

RESOLUTION NO.138

A RESOLUTION of the Port Commission of the Port of Seattle providing for the purchase of certain property to form a portion of the East Waterway Improvement Number Two.

BE IT RESOLVED BY THE PORT COMMISSION OF THE PORT OF SEATTLE, as follows:

SECTION 1. That there be and is hereby purchased by the Port of Seattle from John T. Heffernan and Nellie G. Heffernan, his wife, the following described property situate in the County of King, State of Washington, and be a portion of the improvement known, as East Waterway Improvement Number Two, described as follows:

All of Block 375, Seattle Tide Lands, including all rights and interests of the said Heffernan and wife in and to the East Waterway and Canal Waterway adjoining said tract of land.

SECTION 2. That there be and is hereby purchased from The Heffernan Company, a corporation, the following described property situate in the County of King and State of Washington, being a part of the East Waterway Improvement Number Two, described as follows:

Lots one to seven inclusive and lots sixteen to twenty-two inclusive in block 386, and lots one to six inclusive and lots seventeen to twenty-two inclusive in block 376, all in the Map of Seattle Tide Lands; also all that vacated portion of Montana Street situate between lots seventeen to twenty-two in said block 386 and lots one to six in said block 376.

Also all that portion of lot one, section eighteen, township twenty-four north, range four east, W.M., described as follows: Beginning at a point on the west boundary line of block 376, Seattle Tide Lands, 240.034 feet south of the northwest corner of said block 376, said point being at the intersection of said west boundary of block 376 with the United States government meander line; thence along said meander line south $52^{\circ}19'42''$ east 238.851 feet to its intersection with the south boundary line of lot 6, of said block 376; thence west along the south boundary line produced of said lot 6, 289.06 feet to the east boundary line produced of block 386, Seattle Tide Lands; thence south along the east boundary line produced of block 386, 60.00 feet to an intersection

with the south boundary line, produced east of lot 16, of said block 386; thence west along said south boundary line produced of lot 16, 11.255 feet to an intersection with the United States government meander line; thence along said meander line north $39^{\circ}12'39''$ west 158.801 feet to an angle point; thence along said meander line north $16^{\circ}00'20''$ west 330.33 feet to an angle point; thence along said meander line south $52^{\circ}19'42''$ east 380.068 feet to the place of beginning.

SECTION 3. That the price at which all the property described in Section One and Two hereof is purchased is the sum of Four Hundred Forty Thousand Dollars (\$440,000) and that upon delivery of warranty deeds from John T. Heffernan and wife to the property described in Section One, and from The Heffernan Company to the property described in Section Two, running to the Port of Seattle, said sum be forthwith paid to the said John T. Heffernan; said payment to be made out of the fund in the hands of the County Treasurer of the County of King, State of Washington, known as the East Waterway Improvement Number Two Bond Fund, and that the President of the Port Commission be authorized to accept such deeds in behalf of the Port of Seattle and that the proper vouchers be drawn and proper warrants obtained to the order of said John T. Heffernan in order that the said Four Hundred Forty Thousand Dollars (\$440,000) may be paid to him out of said fund.

SECTION 4. That as a part of the consideration of said transaction the President of the Port Commission be and is hereby authorized to obtain and accept from the said John T. Heffernan and wife and The Heffernan Company their agreement in writing running to the Port of Seattle, conditioned that the grantors will promptly pay prior to delinquency all taxes and assessments which are now a lien upon said property (meaning to include assessments for or pursuant to all pending improvement proceedings) and including especially the assessment now in the course of levy by the Commercial Waterway District Number One of King County, or any substitute for it, and also that the said grantors will promptly pay upon demand to the Port of Seattle all sums of money which may be expended by the Port Commission of the Port of Seattle in defending the title to the said property against any claims asserted on

to be asserted to the same on the part of the Washington Dredging and Improvement Company or any one claiming under that company.

ADOPTED by the Port Commission of the Port of Seattle in open session this 5th day of September, 1913, and signed by its proper officers in open session in authentication of its passage on the same date.

Muchman

President of the Port Commission of the Port of Seattle.

D.K.

ATTEST:

C. E. Reuben

Secretary of the Port Commission of the Port of Seattle.

Compared
L.H.