

RESOLUTION NUMBER 28.

-0-

Repealed See Resolution #39

A RESOLUTION of the Port Commission of the Port of Seattle providing for the borrowing of the sum of \$1,000,000.00 and the issuance of general bonds of the Port of Seattle therefor for the purpose of acquiring the land and erecting structures thereon for the harbor improvement known as the Smith's Cove improvement, provided for by Proposition Number 2 submitted to the voters of said Port District at a special election held therein on March 5, 1912, and adopted by said voters at such election; and providing for the form and details of such bonds, and the establishing of a proper fund for the payment of the principal and interest thereof.

WHEREAS, at a special election held March 5, 1912, in the Port District of the Port of Seattle, under and pursuant to resolution Number 18 of said Port of Seattle, submitting to the voters of said port district at said special election the proposition of the borrowing by said port district of the sum of One Million Dollars (\$1,000,000.00) and the issuance of general serial bonds therefor, for the harbor improvement at the Smith's Cove Improvement, as more particularly set forth in proposition Number 2 contained in said resolution Number 18, more than three-fifths of the qualified voters of said port district voting at said special election, voted in favor of said proposition;

NOW THEREFORE, it is resolved by the Port Commission of the Port of Seattle, as follows;

Section 1. That the Port of Seattle borrow the sum of One Million Dollars (\$1,000,000.00) and issue general serial bonds of said Port as the evidence of such indebtedness, for the purpose of acquiring that part of the land described in Unit Number One of the general scheme of harbor development set forth in resolution Number 18 of said Port of Seattle, and which was adopted at the special election held in said Port District on March 5, 1912, described as follows, to-wit: All of Blocks numbered one hundred and thirty six, one hundred and thirty seven and one hundred and thirty eight, of Seattle Tide Lands, according to the official plat thereof; and also all the right, title and interest of the Great Northern Railway Company and of all other persons and corporations of, in, or to the harbor area in front of said block one hundred and thirty eight under and by virtue of a certain lease (or otherwise) issued June 12, 1899. to the Seattle & International Railway Company, and assigned to the Great Northern Railway Company; and for the purpose of constructing thereon a pier, a lumber yard, a storehouse for lumber with necessary or convenient handling appliances, three freight and passenger sheds with necessary handling

equipment, a cold storage plant with storehouse in connection therewith, railroad tracks and connections and equipment, a car ferry landing, a coal bunker and an oil tank and oil pipes, all as provided by proposition Number two submitted by said resolution Number 18 to the voters of said port district at such special election held March 5, 1912, and adopted by such voters at such election.

Said bonds to be of the denomination of One Thousand Dollars (\$1,000.00) each, numbered consecutively from one to one thousand, and bearing interest at the rate of four and one-half per cent. per annum, payable semi-annually; principal and interest payable at the fiscal agency of the State of Washington in the city of New York, State of New York; said bonds to bear date of their issuance and to mature as provided in said proposition two contained in said resolution Number 18.

Section 2. That said general serial bonds herein authorized to be issued shall be in substantially the following form, excepting as to date and time of maturity;

"Number _____.

\$1,000.00.

UNITED STATES OF AMERICA

STATE OF WASHINGTON

PORT OF SEATTLE

PORT OF SEATTLE GENERAL SERIAL BOND. (SERIES NO.1) (SMITH'S COVE IMPROVEMENT).

_____ 1912.

KNOW ALL MEN BY THESE PRESENTS:

THAT the Port of Seattle in the State of Washington, a municipal corporation organized and existing under and by virtue of the laws of the State of Washington, acknowledges itself to owe and for value received hereby promises to pay to bearer the sum of ONE THOUSAND DOLLARS on the first day of _____, 19____, together with interest thereon from date hereof until paid at the rate of four and one-half per cent. per annum, payable semi-annually on the first day of _____ and the first day of _____ in each year, as evidenced by and upon the surrender of the attached interest coupons as they severally become due, both principal and interest payable in lawful money of the United States of America at the fiscal agency of the State of Washington in the city of New York, State of New York.

