

**HIGHLINE WATER DISTRICT
KING COUNTY, WASHINGTON**

RESOLUTION 09-12-2A

RESOLUTION OF THE BOARD OF COMMISSIONERS OF HIGHLINE WATER DISTRICT, KING COUNTY, WASHINGTON, APPROVING AN AGREEMENT WITH THE CITY OF SEATAC PROVIDING FOR THE EXCHANGE OF CERTAIN REAL ESTATE AND REAL PROPERTY INTERESTS PURSUANT TO CHAPTER 39.33 RCW.

WHEREAS, Highline Water District ("District") is a duly organized water district under the laws of the State of Washington, and is empowered to furnish water service to property owners within or without the District in the manner provided by law; and

WHEREAS, the District owns certain real property located within the City of SeaTac, Washington ("City"), known as the McMicken Heights Reservoir Site ("Reservoir Site"); and

WHEREAS, the City owns certain real property located in the City situated adjacent to the west and east of the Reservoir Site commonly known as McMicken Heights Park ("Park Property"); and

WHEREAS, the City desires that the District convey a portion of the Reservoir Site containing approximately 11,391 square feet to the City to facilitate permanent access for public and park purposes between the Park Property; and the District desires that the City convey a portion of the Park Property containing approximately 11,391 square feet together with certain utility easements on the Park Property to the District to facilitate the consolidation of the Reservoir Site for water storage and supply purposes and the construction of a water treatment facility thereon; and.

WHEREAS, pursuant to Chapter 39.34 RCW, the District and the City are authorized to undertake joint and cooperative action and, pursuant to Chapter 39.33 RCW, the Parties are authorized to sell, transfer, exchange, lease or otherwise dispose of any property, real or personal, or property rights to another political subdivision on such terms and conditions as may be mutually agreed upon by the Parties; and

WHEREAS, The District and the City desire to (1) exchange and convey to the other respective party the real property and certain real property interests as referenced above and herein, (2) acknowledge that the real property and real property interests are of approximately equal value, and that such value is less than Fifty Thousand Dollars (\$50,000.00) respectively; and

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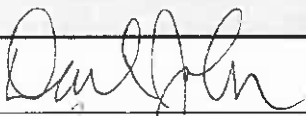
WHEREAS, the District and the City have agreed on the terms and conditions of the exchange and conveyance of the real property and real property interests as set forth in a "Real Estate Exchange Agreement" in the form attached hereto as **Exhibit A** and incorporated herein in full by this reference; now, therefore;

BE IT RESOLVED, by the Board of Commissioners of Highline Water District, King County, Washington, as follows:

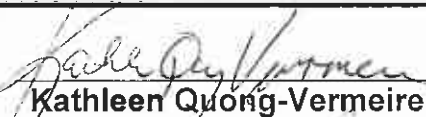
1. The Real Estate Exchange Agreement in the form attached hereto as **Exhibit A** is hereby approved.
2. The District General Manager is hereby authorized and directed to execute the Real Estate Exchange Agreement on behalf of the District and the General Manager and District staff are hereby authorized and directed to undertake and carry the property exchange in accordance with the terms and conditions of the Agreement in coordination with City staff and to execute all documents such as deeds, easements and certifications to perform the Agreement.

ADOPTED BY THE BOARD OF COMMISSIONERS of Highline Water District, King County, Washington, at the open public meeting thereof held on the **2nd** day of **December 2009**.

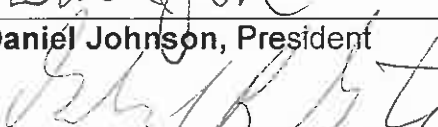
BOARD OF COMMISSIONERS



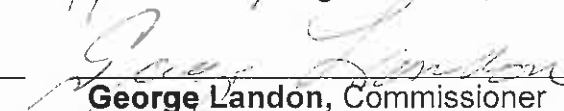
Daniel Johnson, President



Kathleen Quong-Vermeire, Secretary



Gerald R. Guite, Commissioner



George Landon, Commissioner



Vince Koester, Commissioner