

**SOUND TRANSIT
STAFF REPORT**

RESOLUTION NO. R2006-01

**Acquisition of Real Property for the Airport Link Extension and
Amending the 2006 Adopted Budget Authorizing use of Regional Fund Contingency**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	3/16/06	Postponed	Phil O'Dell, Director, Project Delivery Support Services Roger Hansen, Link Sr. Real Estate Representative	(206) 398-5013
Finance Committee	4/6/06	Discussion/Possible Action to Recommend Board Approval		(206) 689-3366
Board	4/13/06	Discussion/Possible Action		

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)		Budget Amendment	✓
Real Estate	✓	Property Acquisition	✓

PROJECT NAME

Central Link Light Rail – Airport Link extension from Tukwila International Boulevard Station to a kiss-and-ride facility located in the City of SeaTac

PROPOSED ACTION

1. Authorizes the Chief Executive Officer to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary for the Airport Link extension of the Central Link Light Rail Project between Sea-Tac International Airport and South 200th Street, and
2. Amends the 2006 Adopted Budget to include acquisition of properties described in Exhibit A as an authorized use of the Regional Fund Contingency.

KEY FEATURES of PROPOSED ACTION

- Authorizes Sound Transit's Chief Executive Officer to acquire and dispose of a portion of the L&R Investments property located at 18613 International Boulevard in the City of SeaTac which is needed for an aerial guideway easement for a future extension of light rail from Sea-Tac International Airport toward South 200th Street.
- Authorizes Sound Transit's Chief Executive Officer to pay relocation and re-establishment benefits to eligible property owners and tenants for this property.
- Amends the 2006 Adopted Budget to include acquisition of properties as an authorized use of the Regional Fund Contingency.

- Directs staff to return to the Board to ratify the budget in the amount of the total expenditure for actions taken pursuant to this resolution within sixty (60) days of the completion of said action.

BUDGET IMPACT SUMMARY

Project Name: Airport Link
 Current Project Phase: Final Design
 Projected Completion Date: 2009

Action Outside of Adopted Budget:	✓	Comments on Checked Items
This Project		
This Phase		
This Task		
Budget Amendment Required	✓	A budget amendment is required to fund this acquisition through the Regional Fund Contingency

Key Financial Indicators:	✓	Comments on Checked Items
Contingency Funds Required		
Funding required from other parties (other than what is in financial plan)		

Not checked = action is assumed in current Board-adopted budget. No budget action or adjustment to financial plan required.

BUDGET and FINANCIAL PLAN DISCUSSION

The proposed action would authorize acquisition of real property as needed for an aerial guideway easement and construction staging area for the Central Link Light Rail - Airport Link extension from the SeaTac/Airport Station to South 200th Street.

This action authorizes the use of the Regional Fund Contingency for the acquisition of the subject property. The Regional Fund Contingency (see page 234 of the Proposed 2006 Budget) includes \$19.9 million.

The Adopted 2006 Budget for the Regional Fund Strategic Property Acquisition Program will be increased when the purchase price and related relocation and re-establishment costs are known. This total dollar amount will be amended in the 2006 budget as when ratified by the Board as directed under this action.

The proposed action is affordable within the agency’s long-term financial plan and subarea financial capacity, and will have no new revenue impact on Sound Transit.

The acquisition costs of specific parcels are appropriate for discussion with Board members in executive session.

The Adopted 2006 Budget for Airport Link does not include the extension from Tukwila International Boulevard Station to a kiss-and-ride facility located in the City of SeaTac.

BUDGET TABLE

Not applicable for this action.

M/W/DBE – SMALL BUSINESS PARTICIPATION

Not applicable for this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

In order to build and operate a high-capacity transit system consisting of commuter rail service, light rail service, a program of regional express bus service, HOV improvements, and park-and-ride facilities throughout the Central Puget Sound region, it is necessary for Sound Transit to acquire real property. Sound Transit's authorizing legislation grants the agency the power of eminent domain to accomplish such acquisitions.

