

RESOLUTION NO. 2731

A RESOLUTION of the Port Commission of the Port of Seattle providing for the amendment of Unit 18 of the existing Comprehensive Scheme of Harbor Improvements of the Port of Seattle applicable to Seattle International Airport to provide for certain real property additions, acquisitions, deletions, and disposals incident to the operation of the Airport and adjacent City of Seattle water system and reservoir.

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 53.040.101, 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 Improvement of the Port of Seattle was fixed in Resolution No. 17 of the Port Commission and was ratified by the qualified electors of the Port District at a special election held therein on March 5, 1912; and

WHEREAS, Unit 18 of the Comprehensive Scheme of Harbor Improvements on Seattle International Airport ("the Airport") was heretofore adopted by the Port Commission of the Port of Seattle 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 City of Seattle owns and operates a six-million gallon water supply reservoir (hereinafter the "Bow Lake Reservoir") in a location now required by the Port for Airport purposes and current and foreseeable demand requires an enlargement of the reservoir facilities adjacent to the Airport; and

WHEREAS, the City has informed the Port that an appropriate twenty-million gallon replacement reservoir (hereinafter the "Riverton Heights Reservoir") could be constructed by the City on real property currently owned by the Port but not required for Airport purposes; and

WHEREAS, the City has requested that its current and future use of underground water pipelines in connection with the two reservoirs be confirmed by formal and perpetual easement rights to use Port-owned real property; and

WHEREAS, the Port wishes to add additional real property to Unit 18 of the Comprehensive Scheme and to acquire it in due course incident to the Extended Clear Zone Acquisition Project; and

WHEREAS, official public hearings were held on March 28, 1978 and April 11, 1978 after notices of such hearings were duly published as provided by law on the questions as to whether Unit 18 of the Port's Comprehensive Scheme applicable to the Airport should be further amended and modified to provide for the foregoing additions and deletions; and

WHEREAS, the Port heard from all persons desiring to speak at said public hearings with regard to the proposed amendments to Unit 18, including without limitation the environmental aspects of the proposed amendments; and

WHEREAS, the members of the Port Commission at said public hearings viewed maps, plans, and other data indicating the properties proposed to be added to and deleted from Unit 18 of the Comprehensive Scheme, and the water

pipeline easement interests proposed to be deleted from Unit 18, 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 amendments to Unit 18 of the Comprehensive Scheme in light of all comments by members of the public at the public hearings,

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

Section 1. There is hereby deleted from Unit 18 of the Comprehensive Scheme and declared surplus the real property shown and legally described on Port Drawing No. PM-STIA-82 dated March, 1978 and attached hereto as Exhibit A. This real property is no longer required by the Port for Airport purposes, except as indicated below, and is required by the City of Seattle for the construction by the City of Seattle for the construction by the City of the proposed new twenty-million gallon Riverton Heights Reservoir. The construction of this reservoir as a replacement for the six-million gallon Bow Lake Reservoir is hereby determined to be advantageous to the Port. In deleting this real property from Unit 18 of the Comprehensive Scheme, the Port requires and hereby expressly reserves in the Comprehensive Scheme and in Port ownership an avigation easement over this real property for the safe and efficient operation of the Airport on the terms set forth on attached Exhibit A-1.

Section 2. The real property legally described on Exhibit A but subject to the reserved avigation easement set forth on Exhibit A-1 is hereby declared to be no longer needed for Port District purposes.

Section 3. The real property shown and legally described on Port Drawing No. PM-STIA-82.1 dated March, 1978 and attached hereto as Exhibit B is hereby added to Unit 18.

of the Port's Comprehensive Scheme. This property is currently the site of the Bow Lake Reservoir and is required by the Port for current and anticipated Airport purposes.

Section 4. The following described real property is hereby added to Unit 18 of the Comprehensive Scheme as its acquisition is necessary for the implementation of the Extended Clear Zone Acquisition Project:

A subparcel (Z-212a) of real property legally described as follows:

The south half of the south half of the northwest quarter of the southeast quarter of the southwest quarter of Section 4, Township 22 North, Range 4 East, W.M., in King County Washington, EXCEPT the West 395 feet thereof

Being a portion of Lot 13, Parkhurst, according to the unrecorded plat thereof.

And shown in yellow on Port of Seattle Drawing No. STIA 7318-C-1 Revision "B" dated March 16, 1978 originally attached as Exhibit B to Resolution 2516 and attached hereto as Exhibit C to this Resolution 2731.

Section 5. The Port is hereby authorized to acquire the above described real property shown on Exhibit C, by eminent domain proceedings if necessary.

Section 6. As the Federal Aviation Agency has declared the proposed construction of the Riverton Heights Reservoir as a replacement for the Bow Lake Reservoir to be eligible for federal funding as an Airport Development Aid Project, the Port is hereby authorized and directed to take all necessary and appropriate actions to apply for such funding in cooperation with the City of Seattle incident to the proposed construction of the new reservoir.

Section 7. The underground water pipeline easement rights, together with ancillary surface rights of access for maintenance and installation, shown on Port Drawing No. PM-STIA-116 attached as Exhibit D and set forth and legally described on attached Exhibit E, are hereby deleted from

