

RESOLUTION NO. 2646

A RESOLUTION of the Port Commission of the Port of Seattle accepting full responsibility for the possible loss of the taxiway constructed pursuant to the Grant Agreement covering ADAP Project 8-53-0062-06, dated May 14, 1974 between the Port of Seattle and the Federal Aviation Administration, United States of America.

WHEREAS, the Port of Seattle has heretofore adopted Resolution No. 2527, dated May 14, 1974, authorizing the execution of a Grant Agreement covering ADAP Project 8-53-0062-06; and

WHEREAS, the Port of Seattle has executed said Grant Agreement for certain development work at the Sea-Tac International Airport; and

WHEREAS, said development work has been completed; and

WHEREAS, said Grant Agreement contains Special Condition No. 13 as follows:

"It is understood and agreed that Sponsor does not presently own but is in the process of acquiring a 3.8+ acre tract of land on which a portion of taxiway included in this project is to be constructed. In view of this the parties hereto agree:

- "a. Construction will not begin on this project until Sponsor has submitted evidence satisfactory to the FAA that it has obtained a legal right to enter upon the above mentioned tract for the purpose of proceeding with construction provided, however, Sponsor may proceed earlier but shall have full responsibility, without Federal participation, for any costs incurred which are directly related to unlawful entry onto the premises.
- "b. The United States shall not be obligated to make any payments under this agreement until the Sponsor has submitted evidence that it has acquired a fee title or such lesser property interest as may be found satisfactory to the FAA in and to the above mentioned tract."; and

WHEREAS, the Port of Seattle has been unable to complete certain property transactions with the City of Seattle concerning the above referenced 3.8+ acre tract of land; and

WHEREAS, the Port of Seattle intends to continue its effort to finally resolve this matter:

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

1. That the Port of Seattle has the necessary legal and financial means to reconstruct the taxiway constructed as part of the above referenced ADAP Project on land presently owned by the Port of Seattle without Federal funds, and would construct said taxiway in a timely fashion to prevent financial loss to the users of the taxiway, due to the possible loss of the taxiway through failure to acquire the right to continue to operate and maintain the taxiway.

ADOPTED by the Port Commission of the Port of Seattle this 13th
day of July, 1976, and duly authenticated by the signatures of the Commissioners
voting in its favor and the seal of the Commission.

King T. Swanson
Carl B. ...
Paul ...
George ...
Merle D. ...