Certain property has been identified as necessary for the planned light rail extension between the Airport Station and South 200th Street based upon the current level of design. The proposed action would authorize early acquisition of one partial property, the L&R Investments property located at 18613 International Boulevard in the City of SeaTac and the payment of relocation benefits to eligible affected owners and tenants.

The property is currently developed as a motel site (formerly the Airport Plaza Motel), and is undergoing demolition in preparation for redevelopment. Sound Transit's advance acquisition of the property will prevent the imminent development on a parcel needed for a proposed transportation site.

Sound Transit's Strategic Property Acquisition Program enables the agency to acquire properties utilizing Regional Fund resources on an interim basis to preserve right-of-way necessary for Sound Transit projects that are not budgeted. To be eligible for the program, the following criteria must be met and an analysis must be provided for the Board to use to determine whether the acquisition should proceed using Regional Fund resources.

Criteria

Property is Necessary to Implement a Sound Transit Project

The property is needed for construction and operation of an aerial guideway easement for the future extension of Airport Link from Sea-Tac Airport and South 200th Street.

Environmental Process Completed

Environmental compliance pursuant to the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA) for Airport Link was completed with the Central Link Final Environmental Impact Statement (EIS) issued in November 1999, the Tukwila Freeway Route Final Supplemental EIS issued in November 2001, and Airport Link Environmental Assessment/SEPA Addendum (EA) on May 26, 2005. The Federal Transit Administration issued a Record of Decision for Airport Link on September 13, 2005.

FTA Approval, if Applicable

FTA approval is not required because a Record of Decision was issued in September 2005.

Analysis

Rationale for early property acquisition

The property is currently undergoing demolition in preparation for redevelopment by L&R Investments. The developer's plans for the property include construction of a multi-level parking structure in the area of the proposed acquisition. L&R Investments has obtained demolition permits and is in the process of demolishing the existing improvement, is finalizing the architectural and design plans for the property, and is working with the City of SeaTac on substantial permitting activities.

If L&R Investment's proposed redevelopment goes forward, it would create a situation that would cause significant complications for the developer and Sound Transit. The construction of a parking structure in the area identified for the aerial guideway would substantially increase the cost of acquiring the aerial guideway easement and would have a very disruptive effect on the remaining property if part of the parking structure had to be removed at a later date to accommodate the light rail aerial guideway.

Projected costs and extent to which costs may be recovered if property not used and is sold

The acquisition costs of specific parcels are appropriate for discussion with Board members in executive session.

Information learned from due diligence (e.g., appraisal, environmental assessment)

Sound Transit has not conducted any environmental due diligence or an appraisal of the property at this time. The owner however, is in the process of demolishing the existing buildings and is remediating asbestos contamination as part of the demolition process. The property is anticipated to be bare land at the time of acquisition. Sound Transit will conduct Phase I and if warranted, Phase II environmental site assessments of the area to be acquired and will adjust the fair market value of the property accordingly to reflect the presence of and remediation costs associated with hazardous materials or contamination on the portion of the site to be acquired.

Prior Board or Committee Actions and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
Resolution No. 72-1	Superseding Resolution 72, and amending the financial policies to include a strategic property acquisition program as an enumerated purpose of the Regional Fund	Pending approval (3/23/06)
R2005-16	Selected the Airport Link alignment and station locations and selected the portion of Airport Link to be constructed and operated as part of the Central Link Light Rail Project by the end of 2009.	7/14/05

CONSEQUENCES OF DELAY

If acquisition of the property is delayed, imminent private development will substantially increase the cost of the property acquisition and may preclude or greatly complicate transit use of the property.

REGIONAL PARTNERSHIPS

Sound Transit's aerial guideway easement is immediately adjacent to the proposed right of way for the Port's future South Access Road. Sound Transit and the Port of Seattle have worked cooperatively to identify the location and needed right of way for Airport Link.