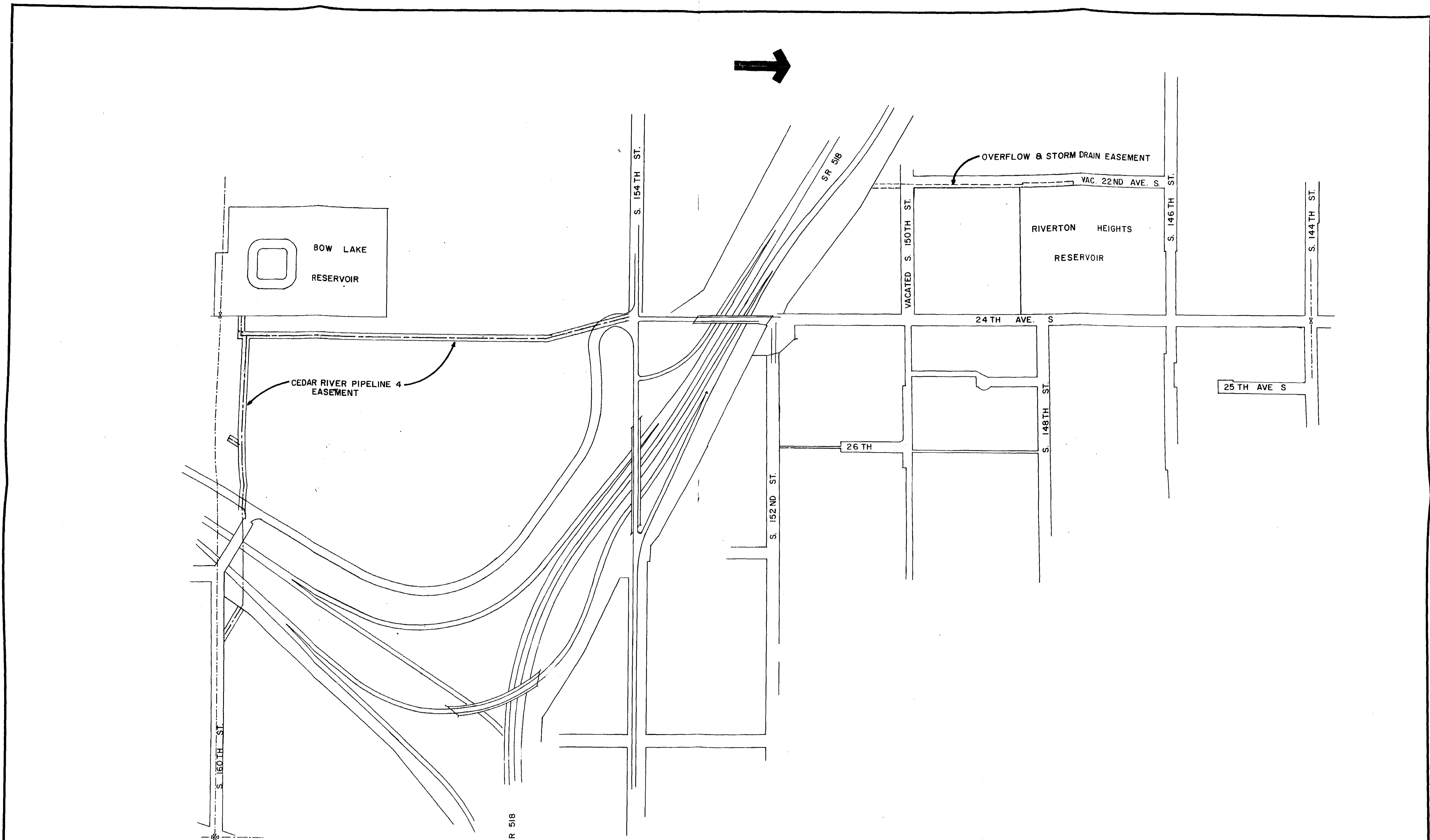
Unit 18 of the Comprehensive Scheme of Harbor Improvements and declared to be surplus and no longer needed for Port District purposes, subject to the following reservations:

(a) The foregoing deletion and declarations are for the purpose of a grant of such easement rights to the City of Seattle on a perpetual but nonexclusive basis. The Port expressly reserves within Unit 18 and Port ownership rights for itself and for its lessees, designees, and assigns to use any and all of the easement premises for underground pipelines and wiring in manners consistent and noninterfering with the use by the City of Seattle.

(b) The Port expressly reserves within Unit 18 and Port ownership all other interests in the premises described on Exhibit D and shown on Exhibit E. Only the foregoing nonexclusive easement rights are here deleted from Unit 18 and declared to be surplus and no longer needed for Port District purposes.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 11th day of April, 1978, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

