

**PORT OF SEATTLE
RESOLUTION NO. 3802**

A RESOLUTION of the Port Commission of the Port of Seattle to amend Unit 18 of the Comprehensive Scheme of Harbor Improvements of the Port of Seattle by: (i) declaring certain real property surplus and no longer needed for Port district purposes; (ii) deleting said property from Unit 18 of the Comprehensive Scheme; and (iii) authorizing the Executive Director to take all necessary steps and execute all documents for the sale of such real property to Bridge Point Seatac 300, LLC.

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 53.04.010, 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 (the “Port”) 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 Port of Seattle Port Commission established the Port’s Comprehensive Scheme of Harbor Improvements in 1912 by adoption of Resolution No. 17; and

WHEREAS, on November 5, 1946, the Port Commission established Unit 18 of the Comprehensive Scheme by adoption of Resolution No. 1194, which unit has been subsequently amended as provided by law; and

WHEREAS, included within said Unit 18 is certain Port-owned real property located in the vicinity of 1410 South 200th Street, City of Seatac, King County, State of Washington (portions of Parcel Nos. 7686200620, 7686200560, 7686200980 and 7686201520) (the “Remnant Property”) together with certain street right of way areas adjacent thereto (the “Right of Way Areas”), as legally described on attached Exhibit A (collectively, the “Property”); and

WHEREAS, the Port retained ownership of the Remnant Properties following a 2009 sale of other Port property to the Washington State Department of Transportation in connection with its planned Highway 509 extension project; and

WHEREAS, Bridge Point Seatac 300, LLC (“Bridge Point”) owns certain real estate adjacent to the Property and is preparing to commence construction of two distribution and warehouse buildings on its development site property; and

WHEREAS, Bridge Point brought a quiet title action in King County Superior Court (the “Court”), naming the Port as a defendant, for the purpose of disputing and quieting title to Right of Way Areas (the “Quiet Title Action”); and

WHEREAS, the Port and Bridge Point have discussed resolving the Quiet Title Action by entering into a transaction under which Bridge Point will purchase from the Port, for appraised fair market value, the Property, including the Port’s interest in the disputed Right of Way Areas which are the subject of the Quiet Title Action (the “Proposed Sale Transaction”); and

WHEREAS, in connection with the Proposed Sale Transaction, the Port and Bridge are currently negotiating to finalize a purchase and sale agreement, pursuant to which Bridge Point would purchase the Property for appraised fair market value, and would also grant the Port avigation easements on Bridge Point’s development site property, contingent upon the parties obtaining a stipulated order of judgment from the Court to (i) legally establish Bridge Point and

the Port's respective ownership of portions of the Right of Way Areas and (ii) resolve the Quiet Title Action (the "Purchase and Sale Agreement"); and

WHEREAS, a resolution declaring the Property surplus to port district needs and no longer needed for port district purposes is a prerequisite to sale of the Property to Bridge Point; and

WHEREAS, an official public hearing was held May 24, 2022, after notice of such hearing was duly published as provided by law, to consider whether the Property should be declared no longer needed for port district purposes and surplus to port district needs and the proposed sale of the Property to Bridge Point; and

WHEREAS, the maps and other data regarding the Property are on file at the offices of the Port's Aviation Properties Division; and

WHEREAS, the Port of Seattle Commission has heard from all persons desiring to speak at the public hearing regarding the proposed surplusing of the Property and sale of the Property to Bridge Point; and

WHEREAS, the members of the Port of Seattle Commission have considered the proposed surplusing of the Property, the proposed sale of the Property to Bridge Point, and any comments by members of the public attending the public hearing.

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

Section 1. The Property, described on Exhibit A attached to this Resolution, which is part of Unit 18 of the Comprehensive Scheme, is hereby declared surplus to Port of Seattle needs and no longer needed for Port purposes and deleted from Unit 18 of the Comprehensive Scheme.

Section 2. The Executive Director, or his designee, is authorized to finalize negotiation, prepare and execute all necessary documents, including the Purchase and Sale Agreement, for the Port to sell the Property to Bridge Point for appraised fair market value.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting thereof, held this 24th day of May, 2022, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

Ryan Calkins



Fred Felleman

Toshiko Hasegawa



Port Commissioners

**EXHIBIT A
TO
RESOLUTION NO. 3802**

Legal Description of Property

THOSE PORTIONS OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF SECTION 05, TOWNSHIP 22 NORTH, RANGE 04 EAST, W.M., KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BLOCKS 14 AND 15, SEELEY'S ADDITION TO THE CITY OF DES MOINES "VACATED", ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 59, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THE EAST HALF OF ALLEY LYING WEST OF THE SOUTH 50 FEET AND THE SOUTH 50 FEET OF THE NORTH 150 FEET OF SAID BLOCK 15, VACATED BY ORDER ENTERED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 85-2-07561-7, RECORDED UNDER RECORDING NUMBER 8508150435 AND ATTACHING THERETO BY OPERATION OF LAW;

AND TOGETHER WITH 14TH AVENUE SOUTH, ADJOINING SAID BLOCKS 14 AND 15, VACATED BY CITY OF SEATAC ORDINANCE NUMBERS 98-1044 AND 96-1011, RECORDED UNDER RECORDING NUMBERS 9904151321 AND 20060614001524, AND ATTACHING THERETO BY OPERATION OF LAW;

AND TOGETHER WITH THE NORTH HALF OF SOUTH 198TH ADJOINING SAID BLOCKS 14 AND 15, VACATED BY ORDER ENTERED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 85-2-07561-7, RECORDED UNDER RECORDING NUMBER 8508150435 AND VACATED BY CITY OF SEATAC ORDINANCE NUMBER 96-1011, RECORDED UNDER RECORDING NUMBER 20060614001524, AND ATTACHING THERETO BY OPERATION OF LAW.

EXCEPTING THAT PORTION DESCRIBED IN QUIT CLAIM DEED RECORDED UNDER RECORDING NUMBER 20090807001592.

BLOCKS 22 AND 32, SEELEY'S ADDITION TO THE CITY OF DES MOINES
"VACATED", ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF
PLATS, PAGE 59, IN KING COUNTY, WASHINGTON;

TOGETHER WITH EAST HALF OF 15TH AVENUE SOUTH, ADJOINING SAID BLOCKS
22 AND 32, VACATED BY CITY OF SEATAC ORDINANCE NUMBER 96-1011,
RECORDED UNDER RECORDING NUMBER 20060614001524, AND ATTACHING
THERE TO BY OPERATION OF LAW;

AND TOGETHER WITH SOUTH 199TH STREET, ADJOINING SAID BLOCKS 22 AND 32,
VACATED BY CITY OF SEATAC ORDINANCE NUMBERS 98-1044 AND 96-1011,
RECORDED UNDER RECORDING NUMBERS 9904151321 AND 20060614001524, AND
ATTACHING THERETO BY OPERATION OF LAW;

AND TOGETHER WITH THE WEST HALF OF ALLEY, ADJOINING SAID BLOCKS 32,
VACATED BY CITY OF SEATAC ORDINANCE NUMBER 98-1044, RECORDED UNDER
RECORDING NUMBER 990415321, AND ATTACHING THERETO BY OPERATION OF
LAW;

EXCEPTING THAT PORTION DESCRIBED IN QUIT CLAIM DEED RECORDED UNDER
RECORDING NUMBER 20090807001592.