PUBLIC INVOLVEMENT

From 1998 through June 2005, Sound Transit staff attended Southeast Seattle, Tukwila, and Airport community meetings. They also conducted walking tours, organized public work sessions and open houses, met individually with property owners and tenants upon request, and walked door-to-door to explain route alternatives to residents and business owners. In coordination with the Cities of Seattle, Tukwila, SeaTac, and the Port of Seattle, staff held workshops and open houses to discuss route impacts, property acquisition and relocation, station design, street design, safety, traffic circulation, station area planning, and various alternatives in Rainier Valley, Beacon Hill, Tukwila, and SeaTac neighborhoods.

Materials about the light rail project were translated into multiple languages, prepared in Braille, and in other accessible formats. Non-English hotlines were established to inform special populations and promote communication.

Sound Transit project development, community outreach, and real estate staff continue to meet with property owners, business owners, and tenants adjacent to the route and stations in Beacon Hill, Rainier Valley, Tukwila and SeaTac to discuss light rail project progress and design, real estate acquisition and relocation processes, and to listen to individual and neighborhood concerns about the project.

ENVIRONMENTAL COMPLIANCE

JDI 12/22/05

LEGAL REVIEW

JW/JB 12/28/05

SOUND TRANSIT

RESOLUTION NO. R2006-01

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority (1) authorizing the Chief Executive Officer to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary for the Airport Link extension of the Central Link Light Rail Project between Sea-Tac International Airport and South 200th Street, and (2) amending the 2006 Adopted Budget to include acquisition of properties described in Exhibit A as an authorized use of the Regional Fund Contingency.

WHEREAS, a Regional Transit Authority, herein after referred to as Sound Transit, has been created for the Pierce, King, and Snohomish County region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, on November 5, 1996, at a general election held within the Central Puget Sound Regional Transit Authority district, the voters approved local funding for high capacity transit in the Central Puget Sound Region; and

WHEREAS, Sound Transit is authorized to acquire and dispose of property for the construction of high capacity transportation facilities under RCW 81.112.080; and

WHEREAS, in order to acquire the properties determined to be necessary for the construction, operation, and maintenance of the Airport Link extension of the Central Link Light Rail Project, it is necessary for Sound Transit to acquire by negotiated purchase or to condemn certain lands and rights in property for public purposes, and to pay eligible relocation and re-establishment benefits to affected parties; and

WHEREAS, by Resolution No. R2005-16, adopted on July 14, 2005, the Sound Transit Board of Directors selected the alignment and station location of Airport Link as an extension of the Central Link Light Rail from the Tukwila International Boulevard Station to Sea-Tac International Airport and to South 200th Street in SeaTac; and

WHEREAS, Sound Transit has identified the L&R Investments property located at 18613 International Boulevard in the City of SeaTac as necessary for the construction of the Airport Link extension of the Central Link Light Rail Project from Sea-Tac International Airport to South 200th Street; and

WHEREAS, Sound Transit staff have confirmed that development is imminent on this property and such development would effectively preclude the potential transit use of the property; and

WHEREAS, the acquisition of the property is necessary in order to preserve the alternatives identified in Sound Transit's environmental process for consideration; and

WHEREAS, pursuant to the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA), Sound Transit, the Port of Seattle and the Federal Transit Administration issued the Airport Link Environmental Assessment/SEPA Addendum (EA) on May 26, 2005; and

WHEREAS, the EA is an update to the Central Link Final Environmental Impact Statement (EIS) issued in November 1999 and the Tukwila Freeway Route Supplemental EIS issued in November 2001 and discusses the environmental effects of extending light rail from the Tukwila International Boulevard Station in Tukwila to Sea-Tac Airport and to South 200th Street in SeaTac; and

WHEREAS, the Federal Transit Administration issued a Record of Decision on the Airport Link project in September 2005 and right-of-way acquisition is authorized to commence after publication of the Record of Decision; and