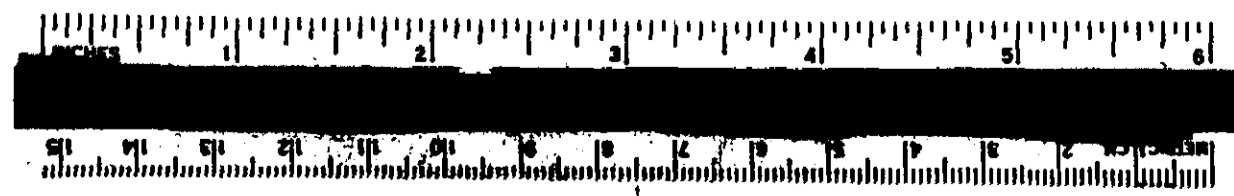
COMMISSIONERS

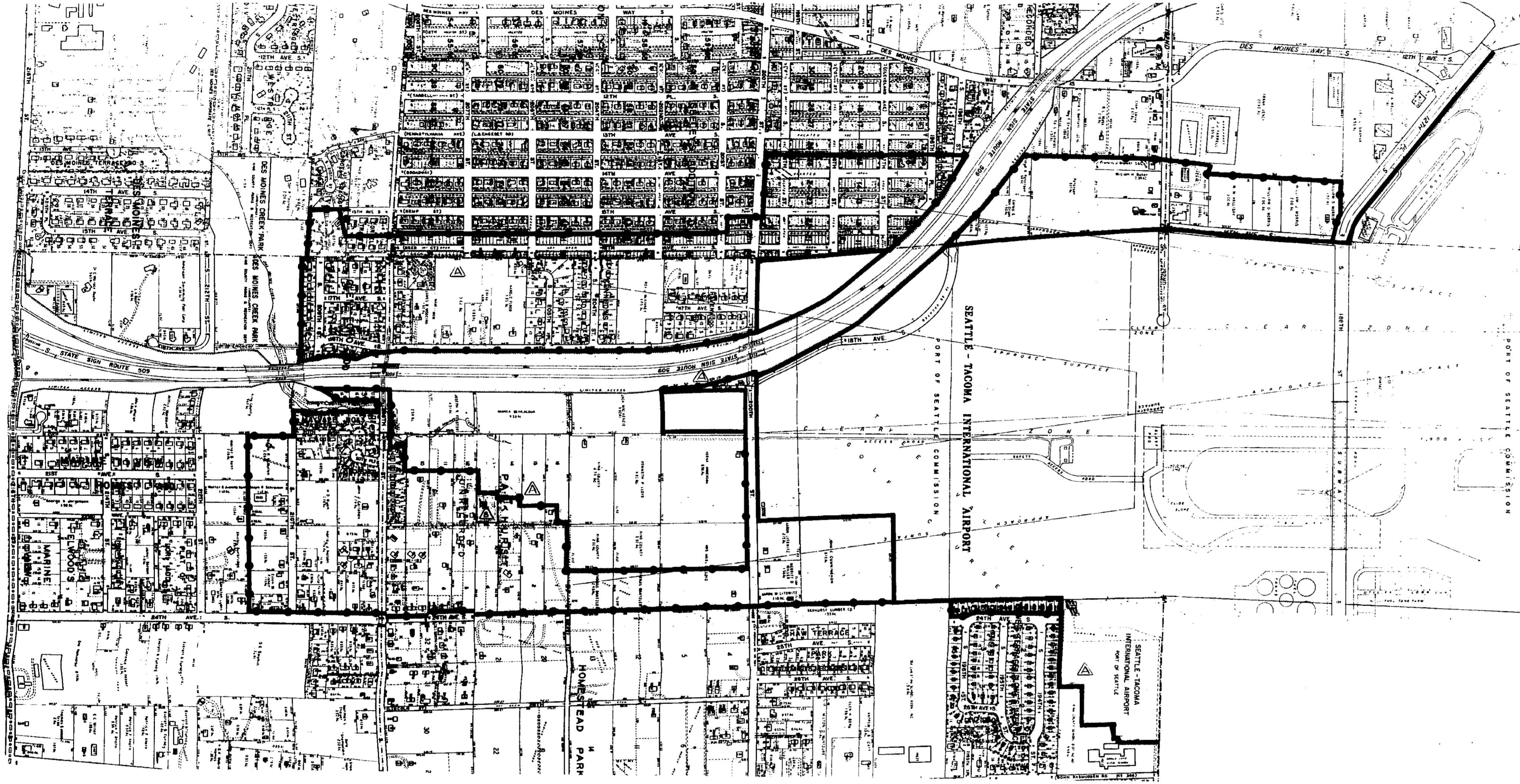


- NOTES
1. SEE ALSO DWG NO. PM-STIA-82.1 EXHIBIT "A" AND PM-STIA-821, EXHIBIT "B"
 2. SEE EXHIBIT "E" FOR EASEMENT DESCRIPTIONS

EXHIBIT 'D'
PIPE LINE EASEMENTS

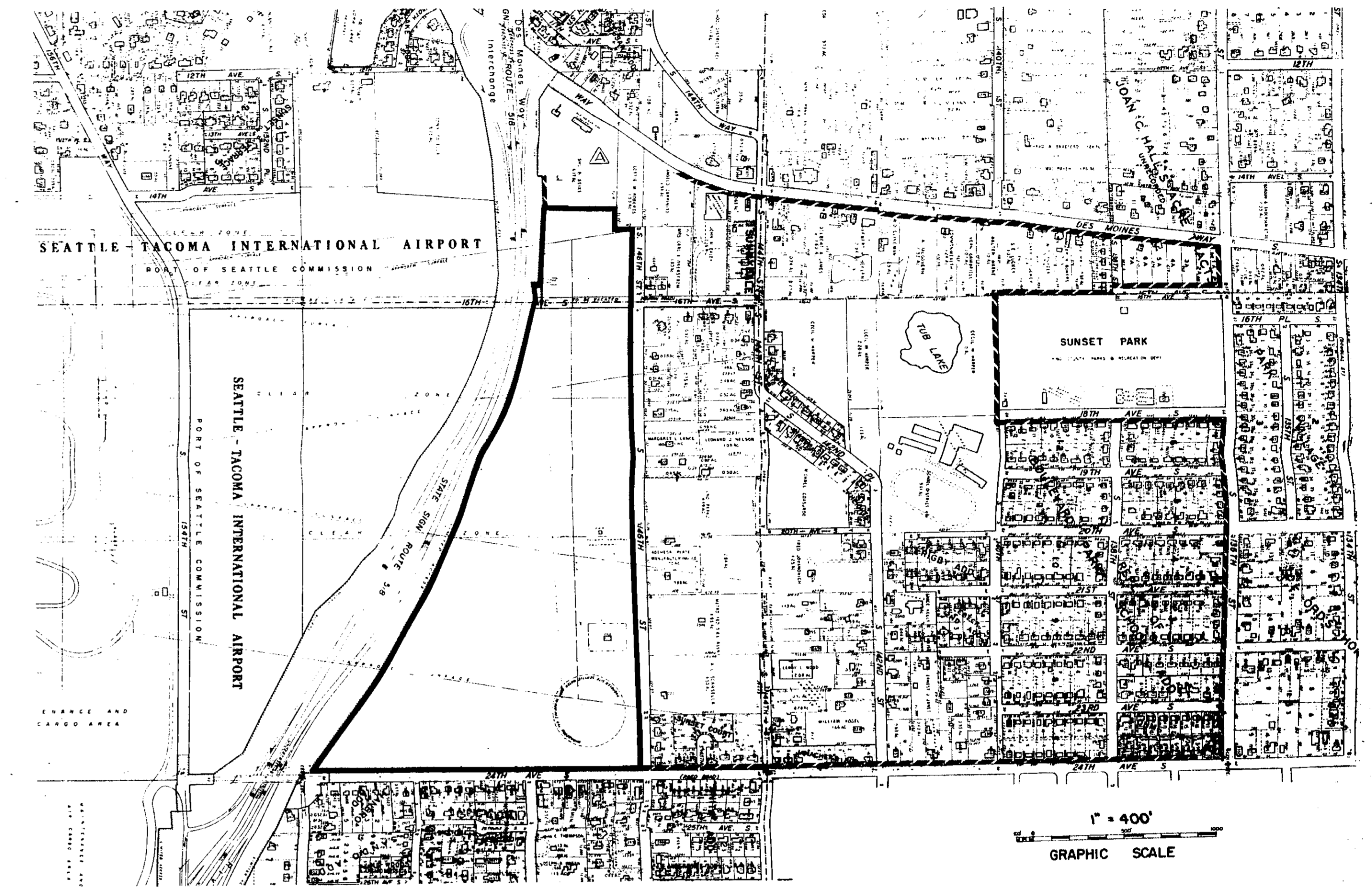
PROJECT ENGR./ARCH.		DESIGNER:		SCALE: 1" = 200'		SEA-TAC INTERNATIONAL AIRPORT		WORK ORDER NO.	
DRAWN BY:		DATE: 4-10-78		DRAWN BY: J. BOYD		RESOLUTION 2731		CONSULTANT'S NO.	
SCALE:		CHECKED BY:		APPROVED BY: <i>[Signature]</i>		AMENDING UNIT NO. 18		PORT OF SEATTLE NO.	
DATE:						COMPREHENSIVE SCHEME		PM-STIA-116	
CHECKED BY:									





PARCEL 31

NOTE:
 REVISION "B" SHOWN ABOVE IS PARCEL Z-212A ADDED TO THE
 COMPREHENSIVE SCHEME PER RESOLUTION No. 2731.
 THIS DRAWING IS EXHIBIT "C" TO SAID RESOLUTION No. 2731.



