direct access to regional, national and international transportation networks. These plan documents note that the precise timing and size of redevelopment projects within the area planned for future development depends on market factors, such as customer needs.
5. As part of the HDS and Container Plan, the Port articulated a set of specific environmental guidelines to be used in implementing container development over the next 10-to-20 year time period, which has been used in developing the alternatives and design considered for the Southwest Harbor Project.
6. Recognizing the substantial terminal development timeframe (3-5 years), the HDS provides for planning for container shipping terminals well before their anticipated use, in cooperation with interested citizens.

7. Approximately 200 acres of land surrounding the existing 100-acre Terminal 5 container shipping facility has been designated for Port industrial use under: (a) the City of Seattle's previous comprehensive plan and the current comprehensive plan adopted under the Growth Management Act; (b) the federally and state-approved Seattle Shoreline Management Master Program, as it pertains to the Duwamish Waterway/Elliott Bay; and (c) the Port's HDS and long-term Container Plan.

8. Much of the Southwest Harbor project area is currently vacant and polluted and needs to be restored to economic and environmental health. A substantial portion of this area is composed of abandoned or soon-to-be-abandoned industrial property. Contaminated soils and sediments need to be cleaned up under state and federal laws, including the former Lockheed Shipyard No. 2 and Wyckoff (Pacific Sound Resources) sites.

9. The Port initiated the Southwest Harbor Cleanup and Redevelopment Project (Southwest Harbor Project or the Project) after two years of preliminary consultation (pre-scoping) with citizens, Tribes and agencies to identify whether there were possible alternatives that could meet the economic and environmental needs identified above. These needs are described in more detail in Chapter 1 of the project EIS, as are the alternative sites that have been considered in this planning process.

10. Based on positive discussions with numerous agencies, Tribes, citizens and environmental groups, the Port proposed in 1991 that the Washington State Department of Ecology ("Ecology"), U.S. Army Corps of Engineers ("Corps") and the Port serve as joint lead agencies to prepare a joint federal-state-local EIS combined with cleanup and other studies. This joint federal-state process (herein referred to for simplicity as the "Project EIS") commenced in 1991. It included integration and compliance with numerous applicable laws, described more fully on the cover page and Chapter 5 of the Project EIS.

11. Through the Project EIS scoping process in the summer and fall of 1991, the U.S. Environmental Protection Agency ("EPA"), Washington Department of Natural Resources ("DNR"), and City of Seattle ("City") agreed to serve as cooperating agencies for these studies, and other agencies, including Tribes, participated as consulted agencies.

12. With the other agencies and the public, the Port developed and implemented a Public Participation Plan under the Model Toxics Control Act and other laws which provided substantially greater opportunity for public notice, comment, and involvement in project planning and review than would have been required by the various applicable laws, as further described in the Public Participation Plan and in the Summary and Chapter 2 of the project EIS. The Public Participation Plan candidly identified ways of improving the Port's working relationships with the community and strove to implement these ideas.

13. Using better notices, informal and formal scoping meetings, extensive community mailings and outreach, joint public and agency issue workgroups, and other methods, the joint lead agencies invited early and continuing participation by the cooperating and consulted agencies and

the public in planning the project alternatives, defining the scope of project studies, developing mitigation and monitoring measures.

14. In the preparation of the draft EIS, the Port and other agencies conducted more than two years of expanded scoping from July 1991 to through December 1993 to identify necessary studies, reasonable and feasible alternatives, environmental impacts and mitigation measures. In addition to formal scoping meetings in July and November 1991, four issue workgroups composed of citizens, Tribes and other agencies explored alternatives and impacts related to public access, urban quality, economics, and fish and wildlife habitat and cleanup, leading up to the draft EIS. Furthermore, with community groups and the Seattle Design Commission, the Port co-sponsored the Greater Harbor 2000 planning workshop to identify opportunities for community improvements in conjunction with several public projects by different agencies.

15. The Port Commission takes note of public hearing and written comments printed in the final EIS from the community, such as Seattle Audubon Society ("This environmental review has been a model process, open to all and consulting all parties from the start, and open to new information and ideas."), the City of Seattle ("We appreciate the openness with which the Port has approached this proposed project with us and with the community."), Washington State Labor Council ("It is evident that the Port has worked hard to involve all the stakeholders and the public in addressing the issues related to this project."), People for Puget Sound ("More specifically, we would like to compliment the Port, the Corps, and the Department of Ecology on the way they have gone about developing this Environmental Impact Statement...And, of course, as lay readers of this very technical material, we appreciate the effort to write in plain English with a serious effort to avoid obfuscation."), Greater Harbor 2000 ("We appreciate all that we have learned and the benefits of the open communication."), Seattle Design Commission ("The Port of Seattle's involvement and support of the workshop process and development of a framework plan made this a unique process in interagency/community planning.").