WHEREAS, Sound Transit has commissioned or will commission appraisals to determine the fair market value of the properties, and will continue to negotiate in good faith with the owners of the properties authorized to be acquired by negotiated purchase or

condemned, with the intent of reaching agreements for the voluntary acquisition of the property for fair market value; and

WHEREAS, the Sound Transit Board has amended the financial policies to include a Strategic Property Acquisition Program to acquire properties for projects that are not budgeted, utilizing Regional Fund resources on an interim basis; and

WHEREAS, Sound Transit staff have ascertained that the L&R Investments property meets the criterion of the Strategic Property Acquisition Program policy.

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

SECTION 1. The Chief Executive Officer is hereby authorized to execute such agreements as are customary and necessary for the acquisition, lease, or disposal of the real property interests described in Exhibit A (said property to be used for Airport Link, an extension of the Central Link Light Rail Project), and for the payment of eligible relocation and re-establishment costs. In accordance with Sound Transit's adopted Real Property Acquisition and Relocation Policies, Procedures and Guidelines, the acquisition price of the properties shall not exceed the fair market value to be determined through the appraisal process or as provided in Section 2 herein; provided that in the event the total of the acquisition, relocation, and re-establishment costs of the properties exceeds Sound Transit's approved budget for the Central Link Light Rail Project right-of-way acquisition (plus contingency), then the Chief Executive Officer shall obtain approval from the appropriate committee or the Board, per Resolution 78-1, before the acquisition of the property by purchase or by condemnation and the payment of eligible relocation and re-establishment costs.

SECTION 2. The Chief Executive Officer is hereby authorized to settle condemnation litigation or enter administrative settlements (a settlement in lieu of initiating condemnation litigation) for the acquisition of the real property interests described in Exhibit A. Such

settlements shall be made only upon the finding of legal counsel that the settlement is consistent with the law and is reasonable, prudent, and in the public interest. Such settlements shall not exceed established project budgets. For all other settlements proposed, the Chief Executive Officer shall obtain prior approval of the appropriate committee or the Board of Directors, per Resolution 78-1.

SECTION 3. The Sound Transit Board deems the extension of light rail from Sea-Tac International Airport toward South 200th Street, to be a public use for a public purpose. The Board deems it necessary and in the best interests of the citizens residing within Sound Transit's boundaries to acquire the property identified in Exhibit A as being necessary for preserving the alternative identified in the environmental process, and for the purpose of construction, operation, and maintenance of Airport Link, an extension of the Central Link Light Rail Project.

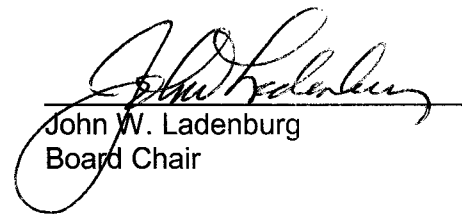
SECTION 4. The Sound Transit Board of Directors finds that the public health, safety, necessity, convenience, and welfare demand and require that the properties described in Exhibit A be immediately acquired, condemned, appropriated, taken and damaged for the purpose of construction, operation, and maintenance of the Airport Link extension of the Central Link Light Rail Project.

SECTION 5. In addition to the authority granted the Chief Executive Officer in Section 1 above, condemnation proceedings are hereby authorized and the authority is hereby delegated to the Chief Executive Officer to take action as related to such condemnation proceedings to acquire all, or any portion thereof, of the properties and property rights and/or rights in those of the properties described in Exhibit A. The Chief Executive Officer is also authorized to make minor amendments to the legal descriptions of the properties described in Exhibit A, as may be necessary to correct scrivener's errors and/or to conform the legal description to the precise boundaries of the property required for the Project.

SECTION 6. The 2006 Adopted Budget is hereby amended to include the strategic acquisition of the properties described in Exhibit A as an authorized use of the Regional Fund Contingency.

