

RESOLUTION NO. 2931

A RESOLUTION of the Port Commission of the Port of Seattle providing for the amendment of Unit 18 of the Comprehensive Scheme of Harbor Improvements of the Port of Seattle applicable to Sea-Tac International Airport declaring certain property surplus, deleting said property from Unit 18 and providing for 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, RCW 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, the original Comprehensive Scheme of Harbor Improvements of the Port of Seattle 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 therein on March 5, 1912; and

WHEREAS, Unit 18 of the Comprehensive Scheme of Harbor Improvements on Sea-Tac International Airport ("the Airport") was heretofore adopted by the Port Commission of the Port of Seattle by Resolution No. 1194 and ratified by the qualified electors of the Port District at a special election held therein on November 5, 1946, which unit has been subsequently amended in the manner provided by law; and

WHEREAS, an official public hearing was held June 26, 1984 after notice of such hearing was duly published as provided by law on the question as to whether Unit 18 of the Port's Comprehensive Scheme applicable to the Airport should be further amended and modified to provide for deletion of the property described in Section 1 below; and

WHEREAS, the Port heard from all persons desiring to speak at said public hearing with regard to the proposed amendments to Unit 18, including without limitation the environmental aspects of the proposed amendment; and

WHEREAS, the members of the Port Commission at said public hearing viewed maps, plans, and other data indicating the property proposed to be deleted from Unit 18 of the Comprehensive Scheme, which maps, plans, and other data were and are now on file in the office of the Port Commission; and

WHEREAS, the members of the Port Commission have discussed and considered the proposed amendment to Unit 18 of the Comprehensive Scheme in light of all comments by members of the public at the public hearing.

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

Section 1. There is hereby deleted from Unit 18 of the Comprehensive Scheme and declared surplus the real property shown on Port Drawing No. PM-STIA-166 and attached hereto as Exhibit A. This real property which is no longer required by the Port for Airport purposes is legally described as follows:

That portion of the southwest quarter of the southwest quarter of Section 22, Township 23 North, Range 4, East, W.M., in King County, Washington, described as follows:

Beginning on the west line of said subdivision at a point which is 153.7 feet north of the northerly line of Greenwood County Road; thence north 40 feet; thence east 285.21 feet to the westerly line of State Road No. 1; thence southwesterly along said State Road line 126.57 feet thence west 183.45 feet; thence north 80 feet; thence west 60 feet to beginning.

Being portion of unplatted tract "G" as shown on the plat of Sunnysdale Gardens, Div. No. 1, according to the plat recorded in Volume 26 of Plats, page 50, in King County, Washington.

In deleting this real property from Unit 18 of the Comprehensive Scheme, the Port requires and hereby expressly reserves in the Comprehensive Scheme and in Port ownership an avigation easement over this real property for the safe and efficient operation of the Airport on the terms set forth on the attached Exhibit B.

Section 2. The real property legally described on Exhibit A but subject to the reserved avigation easement set forth on Exhibit B is hereby declared to be no longer needed for Port District purposes.

Section 3. The above described real property shown on Exhibit A shall be sold for not less than appraised fair market value as determined by an appraiser qualified by virtue of education and experience.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 10 th day of July, 1984, and duly authenticated in open session by the signatures of the Commissioners voting and the seal of the Commission.

*Henry T. Simpson*  
*Jack B. ...*  
*Paul ...*  
*Jim Wright*  
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COMMISSIONERS