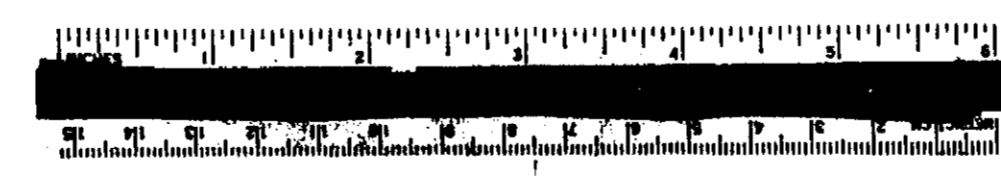
PARCEL 30

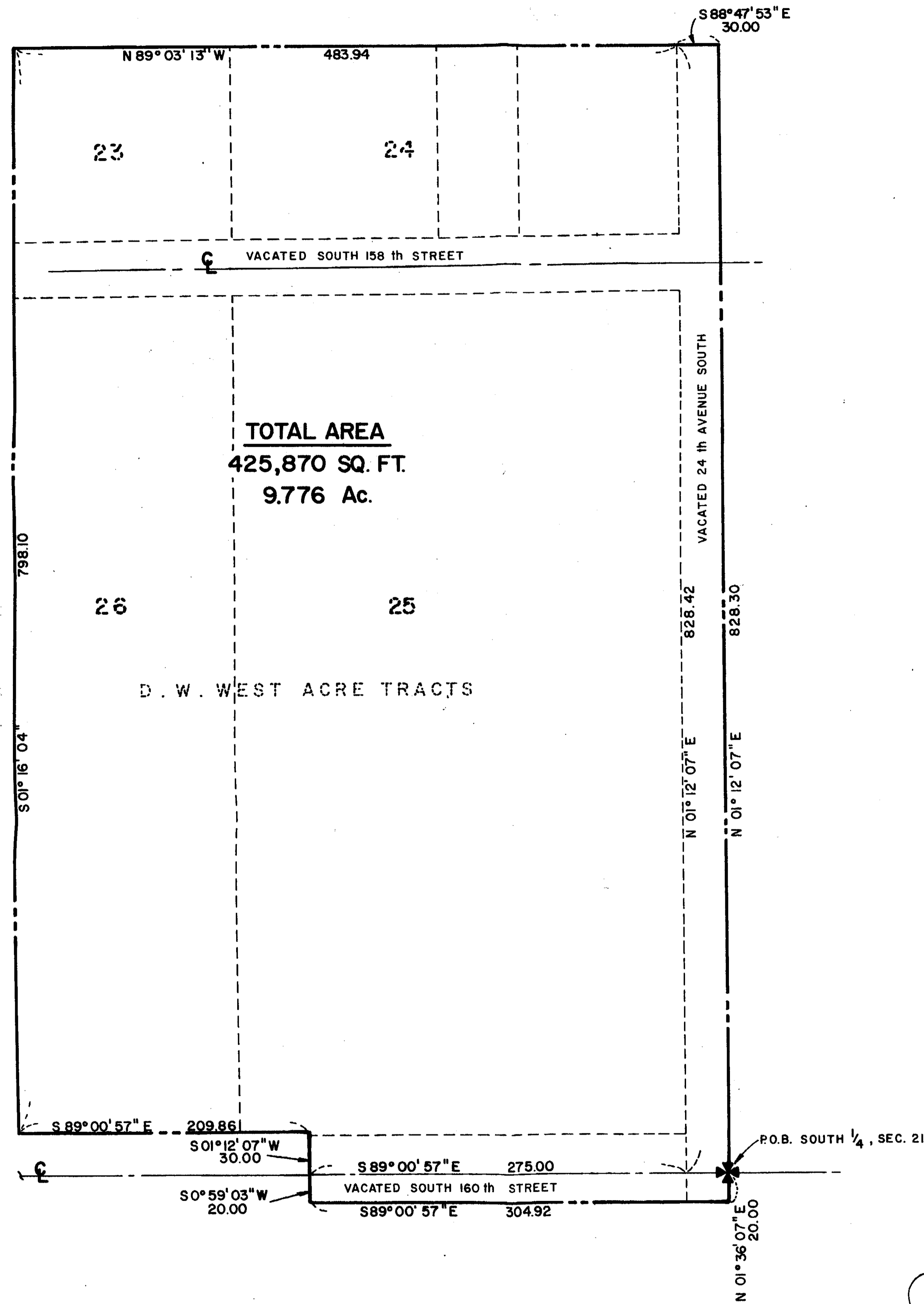
LEGEND

- EXISTING PORT OF SEATTLE PROPERTY.
- PROPOSED PROPERTY TO BE ACQUIRED UNDER PARCEL 30.
- PROPOSED PROPERTY TO BE ACQUIRED UNDER PARCEL 31.

EXHIBIT "C"