SECTION 7. The Chief Executive Officer is hereby directed to return to the Board to ratify the budget in the amount of the total expenditure for actions taken pursuant to this resolution within sixty (60) days of the completion of said action.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 13, 2006.


John W. Ladenburg
Board Chair

ATTEST:



Marcia Walker
Board Administrator

EXHIBIT A
ACQUISITIONS

Contract Segment

C770- Airport Link.....Page 1.

AL-112	3323049071	L & R Investment Company, GP
AL-113	3323049205	18613 International , LLC

C 770 Airport Link

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
607745	AL-112	L & R Investment Company, a California general partnership	332304-9071-05	18601 International Blvd. Seatac WA 98188

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 23 NORTH, RANGE 4 EAST, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

THE NORTH 560 FEET OF THE FOLLOWING,
 BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33;
 THENCE NORTH 01°42'50" EAST, ALONG THE WEST LINE THEREOF, 925 FEET,
 THENCE SOUTH 89°39'32" EAST PARALLEL WITH THE SOUTH LINE OF SAID SUBDIVISION, 350.74 FEET TO A POINT DISTANT NORTH 89°39'32" WEST 100 FEET FROM THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1), AS CONDEMNED ON APRIL 6, 1925 UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 181371;

THENCE SOUTH 03°12'32" EAST PARALLEL WITH SAID WESTERLY MARGIN, 250 FEET;
 THENCE SOUTH 89°39'32" EAST 100 FEET TO SAID WESTERLY MARGIN OF SAID PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1); THENCE SOUTH 03°12'32" EAST ALONG SAID WESTERLY MARGIN, AND ITS EXTENSION SOUTHERLY, TO THE SOUTH LINE OF SAID SUBDIVISION;
 THENCE NORTH 89°39'32" WEST ALONG SAID SOUTH LINE, TO THE POINT OF BEGINNING, EXCEPT THE WEST 20 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD ON MARCH 27, 1894 UNDER RECORDING NUMBE 126437, AND EXCEPT THAT PORTION THEREOF CONVEYED TO THE STATE OF WASHINGTON FOR PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1) BY DEED RECORDED ON JUNE 13, 1947 UNDER RECORDING NUMBER 3695692;

AND EXCEPTING FROM THE ABOVE PARCEL THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 23 NORTH, RANGE 4 EAST, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION;
 THENCE NORTH 01°42'50" EAST ALONG THE WEST LINE THEREOF, 364.84 FEET;
 THENCE SOUTH 89°39'32" EAST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID SUBDIVISION 244.64 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION,

THENCE NORTH 01°42'50" EAST, 213 FEET;
 THENCE NORTH 46°42'50" EAST 28 FEET;
 THENCE SOUTH 89°39'32" EAST 116.36 FEET TO A POINT TO BE DESIGNATED AS POINT "A";
 THENCE NORTH 03°12'32" WEST 78.36 FEET;
 THENCE SOUTH 89°39'32" EAST, 97 FEET TO THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1), AS CONDEMNED BY THE STATE OF WASHINGTON ON APRIL 6, 1925 UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 181371;
 THENCE SOUTH 03°12'32" EAST ALONG SAID WESTERLY MARGIN 71.46 FEET, THENCE CONTINUING ALONG SAID MARGIN SOUTH 86°47'28" WEST, 15 FEET TO THE WESTERLY MARGIN OF SAID HIGHWAY AS CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED JUNE 13, 1947 UNDER RECORDING NUMBER 3695692,
 THENCE SOUTH 03°12'32" EAST ALONG SAID WESTERLY MARGIN, 238.69 FEET;

THENCE NORTH 89°39'32" WEST 238 FEET TO THE TRUE POINT OF BEGINNING; AND FURTHER EXCEPTING FROM SAID NORTH 560 FOOT PARCEL THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION;
THENCE NORTH 01°42'50" EAST, ALONG THE WEST LINE THEREOF, 925 FEET
THENCE SOUTH 89°39'32" EAST 20 FEET TO THE EAST MARGIN OF 28TH AVENUE SOUTH,