16. After the scoping process and Project EIS began, American President Lines ("APL"), the Port tenant operating Terminal 5, informed the Port that APL was evaluating its West Coast container shipping operations. APL approached the Port in January 1992 and invited the Port to compete with other ports to serve APL's container shipping needs, which the Port did with strong support from the City, business, labor, and other segments of the community.

17. On November 12, 1992, following evaluation of facilities in Northern California, Oregon and Washington APL identified the Port of Seattle as the site best situated to handle forecasted container shipping demands being generated by Pacific Rim trade.

18. In response to this immediate market demand for increased container shipping capacity at Terminal 5, the joint lead agencies provided public notice and modified the scope of the Southwest Harbor project area and studies to include analysis of the impacts of cleanup and redevelopment of essentially all of the Southwest Harbor area identified in the HDS and Container Plan.

19. During the Project EIS process, the Port proceeded with several efforts that have been necessary to preserve cleanup and redevelopment options for the Southwest Harbor Project alternatives. These efforts included interim cleanup activities required under state cleanup laws and federal and state Superfund and property negotiations for the Lockheed, Pacific Sound Resources (Wyckoff) and other properties; APL lease negotiations (which were conditioned upon compliance with all applicable laws), and facility planning and design to support environmental review and permit applications. These activities were publicly disclosed, discussed with other agencies and public workgroups, and described in the Scoping Document and Project EIS. Agencies and citizen groups did not express objections to the joint lead agencies about these activities.

20. These efforts did not cause adverse environmental impacts or limit the choice of reasonable project alternatives, as noted in previous Port Commission memos and in the Project EIS. All Project EIS alternatives remained available to be selected, and several of these efforts were necessary to avoid adverse environmental impacts (such as continuing pollution from past uses) and to preserve the opportunity to select or implement various alternatives that would reduce environmental impacts or improve environmental quality (such as controlling sufficient property to provide for direct traffic access, intermodal rail, public shoreline access, or a Harbor Avenue greenway buffer).

21. On January 14, 1994, the joint lead agencies issued the draft Project EIS and companion studies. The documents included remedial investigation and feasibility study (RI/FS) documents to analyze site cleanup under the Model Toxics Control Act, Sediment Management Standards and other applicable laws, a business analysis on economic considerations, and numerous special studies including urban impact analyses and consistency with shoreline and aquatic lands management laws.

22. Based on the substantial consensus that evolved among the public and other agencies in the course of project planning and EIS preparation, the draft Project EIS tentatively identified the West Waterway redevelopment alternative as the Port's preferred alternative, and the Submerged Nearshore Facility (or alternately, the Consolidation cleanup alternative) as Ecology's preferred aquatic cleanup alternative. While reviewers offered numerous specific comments and suggestions, the Port Commission takes note of the many comments on the draft Project EIS (which are reprinted in the final EIS) from diverse community, environmental, labor and business organizations, citizens, and cooperating and consulted agencies supporting these preferred alternatives.

23. The Port and other joint lead agencies provided a longer and more extensive consultation and comment process for the draft Project EIS and cleanup studies than required. The joint lead agencies provided a 60-day comment period (rather than the standard 30 or 45 days under applicable laws, such as SEPA, NEPA, federal and state Superfund, Section 404 of the Clean Water Act, and the Shoreline Management Act and City Land Use Code), mailed notices of the draft Project EIS and public hearings to more than 46,000 people, published display ads in regional and neighborhood newspapers, provided informal public meetings and workshops at locations in the community, and held a formal public hearing on February 24, 1994.

24. To further increase the effective review time by one-to-two weeks, the joint lead agencies offered interested agencies and citizens the opportunity to identify ahead of time the documents they wished to receive. Port staff hand-delivered copies of the draft Project EIS and appendix documents directly to most agency staff, Tribes and citizen groups that expressed substantial interest in the proposal. To improve the effectiveness of the comments, the draft Project EIS and its cover letter and notice of availability, dated January 14, 1994, strongly solicited public and governmental comment in several areas. The joint lead agencies received many positive comments on the document distribution and public review and comment process.

