

2 RESOLUTION NO. 317

3 A RESOLUTION authorizing the Board Chair or Executive Director: 1) to  
4 execute an Operations and Maintenance Agreement between the PFD, WSDOT  
5 and the Club; 2) to execute a Quitclaim Deed and Easement Agreement, and 3) to  
6 accept two utility permits, all regarding property being acquired by WSDOT from  
7 the PFD for the SR 519 Intermodal Access Project.  
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9 WHEREAS, under Chapter 36.100 RCW as amended, the Washington State Major  
10 League Baseball Stadium Public Facilities District (the "District") has been created and  
11 possesses all the powers of a public facilities district, including the power to enter into  
12 agreements with governmental and private entities; and

13 WHEREAS, the District by Resolution No. 311 transferred use and possession of  
14 certain property to the Washington State Department of Transportation ("WSDOT") for the  
15 construction of the SR 519 Intermodal Access Project; and

16 WHEREAS, the Use and Possession Agreement approved by the Board required the  
17 District, WSDOT, and The Baseball Club of Seattle, L.P. (the "Club") to finalize an  
18 Operations and Maintenance Agreement ("O&M Agreement") regarding the construction,  
19 operation and maintenance of the SR 519 project; and

20 WHEREAS, the Use and Possession Agreement also contemplated that the property  
21 would be conveyed to WSDOT under a Quitclaim Deed and Easement; and

22 WHEREAS, the Use and Possession Agreement required WSDOT provide the  
23 District with certain permits relating to public and private utilities located in the right-of-  
24 way being acquired by WSDOT; and

25 WHEREAS, the District, WSDOT and the Club have successfully negotiated the  
26 attached O&M Agreement, Quitclaim Deed and Easement Agreement, Utility Permit and  
27 Fire Loop Permit, consistent with the District's interests and the terms of the Use and  
28 Possession Agreement; and

29 NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF  
30 THE WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM PUBLIC  
31 FACILITIES DISTRICT:

32 1. The Board Chair or Executive Director is authorized to execute an Operations and  
33 Maintenance Agreement with the Washington State Department of Transportation and The  
34 Baseball Club of Seattle, L.P., for the SR 519 Intermodal Access Project, in substantially  
35 the form attached hereto.

36 2. The Board Chair or Executive Director is authorized to execute a Quitclaim Deed  
37 and Easement with the Washington State Department of Transportation and The Baseball  
38 Club of Seattle, L.P., for the SR 519 Intermodal Access Project, in substantially the form  
39 attached hereto.

40 3. The Board Chair or Executive Director is authorized to accept and approve a  
41 Utility Permit and a Fire Loop Permit from the Washington State Department of  
42 Transportation for the SR 519 Intermodal Access Project, in substantially the form attached  
43 hereto.

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45 PASSED by a vote of \_\_\_ to \_\_\_ this \_\_\_ day of August, 2000.

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47 BOARD OF DIRECTORS  
48 WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM  
49 PUBLIC FACILITIES DISTRICT

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\_\_\_\_\_  
Robert C. Wallace, Chair

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52 ATTEST:

53 \_\_\_\_\_  
54 Clerk  
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