

**RESOLUTION NO. 1173 (2021)**

A Resolution of the Port Commission for the Port of Everett declaring certain real property, generally referred to as the *Bay Wood Property*, surplus to the needs of the Port of Everett and amending the Port's Comprehensive Scheme of Harbor Improvements.

**WHEREAS**, the Port of Everett maintains an existing Comprehensive Scheme of Harbor Improvements (Comprehensive Scheme), pursuant to the requirements under Chapter 53.20 RCW.

**WHEREAS**, the Port Commission, at its regular meeting of September 11, 2018, authorized the terms of the Purchase and Sale Agreement with Latitude Development, LLC.

**WHEREAS**, the Port of Everett entered into a Purchase and Sale Agreement, effective September 21, 2018, with Latitude Development, LLC for the sale of the *Bay Wood Property*, located at 200 West Marine View Drive, Everett, WA 98201, that is legally described in Exhibit A, and depicted in Exhibit B because that real property is surplus to the needs of the Port.

**WHEREAS**, RCW 53.20.020, provides for amending a Comprehensive Scheme after a public hearing is conducted.

**WHEREAS**, a public hearing prior to the proposed amendment to the Comprehensive Scheme has been held in accordance with RCW 53.20.020.

**NOW, THEREFORE, BE IT RESOLVED BY THE PORT COMMISSION OF THE PORT OF EVERETT**, based on the foregoing recitals, as follows:

**Section 1. Findings.** Based on a duly noticed public hearing, representations made by staff, and the relevant public record, the Commission finds:

- (a) The Port of Everett has previously adopted its Comprehensive Scheme of Harbor Improvements, as required by statute.
- (b) Proper notice of the Comprehensive Scheme amendment has been published pursuant to the requirements of RCW 53.20.020.
- (c) The procedural requirement of a public hearing necessary in order to amend the Comprehensive Scheme is satisfied.

**Section 2. Comprehensive Scheme Amendment.** Upon closing of the real estate transaction, the real property legally depicted in Exhibits A and B, which is surplus to the needs of the Port District, shall herewith be removed from the Port's Comprehensive Scheme.

**Section 3. Closing.** In the event the Purchase and Sale transactions of the property depicted in Exhibit A and Exhibit B do not close and the Port retains the property, such property shall remain in the present designation and within the Port's Comprehensive Scheme.

**ADOPTED** by the Port Commission of the Port of Everett on the 9<sup>th</sup> day of March, 2021.

**EVERETT PORT COMMISSION**

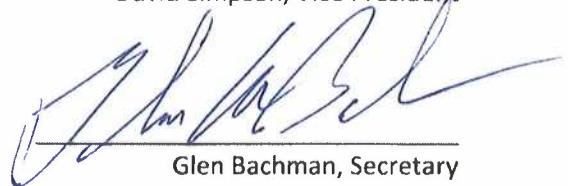


Tom Stiger, President

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David Simpson, Vice President



