

RESOLUTION NO. R2013-02
Surplus Property Declaration

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:	PHONE:
Capital Committee	1/10/2013	Recommend to Board	Ahmad Fazel, DECM Executive Director	(206) 398-5389
Board	1/24/2013	Final Action	Roger Hansen, Real Property Director	(206) 689-3366

PROPOSED ACTION

Approves the chief executive officer's declaration of surplus real property acquired for the University Link Extension.

KEY FEATURES SUMMARY

- In accordance with Sound Transit's Real Property Disposition Policy, Procedures and Guidelines, a property can be declared surplus when it is determined by the chief executive officer that certain real property is no longer needed for present or future transit purposes. For real property where the value exceeds \$200,000, a surplus property declaration must be approved by the Sound Transit Board.
- This action approves the chief executive officer's declaration that portions of 19 parcels owned by Sound Transit located adjacent to the Capitol Hill Station's North, South and West entrances will no longer be required for a transit purpose upon completion of the University Link Extension. This action also approves the chief executive officer's method of disposition to use proceeds from selling the property for the University Link Extension, or other capital projects.
- The surplus property consists of 19 parcels, approximately 100,000 square feet of land, adjacent to the Capitol Hill Station being constructed on three city blocks. Two parcels adjacent to Seattle Central Community College consisting of approximately 10,000 square feet of surplus property will be subject to direct negotiations with the State Board of Community and Technical Colleges (SBCTC). The remaining surplus properties will be used for transit oriented development (TOD). Transactions are contingent upon on-going discussions and future approval by the Sound Transit Board and Seattle Central Community College.

BACKGROUND

University Link Extension is a 3.15-mile light rail extension located entirely underground with tunnels traveling east from Pine Street, under the I-5 freeway to an underground station at Capitol Hill, continuing north beneath SR 520 and the Lake Washington Ship Canal to an underground station on the University of Washington campus, near Husky Stadium.

On April 27, 2006, upon consideration of the Final Supplemental Environmental Impact Statement (FSEIS), the Sound Transit Board adopted Resolution No. R2006-07, which selected the final route, profile, and station locations for the Northgate Link Extension; and authorized the necessary steps to complete final design and implementation of the University Link Project. The Record of Decision (ROD) for North Link was issued by the FTA in June 2006, completing the environmental review process. The FTA gave final design approval for University Link in December 2006.

Property acquisitions from the property owners listed in Exhibit A were authorized by Sound Transit Board Resolution Nos. R2005-24, R2006-04, and R2006-08.

Subsequently, in November 2012, Sound Transit and the City of Seattle completed negotiations on a predevelopment term sheet that encompasses the nineteen properties. The term sheet includes agreements as to uses, building heights, design guidelines, vehicular access and egress, and other code requirements for the future surplus TOD parcels at Capitol Hill Station. Through a Lot Boundary Adjustment, the nineteen parcels will be configured to five TOD sites. During 2013, the Seattle City Council and the Sound Transit Board will consider entering into a formal Development Agreement which will control future property development of the parcels. Two parcels, adjacent to Seattle Central Community College, were previously approved by the Board (M2011-22) for direct negotiation with the SBCTC. This Resolution, declaring all of the parcels surplus, facilitates the negotiation with the SBCTC and the process of selling the TOD parcels at a future date. At the time the parcels are no longer needed for University Link Extension Project purposes, negotiated purchase and sale agreements will be prepared for the Board's consideration.

FISCAL IMPACT

The agency's long term financial plan has assumed the sale of surplus property as a source of additional revenue to the subareas. To the extent that surplus properties are not sold, revenues and financial capacity are reduced. Proceeds from this transaction would be recorded as miscellaneous revenue in the North King County subarea.

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

EQUAL EMPLOYMENT WORKFORCE PROFILE

Not applicable to this action.

PUBLIC INVOLVEMENT

Sound Transit, in cooperation with the City of Seattle, has conducted an extensive public involvement process to collect input on the redevelopment opportunities for the surplus property surrounding the Capitol Hill light rail station.