**LEGAL DESCRIPTION**

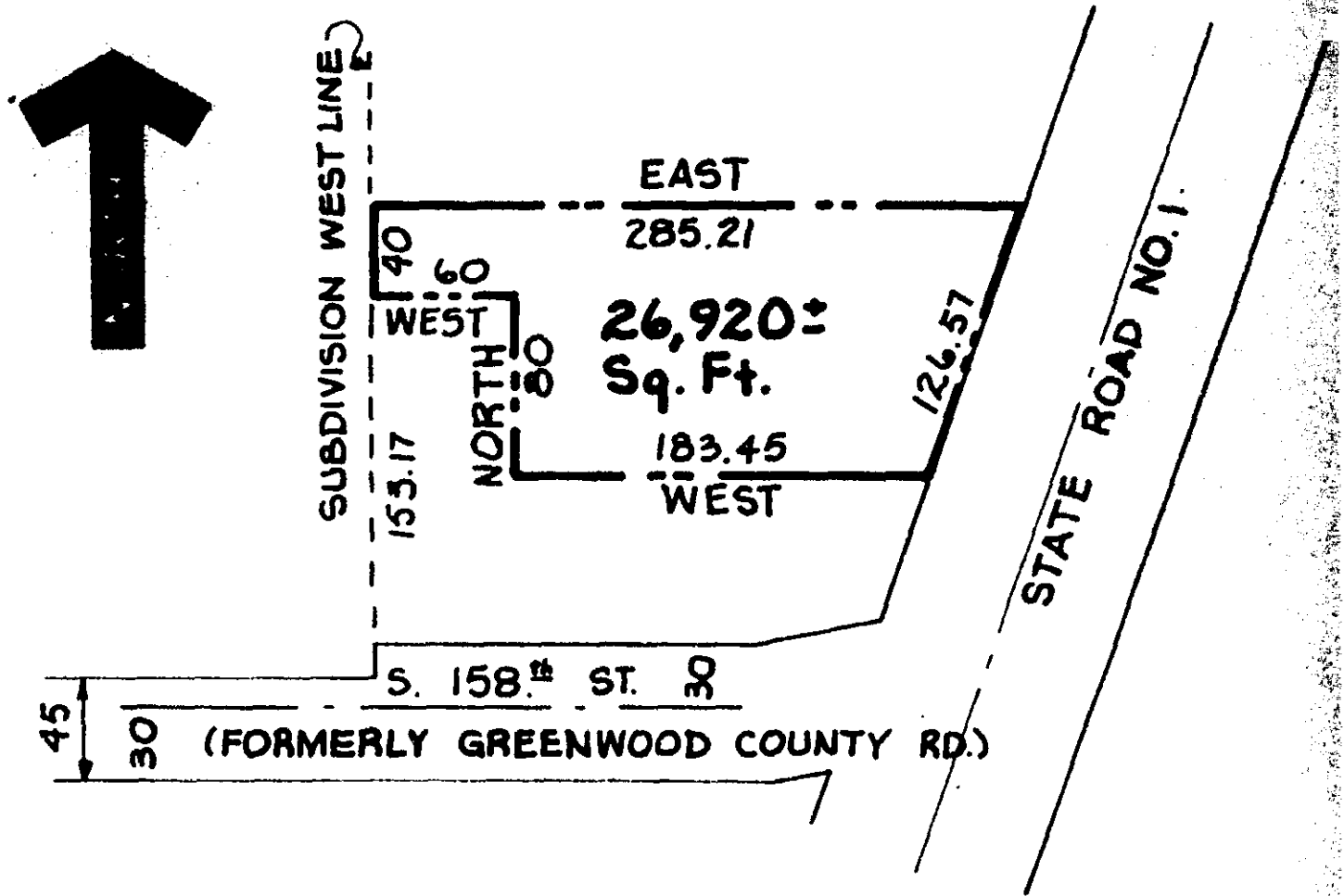
THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING ON THE WEST LINE OF SAID SUBDIVISION AT A POINT WHICH IS 153.17 FEET NORTH OF THE NORTHERLY LINE OF GREENWOOD COUNTY ROAD; THENCE NORTH 40 FEET; THENCE EAST 285.21 FEET TO THE WESTERLY LINE OF STATE ROAD NO. 1; THENCE SOUTHWESTERLY ALONG SAID STATE ROAD LINE 126.57 FEET; THENCE WEST 183.45 FEET; THENCE NORTH 80 FEET; THENCE WEST 60 FEET TO THE BEGINNING.

