

RESOLUTION NO. 2815

A RESOLUTION of the Port Commission of the Port of Seattle, King County, Washington requesting an order of the Commissioner of Public Lands vacating Smith's Cove Waterway.

WHEREAS, by the plat of Seattle Tidelands 1894-1895, a waterway was established under the laws of the State of Washington, to wit: Legislative Act approved March 28, 1890 (Session Laws 1889-90, page 731), over and through the land shown on Exhibit A; in Seattle, Washington and known as Smith's Cove Waterway;

WHEREAS, pursuant to Chapter 59, Laws of 1913, the Legislature of the State of Washington vacated "all of that portion of the Smith's Cove waterway in the city of Seattle, north of the southerly line of Garfield Street in said city of Seattle, as the same appears in the plat of said city" and shown as Parcel A on Exhibit A, and vested title to the vacated portion of the waterway in the Port of Seattle;

WHEREAS, in furtherance of Port activities there has been complete filling of that portion of Smith's Cove Waterway previously vacated;

WHEREAS, in 1944, the United States of America condemned that portion of Smith's Cove Waterway shown as Parcel B on Exhibit A and in 1976 the United States of America conveyed title to said Parcel B to the Port of Seattle;

WHEREAS, in order to properly utilize and redevelop its facilities at Terminal 91, the Port of Seattle requires title to and possession of that portion of Smith's Cove Waterway not previously vacated or acquired, shown as Parcel C on Exhibit A and described in Exhibit B;

WHEREAS, the Port of Seattle is the owner of all the property abutting upon Smith's Cove Waterway;

WHEREAS, the needs of transportation and commerce are better served if the Port of Seattle can utilize Smith's Cove Waterway in the redevelopment of Terminal 91;

WHEREAS, that portion of Smith's Cove Waterway not previously vacated is no longer required in the public interest to exist as a waterway;

WHEREAS, the Port of Seattle has assessed the environmental impacts of the Port of Seattle's utilization of the remainder of Smith's Cove Waterway (Draft EIS on Alternative Uses for Terminal 91 published September 1980, Public Hearing on November 6, 1980, Final EIS published January 1981).

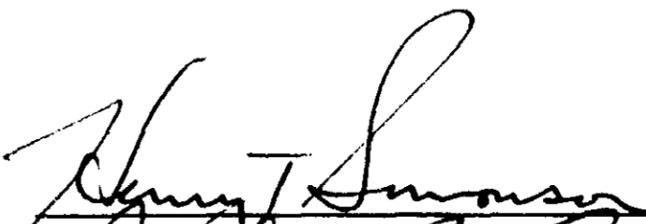
WHEREAS, RCW 79.01.472 sets forth the procedure for the vacation of waterways established pursuant to State law;

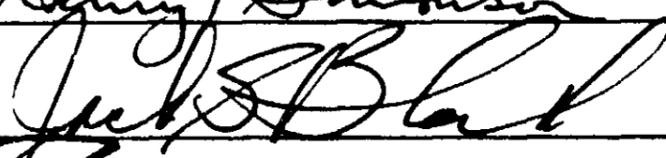
NOW, THEREFORE, be it resolved by the Port Commission of the Port of Seattle, Washington as follows:

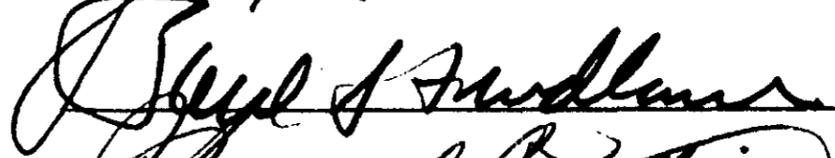
1. That the Commissioner of Public Lands of the State of Washington be requested to make an order vacating the remainder of Smith's Cove Waterway described in Exhibit B with title to said vacated Waterway vesting in the Port of Seattle pursuant to RCW 79.01.472.

2. That the Executive Director of the Port of Seattle be authorized to take such steps as are necessary to transmit this resolution to the Commissioner of Public Lands of the State of Washington.

ADOPTED by the Port Commission of the Port of Seattle at regular meeting held April 28, 1981, and duly authenticated in open session by the signatures of the Commissioners voting and the seal of the Commission.











Port Commissioners

TERMINAL 91
SMITH COVE WATERWAY PROPOSED VACATION

PARCEL A

THAT PORTION OF SMITH'S COVE WATERWAY VACATED IN 1913.

