

**RESOLUTION NO. 3033**

A RESOLUTION of the Port Commission of the Port of Seattle amending Unit 20 of the Comprehensive Scheme of Harbor improvements of the Port of Seattle declaring certain real property within the Lower Duwamish Industrial Development District surplus and no longer needed for Port District purposes; and authorizing the Executive Director to execute a deed of such property to be conveyed to Ash Grove Cement West, Inc. in exchange for certain other property, and to take all further actions necessary to complete said transaction.

WHEREAS, the Port of Seattle ("Port") desires to enter into an exchange of certain property with Ash Grove Cement West, Inc. and the property to be conveyed by the Port to Ash Grove Cement West, Inc. must first be declared as surplus and no longer needed for Port purposes; and

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 Title 53, 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 directors of the Port District at a special election held therein on March 5, 1912; and

WHEREAS, Unit 20 of the Comprehensive Scheme of Harbor Improvements has been amended from time to time in a manner provided by law, and

WHEREAS, an official public hearing was held August 9, 1988, after notice of such hearing was duly published as provided by law in the form attached as Exhibit "A", on the question whether said Unit 20 should be modified by declaring certain property as surplus and no longer needed for port district purposes and should be sold; and

WHEREAS, the Port has heard from all persons desiring to speak at said public hearing with regard to the proposed modification to Unit 20 and the advisability of selling the property, including without limitations the environmental aspects of such amendment; and

WHEREAS, the members of the Port Commission at said public hearing viewed plans and specifications and considered other information indicating whether such property within Unit 20 should be declared surplus and no longer needed for port district purposes, 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 modification to Unit 20 of the Comprehensive Scheme and the advisability of the sale of such property 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. That the real property, located within the Lower Duwamish Industrial Development District, which is comprised of approximately 13,842 square feet (comprised of 6,577 square feet of uplands and 7,265 square feet of submerged lands), and legally described as follows:

Those portions of lots 3, 4, and 46, Calhoun, Denny & Ewing's replat of block 388, Seattle tide lands described as follows: beginning at a point on the north line of said lot 46 distant 34.35 feet west from the east line thereof as established by said replat; proceed west along said north line and as produced west a distance of 330.25 feet to the east line of the east waterway; thence south 8°23'41" west along said east line a distance of 62.50 feet to a point distant 1.83 feet south of the north line of said lot 4, measured at right angles therefrom, thence east parallel to said north line a distance of 117.50 feet; thence north 74°25'42" east a distance of 230.33 feet to the point of beginning.

All bearings are per plat of Seattle tide lands.

be declared as not needed for Port District purposes and surplus, and should be sold.

Section 2. That the Executive Director be authorized to execute a deed to Ash Grove Cement West, Inc. for the property described above.

Section 3. That the Executive Director be authorized to accept delivery of a deed from Ash Grove Cement West, Inc. for the real property comprised of approximately 9,335 square feet of uplands, and legally described as follows:

Those portions of lots 19 and 20, block 379, Seattle tide lands and the north half of vacated South Dakota street described as follows:

Beginning at the intersection of the center line of vacated south dakota street and the west margin of west marginal way south as established by being the westerly line of that certain parcel of real property conveyed to the state of washington under recorder file no. 4861150, records of king county, for state highway no. 1; proceed north 6°36'17" west along said west margin a distance of 151.51 feet; thence south 26°23'23" west a distance of 42.97 feet; thence north 63°36'37" west a distance of 3.50 feet to the southeasterly edge of a concrete wall footing; thence along said footing edge and edge of concrete entry the following four courses and distances, south 26°23'23" west 30.73 feet, south 39°39'56" west 56.82 feet, south 56°31'11" west 55.36 feet and south 72°52'08" west 39.93 feet to an intersection with the center line of said dakota street; thence east along said center line a distance of 173.92 feet to the point of beginning.

All bearings are per plat of Seattle tide lands.

Section 4. That the Executive Director be authorized to take such action as is necessary to complete the exchange transaction.

