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Title: AN ORDINANCE authorizing the King County executive to execute a property exchange agreement between King County and the Washington state Department of Transportation involving portions of Metro's Ryerson Base, located in council district eight.

Sponsors: Julia Patterson

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Attachments: 1. 16821.pdf, 2. A. The Exchange Agreement, 3. 2010-0200 Transmittal Letter.doc, 4. 2010-0200 Fiscal Note.xls, 5. 2010-0200 Attachment 1 to Transmittal Letter Background.pdf, 6. 2010-0200 Attachment 2 to Transmittal Letter Aerial Photo.pdf, 7. 2010-0200 Attachment 3 to Transmittal Letter Aerial Plan.pdf, 8. 2010-0200 Attachment 4 to Transmittal Letter Depiction of Exchanged Property Rights.pdf, 9. 2010-0200 Attachment 5 to Transmittal Letter MOA.pdf, 10. 2010-0200 Attachment 6 to Transmittal Letter Temporary Construction Easement.pdf, 11. 2010-0200 Attachment 7 to Transmittal Letter Compensation Agreement.pdf, 12. 2010-0200 Staff Report 4-20-10, 13. 2010-0200 REVISED Staff Report, 14. 2010-0200 hearing notice.doc, 15. A. The Exchange Agreement

| Date | Ver. | Action By | Action | Result |
|-----------|------|--|--|--------|
| 5/10/2010 | 2 | Metropolitan King County Council | Passed | Pass |
| 4/20/2010 | 1 | Budget and Fiscal Management Committee | Recommended Do Pass Substitute Consent | |
| 4/19/2010 | 1 | Metropolitan King County Council | Introduced and Referred | |

Clerk 04/27/2010

AN ORDINANCE authorizing the King County executive to execute a property exchange agreement between King County and the Washington state Department of Transportation involving portions of Metro's Ryerson Base, located in council district eight.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. King County's department of transportation, metro transit division ("Metro"), is custodian of 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 and is used as a Metro bus terminal including an operation and maintenance facility, car wash, fuel buildings and asphalt bus parking lot.

B. The Washington State Department of Transportation ("WSDOT") is constructing an elevated west-bound ramp over Third Avenue ("the flyover ramp") as Phase 2 of the SR 519 / I-90 to SR 99 Intermodal Access Project ("the project"). WSDOT's project is intended to improve east-west traffic flow between Seattle's waterfront, sporting facilities, dock areas and the Interstate 5/Interstate 90 freeway systems.

C. The project requires that WSDOT acquire from King County, by condemnation if necessary, an air-rights corridor for the flyover ramp superstructure and fee simple acquisition of land for the pier foundation all located within the base. In exchange King County will receive the fee interest in land previously leased from WSDOT, which is needed to improve operation of the base, together with payment for WSDOT's temporary use of base property during construction.

D. The proposed exchange agreement provides for WSDOT to receive from King County, a quitclaim deed for the fee interest in the air-rights corridor and west pier foundation; together with a permanent easement for construction, maintenance, repair and utilities. In exchange King County will receive from WSDOT, a quitclaim deed for the majority of the area previously leased from WSDOT; reserving for WSDOT the fee interest in a parcel for the east pier foundation and airspace for the flyover ramp; plus a permanent ground easement for construction, maintenance, repair and utilities. Both quitclaim deeds reference continued ingress and egress for vehicular movement upon completion of construction. The parties have agreed that the values of the respective property rights being exchanged are approximately equal for purposes of exchange.

E. Direct negotiated sales such as proposed herein are authorized in K.C.C. 4.56.100. Due to WSDOT's threat to condemn the property if not voluntarily sold by King County, declaring the property surplus is not a prerequisite to King County council approval of this property exchange. The property is neither surplus to Metro's needs nor is it available for use by another King County department or for affordable housing.

F. In accordance with K.C.C. 4.56.080, the King County council must approve sale or exchange of

King County-owned real property. This ordinance authorizes the King County executive to execute the exchange agreement which is Attachment A to this ordinance.

SECTION 2. The King County council has determined under the threat of condemnation by WSDOT that the portions of the base specified for fee and easement conveyances by King County, legally described in Attachment A to this ordinance, will be conveyed to WSDOT through the exchange agreement's quitclaim deed and easement. The King County council does hereby authorize the King County executive to execute all necessary documents to effect the exchange of property interests contemplated by the exchange agreement.

10 days not more than 25 days prior to hearing

Newspaper: Seattle Times

Publish: Wed. 4/28/10

Public Hearing: 5/10/10