Glen Bachman, Secretary

EXHIBIT A

Legal Description of Property – Parcel B

COMMENCING AT THE QUARTER CORNER OF THE EAST SIDE OF SECTION 7, TOWNSHIP 29 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN;  
THENCE NORTH 89°08'12" WEST ALONG THE SOUTH LINE OF GOVERNMENT LOT 1 FOR A DISTANCE OF 675.77 FEET TO 3" BRASS CAP MONUMENT IN WEST MARINE VIEW DRIVE;  
THENCE CONTINUING NORTH 89°08'12" WEST FOR A DISTANCE OF 19.28 FEET TO THE EAST LINE OF SAID PARENT PARCEL;  
THENCE SOUTH 34°35'48" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 61.53 FEET TO THE SOUTHEAST CORNER OF SAID PARENT PARCEL;  
THENCE NORTH 43°54'12" WEST ALONG THE SOUTH LINE OF SAID PARENT PARCEL FOR A DISTANCE OF 17.26 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 43°54'12" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 88.13 FEET TO A POINT ON AN ARC OF A NON-TANGENTIAL CURVE WHOSE CENTER BEARS NORTH 0°03'11" WEST AND HAVING A RADIUS OF 375.06 FEET;  
THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE THROUGH A CENTRAL ANGLE OF 19°25'08" FOR A DISTANCE OF 127.12 FEET TO A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 513.67 FEET;  
THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE THROUGH A CENTRAL ANGLE OF 9°13'38" FOR A DISTANCE OF 82.72 FEET;  
THENCE NORTH 43°54'12" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 103.10 FEET;  
THENCE NORTH 51°23'58" EAST FOR A DISTANCE OF 88.72 FEET;  
THENCE NORTH 63°32'00" WEST FOR A DISTANCE OF 146.00 FEET;  
THENCE NORTH 44°31'00" WEST FOR A DISTANCE OF 51.00 FEET;  
THENCE NORTH 4°59'00" EAST FOR A DISTANCE OF 35.00 FEET;  
THENCE NORTH 60°21'00" WEST FOR A DISTANCE OF 38.00 FEET;  
THENCE SOUTH 73°58'00" WEST FOR A DISTANCE OF 28.00 FEET;  
THENCE NORTH 52°48'00" WEST FOR A DISTANCE OF 42.00 FEET;  
THENCE NORTH 1°04'00" EAST FOR A DISTANCE OF 66.00 FEET;  
THENCE NORTH 31°53'00" WEST FOR A DISTANCE OF 35.00 FEET;  
THENCE NORTH 13°12'00" WEST FOR A DISTANCE OF 123.00 FEET;  
THENCE NORTH 55°19'00" WEST FOR A DISTANCE OF 51.00 FEET;  
THENCE NORTH 19°14'00" WEST FOR A DISTANCE OF 29.00 FEET;  
THENCE NORTH 21°35'00" EAST FOR A DISTANCE OF 79.00 FEET;  
THENCE NORTH 23°33'00" WEST FOR A DISTANCE OF 27.00 FEET;  
THENCE SOUTH 72°52'00" WEST FOR A DISTANCE OF 120.00 FEET;  
THENCE NORTH 42°47'00" WEST FOR A DISTANCE OF 85.00 FEET;  
THENCE NORTH 12°49'00" WEST FOR A DISTANCE OF 61.00 FEET;  
THENCE NORTH 20°53'00" EAST FOR A DISTANCE OF 92.00 FEET;  
THENCE NORTH 57°27'00" EAST FOR A DISTANCE OF 111.00 FEET;  
THENCE NORTH 16°49'00" EAST FOR A DISTANCE OF 144.00 FEET;  
THENCE SOUTH 67°08'00" EAST FOR A DISTANCE OF 86.00 FEET;  
THENCE NORTH 84°17'00" EAST FOR A DISTANCE OF 102.43 FEET TO THE NORTH LINE OF THE 100' WIDE DIKE EASEMENT SNOHOMISH COUNTY A.F. NO. 1230483;

