

RESOLUTION NO. 2687

A RESOLUTION of the Port Commission of the Port of Seattle providing for the acquisition of an outstanding leasehold interest in premises owned by the Port.

WHEREAS, the original comprehensive scheme of harbor improvement of the Port of Seattle ("the Port") was fixed in Resolution No. 17 of the Port Commission and ratified by the qualified electors of the port district at a special election held therein on March 5, 1912; and

WHEREAS, said comprehensive scheme has been subsequently amended in the manner provided by law; and

WHEREAS, Unit 18 of the comprehensive scheme of harbor improvements for Sea-Tac International Airport (the "Airport") was heretofore adopted by the Port Commission of the Port 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, the Port subsequently acquired by deeds dated October 25, 1974 and November 29, 1974 fee title to premises situated within said Unit 18 as amended and legally described on Exhibit A hereto ("the Exhibit A Premises") subject to the following encumbrances:

(a) Lease dated December 28, 1971 (the "Lease") for a term expiring December 31, 1991 from Hyatt Corporation, a Delaware business corporation as lessor to ATZ Investments, a partnership ("Lessee") composed of ATZ Travel, Inc., an Alaska business corporation, and Oaksmith-Carlson, Inc., a Washington business corporation; and

(b) A Deed of Trust from Lessee, as grantor, to Security Title Insurance Company of Washington, as trustee, and for the benefit of Safeco Credit Company, Inc., as

beneficiary, dated May 10, 1972 and recorded May 12, 1972 under King County receiving no. 720512-0124; and

WHEREAS, the Port now has a need to acquire the immediate use and possession of the Exhibit A Premises in order to provide additional ancillary parking for Airport purposes and to provide other related Airport facilities; and

WHEREAS, the Port has the power under and by virtue of the Constitution and the laws of the State of Washington and particularly the laws of 1945 Chapter 182 and amendments thereto to acquire lands necessary in the development, ownership and operation of facilities for the Airport;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Port is hereby directed to acquire by negotiated purchase, and/or by eminent domain proceedings if necessary, all outstanding interests in the Exhibit A Premises not currently owned by the Port.

2. The acquisition of the above-described outstanding interests in the Exhibit A Premises not currently owned by the Port is for public uses and purposes as follows:

(a) To meet the present and reasonably foreseeable needs of the Port in the development, construction, and administration of facilities related to the operation of the Airport for ancillary parking and other Airport purposes;

(b) To serve the public convenience and necessity and preserve the peace, security and safety of the people residing within the jurisdiction of the Port of Seattle and of the State of Washington.

3. BE IT FURTHER RESOLVED that Bogle & Gates, attorneys for the Port, be and they are hereby authorized and directed to bring and prosecute actions and proceedings in the manner provided by law to condemn, take, damage and appropriate the Exhibit A Premises to the extent necessary to carry out the provisions of this Resolution.

ADOPTED by the Port Commission of the Port of
Seattle at a regular meeting thereof held this 26th day
of July, 1977, and duly authenticated in open session
by the signatures of the Commissioners voting in favor
thereof and the seal of the Commission.

[S E A L]

Jack B. Black
Paul H. Fredlund
Henry A. Kottina
Mark D. Bell
Henry T. Simonson

LEGAL DESCRIPTION

That portion of the West half of the Northeast quarter of the Northwest quarter of the Southeast quarter of Section 28, Township 23 North, Range 4 East, W.M., in King County, Washington; EXCEPT the following:

Commencing at the Southwest corner of said subdivision; thence North $1^{\circ}32'50''$ East along the West line of said subdivision 30.00 feet to the point of beginning on the North margin of South 170th Street, as conveyed to King County by deed recorded under King County Auditor's File No. 4638060; thence continuing North $1^{\circ}32'50''$ East along said West line 622.24 feet to the North line of said subdivision; thence South $89^{\circ}10'27''$ East along said North line 90.98 feet; thence South $1^{\circ}29'36''$ West 361.53 feet; thence South $88^{\circ}59'10''$ East 108.90 feet to the West line of the East 130.00 feet in width of said subdivision; thence South $1^{\circ}29'36''$ West along said West line 261.00 feet to the North margin of South 170th Street; thence North $88^{\circ}59'10''$ West along said street margin 200.45 feet to the point of beginning;

ALSO EXCEPT the South 30 feet thereof conveyed to King County for road by deed recorded under Auditor's File No. 4638060.

Situate in the County of King, State of Washington.