The public involvement process has included:

- Discussion of TOD opportunities at each of the final design open houses (30%, 60%, 90% and pre-construction) of the Capitol Hill Station project.
- Since 2008, Sound Transit has held four community forums, three City of Seattle workshops, monthly status updates for the Capitol Hill Champions – a coalition of the Capitol Hill Chamber of Commerce and the Capitol Hill Community Council have been part of the on-going outreach for future TOD at the Capitol Hill Station.
- Sound Transit and the City of Seattle hosted a Capitol Hill community meeting on the pre-development term sheet and draft site specific design guidelines.

Sound Transit will participate in the City Council's consideration of the Development Agreement and inform the Board of the outcome. Following that process, Sound Transit will issue Requests for Qualifications (RFQ) for the parcels to assess the potential for achieving fair market value for the TOD sites, and ultimately selecting a developer for each of the surplus properties.

TIME CONSTRAINTS

This item is a necessary precursor to making the property available for sale for use for transit oriented development at the Capitol Hill Station. A short delay would not affect the disposal process. A longer delay could affect future steps necessary to dispose of the surplus properties and affect future development on the sites.

PRIOR BOARD/COMMITTEE ACTIONS

Resolution No. R2006-08: Authorized the Chief Executive Officer to acquire, dispose, or lease certain real property by negotiated purchase, by condemnation (including settlement of condemnation litigation), or entering into administrative settlements, and to pay eligible relocation and re-establishment benefits to affected owners and tenants as necessary for station and construction staging areas for the University Link Capitol Hill Station upon issuance of a Record of Decision by the Federal Transit Administration.

Resolution No. R2006-07: (1) Selected the final route, profile, and station locations for the North Link Light Rail Project; (2) authorized the necessary steps to complete final design and implementation of the University Link Project.

Resolution No. R2006-04: Authorized the Chief Executive Officer, subject to the grant of a Federal Transit Administration protective acquisition waiver, 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 in order to secure property required in connection with construction staging area for the Capitol Hill Station within the University Link segment of the preferred alternative identified by the Sound Transit Board within the North Link project of Central Link.

Resolution No. R2005-24: Authorized the Chief Executive Officer, or her designee to apply for a protective acquisition waiver by FTA, and upon the grant of the waiver, to acquire, dispose, or lease certain real property by negotiated purchase, by condemnation, (including settlement of condemnation litigation), or entering into administrative settlements, and to pay eligible relocation and re-establishment benefits to affected owners and tenants as necessary for a staging area for the Capitol Hill Station within the North Link – 45th Street to Convention Center Place (CPS) project of Central Link.

Resolution No. R99-35: Adopted the Real Property Disposition Policy, Procedures and Guidelines for the disposition of surplus real property.

ENVIRONMENTAL REVIEW

JI 10/29/2012

LEGAL REVIEW

JB 1/4/2013

RESOLUTION NO. R2013-02

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority approving the chief executive officer's declaration of surplus real property, including the method of disposition of selling the property and using the proceeds for the open University Link Extension Project, or other capital projects.

WHEREAS, the Central Puget Sound Regional Transit Authority, hereinafter referred to as Sound Transit, has been created 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 4, 2008, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, University Link Extension is a 3.15-mile light rail extension located entirely underground with tunnels traveling east from Pine Street, under the I-5 freeway to an underground station at Capitol Hill, continuing north beneath SR 520 and the Lake Washington Ship Canal to an underground station on the University of Washington campus, near Husky Stadium; and

WHEREAS, Sound Transit Board by Resolution No. R2006-08 authorized the chief executive officer to acquire, dispose, or lease certain real property by negotiated purchase, by condemnation (including settlement of condemnation litigation), or entering into administrative settlements, and to pay eligible relocation and re-establishment benefits to affected owners and tenants as necessary for station and construction staging areas for the University Link Capitol Hill Station upon issuance of a Record of Decision by the Federal Transit Administration; and

WHEREAS, Sound Transit acquired nineteen real properties for the Capitol Hill Station authorized by the Board by Resolution Nos. R2005-24, R2006-04 and R2006-08; and

WHEREAS, upon completion of construction of the University Link Extension Project, portions of the subject real properties will no longer be needed for a transit purpose and have been declared surplus by the chief executive officer, the surplus property being generally depicted on attached Exhibit A; and