25. The January 14, 1994 cover letter and notice of availability also emphasized that the Port and other joint lead agencies were not simply interested in receiving comments, but were dedicated to continued consultation with the public, Tribes, and other agencies. As with the period leading up to the draft EIS, the Port believed that the alternatives could be improved and that many questions or issues could be resolved if agencies, Tribes, and members of the public continued to work with each other.

26. In the Summary and Chapter 4 of the draft Project EIS, the Port made a commitment to work with interested citizens and agencies to ensure compliance with the project design and mitigation measures ultimately adopted. With regard to urban impacts, the Port proposed a Development Oversight Committee (DOC) composed of community members representing a full range of community interests be formed to monitor construction or implementation of various project elements, such as landscaping, buffers, lighting, noise and traffic.

27. Rather than wait until final project decisions were made, the Port convened DOC as part of the effort to respond to comments, continue project planning, and prepare the final Project EIS. Consisting of twelve representatives from West Seattle community councils, neighborhood groups, organizations and associations and the Chamber of Commerce, DOC began meeting on March 31, 1994. Its purpose was to identify and analyze important community concerns about the proposed project, investigate collaborative solutions to issues, and establish an ongoing communication mechanism through the construction phase of the project.

28. Through a series of DOC meetings from March to November, 1994, project plans and studies were reevaluated and changed in response to comments. The Port made its technical consultants available to members of the community to assist in designing and illustrating DOC recommendations. Solutions reached through agreement have been written into the final Project EIS. In addition, the final Project EIS includes revisions that reflect discussions with DOC but were not fully resolved. On those issues where agreement could not be reached between the community and the Port, a report of the full committee discussion is appended to the final Project EIS for consideration by the Commission.

29. In addition to meetings with Port staff, DOC members met the Port Commission on September 8, 1994, to present and discuss their concerns and recommendations and on November 8, 1994, to discuss a memorandum of understanding between Port staff and DOC identifying areas of agreement and disagreement.

30. Along with the DOC process, the joint lead agencies convened an interagency/intergovernment sediments working group which met ten times from January to June, 1994, to address comments and concerns relating to the Submerged Nearshore Facility cleanup alternative. Participants included staff from Ecology, the Corps, EPA, DNR, Muckelshoot Indian Tribe, Suquamish Tribe, National Oceanic and Atmospheric Administration ("NOAA"), and Washington Department of Fisheries and Wildlife. These meetings resulted in resolution of many issues and a framework for continued planning for an areawide sediment cleanup facility, as described further in the final Project EIS, and improved coordination with other agency activities such as aquatic cleanup at the federal Harbor Island and Pacific Sound Resources (Wyckoff) Superfund sites.

31. Several other events occurred in 1994 during the preparation of the final EIS which related to the Southwest Harbor Project. In February 1994, the City, King County, Port, and other agencies, Tribes and citizen groups initiated the Duwamish Coalition to encourage cleanup, redevelopment, and restoration of the Duwamish River and estuary. On July 25, 1994, the City Council adopted "Toward a Sustainable Seattle," a new comprehensive plan under the Growth Management Act, which reconfirmed Port industrial use of the Southwest harbor area. On June 1 _____, 1994, the Port of Seattle and APL executed a lease securing APL's commitment to use an enlarged Terminal 5 subject to environmental review and permitting of the facilities. On August 29, 1994, the U.S. District Court for Western Washington approved a federal consent decree under the federal Superfund law for cleanup and Port use and redevelopment of the Pacific Sound Resources (Wyckoff) site.

32. On November 25, 1994, the joint lead agencies issued the final Project EIS and companion studies. The final Project EIS identified the West Waterway redevelopment alternative and the Submerged Nearshore Facility cleanup alternative (or Consolidation cleanup alternative if the nearshore facility cannot be accomplished in time for the second berth) as the preferred alternatives. The final Project EIS included important modifications to the proposed actions based on comments and extensive consultation with the public, Tribes, and agencies to respond to comments on the draft Project EIS documents.

33. The November 25, 1994, notice of availability of the final Project EIS documents was provided to members of the public and agencies that have expressed an interest in the project. The notice stated that the Port Commission planned to act on December 13, 1994, to be followed by permit decisions by other agencies over next several months. The notice also stated that there are opportunities for further public comment on the proposed project prior to final decisions by the Port, Corps, Ecology, and the City of Seattle.