AS CONVEYED TO KING COUNTY BY DEED RECORDED ON MARCH 27, 1894 UNDER RECORDING NUMBER 126437 AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE CONTINUING SOUTH 89°39'32" EAST 329.76 FEET TO A POINT DISTANT NORTH 89°39'29" WEST 100 FEET FROM THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1) , AS CONDEMNED BY THE STATE OF WASHINGTON ON APRIL 6, 1925 UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 181371;
THENCE SOUTH 03°12'32" EAST, ON A LINE PARALLEL WITH SAID WESTERLY MARGIN, 100.19 FEET;
THENCE NORTH 89°39'32" WEST, 338.31 FEET TO THE SAID EAST MARGIN OF 28TH AVENUE SOUTH;
THENCE NORTH 01°42'50" EAST, ALONG SAID EAST MARGIN, 100.03 FEET TO THE TRUE POINT OF BEGINNING.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
606377	AL-113	18613 International, LLC a Washington limited liability company	332304-9205-04	18613 International Blvd SeaTac WA 98188

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS

COMMENCING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION,
 THENCE NORTH 1°42'50" EAST, ALONG THE WEST LINE THEREOF, 364.84 FEET;
 THENCE SOUTH 89°39'32" EAST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID SUBDIVISION 244.64 FEET TO A POINT TO BE DESIGNATED AS "POINT X", AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION,
 THENCE NORTH 01°42'50" EAST, 213 FEET;
 THENCE NORTH 46°42'50" EAST, 28 FEET;
 THENCE SOUTH 89°39'32" EAST, 116.35 FEET TO A POINT TO BE DESIGNATED AS "POINT A";
 THENCE NORTH 03°12'32" WEST, 78.36, FEET;
 THENCE SOUTH 89°39'32" EAST, 97 FEET TO THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH; THENCE SOUTH 03°12'32" EAST ALONG SAID MARGIN 71.46 FEET,
 THENCE CONTINUING ALONG SAID MARGIN SOUTH 86°47'28" WEST, 15 FEET AND SOUTH 03°12'32" EAST, 238.69 FEET,
 THENCE NORTH 89°39'32" WEST, 238 FEET TO THE TRUE POINT OF BEGINNING;
 EXCEPT THE SOUTH 135 FEET THEREOF, AND EXCEPT THAT PORTION THEREOF CONVEYED TO CITY OF SEATAC, A MUNICIPAL CORPORATION, BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 9511300608;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER, UNDER AND THROUGH THE FOLLOWING DESCRIBED PROPERTY:

A STRIP OF LAND 15 FEET IN WIDTH, LYING 7.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE AFOREMENTIONED "POINT A";
 THENCE NORTH 89° 39' 32" WEST 7.5 FEET TO THE TRUE POINT OF BEGINNING OF SAID CENTERLINE;
 THENCE SOUTH 01°42'50" WEST TO THE SOUTH LINE OF THE ABOVE DESCRIBED MAIN TRACT, AND THE TERMINUS OF SAID CENTERLINE DESCRIPTION;

ALSO;

A STRIP OF LAND 25 FEET IN WIDTH LYING 12.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE AFOREMENTIONED "POINT X"
 THENCE NORTH 01°42'50" EAST 135 FEET TO THE TRUE POINT OF BEGINNING OF SAID CENTERLINE DESCRIPTION,

THENCE SOUTH 88°10'06" EAST 226.18 FEET, MORE OR LESS, TO THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH AND THE TERMINUS OF SAID CENTERLINE DESCRIPTION.

EXCEPT ANY PORTION THEREOF LYING WITHIN THE ABOVE-DESCRIBED MAIN TRACT.