

RESOLUTION NO. 2774

A RESOLUTION of the Port Commission of the Port of Seattle amending Port Commission Resolution No. 2768 to provide for the acquisition of additional real property interests located at Pier 27 within the Port's Comprehensive Scheme of Harbor Improvement and Industrial Development for the Lower Duwamish Industrial Development District

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, Port Commission Resolution No. 2768 authorized and directed, subject to full prior compliance with any and all applicable environmental requirements, acquisition of certain real property owned by private parties and constituting Pier 27 situated within Unit 20 of the Comprehensive Scheme of Harbor Improvement as heretofore adopted by the Port Commission and ratified in the manner provided by law, and located within the boundaries of the Lower Duwamish Industrial Development District Comprehensive Scheme of Harbor Improvement and Industrial Development as adopted by virtue of Port Commission Resolution No. 2111; and

WHEREAS, the Port has now determined that a portion of the Pier 27 structure is situated on a portion of the publicly-owned East Waterway of the Duwamish River and subject to a Waterway Permit granted October 22, 1974 and expiring August 31, 1983 by the Port of Seattle under the authority of RCW 79.16.190; 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 require that the permittee's interest in said Waterway Permit (Port No. 121) together with any and all privately owned real and personal property

interests situated on the premises described in said Waterway Permit, be acquired for the location and construction of facilities necessary and related to harbor, waterway and marine terminals development and improvements in the Port's Lower Duwamish Industrial Development District,

NOW, THEREFORE, BE IT RESOLVED, on the basis of the findings made and recited above, that:

(1) The Port shall acquire by purchase, on the basis of qualified appraisals, and/or by eminent domain proceedings, if necessary, the permittee's interest in the following described real property which is the subject of Waterway Permit No. 121 dated October 22, 1974 and expiring August 31, 1983 together with any and all privately owned real and personal property interests affixed to said described real property:

That portion of East Waterway lying in front of the southerly 28' of Lot 7, Block 373, S. T. L., vacated Forest Street, and Lot 1, Block 374, S. T. L., more particularly described as follows:

Beginning at a point in the east line of said Waterway, which is the southwest corner of said Lot 1, Block 374; thence N. 45° W. along the southerly line of said lot produced, 176.77'; thence north, parallel to and 125 feet distant west from said East Waterway line, 291.67'; thence S. 45° E. 176.77' to a point on said East Waterway line; thence south 291.67' to the point of beginning containing approximately 36,458 square feet.

(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 harbor, waterway and marine facilities in conjunction with adjacent Port-owned property.

(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 all proceedings in implementation of this Resolution shall be subject as a condition precedent to full compliance by the Port of Seattle with any and all applicable requirements of federal, state, and local and environmental laws, ordinances, and regulations, including without limitation the State Environmental Policy Act and the State Shoreline Management Act to the extent applicable.

BE IT FURTHER RESOLVED, that General Counsel for the Port of Seattle
be and hereby is authorized and directed to retain Bogle & Gates on behalf of the
Port of Seattle to bring and prosecute actions and proceedings in the manner
provided for by law to condemn, take, damage, and appropriate lands, other property
and other property interests pursuant to the powers granted to the Port of Seattle
to carry out the provisions of this Resolution.

ADOPTED by the Port Commission of the Port of Seattle at a regular
meeting held this 9th day of October, 1979, and duly authenticated in open
session by the signatures of the Commissioners voting and the seal of the Commission.