34. The Port Commission has taken additional public comment at its December 13, 1994 meeting, prior to authorizing the project.

35. The Port of Seattle has completed eight years of planning for the cleanup and redevelopment of the Southwest Harbor area, which has included the preparation of several

environmental impact statements and numerous studies involving extensive public participation, as outlined above, and is ready to make a decision on redevelopment of the Southwest Harbor area.

36. After due consideration, therefore, the Port Commission has determined:
 - A. The Port has used a properly tiered and coordinated planning and environmental review process to make plan decisions on long term container shipping development, followed by a deliberative process to make project decisions in the Southwest Harbor facilities area.
 - B. There is an immediate need to clean up and redevelop the site to meet the Port's mission and to implement the Port's Harbor Development Strategy for Marine Cargo as amended, including serving the needs of an existing major customer who has committed to use the completed facilities at Terminal 5.
 - C. The Port and the other joint lead agencies and their staffs, attorneys, and technical consultants have worked in an unprecedented, open fashion with other agencies, Tribes and the community in examining cleanup and redevelopment alternatives and in planning process. This project planning effort has also opened up opportunities for other community and regional improvements.
 - D. The Port staff should proceed to implement the two-berth West Waterway redevelopment alternative, initially by extending the existing Terminal 5 pier by 400-feet to add another berth and by carrying out the cleanup, project design and mitigation measures substantially as described in the final Project EIS and in the Commission motion to proceed (the "Authorized Project").
 - E. The authorized Project is consistent with city, state and federally approved plans and with the HDS and its environmental guidelines. The record shows broad-based support from governmental entities and the public.
 - F. The lease payments will cover the cost of the Authorized Project, which will provide substantial economic benefits by creating approximately 1000 direct jobs and additional indirect employment, as well as by increasing trade and economic activity.
 - G. The Authorized Project will clean up more than 200 acres of contaminated property.
 - H. The Authorized Project design and mitigation measures address potentially significant adverse impacts and go well beyond code requirements in most instances. Although the Port Commission has made its own independent judgment and provided direction to staff, the Port Commission finds that Port staff has gone more than the extra mile to encourage the public to participate in the planning of this project, to explore and forward community concerns to the Commission, and to seek creative ways to resolve issues.
 - I. The Port Commission has listened carefully to the members of the Development Oversight Committee and to others interested in this project. Although the Port Commission may

not agree with all of the comments and recommendations it has received, the Port Commission has seriously considered suggestions and criticisms in reaching its decision and has incorporated many of the recommendations into the Authorized Project.

- J. Recognizing concerns about how the Authorized Project will be implemented and the need for public accountability, the Port will continue to work with and report to agencies, Tribes and public through construction of the Authorized Project to ensure that Authorized Project commitments and goals are met.
- K. The Port Commission finds that the Authorized Project will provide long term substantial public benefits and environmental improvements in the local, state-wide, regional and national interest.

Parcel A

Lots 10, 11 and 12, Block 424 of Seattle Tidelands.

Parcel B

Lot 13, Except the west 591.35 feet thereof;
Lot 14, Except the west 591.35 feet thereof;
and except the North 12 feet thereof all in 426 of Seattle Tidelands.

Parcel C

That portion of Lots 13, 14 and 15, Block 426, Seattle Tidelands, lying east of a line 526.80 feet east of and parallel with the west line of said lots; except that portion of lot 13 and the south 48 feet of lot 14, lying east of a line 591.35 feet east of and parallel with the west line of said lots.

Parcel D

The east 80.5 feet of the west 526.8 feet of lots 12 through 15, Block 426, Seattle Tidelands, except the southerly 30 feet of lot 12 condemned in King County Superior Court Cause No. 142193 for widening of West Spokane Street as provided by Ordinance No. 39638 of the City of Seattle.

Parcel E

That portion of Lots 12 through 15 in Block 426 of Seattle Tidelands,
Beginning at a point on the north margin of Southwest Spokane Street, which point is 20 feet south of the south line of Lot 13 and 305.3 feet east of the west line of said Lots 12 through 15;
Thence continuing east along said north margin for a distance of 141.0 feet;
Thence north on a line parallel to the west line of said Lots 12 through 15 to the north line of Lot 15;
Thence west along the northerly line of Lot 15 a distance of 141 feet;
Thence south on a line parallel to the west line of said Lots 12 through 15 to the point of beginning.