This bond is one of a series of one thousand bonds of like tenor known as and designated as "Port of Seattle General Serial Bonds, Series Number One (Smith's Cove Improvement)", amounting in the aggregate to the sum of ONE MILLION DOLLARS, and is issued by the Port of Seattle for the purpose of providing funds for the acquiring of land and the construction of a pier and other structures thereon for the harbor improvement known as the Smith's Cove Improvement as more fully set forth in proposition Number two submitted to the voters of said Port District by resolution Number 18 of said Port of Seattle, and duly adopted by the voters of said district at a special election held March 5, 1912; said bonds being issued in accordance with and under the authority of an act of the legislature of the State of Washington, the same being Chapter 92 of the Session Laws of 1911, known as the "Port District Act", and in full compliance with the constitution and laws of the State of Washington.

It is hereby recited, certified and declared that all acts, conditions and things required by the constitution and laws of the state of Washington to be done and performed precedent to and in the issuing of this series of bonds, have been done, happened and been performed in regular and due form; and that specific provision has been made by the Port Commission of the Port of Seattle for the payment of the interest and principal of this bond as the same become due and that the total indebtedness of said port district, including this bond does not exceed any limitation prescribed by the constitution or statutes of said State of Washington.

For the prompt payment of this bond, both principal and interest, as the same become due, the full faith, credit and property of said Port of Seattle is hereby irrevocably pledged.

IN WITNESS WHEREOF, said Port of Seattle has caused this bond to be signed by the president of the Port Commission of said Port of Seattle and duly attested by the secretary of said Port Commission, and its corporate seal to be hereto affixed, and has caused the annexed interest coupons to be executed by the fac-simile signature of said officers, this first day of _____, 1912.

THE PORT OF SEATTLE,
By,

President of Port Commission of Port
of Seattle,

ATTEST:

Secretary of Port Commission of
Port of Seattle."

The interest coupons attached to said bonds shall be in substantially the following form, except as to date and time of maturity:

"INTEREST COUPON.

Coupon No. _____ \$22.50

On the first day of _____, 19____, the Port of Seattle, State of Washington, for value received, promises to pay to bearer at the fiscal agency of the State of Washington at the city and State of New York, the sum of \$22.50, being the semi-annual interest due that day on its general serial bond, Series Number 1, dated _____, _____, 1912, No. _____.

PORT OF SEATTLE,
By,

President of the Port Commission.

ATTEST:

Secretary of the Port Commission."

The signatures of the president and secretary of the Port Commission of said Port of Seattle affixed to said interest coupons shall be the lithographed or engraved fac-simile signatures of said officers, and the corporate seal upon said coupons shall be the lithographed or engraved fac-simile of said seal.

SECTION 3. That said bonds, principal and interest, shall be payable out of the net income from said improvement, and in case said net income shall not be sufficient for that purpose there shall be levied each year in the annual tax levy of the Port of Seattle a tax upon all property in said Port District subject to taxation, sufficient to make up the deficiency in the fund created to pay the interest and principal of said bonds as the same shall mature, and the faith, property and credit of said Port District are hereby pledged for the annual levy and collection of such tax and the payment at maturity of the interest and principal of said bonds.

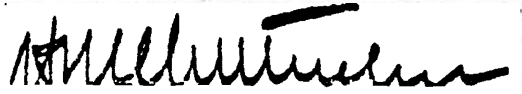
SECTION 4. That there is hereby created and established a special fund to be known as "Smith's Cove Improvement Bond Fund" into which shall be paid the net income of the improvement to be acquired and constructed out of the proceeds of said bonds and also the taxes levied

and collected for the purpose of making up any deficiency in the funds necessary to pay the principal and interest of said bonds as the same shall mature.

And it is hereby provided that no part of the net income of said improvement or of the taxes so to be levied for the payment of said principal and interest shall be withdrawn from said fund or diverted to any other purpose than the payment of the principal and interest of said bonds.

SECTION 5. That said bonds herein provided for shall be issued by the Port Commission of said Port of Seattle in such amounts and at such times, and shall be sold in such manner and upon such notice as said Port Commission shall hereafter by resolution prescribe.

Adopted by the Commissioners of the Port of Seattle this 11th day of April, 1912, and signed by its proper officers in authentication of its passage on the same date.



PRESIDENT OF THE PORT COMMISSION

ATTEST:



Secretary of the Port Commission