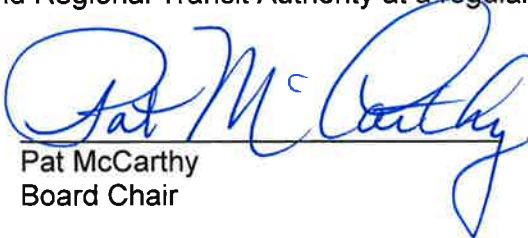
WHEREAS, the subject real property was acquired using Federal Transit Administration funds and requiring their concurrence in the method of surplus disposition, said concurrence having been received on November 30, 2012; and

WHEREAS, Sound Transit's Real Property Disposition Policy, Procedures, and Guidelines require a disposition method(s) be chosen for federally-assisted property, and the chief executive officer has elected to use one of the following disposition methods: "(4a.iii) selling and using the proceeds for other Capital Projects or by (4a. iv) keeping the proceeds in the open project and applying the net proceeds from the sale of project real property to the original cost of the real property purchased for that project."

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

SECTION 1. The subject property is declared surplus and the method of disposition is approved.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 24, 2013.


Pat McCarthy
Board Chair

ATTEST:


Marcia Walker
Board Administrator

**RESOLUTION NO. R2013-02
EXHIBIT A**

List of Entire Acquisition Area

ROW	No.	Tax Parcel No.	Owner/Contract	Total Area SF
NL	160	6003001315	Tinder	7,675
NL	164	6003001320	Tinder	7,675
NL	166	6003001370	Meier	3,150
NL	167	6003001375	Baldwin Sea, LLC	4,531
NL	168	6003001380	Rainier Merc Co	7,681
NL	170	6003001385	1830 Broadway Assoc	7,681
NL	171	6003501135	Foley	4,128
NL	172	6003002015	Malk	7,684
NL	173	6003501134	Rood	4,129
NL	174	6003501130	Kiaer	2,753
NL	175	6003002025	Amundson	23,552
NL	176	6003002020	Malk	7,684
NL	177	6003501099	NBL II, LLC	5,882
NL	178	6003002030	Yearout	7,683
NL	179	6003501115	Broadway John Partnership	3,842
NL	180	6003002035	Broadway John Partnership	7,683
NL	181	6003501105	Broadway John Partnership	7,683
NL	182	6003002040	Kahin & Hinman	7,683
NL	183	6003501098	Broadway John Partnership	1,800

Total

130,579

NW 1/4 NE 1/4 SEC 32, T 25 N, R 4 E; W.M.

SW 1/4 SE 1/4 SEC 29, T 25 N, R 4 E; W.M.

NOTES:

1. SEE DRAWING L10-RP009 FOR A LEGEND AND GENERAL NOTES REGARDING BASIS-OF-BEARINGS, COORDINATE SYSTEM & UNITS OF MEASURE.