Parcel F

The north 20 feet of the east 80 feet of the west 305.3 feet of Lot 12, the east 80 feet of the west 305.3 feet of Lots 13 and 14 and the south 10 feet of the east 80 feet of the west 305.3 feet of Lot 15, all in Block 426.

Parcel G

The east 83 feet of the west 205.3 feet of the following described tract:

Lots 12, 13 and the south 20 feet of Lot 14, Block 426, of Seattle Tidelands, except the south 30 feet of said lot 12 condemned for West Spokane Street in King County Superior Court Cause No. 142193 under Ordinance No. 39268 of the City of Seattle.

Parcel H

That portion of Lots 12, 13 and 14, Block 426, Seattle Tidelands,

Beginning at a point on the north line of West Spokane Street as condemned in King Count, Superior Court Cause No 142193 under Ordinance No. 39638 of the City of Seattle, which is 70.3 feet east of the west line of said lot 12;
Thence running north 100 feet to a point on the north line of the south 20 feet of said Lot 14;
Thence east, along the north line of the south 20 feet of said Lot 14, a distance of 52 feet;
Thence south 100 feet to the north line of West Spokane Street;
Thence west along the north line of said West Spokane Street 52 feet to the point of beginning.

Parcel I

That portion of Lots 12, through 15, Block 426, Seattle Tidelands,

Beginning on the north line of West Spokane Street 5.3 feet east of the west line of Lot 12 and the true point of Beginning;

Thence north 200 feet to the north line of Lot 15;

Thence east 300 feet;

Thence south to the north line of the south 10 feet of said Lot 15;

Thence west 100 feet;

Thence South to the north line of the south 20 feet of Lot 14;

Thence West 135 feet;

Thence south 100 feet to the north line of West Spokane Street;

Thence west 65 feet to the true point of beginning.

Parcel J

The east 60 feet of the west 270.3 feet of Block 426, Seattle Tidelands measured at right angles to the west line thereof: except the south 30 feet thereof condemned for West Spokane Street, and;

The east 70 feet of the west 210.3 feet of Block 426, Seattle Tidelands measured at right angles to the west line thereof; except the south 30 feet thereof condemned for West Spokane Street.

Parcel K

The west 122.3 feet of Lots 1 through 3 and the north 6 feet of Lot 4, in Block 426, Seattle Tidelands.

Parcel L

The west 122.3 feet of south 24 feet of Lot 6, and the west 122.3 feet of said Lot 7: and the west 122.3 feet of the north 16 feet of Lot 8, Block 426 Seattle Tidelands.

Parcel M

The west 122.3 feet of the south 54 feet of Lot 4, Lot 5 and the north 36 feet of Lot 6, Block 426, Seattle Tidelands.

Parcel N

The west 122.3 feet of south 44 feet of Lot 8, Lots 9 to 11, Block 426, Seattle Tidelands;

Except the south 30 feet of said lot 11 condemned in King County Superior Court Cause No. 142193 for West Spokane Street as provided by Ordinance 39639 of the City of Seattle.

Parcel O

Lots 1, 2, 11 through 17: and those portions of Lots 3, 4, 5 and 6 lying northeasterly of Northern Pacific Railroad Right of Way, Block 441; and Lots 30 through 39, and the west 27.424 feet of Lot 40, Block 431; and those portions of Lots 37 through 46 lying northeasterly of Northern Pacific Railroad Right of Way, Block 440, all in Seattle Tidelands, extension No. 1;

Together with that portion of Railroad Avenue vacated under Town of West Seattle Ordinance 87 adopted May 10, 1904 that would attach by operation of law;

Also, Lots 3 through 8, Block 441A, and Lots 5 through 9, Block 440A, Haller's supplemental plat of Blocks 428, 432, 433, 439, 440, 441, 442, Seattle Tidelands;

Together with those portions of vacated Southwest Lander Street, Southwest Florida Street and 29th Avenue Southwest as vacated under Ordinance No. 93905 which would attach by operation of law;

Together with portions of vacated 28th Avenue Southwest lying westerly of the east 34 feet of the west 50 feet of said 28th Avenue Southwest which would attach by operation of law.

