

RESOLUTION NO. 2994

A RESOLUTION of the Port Commission of the Port of Seattle authorizing the Executive Director to execute on behalf of the Port Commission a Deed for Street Purposes to be conveyed to the City of Seattle in exchange for the vacation of 26th Avenue S.W. by the City of Seattle, and to take all further actions necessary to complete said transaction.

WHEREAS, the Port of Seattle ("Port") expressed its desire on February 9, 1982 and February 23, 1982 to unify its Terminal 5 site into a contiguous marine terminal; and

WHEREAS, it is anticipated the City of Seattle ("City") pursuant to the Port's petition, will, in the near future, vacate that portion of 26th Avenue S.W. between S.W. Florida Street and West Marginal Way S.W. at Terminal 5; and

WHEREAS, the City in exchange for the vacation has required, pursuant to R.C.W. Chapter 35.79 and Seattle Municipal Code Chapter 15.62, that the Port construct a new road to replace that portion of 26th Avenue S.W. to be vacated; and

WHEREAS, on February 9, 1982 the Port Commission authorized the initial actions necessary to accomplish the vacation and relocation of a portion of 26th Avenue S.W.; and

WHEREAS, the Port Commission authorized, by motions on February 8, 1983 and May 7, 1985, the construction of a new section of West Marginal Way S.W. on Port property in compliance with the City's requirement for a replacement for the portion of 26th Avenue S.W. to be vacated; and

WHEREAS, that portion of Port-owned property to be conveyed to the City for street purposes is surplus, inasmuch as said property will be available for use by the Port and its tenants as a public street and title to substitute property of the vacated portion of 26th Avenue S.W., will pass to the Port;

WHEREAS, the Port is authorized to convey the above-described Deed for Street Purposes pursuant to the Intergovernmental Disposition of Property statutes, R.C.W. 39.33.010 and .020, which provide inter alia, "...any municipality...may sell, transfer, exchange, lease, or otherwise dispose of any property, real or personal, or property rights...to the state or any municipality...on such terms and conditions as may be mutually agreed upon by the proper authorities of the...subdivisions concerned;" and

WHEREAS, in accordance with the requirements of R.C.W. 39.33.020 with regard to conveyance of surplus property to another governmental body, an official public hearing was held on May 13, 1986, after notice of such hearing was duly published as provided by law in the form attached as Exhibit A, on the question whether the Port should convey to the City the above described Deed for Street Purposes;

NOW, THEREFORE, BE IT RESOLVED, the Port Commission of the Port of Seattle, pursuant to the authority granted under Chapter 39.33 R.C.W., hereby authorizes the Executive Director and the Senior Director for Finance and Administration to execute, seal, and deliver a Deed for Street Purposes to the City of Seattle for the property as described in the notice attached as Exhibit A, in exchange for the vacation by the City of Seattle of the portion of 26th Avenue S.W., between S.W. Florida St., and West Marginal Way S.W., and to take all further actions necessary to complete the vacation of 26th Avenue S.W. and the conveyance of that portion of West Marginal Way S.W.

ADOPTED BY THE PORT COMMISSION of the Port of Seattle at a regular meeting held this 27<sup>th</sup> day of May, 1986, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

Paul Tuckler  
Jim Wright  
Pat Davis  
John B. ...  
Port Commissioners

## NOTICE OF PUBLIC HEARING

Pursuant to RCW 39.33 et seq., notice is hereby given that during the regular public meeting of the Port Commission of the Port of Seattle commencing at approximately 2 p. m., on Tuesday, May 13, 1986, at the public meeting room of the Port Commission at Pier 66 Bell Street Terminal, 2201 Alaskan Way S., Seattle, Washington, there will be a public hearing for the purpose of considering whether the Port of Seattle shall convey to the City of Seattle for street purposes only, the newly constructed portion of West Marginal Way S. W., between the 3400 block of West Marginal Way S. W. and Florida Street S. W., said real property being legally described as follows:

Real property in Seattle, King County, State of Washington:

Those portions of Lots 1, 2 and 39 thru 48, inclusive, Block 434, Lots 12 thru 25, inclusive, Block 433, Plat of Seattle Tide Lands, 28th Avenue Southwest, Southwest Lander Street and Southwest Florida Street, all as vacated by City of Seattle Ordinance 93905, and Southwest Hanford Street as vacated by City of Seattle Ordinance 94599, in the southwest quarter of Section 12 and northwest quarter of Section 13, Township 24 North, Range 3 East, W. M., Seattle, King County, Washington, described as follows:

Commencing at the northeast corner of said Block 434; Proceed S 01° 08' 55" W along the east line thereof a distance of 535.46 feet to the True Point of Beginning, said point being coincident with the northeasterly right of way line of the Burlington Northern, Inc. (formerly Northern Pacific) "West Seattle" railway line as conveyed under King County recorder's file number 308666; Thence northwesterly along said right of way line on a curve to the right with a radius of 940.366 feet, the initial radial of which bears N 47° 42' 16" E, an arc distance of 332.306 feet to a point of tangency; Thence N 22° 02' 54" W a distance of 925.83 feet to a point of curvature; Thence northerly on a curve to the right with a radius of 980.00 feet, through a central angle of 14° 24' 39", an arc distance of 246.49 feet to a point lying 34.00 feet west of, measured at right angles, the center line of said 28th Avenue; Thence N 01° 08' 55" E, parallel with the center line of said 28th Avenue, a distance of 1530.80 feet to the southerly margin of Southwest Florida Street; Thence N 77° 51' 08" E, along said margin a distance of 54.44 feet; Thence continuing along said margin S 88° 44' 20" E a distance of 15.52 feet; Thence S 01° 08' 55" W a distance of 1393.60 feet to a point of curvature; Thence southeasterly along a curve to the left with a radius of 900.00 feet, through a central angle of 23° 11' 49", an arc distance of 364.38 feet to a point of tangency; Thence S 22° 02' 54" E a distance of 925.83 feet to a point of curvature; Thence southeasterly along a curve to the left with a radius of 860.366 feet, through a central angle of 14° 17' 02", an arc distance of 214.49 feet to the east line of said Block 434; Thence S 01° 08' 55" W along said east line a distance of 123.11 feet to the True Point of Beginning.

Maps, plans and other data showing the above legally described real property and the proposed conveyance for street purposes are now on file at the Marine Terminals Department of the Port of Seattle at the said Bell Street Terminal.

Port of Seattle

**JAMES D. DWYER, Executive Director**

Exhibit A  
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