

**RESOLUTION NO. R2010-14**

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to 1) execute a Purchase and Sale Agreement with The BNSF Railway Company (BNSF) for the acquisition of four perpetual commuter rail easements in BNSF's right of way between Seattle and Tacoma in the amount of \$41 million for Easement 1, \$44 million for Easement 2, \$52 million for Easement 3, and \$48 million for Easement 4, 2) make a deposit of \$5 million for Easement 2, and 3) close on the purchase of Easement 1 in July 2010 and Easement 2 in January 2011.

WHEREAS, the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit, was formed under RCW Chapters 81.104 and 81.112 for the Pierce, King, and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, Sound Transit is authorized to plan, construct, and permanently operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the Central Puget Sound region; and

WHEREAS, in general elections held within the Central Puget Sound Regional Transit Authority district on November 5, 1996 and November 8, 2008, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, the ST2 plan provides for the expansion of high capacity commuter rail service between Seattle and Tacoma with four additional round trips per weekday; and

WHEREAS, the Board authorized the acquisition of property interests determined to be necessary for the operation and maintenance of the Sounder South Expanded Service project; and

WHEREAS, in Resolution 2009-20, the Board required that a negotiated agreement or settlement for the purchase of the property interests in the BNSF Railway Company's Seattle-to-Tacoma corridor be subject to further Board approval and be accompanied by any necessary environmental review and documentation.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority as follows:

SECTION 1. The chief executive officer is authorized to (a) execute the Purchase and Sale Agreement for the acquisition of four perpetual commuter rail easements in the BNSF Railway Company's right of way between Seattle and Tacoma in the amount of \$41 million for Easement 1, \$44 million for

Easement 2, \$52 million for Easement 3, and \$48 million for Easement 4; (b) make a non-refundable deposit of \$5 million toward the purchase of Easement 2; and (c) close on the purchase of Easement 1 in July 2010 or later and Easement 2 in January 2011 or later.

SECTION 2. The chief executive officer will return to seek Board authorization to pay earnest money or purchase Easement 3 and Easement 4 once necessary environmental review and documentation is completed.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on July 22, 2010.

  
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Aaron Reardon  
Board Chair

ATTEST:

  
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Marcia Walker  
Board Administrator