Parcel P

Lots 1 through 9 inclusive, Block 430, Seattle Tidelands, together with all of 26th Avenue Southwest as vacated by City of Seattle ordinance No. 86485 lying northerly of the north line of Southwest Florida Street and southerly of the Inner Harbor Line;

Also, that portion of vacated Southwest Florida Street described as;
Beginning at the southeast corner of Lot 9, Block 430; Seattle Tidelands, Thence south $76^{\circ}42'13.5''$ west 1,430.937 feet; Thence south $89^{\circ}53'15''$ east 822.578 feet; Thence north $70^{\circ}27'46.2''$ east 604.823 feet; Thence due north 128.44 feet to the point of beginning.

Also, Lots 41 through 49 inclusive and Lot 40, except the west 27.424 feet thereof, Block 431, Seattle Tidelands.

Also, the harbor area in front of vacated 26th Avenue Southwest Blocks 430 and 431 Seattle Tidelands described as follows;

Beginning at the northwest corner of said Block 430, and running thence south $65^{\circ}34'09''$ west along the Inner Harbor Line 274.60 feet to the northeast corner of said Block 431, Thence north along the produced east line of Block 431, 659.01 feet to a point on the Outer Harbor Line, Thence north $65^{\circ}34'09''$ east 274.60 feet along the Outer Harbor Line to its intersection with the west line of said Block 430 produced north; Thence south along said produced west line 659.01 feet to the point of beginning.

Also, the harbor area lying in front of Block 430, Seattle Tidelands, bounded by the Inner and Outer Harbor Lines and the sidelines of said Block 430 produced northerly across the harbor area to the Outer Harbor Line.

Also, all harbor area lying in front of the east 32.576 feet of Lot 40 and Lots 41 to 49, inclusive, Block 431, Seattle Tidelands, and bounded by the Inner and the Outer Harbor Lines and the produced side lines of said portion of Block 431.

Parcel Q

Those portions of Blocks 433, 437, 438, 439, 440 and 442 in Seattle Tidelands; and of Blocks 439A, 440A and 442A in Haller's Supplemental Plat of portions of Blocks 428, 432, 433, 439, 440, 441 and 442, Seattle Tidelands; and of Lots 1 through 9 in Block 1 of Read's First Addition to the City of Seattle; and of 28th Avenue Southwest as vacated by the City of Seattle Ordinance Nos. 86694 and 93905; and of 29th Avenue Southwest as vacated by the City of Seattle Ordinance Nos. 89294 and 93905; and of Southwest Hanford Street as vacated by City of Seattle Ordinance No. 94599; and of Southwest Lander Street as vacated by City of Seattle Ordinance No. 93905; described as follows:

Beginning at the intersection of the centerline of said Southwest Hanford Street as vacated by Ordinance No. 94599 with the east margin of Harbor Avenue Southwest; Thence northwesterly, along said easterly margin of Harbor Avenue Southwest, to the most westerly corner of Lot 1 in said Block 442 and the southerly margin of Southwest Florida Street;
Thence north $76^{\circ}42'13.5''$ east, along said southerly margin, 382.167 feet;
Thence south $22^{\circ}48'31''$ east, along the easterly line of the property conveyed in deed recorded under said recording No. 7203280278, a distance of 932.61 feet to an angle point in said easterly line;
Thence south $23^{\circ}13'50''$ east, 1002.01 feet;
Thence south $31^{\circ}27'17''$ east, to an intersection with the centerline of said vacated Southwest Hanford Street;
Thence westerly along said centerline, to an intersection with the centerline of said vacated 28th Avenue Southwest;
Thence southerly, along said centerline, to an intersection with the easterly production of the north line of Lot 40 in said Block 437;
Thence westerly, along said north line, to an intersection with the north-south centerline of said Block 437;
Thence southerly, along said north-south centerline, to the northwest corner of said Lot 13, in said Block 437;
Thence westerly, along the north line of said Lot 13, to the northwest corner of said Lot 13 on the easterly margin of 29th Avenue Southwest;
Thence northerly, along said margin, to the easterly production of the south line of Lot 9 in Block 1 of said Read's 1st addition;
Thence westerly, along said produced line, to the southwest corner of said Lot 9 on the easterly margin of Harbor Avenue Southwest;
Thence northerly, along said easterly margin, to the southerly margin of said Southwest Hanford Street;
Thence easterly, along said southerly margin, to an intersection with the southerly production of the easterly line of said Harbor Avenue Southwest as established by Ordinance No. 92187;
Thence northerly, along said southerly production, to the point of beginning.