2. FOR COMPLETE LISTING OF ROW MONUMENTS SURVEYED SEE DRAWING NUMBERS G20-GV002 & G20-GV003.

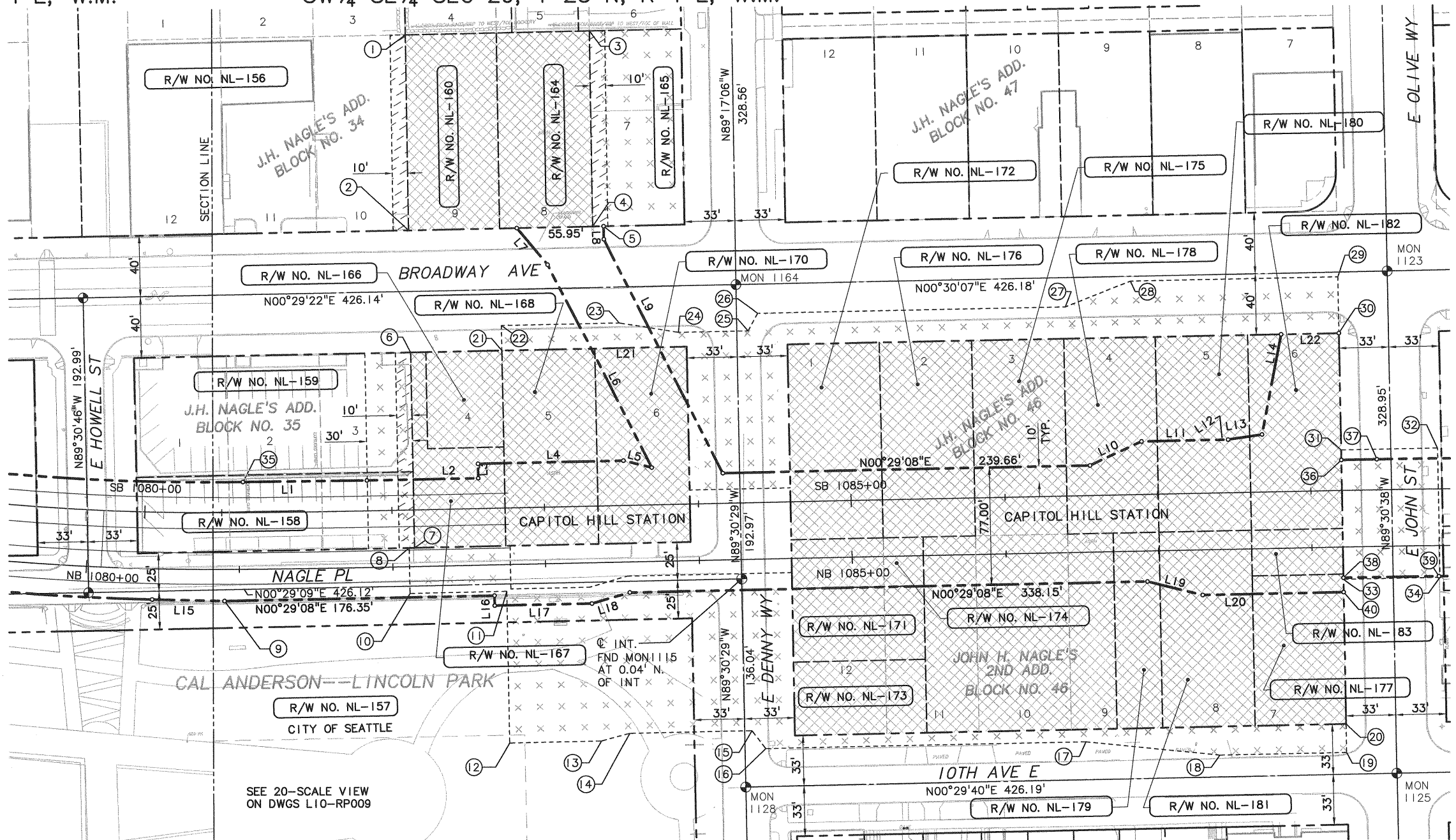
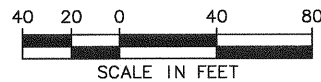
3. THIS SHEET SHOWS THE LATEST ROW REQUIREMENTS AND IS FOR ROW USE ONLY. REFER TO THE APPROPRIATE DISCIPLINE SHEETS FOR IMPROVEMENTS.

LINE TABLE

LINE	BEARING	LENGTH FT
L1	N00°52'29"E	80.70
L2	N00°29'08"E	82.48
L3	N89°30'52"W	9.48
L4	N00°29'08"E	85.13
L5	N15°27'53"E	19.01
L6	N64°44'08"E	148.92
L7	N51°45'34"E	31.30
L8	S89°30'52"E	8.51
L9	N64°44'08"E	171.76
L10	N23°13'33"W	37.30
L11	N00°29'08"E	50.19
L12	N32°24'56"W	5.54
L13	N07°00'52"W	14.56
L14	N77°30'52"W	64.61
L15	N02°56'19"E	47.10
L16	N89°30'52"W	6.56
L17	N00°29'08"E	62.74
L18	N14°30'52"W	25.76
L19	N15°29'08"E	37.03
L20	N00°29'08"E	92.52
L21	N00°29'22"E	44.04
L22	N00°30'07"E	47.75

