

RESOLUTION NO. 2606

A RESOLUTION of the Port Commission of the Port of Seattle providing for the acquisition of additional lands for the location and construction of facilities necessary and related to the operation of marine terminals in the Port's Lower Duwamish Industrial Development District

WHEREAS, Port Commission Resolution No. 2476 adopted June 26, 1973 and still in full force and effect approved the acquisition by negotiation or proceedings in eminent domain if necessary of certain parcels of real property, including without limitation a Parcel No. 1 which was then and is now included within the boundaries of the Lower Duwamish Industrial Development District by virtue of Port Commission Resolution No. 2111; and

WHEREAS, the Port subsequently made diligent efforts to acquire by negotiation full title to the interests in said Parcel No. 1, owned by the Atlantic Richfield Company (hereinafter "ARCO"), but ARCO subsequently informed the Port by letter dated October 10, 1975 that it is not interested in selling any property at this time; and

WHEREAS, public convenience and necessity, and the preservation of the peace, security and safety of the people of the Port of Seattle and of the State of Washington demand that all portions of Parcel 1 as legally described on attached Exhibit A be acquired for the location and construction of facilities necessary and related to the operation of marine terminals in the Port's Lower Duwamish Industrial Development District; and

WHEREAS, the Port of Seattle has the power under and by virtue of the Constitution and the laws of the State of Washington and particularly RCW 53.08.010 and RCW 53.25.100 to acquire lands necessary in the development, ownership, and operation of marine terminal facilities;

NOW, THEREFORE, BE IT RESOLVED that:

(1) The Port shall acquire by purchase and/or eminent domain proceedings full title to all portions of the real property in King County, Washington described in Exhibit A.

(2) The acquisition of said property is for a public use and purpose, to wit: the present and reasonably foreseeable future needs for the development of marine terminal facilities within the Lower Duwamish Industrial Development District and in particular the following immediately contemplated uses:

(a) Realignment of road and rail access and support of the Port's Terminal No. 18; and

(b) Preparation for future on-dock container freight station operation.

(3) The acquisition of said property is for the public convenience and necessity and for the peace, security and safety of the people of the Port of Seattle and this State.

BE IT FURTHER RESOLVED, that Bogle & Gates, attorneys for the Port of Seattle, be and they are hereby authorized and directed to bring and prosecute actions and proceedings in the manner provided for by law to condemn, take, damage and appropriate the lands and other property necessary to carry out the provisions of this resolution.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting thereof held this 25th day of November, 1975, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

[SEAL]

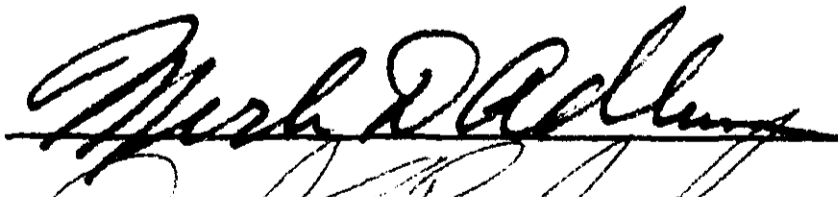










EXHIBIT A
to
PORT RESOLUTION NO. 2606

Parcel 1

Lots 1 through 8, Inclusive, Lots 45 through 53, Inclusive, Block 398, Seattle Tide Lands, King County, Washington, EXCEPT the following described portions thereof:

An irregular parcel of property situated in Lots 51, 52 and 53, Block 398, Seattle Tide Lands, King County, Washington, containing 0.07 Acre, more or less, to-wit:

Beginning at the northeasterly corner of said Block 398; thence south $76^{\circ}42'13''$ west along the northerly line of said Block 398 a distance of 109.30 feet to a point, this point being the true point of beginning of this description; thence south $45^{\circ}59'40''$ east a distance of 147.88 feet along the southwesterly line of that triangular parcel of land conveyed to the Oregon-Washington Railroad and Navigation Company by that deed dated August 30, 1965, Recorded in Volume 4694 of Deeds, page 8; thence due south along the west line of Eleventh Avenue Southwest, a distance of 40.32 feet; thence northwesterly along a curve to the left having a radius of 445.28 feet, the center of which bears south $58^{\circ}1'38''$ west and subtended by a long chord 191.09 feet to a point on the southerly line of Southwest Florida Street; thence north $76^{\circ}42'13''$ east a distance of 28.00 feet to a point which is the true point of beginning of this description.

AND

A triangular parcel of land containing 0.15 acres, in and being all that part of Lots 52 and 53, Block 398, Seattle Tide Lands, in King County, Washington, bounded and described as follows:

Beginning at the northeasterly corner of said Block 398; thence south $76^{\circ}42'13''$ west along the northerly line of said Block 398 a distance of 109.30 feet, to a point; thence south $45^{\circ}59'40''$ east along a straight line a distance of 147.88 feet to a point in the east line of said Block 398; thence due north along said east line of said Block 398 a distance of 127.88 feet to the point of beginning.

The land described in the foregoing legal description may also be described as follows:

Lots 1 to 8, Inclusive, and Lots 45 to 53, Inclusive, Block 398, Seattle Tide Lands; except that portion thereof lying northeasterly of the following described line:

Beginning at the northeasterly corner of said Block 398; thence south $76^{\circ}42'13''$ west along the northerly line of said Block 398 a distance of 109.30 feet; thence south $45^{\circ}59'40''$ east a distance of 147.88 feet along the southwesterly line of that triangular parcel of land conveyed to the Oregon-Washington Railroad and Navigation Company by that deed dated August 30, 1965, recorded in Volume 4694 of deeds, page 8; thence due south along the west line of 11th Avenue S.W. a distance of 40.32 feet to the beginning of the line herein described; thence northwesterly along a curve to the left having a radius of 445.28 feet to the center of which bears south $58^{\circ}1'38''$ west and subtended by a long chord 191.09 feet to a point on the southerly line of southwest Florida Street and the terminus of the line herein described.