

2 RESOLUTION NO. 311

3 A RESOLUTION ratifying the Executive Director's execution of:
4 A Memorandum of Agreement for Intergovernmental Cooperation Regarding the
5 SR 519 Intermodal Access Project, Phases 1, 2, and 3; an Agreement Regarding
6 Use and Possession, Valuation, and Operation and Maintenance; and a Three
7 Party Agreement Regarding Property Acquisition and Compensation for the SR-
8 519 Project.
9

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

14 WHEREAS, the District authorized the Executive Director to execute a Memorandum
15 of Agreement for Intergovernmental Cooperation Regarding the SR 519 Project by
16 Resolution No. 309, at its regular Board meeting on May 1, 2000; and

17 WHEREAS, following that authorization the terms of the Memorandum of
18 Agreement were modified slightly as a result of negotiations among the parties to the
19 agreement; and

20 WHEREAS, the modified Memorandum of Agreement was executed by the
21 Executive Director of the PFD on May 26, 2000 in order to meet certain requirements for
22 obligating federal funds for the SR 519 project; and

23 WHEREAS, following extensive discussions and negotiations, the District reached
24 agreement with the Washington State Department of Transportation (WSDOT) regarding
25 the valuation of property to be acquired by WSDOT from the District for the SR 519
26 project; and

27 WHEREAS, that agreement on valuation includes payment to the PFD for certain real
28 property interests, improvements to the property made by the District, payment for
29 temporary construction access easements and permanent access easements for WSDOT
30 maintenance of the SR 519 project, attorney and appraisal fees, and a commitment by the

31 WSDOT to repair and/or replace certain items affected by the construction the SR 519
32 project; and

33 WHEREAS, those obligations are memorialized in an Agreement Regarding Use and
34 Possession, Valuation, and Operation and Maintenance; and

35 WHEREAS, the District, WSDOT, and King County have reached agreement (the
36 “Three Party Agreement”) regarding compensation to the County for property being
37 acquired by WSDOT, where such property was granted to the District by the County
38 pursuant to state law; and

39 WHEREAS, the Three Party Agreement resolves the District’s obligations to the
40 County, as created by the “Fourth Amendment to the Financing Agreement,” recorded April
41 23, 1997, between the District and the County.

42
43 NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF
44 THE WASHINGTON STATE MAJOR LEAGUE BASEBALL STADIUM PUBLIC
45 FACILITIES DISTRICT:

46 1. The Executive Director’s execution of the modified Memorandum of Agreement
47 among the Washington State Department of Transportation, the City of Seattle, King
48 County, the Port of Seattle, the Burlington Northern Santa Fe Railway Company, the
49 Washington State Public Stadium Authority, the Baseball Club of Seattle, L.P., and First &
50 Goal, Incorporated regarding the SR 519 Intermodal Access Project, phases 1, 2, and 3, is
51 hereby ratified.

52 2. The Executive Director’s execution of the Agreement Regarding Use and
53 Possession, Valuation, and Operation and Maintenance, is hereby ratified.

54 3. The Executive Director’s execution of the Three Party Agreement Regarding
55 Property Acquisition and Compensation, SR 519 Intermodal Access Project Phases 1,2, and
56 3, is hereby ratified.

57

58 PASSED by a vote of _____ to _____ this _____ day of June, 2000.

59

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

63 _____
64 Robert C. Wallace, Chair

65 ATTEST:

66 _____
67 Clerk

67

68

69

70