

# ATTACHMENT TO TRANSMITTAL LETTER

## BACKGROUND

### TO PROPOSED ORDINANCE FOR RYERSON BASE

#### Ryerson Base

King County’s Department of Transportation Metro Transit Division (“Metro”) operates the bus terminal known as the Ryerson Base (the “Base”) located at 1200 Fourth Avenue South in the City of Seattle (Assessor’s Parcel Number 766620-4685). The Base encompasses approximately 8.46 acres including an operation and maintenance facility, car wash, fuel buildings, and asphalt bus parking lot.

Note that the County currently leases from the State .656 acres located between the north boundary of the Base and South Royal Brougham Way (the “Leased Area”). As part of this exchange, the County acquires the fee interest in the majority of this Leased Area. This area was originally sold by the County to the State in 1984 for construction of Highway I-90.

#### Description of WSDOT’s Project

WSDOT’s Project includes construction of an elevated west-bound Flyover Ramp over Third Avenue connecting Interstate 90 to South Atlantic Street. The Project is intended to improve east-west traffic flow between Seattle’s waterfront, sporting facilities, dock areas and the I-5 and I-90 freeway systems. The Project requires acquisition from King County of an air-rights corridor for the Flyover Ramp superstructure and fee simple acquisition of land for the pier foundation. In exchange, the County acquires the fee interest in the majority of the existing Leased Area.

#### Earlier Project Agreements

To meet WSDOT’s construction schedule, the following three agreements were executed May 29, 2009. These previous agreements are included as Attachments 5, 6 and 7 to reference the history of negotiations.

*Memorandum of Agreement* – This agreement details the history of negotiations and references both the associated Temporary Construction Easement, which allows commencement of the Project by September 1, 2009, and the Reimbursement for Compensation agreement (further described below).

*Temporary Construction Easement* – This agreement provides for the use of two specific construction staging areas through construction completion expected by August 31, 2010.

Reimbursement for Compensation to King County (\$500,000) – Compensation is based on Metro’s additional maintenance and operations’ cost due to displacement and relocation of buses to the Atlantic Base North Yard. Payment is made monthly at the rate of Eighty-Three Thousand Three Hundred Thirty-Three Dollars (\$83,333) per month not to exceed Five Hundred Thousand Dollars (\$500,000). Construction commenced September 1, 2009, and the first payment was billed by the County to WSDOT in October, 2009. Payments will be forwarded to the Transit Fund.

Proposed Exchange Agreement

Following is a detailed summary of the real property interests being exchanged. Please see Attachments 2, 3 and 4 for depictions of the rights being exchanged.

- 1) State WSDOT Acquires from County – Approximate rights needed for construction of the proposed Flyover Ramp including:
  - (a) The fee interest for the west pier footing (505 sf.);
  - (b) The fee interest in the airspace for the Flyover Ramp (6,841 sf. above 39 foot elevation);
  - (c) A permanent ground easement for construction, maintenance, repair and utilities (6,841 sf. below 39 foot elevation); and
  - (d) Temporary construction easements (2,023 sf. and 3,221 sf.).
  
- 2) County Acquires from State – The approximate fee interest in the majority of the Leased Area within Ryerson Base (18,410 sf.) subject to the State reserving the following rights:
  - (a) An area in fee for the east pier footing for the Flyover Ramp (485 sf.);
  - (b) The airspace fee interest for the Flyover Ramp (8,234 sf. above 39 foot elevation);  
and
  - (c) A permanent ground easement for construction, maintenance, repair and utilities (8,234 sf. below 39 foot elevation).