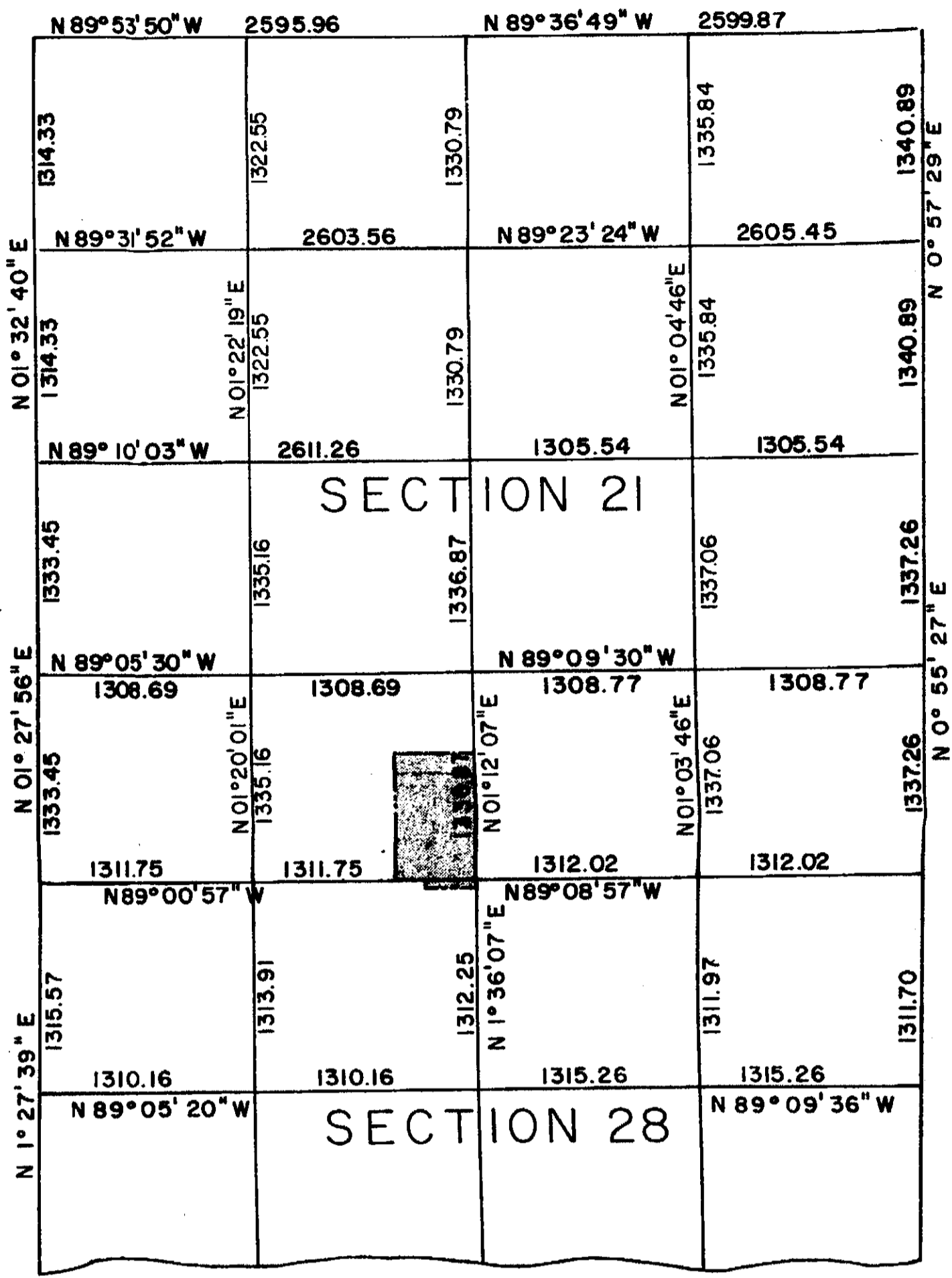
DESIGN ENGINEER: DESIGNER: DRAWN BY: SCALE: DATE: CHECKED BY:		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> <th>APP'D.</th> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> <th>APP'D.</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>25 JUL 73</td> <td>ALJ</td> <td>REVISED RESOLUTION NO. 2497</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>B</td> <td>31 MAR 74</td> <td>DMF</td> <td>ADD Z-212 A TO PARCEL 31</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	NO.	DATE	BY	DESCRIPTION	APP'D.	NO.	DATE	BY	DESCRIPTION	APP'D.	A	25 JUL 73	ALJ	REVISED RESOLUTION NO. 2497							B	31 MAR 74	DMF	ADD Z-212 A TO PARCEL 31							<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"> </td> <td style="width: 50%; vertical-align: top;"> DESIGNER: <i>Vernon L. Johnson</i> DATE: 0-9-73 DRAWN BY: CHECKED BY: APPROVED BY: <i>Vernon L. Johnson</i> </td> <td style="width: 45%; text-align: center;"> PORT OF SEATTLE SEATTLE-TACOMA INTERNATIONAL AIRPORT RESOLUTION NO. 2516 AMENDING UNIT NO. 18 OF THE PORT OF SEATTLE COMPREHENSIVE SCHEME </td> <td style="width: 10%; vertical-align: top;"> WORK ORDER NO. G-2032 CONSULTANT'S NO. PORT OF SEATTLE NO. STIA-7318-C-1 </td> </tr> </table>		DESIGNER: <i>Vernon L. Johnson</i> DATE: 0-9-73 DRAWN BY: CHECKED BY: APPROVED BY: <i>Vernon L. Johnson</i>	PORT OF SEATTLE SEATTLE-TACOMA INTERNATIONAL AIRPORT RESOLUTION NO. 2516 AMENDING UNIT NO. 18 OF THE PORT OF SEATTLE COMPREHENSIVE SCHEME	WORK ORDER NO. G-2032 CONSULTANT'S NO. PORT OF SEATTLE NO. STIA-7318-C-1
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TOTAL AREA
425,870 SQ. FT.
9.776 Ac.

D.W. WEST ACRE TRACTS



TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M.
NO SCALE

LEGAL DESCRIPTION
BOW LAKE RESERVOIR SITE

THE SOUTH 148 FEET OF TRACTS 23 AND 24, ALL OF TRACTS 25 AND 26, D.W. WEST'S ACRE TRACTS TO SOUTH SEATTLE AS RECORDED IN VOLUME 11 OF PLATS, PAGE 37, RECORDS OF KING COUNTY, WASHINGTON; EXCEPT THE WEST 141 FEET OF SAID TRACTS 23 AND 24; AND EXCEPT THE EAST 38 FEET OF SAID TRACTS 24 AND 25; TOGETHER WITH PORTION OF VACATED SOUTH 158TH STREET LYING EAST OF THE EAST LINE OF THE WEST 141 FEET OF SAID TRACTS 23 AND 26 PRODUCED; TOGETHER WITH ALL INTEREST OF THE CITY NOW VESTED IN OR WHICH WILL ACCRUE TO THE CITY BY REASON OF VACATION OF PORTION OF THE WEST 38 FEET OF 24TH AVENUE SOUTH LYING BETWEEN NORTH LINE OF SOUTH 148 FEET OF TRACT 24 AND THE SOUTH LINE OF THE NORTH 28 FEET OF SECTION 28, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M.; TOGETHER WITH PORTION OF VACATED SOUTH 158TH STREET BEING THE WEST 275 FEET OF THE EAST 385 FEET OF THE SOUTH 38 FEET OF THE SOUTHWEST ONE-QUARTER OF SECTION 21, AND THE WEST 275 FEET OF THE EAST 385 FEET OF THE NORTH 28 FEET OF THE NORTHWEST ONE-QUARTER OF SECTION 28, IN TOWNSHIP 23 NORTH, RANGE 4 EAST.

SITUATED IN THE COUNTY OF KING, STATE OF WASHINGTON.

NOTES

1. THIS PROPERTY TO BE ACQUIRED BY PORT OF SEATTLE FROM CITY OF SEATTLE WATER DEPARTMENT.
2. SEE ALSO DWG. NO. PM-STIA-82, EXHIBIT "A".

