

RESOLUTION NO. 3077

A RESOLUTION of the Port Commission of the Port of Seattle declaring certain property surplus and no longer needed for Port 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, R.C.W. 53.040.101, 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, Port Commission Resolution No. 3062 endorsed the agreement of the Seattle-Tacoma International Airport Noise Mediation Committee and authorized a limited program for enhanced Transaction Assistance for homeowners who live adjacent to Port acquisition areas; and

WHEREAS, the Port of Seattle acquired the property described below as part of the Transaction Assistance Program authorized by Resolution No. 3062; and

WHEREAS, said property is neither used nor needed for its intended purpose or other purposes of the Port,

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

Section 1. The following described real property legally described in Exhibit A, attached hereto, is no longer needed for Port of Seattle purposes and is declared surplus:

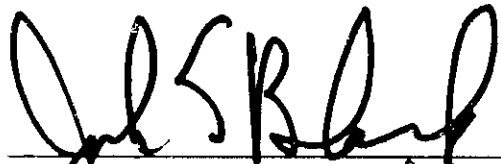
<u>Property Located at</u>	<u>Estimated Market Value</u>
13309 Des Moines Way So.	\$152,000
2245 So. 216th St.	\$120,000

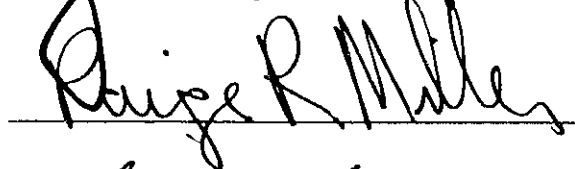
<u>Property Located at</u>	<u>Estimated Market Value</u>
21236 24th Ave. So.	\$111,000
2054 So. 136th St.	\$129,000
16765 12th Ave. So.	\$123,000

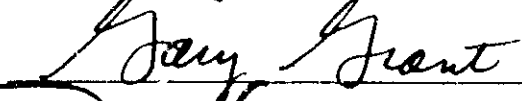
Section 2. In declaring the real property described in Exhibit A as no longer needed for Port of Seattle purposes, the Port requires and hereby expressly reserves in Port ownership an Aviation Easement over this real property for the safe and efficient operation of the Airport on the terms set forth on attached Exhibit B.

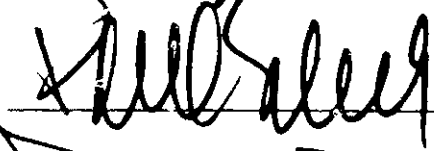
Section 3. The Director, Aviation Facilities and Maintenance is authorized to take all necessary steps to arrange for the sale of said property in the open market and to execute all documents and bills of sale necessary to accomplish disposal in accordance with state law.

ADOPTED BY THE Port Commission of the Port of Seattle this 9th day of April, 1991, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission duly affixed.











PORT COMMISSION

EXHIBIT A to Resolution No. 3077

- 13309 Des Moines Way S. THE NORTH 75 FEET OF THE SOUTH 255 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WEST OF DES MOINES HIGHWAY; EXCEPT THE WEST 175 FEET.
- 2245 So. 216th St. THE EAST HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WESTERLY OF WESTERLY LINE OF THE EASTERLY 30.00 FEET OF SAID SUBDIVISION; EXCEPT THE NORTHERLY 30.00 FEET THEREOF FOR ROAD; AND EXCEPT THE SOUTHERLY 154 FEET THEREOF; AND EXCEPT THE EASTERLY 215 FEET THEREOF.
- 21236 24th Ave. So. THE SOUTH 72.50 FEET OF THE NORTH 410.78 FEET OF THE WEST 168 FEET OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON; EXCEPT THE WEST 30 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD.
- 2054 So. 136th St. LOT 5, BLOCK D, J.F. ORD'S HOME TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 20 OF PLATS, PAGE 11, IN KING COUNTY, WASHINGTON.
- 16765 12th Ave. So. LOT 16, DeLAURO HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 61 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON.

EXHIBIT B to Resolution No 3077
AVIGATION EASEMENT

1. This AVIGATION EASEMENT is conveyed from the undersigned (hereafter "Grantor") to the Port of Seattle, a Washington State municipal corporation (hereafter "the Port").

2. Grantor(s) is the owner of land and improvements thereto located at _____ in the City of _____, County of _____, State of Washington, and described as follows:

LEGAL DESCRIPTION (with map attached, if possible)

(hereafter "Premises").

3. The Port is the proprietor of the Seattle-Tacoma International Airport.

4. Grantor, Grantor's heirs, executors, administrators, successors, and assigns, in consideration of TEN DOLLARS (\$10.00) and other VALUABLE CONSIDERATIONS, receipt and sufficiency of which is hereby acknowledged, conveys and warrants to the Port, its successors and assigns, a permanent and non-exclusive easement for the free and unobstructed use and passage of all types of aircraft (as hereinafter defined) through the airspace over or in the vicinity of the Premises, with such use and passage to be unlimited as to frequency, type of aircraft, and proximity. Said easement shall be appurtenant to and for the benefit of the real property now commonly known as Seattle-Tacoma International Airport ("Airport"), including any additions thereto wherever located, hereafter made by the Port or its successors and assigns and for the benefit of the Port, its successors, assigns, guests and invites, including any and all persons, firms, or corporations operating aircraft to or from the Airport. Said easement and burden, together with all things which may be alleged to be incident to or to result from the use and enjoyment of said easement, including, but not limited to, noise, vibrations, fumes, deposits of dust or other particulate matter (which are incidental to the normal operation of said aircraft), fear, interference with sleep and communication and any and all other things which may be alleged to be incident to or to result from flights of aircraft over or in the vicinity of the Premises or in landing at or taking off from the Airport, shall constitute permanent burdens on the Premises. The burdens and conditions described within this easement shall run with the land and be binding upon and enforceable against all successors in right, title, or interest to said real property. Grantor furthermore waives all damages and claims for damages caused or alleged to be caused by or incidental to such activities.