COORDINATE TABLE

PT	N	E
1	529039.50	1573452.03
2	529038.08	1573579.79
3	529159.70	1573453.05
4	529158.16	1573580.81
5	529165.32	1573580.88
6	529037.30	1573659.79
7	529036.20	1573787.76
8	529032.73	1573787.73
9	528911.76	1573819.05
10	529032.48	1573817.52
11	529096.08	1573818.05
12	529095.24	1573917.18
13	529154.51	1573917.68
14	529173.21	1573913.17
15	529252.84	1573913.84
16	529261.67	1573925.92
17	529470.54	1573927.69
18	529557.81	1573939.01
19	529641.18	1573939.72
20	529641.34	1573920.99
21	529097.32	1573660.30
22	529097.46	1573643.93
23	529173.87	1573644.58
24	529212.43	1573651.84
25	529257.69	1573652.23
26	529264.32	1573640.92
27	529465.07	1573642.63
28	529508.24	1573627.00
29	529643.84	1573628.15
30	529643.52	1573665.05
31	529642.87	1573741.43
32	529706.48	1573741.97
33	529642.15	1573826.43
34	529705.76	1573826.97
35	528925.61	1573741.41
36	529642.82	1573748.04
37	529666.45	1573748.24
38	529642.15	1573825.38
39	529705.10	1573826.22
40	529642.07	1573834.72



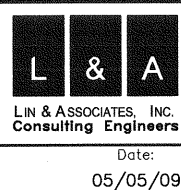
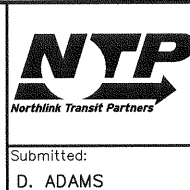
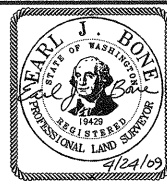
* PARCEL AREA IS FROM THE KING COUNTY ASSESSOR RECORDS.

x TIE BACK EASEMENT

SOUND TRANSIT R/W NO.	PARCEL NO. (TAX ACCOUNT NO.)	OWNERS	*PARCEL AREA SQ. FT.	FEE TAKE SQ. FT.	REMAINDER SQ. FT.	SUBSURFACE ESMT. SQ. FT.	TEMP CONST. ESMT. SQ. FT.	KING COUNTY RECORDING NO.	SOUND TRANSIT R/W NO.	PARCEL NO. (TAX ACCOUNT NO.)	OWNERS	*PARCEL AREA SQ. FT.	FEE TAKE SQ. FT.	REMAINDER SQ. FT.	SUBSURFACE ESMT. SQ. FT.	TEMP CONST. ESMT. SQ. FT.	KING COUNTY RECORDING NO.
NL-156	6003001335	STATE OF WASHINGTON	54,528				1,278		NL-172	6003002015	MALK BARBARA L	7,684	7,684	0			
NL-157	6003500490	CITY OF SEATTLE					x9224		NL-173	6003501134	ROOD KATHERINE	4,129	4,129	0			
NL-158	6003001350	BONNEY WATSON CO.	9,000			8,188	500 x1,500		NL-174	6003501130	KIAER JAN H AND ALITA L	2,753	2,753	0			
NL-159	6003001345	BONNEY WATSON CO.	14,040				780 x2,340		NL-175	6003002025	AMUNDSON RON E AND EDEL M	23,564	23,564	0			
NL-160	6003001320	TINDER CHERYL	7,675	7,675	0				NL-176	6003002020	MALK BARBARA L	7,684	7,684	0			
NL-164	6003001315	TINDER CHERYL	7,675	7,675	0				NL-177	6003501099	NBL II LLC	5,882	5,882	0			
NL-165	6003001310	CHAMPION DEVELOPMENT INC	7,680				1,278 x7,680		NL-178	6003002030	YEAROUT LEROY	7,683	7,683	0			
NL-166	6003001370	MEIER THOMAS A	3,150	3,150	0				NL-179	6003501115	WRE 6 LLC	3,842	3,842	0			
NL-167	6003001375	BALDWIN SEA LLC	4,531	4,531	0				NL-180	6003002035	WRE 6 LLC	7,683	7,683	0			
NL-168	6003001380	RAINIER MERCANTILE CO	7,681	7,681	0				NL-181	6003501105	WRE 6 LLC	7,683	7,683	0			
NL-170	6003001385	1830 BROADWAY ASSOCIATES	7,681	7,681	0				NL-182	6003002040	HINMAN & KAHIN & WEBB	7,683	7,683	0			
NL-171	6003501135	FOLEY ROBERT L AND JANET L	4,129	4,129	0				NL-183	6003001098	WRE 6 LLC	1,801	1,801	0			



Designed By: E. BONE
 Drawn By: H. NOVACEK
 Checked By: A. FURTADO
 Approved By: E. BONE