Except the following described parcel:

Commencing at the southwest corner of Lot 12, Block 431, Seattle Tidelands, said point being the true point of beginning;
Thence north $89^{\circ}59'16''$ east, along the south line of said Lot 12 a distance of 26.80 feet;
Thence north $09^{\circ}24'02''$ east, 27.60 feet to the point of curvature of a curve to the left with a radius of 2030.31 feet and central angle of $3^{\circ}45'10''$;
Thence 132.98 feet northeasterly along said curve to a point of compound curvature of a curve to the left with a radius of 955.37 feet and a central angle of $5^{\circ}30'15''$;
Thence 91.78 feet northeasterly along said curve to the point of tangency;
Thence north $00^{\circ}00'00''$ east 509.24 feet to the centerline of vacated Southwest Hanford Street;
Thence south $89^{\circ}59'40''$ west along said centerline 139.00 feet;
Thence south $00^{\circ}00'00''$ east 407.98 feet to a point of curvature of a curve to the left with a radius 623.80 feet and a central angle of $6^{\circ}21'35''$;
Thence 62.24 feet southeasterly along said curve to a point of tangency;
Thence south $6^{\circ}21'35''$ east 94.74 feet to a point on a non-tangent curve to the right with a radial bearing of south $54^{\circ}43'17''$ west; and a radius of 97.00 feet;
Thence 59.73 feet southeasterly along said curve to the point of tangency;
Thence south $00^{\circ}00'00''$ east 168.77 feet;
Thence south $11^{\circ}04'42''$ east 57.56 feet;
Thence south $00^{\circ}33'46''$ west to the north line of vacated 29th Avenue Southwest, a distance of 53.78 feet;
Thence along said north line south $89^{\circ}44'40''$ east 39.46 feet to the westerly line of Block 437, Seattle Tidelands;
Thence north $00^{\circ}01'32''$ east along said line 190.55 feet to the true point of beginning.

Parcel R

Those portions of Blocks 434 and 437 in Seattle Tidelands; and of 29th Avenue Southwest as vacated by City of Seattle Ordinance No. 86694; and of Southwest Hanford Street as vacated by City of Seattle Ordinance No. 94599; all more particularly described as follows:

Beginning at a point on the easterly line of Lot 25 in said Block 434, Seattle Tidelands, which is 5 feet southerly from the northeast corner of said Lot. Said point also being on the Northerly right-of-way of Southwest Spokane Street;
Thence westerly along said northerly margin in said Block 434 Seattle Tidelands, north $89^{\circ}39'24''$ west 127.90 feet;
Thence north $89^{\circ}17'19''$ west 109.65 feet;
Thence north $89^{\circ}59'43''$ west 74.03 feet;
Thence leaving the northerly right-of-way margin of said Southwest Spokane Street north $83^{\circ}39'24''$ west 172.21 feet to the point of curvature of a curve to the right having a delta angle of $32^{\circ}41'45''$;
Thence northwesterly along said curve 358.83 feet the point of tangency;
Thence north $50^{\circ}57'39''$ west 52.53 feet to a point of curvature of curve to the right; said curve having a delta angle of $43^{\circ}02'22''$;
Thence northwesterly along said curve 472.35 feet;
Thence north $00^{\circ}00'00''$ east 63.47 feet to the south line of Lot 12, Block 437, Seattle Tidelands;
Thence north $89^{\circ}59'16''$ east 181.68 feet to the southeast corner;
Thence north $00^{\circ}01'41''$ east along the north-south centerline of said Block 437 a distance of 239.97 feet to the northwest corner of Lot 40 in said Block 437;
Thence north $89^{\circ}59'26''$ east 315.33 feet along the north line of said Lot 40 and its easterly production to an intersection with the centerline of said vacated 28th Avenue Southwest;
Thence north $00^{\circ}01'49''$ east 519.97 feet along said centerline, to an intersection with the corner of a tract of land conveyed to Bethel Steel Corporation by deed recorded under Auditors File No. 7208280279;
Thence south $31^{\circ}26'59''$ east 411.54 feet along the easterly line of said tract to an intersection with the southwesterly line of a tract of land conveyed to Northern Pacific Railway Company by deed recorded under Auditor's File No. 6514579;
Thence south $42^{\circ}10'03''$ east 406.65 feet along said Block 434;
Thence south $00^{\circ}00'07''$ west 771.51 feet along said east line to the point of beginning.