

1 May 21, 2001

Proposed No.: 01-006

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RESOLUTION NO. 324

A RESOLUTION ratifying: 1) the Executive Director’s execution of an Operations and Maintenance Agreement between the PFD, WSDOT and the Club, and 2) his acceptance of two utility permits; and 3) the Board Chair’s execution of a Quitclaim Deed and Easement, 4) real property voucher, and 5) consent; all regarding property being acquired by WSDOT from the PFD for the SR 519 Intermodal Access Project.

WHEREAS, under Chapter 36.100 RCW as amended, the Washington State Major League Baseball Stadium Public Facilities District ("PFD") has been created and possesses all the powers of a public facilities district, including the power to enter into agreements with governmental and private entities; and

WHEREAS, the PFD by Resolution No. 317 authorized the Executive Director and/or the Board Chair to execute an Operations and Maintenance Agreement between the PFD, the Washington State Department of Transportation (“WSDOT”) and The Baseball Club of Seattle, L.P., (“Club”), a Quitclaim Deed and Easement Agreement between the PFD, WSDOT and the Club, and to accept two utility permits, all of which concern the property acquired by WSDOT from the PFD for the SR 519 Intermodal Access Project (“SR 519 Project”); and

WHEREAS, thereafter WSDOT requested an additional 350 square feet of property from the PFD to complete the SR 519 Project, and prepared a Real Property Voucher in the amount of four thousand two hundred and three and 00/100s dollars (\$4,203.00) to compensate the PFD for this property; and

WHEREAS, WSDOT obtained an easement from the Burlington Northern Santa Fe Railroad (“BNSF”) over a portion of BNSF’s property to the east of the Ballpark for the purpose of constructing and maintaining the SR 519 Project, which partially overlaps the PFD’s easement over the BNSF property; and

30 WHEREAS, the PFD and WSDOT negotiated a consent authorizing WSDOT to use
31 and occupy the PFD's easement for the purposes of constructing and maintaining the SR
32 519 subject to certain conditions and restrictions; and

33 WHEREAS, the O&M agreement, utility permits, Quitclaim Deed and Easement,
34 Real Property Voucher and consent have now been finalized and executed and/or accepted
35 by the Executive Director and/or the Board Chair for the PFD; and

36 NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF
37 THE WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM PUBLIC
38 FACILITIES DISTRICT:

39 1. The Executive Director's execution of the Operations and Maintenance
40 Agreement between the PFD, WSDOT and the Club for the SR 519 Project, a copy of
41 which is attached hereto, is hereby ratified and affirmed.

42 2. The Executive Director's acceptance of the Utility Permit and the Fire Loop
43 Permit from WSDOT to the PFD, copies of which are attached hereto, is hereby ratified and
44 affirmed.

45 3. The Board Chair's execution of the Quitclaim Deed and Easement between the
46 PFD, WSDOT and the Club for the SR 519 Project, a copy of which is attached hereto, is
47 hereby ratified and affirmed.

48 4. The Board Chair's execution of the Real Property Voucher regarding the
49 additional \$4,203.00 paid to the PFD by WSDOT, a copy of which is attached hereto, is
50 hereby ratified and affirmed.

51 5. The Board Chair's execution of the consent to WSDOT's use and occupancy of
52 the PFD's easement over the BNSF property, a copy of which is attached hereto, is hereby
53 ratified and affirmed.

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PASSED by a vote of 5 to 0 this 21st day of May, 2001.

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

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Bob Wallace, Chair

ATTEST:

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Clerk

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