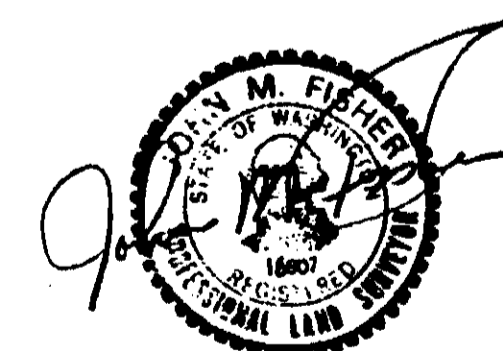
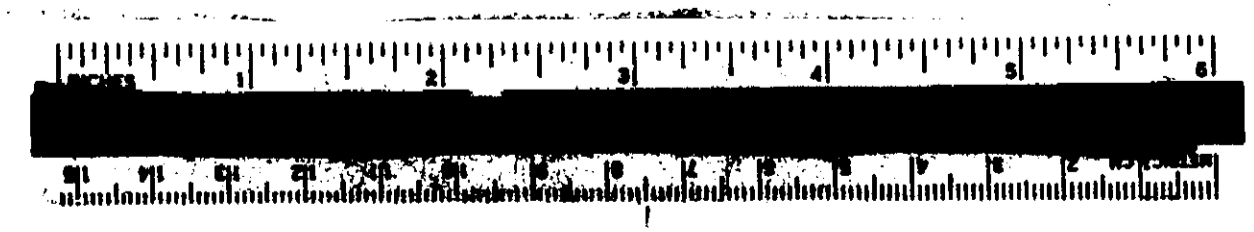
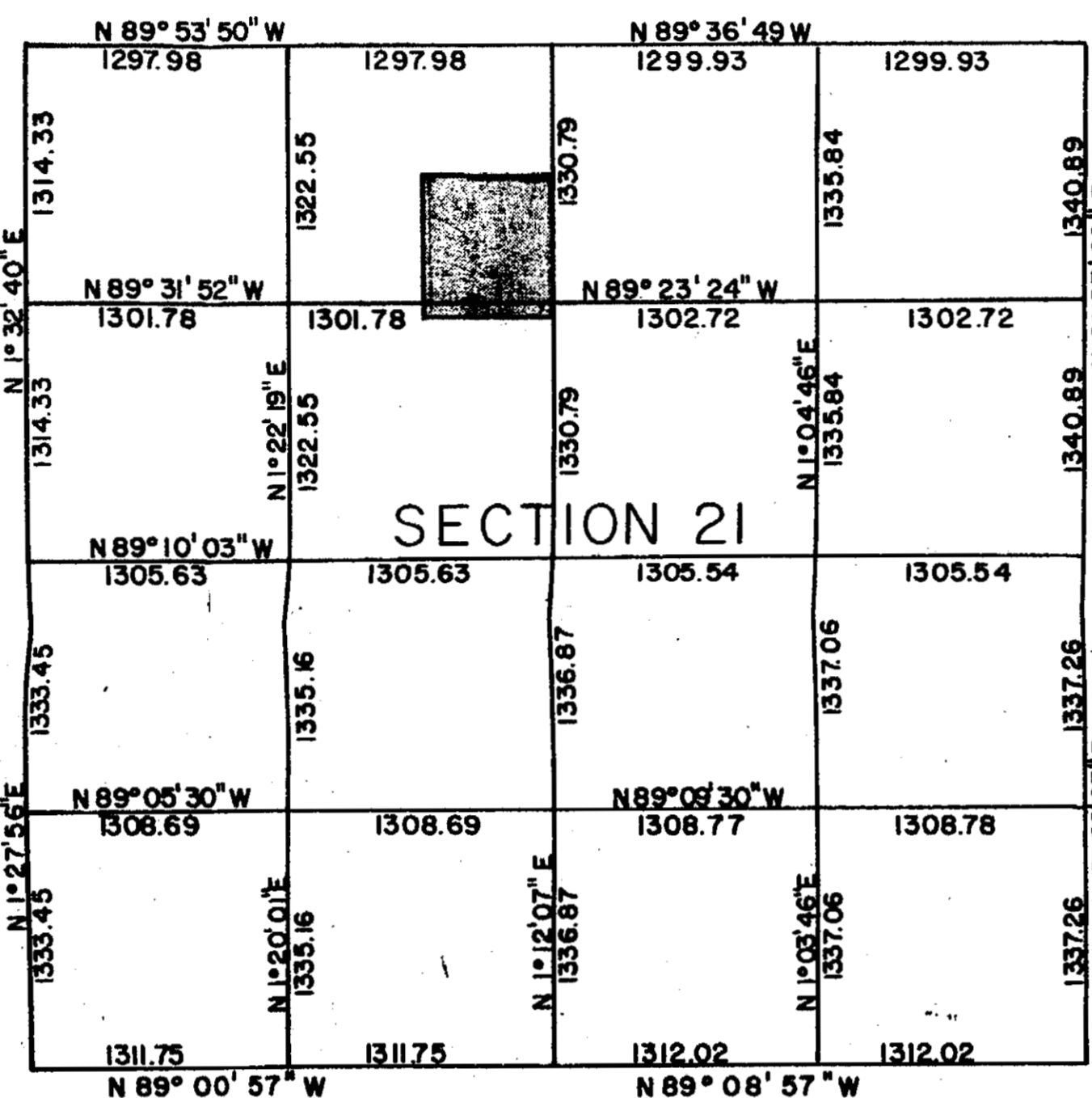


EXHIBIT "B"

EXISTING BOW LAKE RESERVOIR SITE

PROJECT ENGR./ARCH. DESIGNER: DRAWN BY: SCALE: DATE: CHECKED BY:	REVISIONS				PORT OF SEATTLE		SCALE: 1" = 50'	SEA - TAC INTERNATIONAL AIRPORT RESOLUTION 2731 AMENDING UNIT NO. 18 COMPREHENSIVE SCHEME	WORK ORDER NO. G-2043	
	NO.	DATE	BY	DESCRIPTION	APP'D.	NO.				DATE
	1	3-76	JLF	P.O.B.	R.A.B.					
	2	3-78	JLF	REV. OF DWG. & DESCRIPTION, TITLE BLOCK	J.M.F.					