Section 5. That the Comprehensive Scheme of Harbor Improvements, upon completion of the aforementioned exchange, be deemed amended to reflect such transaction.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 23rd day of August, 1988 and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

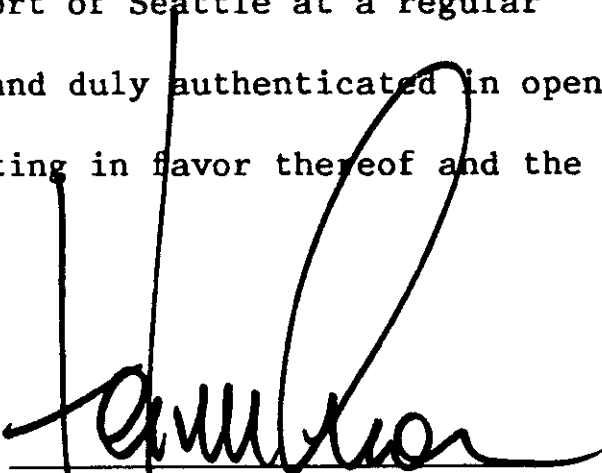
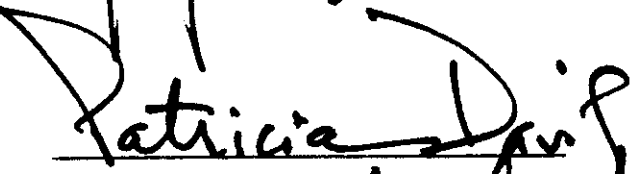

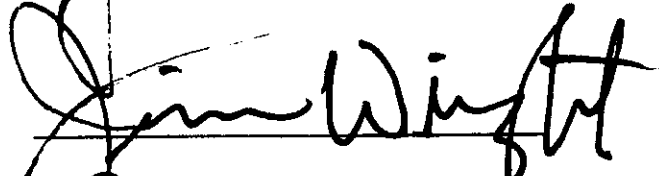

  
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Port Commissioners

EXHIBIT A

Notice of Public Hearing to Resolution No. 3033

**PUBLIC NOTICE**  
**Port of Seattle**

**NOTICE OF  
PUBLIC HEARING**

Pursuant to RCW 53.20.010 and RCW 53.25.120, NOTICE IS HEREBY GIVEN that during the regular public meeting of the Port Commission of the Port of Seattle commencing at approximately 1:00 p. m. on Tuesday, August 9, 1988, at the public meeting room of the Port Commission at the Pier 66 Bell Street Terminal, 2201 Alaskan Way S., Seattle, Washington, there will be a public hearing for the purpose of considering whether to modify the comprehensive scheme of the Port of Seattle by declaring that certain property is no longer needed for Port district purposes and to declare such property as surplus and to determine the advisability of the sale of such property. The property is in Unit 20 of the Comprehensive Scheme of Harbor Improvements containing 13,842 square feet and being legally described as follows:

Those portions of lots 3, 4, and 46, Calhoun, Denny & Ewing's replat of block 388, Seattle tide lands described as follows: beginning at a point on the north line of said lot 46 distant 34.35 feet west from the east line thereof as established by said replat; proceed west along said north line and as produced west a distance of 330.25 feet to the east line of the east waterway; thence south 8° 23' 41" west along said east line a distance of 62.50 feet to a point distant 1.83 feet south of the north line of said lot 4, measured at right angles therefrom, thence east parallel to said north line a distance of 117.50 feet; thence north 74° 25' 42" east a distance of 230.33 feet to the point of beginning.

all bearings are per plat of Seattle tide lands.

Maps, plans and other data showing the real property proposed to be declared surplus and no longer needed for Port district purposes and to be sold are now on file at the offices of the Real Estate Department of the Port of Seattle at the said Bell Street Terminal. Such maps, plans and other data will be available at said hearing and at said hearing the Port Commission will hear from all persons desiring to speak with regard to the adoption or rejection of an appropriate Resolution modifying the Port's existing Comprehensive Scheme by declaring such above-described real property as surplus and no longer needed for Port district purposes, and authorizing the sale thereof.

Dated July 13, 1988.  
PORT OF SEATTLE,  
JAMES D. DWYER,  
Executive Director.

Dates of publication in the Seattle Daily Journal of Commerce, July 15 and 22, 1988.

(7472-M)