BEING PORTION TO UNPLATTED TRACT "G" AS SHOWN ON THE PLAT OF SUNNYDALE GARDENS DIV. NO. 1, ACCORDING TO THE PLAT RECORDED IN VOLUME 25 OF PLATS, PAGE 50 IN KING COUNTY, WASHINGTON.

SUBJECT TO: AN EASEMENT FOR SIDE SEWER AFFECTING THE PORTION OF SAID PREMISES STATED HEREIN AND CONTAINING A PROVISION FOR BEARING EQUAL COST OF MAINTENANCE, REPAIR OR RECONSTRUCTION OF SAID COMMON SEWER BY COMMON USERS, AS RECORDED JANUARY 31, 1958, AUDITOR'S NO. 4870608.

SW<sup>4</sup>, SW<sup>4</sup> SECT. 22, T23N, R4 E, WM.



NOTE: PROPERTY DESCRIPTION IS SAME AS RECORDED UNDER KING COUNTY RECORDER'S FILE NO. 6704852

**EXHIBIT A**

**PORT OF SEATTLE**



PROJECT ENGR <b>J. FISHER</b>	SCALE <b>1" = 100'</b>
DATE <b>6-14-84</b>	CHECKED BY
DRAWN BY <b>LKB</b>	APPROVED BY <i>[Signature]</i>

**SEA-TAC INTERNATIONAL AIRPORT  
RESOLUTION NO. 2931  
REAL PROPERTY SALE**

WORK ORDER NO. <b>D-5201</b>
CONSULTANTS NO.
PORT OF SEATTLE NO. <b>PM-STIA-1</b>

EXHIBIT B

TO RESOLUTION NO. 2931

AVIGATION EASEMENT

RESERVING TO GRANTOR, however, a permanent and exclusive easement for the free and unobstructed use and passage of all types of aircraft (as hereafter defined) through the airspace above a height of 900 feet, Port of Seattle Datum, over or in the vicinity of the real property conveyed hereby, with such use and passage to be unlimited as to frequency. Said easement shall be appurtenant to and for the benefit of the real property now commonly known as the Seattle-Tacoma International Airport, including any additions thereto hereafter made by Grantor or its successors, and for the benefit of Grantor, its successors, assigns, guests and invitees, including any and all persons, firms or corporations operating aircraft to or from the Seattle-Tacoma International Airport. Said easement and the burden thereof, together with all things which may be alleged to be incident to or to result from the use and enjoyment of said easement, including noise, vibrations, fumes, deposits of dust, fear, interference with sleep 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 real property conveyed hereby or in landing at or taking off from the Seattle-Tacoma International Airport, shall constitute permanent burdens and servient tenements on the real property conveyed hereby, and such burdens and tenements shall run with the land and be binding upon and enforceable against all successors in right, title or interest to said real property. As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, and shall include, but not be limited to, jet aircraft, propeller-driven aircraft, civil aircraft, military aircraft, commercial aircraft, helicopters, and all other types of aircraft or vehicles now in existence or hereafter developed for the purpose of transporting persons or property through the air.

AND FURTHER RESERVING for Grantor, its successors and assigns, including without limitation the Federal Aviation Agency, a prohibition against Grantee, its successors and assigns in connection with the above-described real estate during the life of this easement that they will not hereafter erect, permit the erection or growth of, or permit or suffer to remain upon said real estate any building, structure, tree or other object extending into the aforesaid prohibited air space, a height in excess of 550 feet, Port of Seattle Datum, and that they shall not hereafter use or permit or suffer the use of said real estate in such a manner as to create electrical interference with radio communication between any installation upon said Seattle-Tacoma International Airport and aircraft, or as to make it difficult for flyers to distinguish between airport lights and others, or as to impair visibility in the vicinity of the airport or as otherwise to endanger the landing, taking off or maneuvering of aircraft, it being understood and agreed that the aforesaid covenants and agreements shall run with the land.