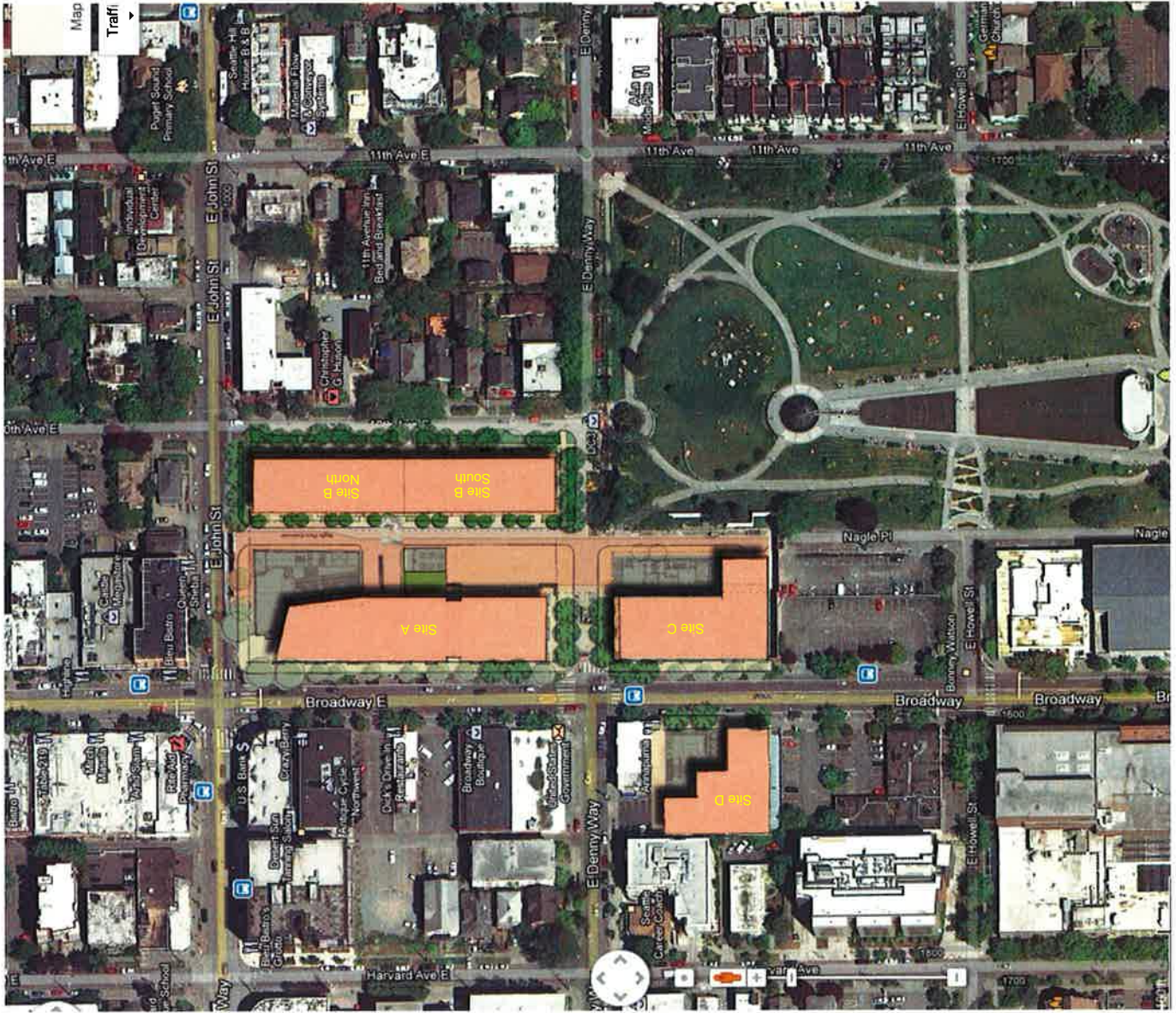
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 Contract No.: U220

LINK CONTRACT U220
 TBM TUNNELS (UWS TO CHS)
 CAPITOL HILL STATION
 RIGHT-OF-WAY PLAN

Drawing No.: N14-RP102
 Vault Plan No.:
 Sheet No.: 18
 Rev.: 0

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No.	Date	Dsn.	Chk.	App.	Revisions
0	05/05/09				ISSUED FOR CONSTRUCTION



CAPITOL HILL STATION TOD - NEIGHBORHOOD VICINITY