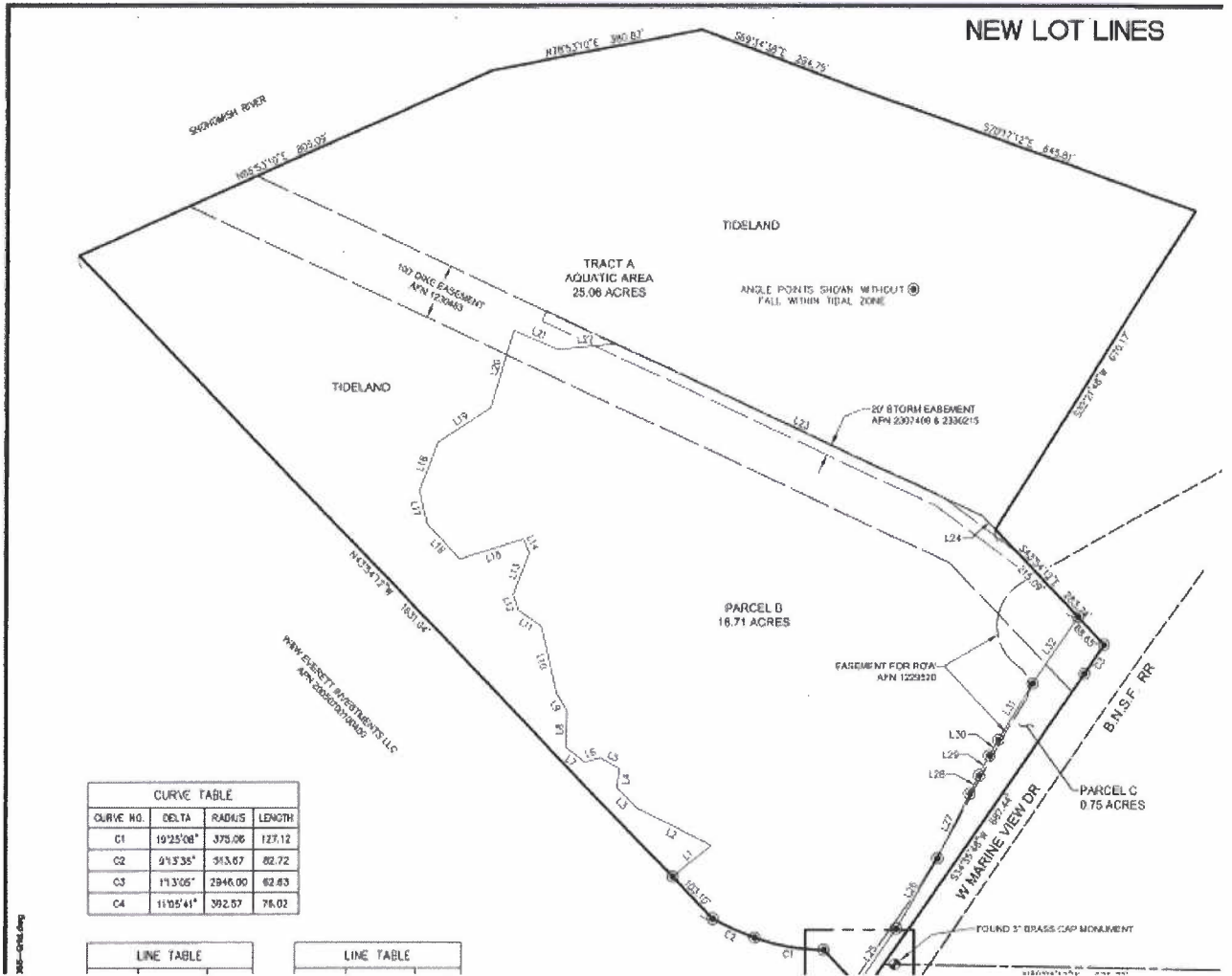
THENCE SOUTH 65°02'19" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 721.51 FEET;  
THENCE SOUTH 43°54'12" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 33.37 FEET TO AN  
ANGLE POINT ON THE EAST LINE OF SAID PARENT PARCEL;  
THENCE SOUTH 43°54'12" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 215.08 FEET;  
THENCE SOUTH 34°39'46" WEST FOR A DISTANCE OF 143.79 FEET;  
THENCE SOUTH 31°10'06" WEST FOR A DISTANCE OF 117.47 FEET;  
THENCE SOUTH 30°48'18" WEST FOR A DISTANCE OF 32.47 FEET;  
THENCE SOUTH 26°46'26" WEST FOR A DISTANCE OF 39.34 FEET;  
THENCE SOUTH 26°57'45" WEST FOR A DISTANCE OF 36.43 FEET;  
THENCE SOUTH 26°25'35" WEST FOR A DISTANCE OF 127.79 FEET;  
THENCE SOUTH 30°01'26" WEST FOR A DISTANCE OF 143.64 FEET;  
THENCE SOUTH 34°10'56" WEST FOR A DISTANCE OF 122.11 FEET TO THE TRUE POINT OF  
BEGINNING.

CONTAINING 727,889 SQUARE FEET (16.71 ACRES)

SITUATE IN SNOHOMISH COUNTY, WASHINGTON

# EXHIBIT B

## Depiction of Property – Parcel B



CURVE TABLE			
CURVE NO.	DELTA	RADIUS	LENGTH
C1	19°25'08"	375.06	127.12
C2	9°13'35"	315.67	82.72
C3	1°13'05"	2946.00	82.43
C4	11°05'41"	392.57	76.02

LINE TABLE

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