



Legislation Text

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Clerk 06/12/2002

AN ORDINANCE authorizing execution of an agreement with the Central Puget Sound Regional Transit Authority (Sound Transit) and the state of Washington, by and through its Department of Transportation to provide the real property, real property interests, and associated operating agreements to allow Sound Transit to construct and operate a LINK light rail alignment on and adjacent to the E-3 Busway between the southern boundary of the Downtown Transit Tunnel and South Forest Street.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The Central Puget Sound Regional Transit Authority ("Sound Transit") is a regional transit authority authorized by chapters 81.104 and 81.112 RCW and a vote of the people to implement a high-capacity transportation system and to acquire property therefor.

B. As part of its I-90 highway project, the state of Washington, by and through its Department of Transportation ("state") acquired real property and real property interests lying generally between Airport Way and Spokane Street in the city of Seattle, and constructed on said real property a transit roadway (the "E-3 Busway").

C. King County and the state agreed to authorize King County to operate and maintain bus transit services on a portion of the E-3 Busway within the I-90 limited access area and to convey to King County real property interests to operate a bus transit roadway on the remainder of the E-3 Busway, pursuant to an

agreement with the state labeled "TB1-0036" and dated March 25, 1988 (the "Turnback Agreement"), and a quitclaim deed dated November 16, 1995, and recorded with the King County division of records and elections under number 9512110452 (the "1995 Quitclaim Deed").

D. The municipality of metropolitan Seattle ("Metro") used the E-3 Busway to provide additional capacity and greater speed and reliability for buses serving downtown Seattle.

E. In 1994, King County assumed the rights, powers, functions and obligations of Metro, consequently all the powers and functions of Metro have been vested by state law in the legislative authority of King County.

F. King County owns real property lying generally between Royal Brougham Street and Massachusetts Street in the city of Seattle immediately to the east of the E-3 Busway ("the Thirty-foot Strip").

G. To construct and operate the LINK light rail alignment, Sound Transit wishes to acquire a fee simple estate in a portion of the E-3 Busway and the Thirty-foot Strip. In addition, Sound Transit wishes to acquire air space leasehold estates and temporary construction easements upon and adjacent to the E-3 Busway property in order to relocate King County's facilities and to perform certain other construction work. Sound Transit also wishes to acquire certain additional easements and franchises upon and adjacent to the E-3 Busway property necessary or convenient to its purposes.

H. King County wishes to have its metropolitan public transportation facilities relocated on the E-3 Busway at Sound Transit's expense and without interrupting its ability to use the E-3 Busway to provide such metropolitan public transportation services until the relocated facilities are ready for use. King County also wishes to acquire or reserve the right to use certain portions of the E-3 Busway for expansion of the Ryerson transit base and to construct a pedestrian bridge connecting a newly constructed parking garage and the Ryerson transit base.

I. The state wishes to retain from its conveyances of interests in the E-3 Busway property to Sound Transit and to King County, those property interests necessary for the state to preserve its E-3 Busway obligations and to preserve the design and construction of the SR 519 highway project, phases 1 and 2.

J. King County, Sound Transit and the state have prepared an agreement (the "E-3- Busway Redevelopment Umbrella Agreement") addressing all of the elements described in subsections A through I of this section, together with such other ancillary agreements as are described therein, to facilitate the construction and operation of the Link light rail alignment, acquire the additional interests desired by King County and preserve those interests desired by the state.

SECTION 2. The King County executive is hereby authorized to execute an agreement with Sound Transit and the state substantially in the form of Attachment A to this ordinance, E3 Busway Redevelopment Umbrella Agreement, and to execute those exhibits attached thereto and those documents and legal instruments referenced therein.