TOWNSHIP 23 NORTH, RANGE 4 EAST, W. M.
NO SCALE

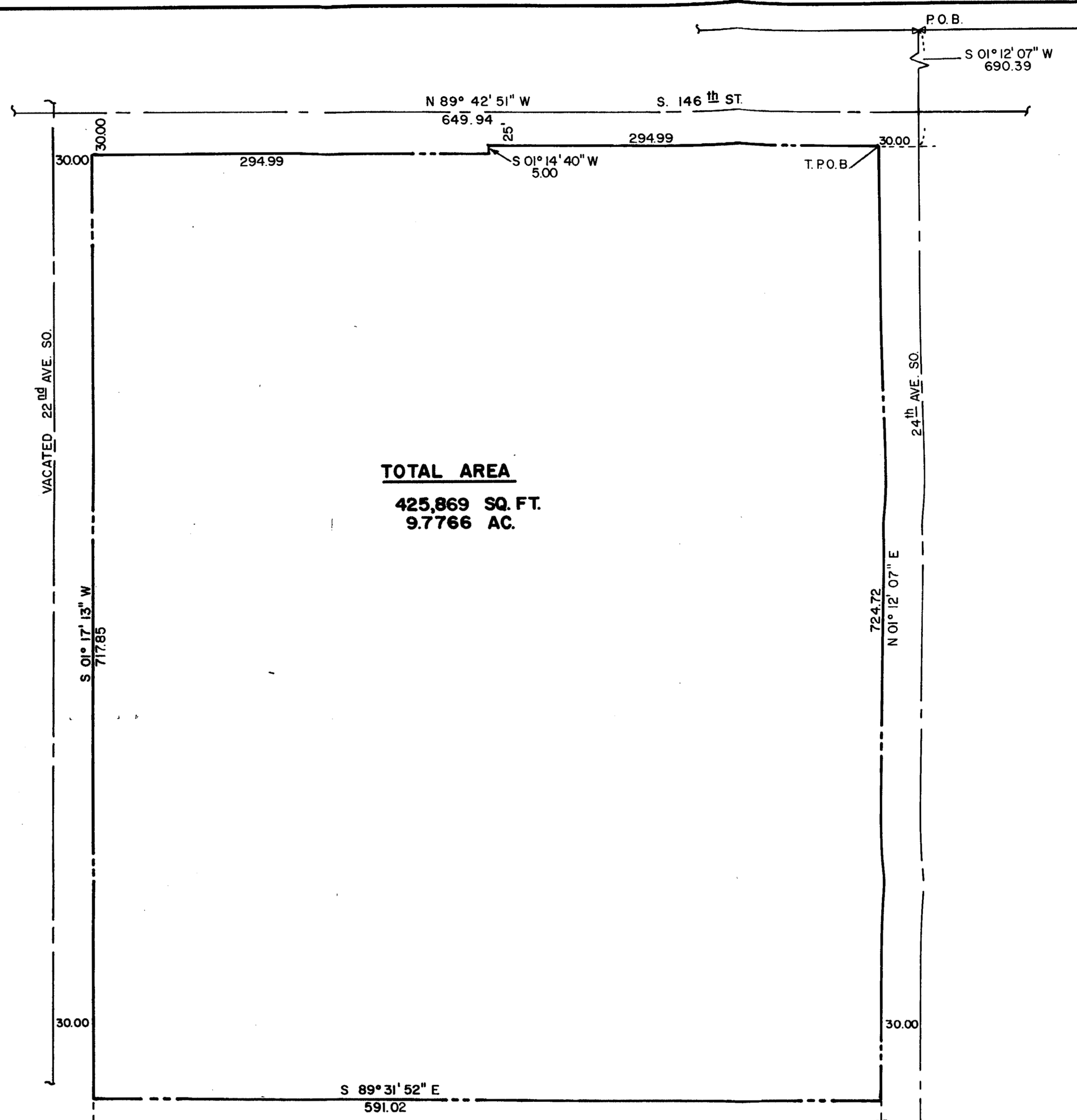
LEGAL DESCRIPTION

RIVERTON HEIGHTS RESERVOIR SITE

BEGINNING AT THE NORTH ONE-QUARTER CORNER OF SECTION 21, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., THENCE SOUTH 1°12'18" WEST ALONG THE CENTER LINE OF 24th AVENUE SOUTH A DISTANCE OF 690.39 FEET TO THE SOUTH MARGIN OF SAID 14th AVENUE; THENCE NORTH 89°42'51" WEST A DISTANCE ALONG SAID PRODDED SOUTH LINE OF 58.88 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°42'51" WEST ALONG SAID SOUTH MARGIN A DISTANCE OF 294.99 FEET; THENCE SOUTH 1°12'18" WEST A DISTANCE OF 5.00 FEET; THENCE NORTH 89°42'51" WEST A DISTANCE 384.99 FEET TO THE EAST MARGIN OF VACATED 22ND AVENUE SOUTH; THENCE SOUTH 1°12'18" WEST ALONG SAID EAST MARGIN A DISTANCE OF 717.85 FEET; THENCE SOUTH 89°31'52" EAST A DISTANCE OF 591.82 FEET TO THE WEST MARGIN OF 24th AVENUE SOUTH; THENCE NORTH 1°12'18" EAST ALONG SAID WEST MARGIN A DISTANCE OF 724.72 FEET TO THE TRUE POINT OF BEGINNING. SITUATED IN THE COUNTY OF KING, STATE OF WASHINGTON.

NOTES

1. THIS PROPERTY TO BE ACQUIRED BY CITY OF SEATTLE WATER DEPARTMENT FROM PORT OF SEATTLE.
2. SEE ALSO DWG. NO. PM-STIA-82.1, EXHIBIT "B."



TOTAL AREA
425,869 SQ. FT.
9.7766 AC.

FUTURE RIVERTON HEIGHTS RESERVOIR SITE

EXHIBIT "A"



PROJECT ENGR./ARCH.	
DESIGNER:	BENNETT
DRAWN BY:	ADAMS
SCALE:	1" = 50'
DATE:	SEPT. 74
CHECKED BY:	ADAMS

NO.		DATE	BY	DESCRIPTION	APPR.
1	1-75	RA		TOTAL AREA CHANGED	RAB
2	6-75	RA		TOTAL AREA CHANGED	RAB
3	6-75	RA		REVISED SHADED AREA N.W. CORNER	RAB
4	1-76	RA		TOTAL AREA CHANGED	RAB
5	3-76	RA		REV. OF DWG. DESCRIPTION, TITLE BLOCK	JMF