PARCEL B

THAT PORTION OF SMITH'S COVE WATERWAY CONDEMNED BY THE UNITED STATES OF AMERICA AS PARCELS A-2, A-3 AND B-2 OF SUPERIOR COURT CAUSE NO. 469. (1944)

PARCEL C

THAT PORTION OF SMITH'S COVE WATERWAY PROPOSED TO BE VACATED DESCRIBED AS FOLLOWS:

THAT PORTION OF SMITH'S COVE WATERWAY IN THE CITY OF SEATTLE, KING COUNTY, WASHINGTON, LYING SOUTH OF WEST GARFIELD STREET EXCEPT THOSE PORTIONS CONDEMNED BY THE UNITED STATES OF AMERICA AS PARCELS A-2, A-3 AND B-2 OF SUPERIOR COURT CAUSE NO. 469. (1944)

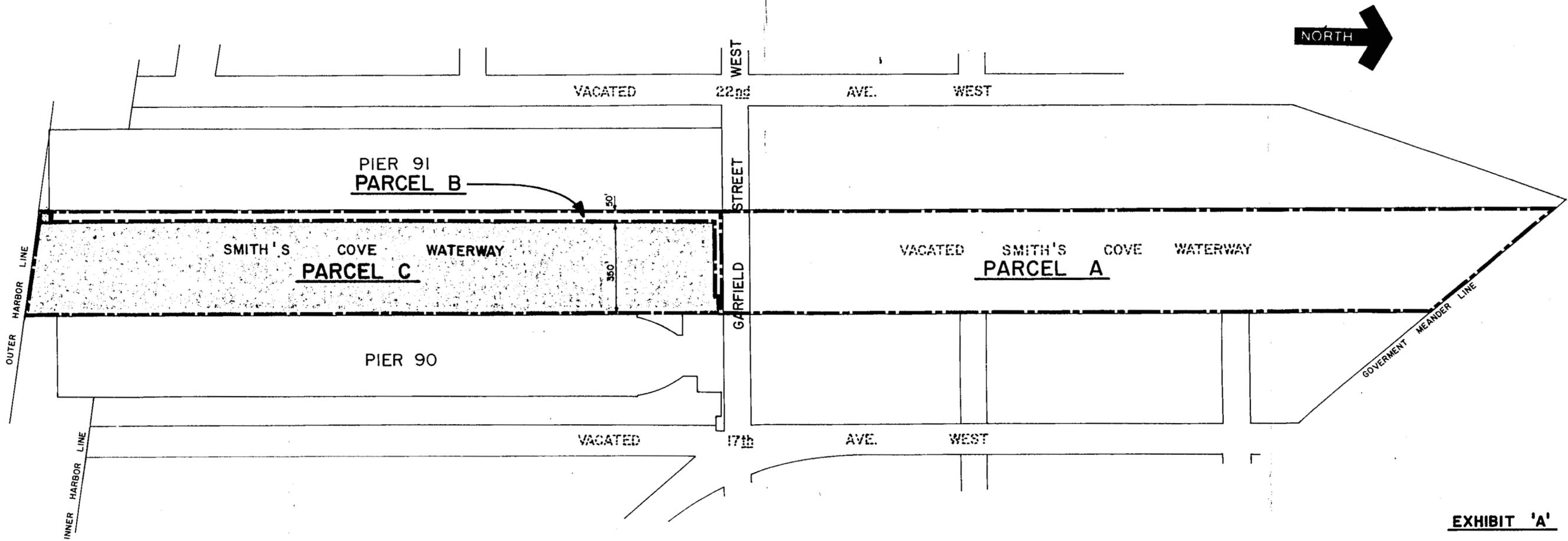


EXHIBIT 'A'

PROJECT ENGR./ARCH.
DESIGNER
DRAWN BY
SCALE
DATE
CHECKED BY

REVISIONS							
NO.	DATE	BY	DESCRIPTION	APPD.	NO.	DATE	BY



PROJECT ENGINEER	SCALE: 1" = 200'
J. FISHER	DATE: 4-22-81
DESIGNER	CHECKED BY:
DRAWN BY: L. HOFFER	
APPROVED BY:	

PORT OF SEATTLE

MARINE FACILITIES
TERMINAL 91
SMITH'S COVE WATERWAY
PROPOSED VACATION

WORK ORDER NO.
D-2952
CONSULTANT'S NO.
PORT OF SEATTLE NO.
PM-91-8