PROJECT ENGR./ARCH.	BENNETT
DESIGNER:	
DRAWN BY:	ADAMS
APPROVED BY:	Robert A. Bennett

PORT OF SEATTLE

SEA-TAC INTERNATIONAL AIRPORT
RESOLUTION 2731
AMENDING UNIT NO. 18
COMPREHENSIVE SCHEME

WORK ORDER NO.	G-2043
CONSULTANT'S NO.	
PORT OF SEATTLE NO.	PM-STIA-82

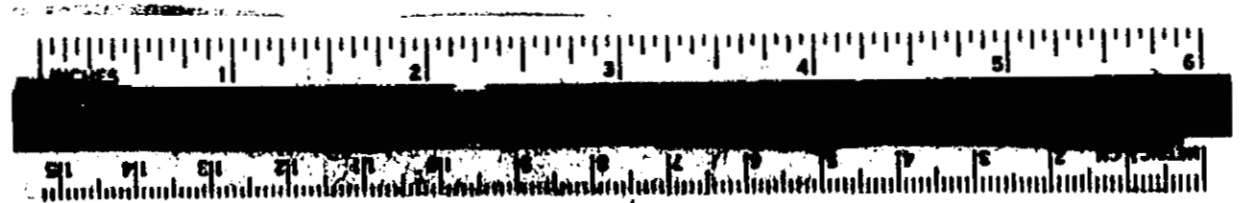


EXHIBIT A-1

TO RESOLUTION NO. 2731
AVIGATION EASEMENT

RESERVING TO GRANTOR, however, because the above described property is situated within the extended clear zone of the Seattle-Tacoma International Airport, a permanent and exclusive easement for the free and unobstructed use and passage of all types of aircraft (as hereafter defined) through the airspace above a height of 475 feet, Port of Seattle Datum, over or in the vicinity of the real property conveyed hereby, with such use and passage to be unlimited as to frequency. Said easement shall be appurtenant to and for the benefit of the real property now commonly known as the Seattle-Tacoma International Airport, including any additions thereto hereafter made by Grantor or its successors, and for the benefit of Grantor, its successors, assigns, guests and invitees, including any and all persons, firms or corporations operating aircraft to or from the Seattle-Tacoma International Airport. Said easement and the burden thereof, together with all things which may be alleged to be incident to or to result from the use and enjoyment of said easement, including noise, vibrations, fumes, deposits of dust, fear, interference with sleep and any and all other things which may be alleged to be incident to or to result from flights of aircraft over or in the vicinity of the real property conveyed hereby or in landing at or taking off from the Seattle-Tacoma International Airport, shall constitute permanent burdens and servient tenements on the real property conveyed hereby, and such burdens and tenements shall run with the land and be binding upon and enforceable against all successors in right, title or interest to said real property. As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, and shall include, but not be limited to, jet aircraft, propeller-driven aircraft, civil aircraft, military aircraft, commercial aircraft, helicopters, and all other types of aircraft or vehicles now in existence or hereafter developed for the purpose of transporting persons or property through the air.

AND FURTHER RESERVING for Grantor, its successors and assigns, including without limitation the Federal Aviation Agency, a prohibition against Grantee City of Seattle, its successors and assigns in connection with the above-described real estate during the life of this easement that they will not hereafter erect, permit the erection or growth of, or permit or suffer to remain upon said real estate any building, structure, tree or other object extending into the aforesaid prohibited air space, a height in excess of 475 feet, Port of Seattle Datum, and that they shall not hereafter use or permit or suffer the use of said real estate in such a manner as to create electrical interference with radio communication between any installation upon said Seattle-Tacoma International Airport and aircraft, or as to make it difficult for flyers to distinguish between airport lights and others, or as to impair visibility in the vicinity of the airport or as otherwise to endanger the landing, taking off or maneuvering of aircraft, it being understood and agreed that the aforesaid covenants and agreements shall run with the land.

EXHIBIT E

RESOLUTION NO. 2731

WATER PIPELINE EASEMENT

PROPERTY DELETED:

Delete from Unit 18 of Port of Seattle Comprehensive Scheme of Harbor Improvements for Seattle International Airport easement rights for construction and operation of water pipelines to be at all times buried at least 3 feet and not more than 15 feet below current grade and any future changes thereto, together with ancillary rights of access from the surface of the grade for pipeline installation and maintenance purposes in a manner consistent with the use of the surface of the grade by all owners thereof and all lessees, assigns, and other persons permitted to use the surface by the owners, all in connection with the following described premises which in all other respects shall remain in Unit 18 of the Comprehensive Scheme:

Portion of the east 20 feet of vacated 22nd Avenue South as vacated under King County Superior Court Cause No. 77975 lying between lines which are respectively 495.85 feet and 737.85 feet southerly of and parallel with the center line of South 146th Street; Also, portion of the east 15 feet of that portion of said vacated 22nd Avenue South and of vacated South 150th Street vacated under said Cause No. 77975 lying 737.85 feet south of the center line of South 146th Street and north of the south line of said vacated South 150th Street; Also, portion of the northwest one-quarter of Section 21, Township 23 North, Range 4 East, W.M. described as follows: Beginning at the intersection of the south line of vacated South 150th Street with the east line of said vacated 22nd Avenue South produced; thence south $1^{\circ}17'13''$ west 135.73 feet; thence south $29^{\circ}39'34''$ west 25.99 feet to the northeasterly right of way line of State Highway SR 518; thence north $57^{\circ}57'51''$ west along said northeasterly right of way line 15.01 feet; thence north $29^{\circ}39'34''$ east 21.57 feet; thence north $1^{\circ}17'13''$ east 131.79 feet to the south line of vacated South 150th Street; thence south $89^{\circ}16'43''$ east along said south line 15.00 feet to the beginning.

Three 30-foot wide strips of land, being 15 feet on both sides of centerlines described as follows:

1. Commencing at the southeast corner of Section 21, Township 23 North, Range 4 East, W.M.; thence North $89^{\circ}08'57''$ West along the south line of said section 924.90 feet; thence North $0^{\circ}51'03''$ East a distance of 7.00 feet to the True Point of Beginning; thence North $59^{\circ}08'57''$ West a distance of 219.00 feet; thence North $89^{\circ}08'57''$ West parallel with and 116.50 feet north of the south line of said section a distance of 465.14 feet; thence North $85^{\circ}46'25''$ West a distance of 111.58 feet; thence North $89^{\circ}08'57''$ West parallel with and 123.07 feet north of the south line of said section a distance of 195.76 feet to a point called Point A; thence continuing North $89^{\circ}08'57''$ West a distance of 640.95 feet to a point called Point B, said Point B being North $39^{\circ}03'07''$ East a distance of 156.61 feet from the south one-quarter corner of said section; thence from Point B North $1^{\circ}11'59''$ East parallel with and 96.00 feet east of the north-south centerline of said section a distance of 1427.73 feet; thence North $14^{\circ}40'01''$ West a distance of 402.31 feet to the point of termination.
EXCEPT those portions thereof lying within South 160th Street and lying within State Highway S.R. 518.
2. Beginning at Point A, as described in 1. above; thence South $0^{\circ}51'03''$ West a distance of 15 feet; thence South $29^{\circ}12'30''$ West a distance of 55 feet to the point of termination.
3. Beginning at Point B, as described in 1. above; thence South $1^{\circ}11'59''$ West a distance of 26.62 feet; thence North $89^{\circ}08'57''$ West a distance of 96.8 feet to a point on the north-south centerline of said Section 21, said point being 96.45 feet north of the south one-quarter corner of said section.