



Sent via EMAIL

July 18, 2017

David Rowland
Area Manager
Kinder Morgan – Harbor Island Terminal
2720 13th Avenue SW
Seattle, WA 98134

Re: Utility Easements and Access Rights to Kinder Morgan Lease Area, Terminal 18, Harbor Island

Dear David:

As the Port of Seattle completes the street vacation process for the Terminal 18 Redevelopment Project, the Port and Seattle Public Utilities (“SPU”) are signing an Easement Agreement 15-084-A (“Master Easement”) which grants SPU utility easements for the SPU assets that lay within the boundaries of Port property or that are within public right of way to be vacated (11th Avenue SW, 13th Avenue SW, SW Hanford Street, and SW Florida Street). Portions of the utility easements for SPU assets included in the Master Easement run underground, across Port of Seattle Property leased to Kinder Morgan.

To address the need for utilities and access to the leased property, the Port and Kinder Morgan negotiated language regarding access to the Kinder Morgan lease area as described in Section 16.2 of the Lease Agreement between the Port and Kinder Morgan Liquids Terminals, LLC, dated February 11, 2010 (“KM Lease”).

By signing below, Kinder Morgan Liquids Terminals, LLC, , a Delaware limited liability company (“KM”) (hereinafter called “Lessee”), as Lessee of the premises described in that Lease referenced above, acknowledges as follows:

- (1) Portions of the Easement Areas B-6, B-8, and B-10 granted under the Master Easement lie within Lessee’s Site (see enclosed Master Easement and legal descriptions);
- (2) The Port reserved easement rights in Section 16.2 of the KM Lease (the “Reservation Rights”) for itself, its authorized utility service provider, and their respective agents “...to enter the Site and to cross over, construct, move, reconstruct, rearrange, alter, maintain, repair and operate the sewer, water and drainage lines, the electrical service and all other services and facilities required by the Port for the use of the Port and Port tenants.” Lessee acknowledges and consents that as part of the street vacation(s) from the City of Seattle to the Port, the Port will grant easement rights for water, sewer, and storm drainage utilities to Seattle Public Utilities under and across the Easement Areas, which are consistent with the Reservation Rights in Section 16.2 of the KM Lease.

Best Regards,



David Amble

Real Estate Property Manager
NWSA Properties – North Harbor
Acting as Agent for the Port of Seattle

ACKNOWLEDGED:



David Rowland

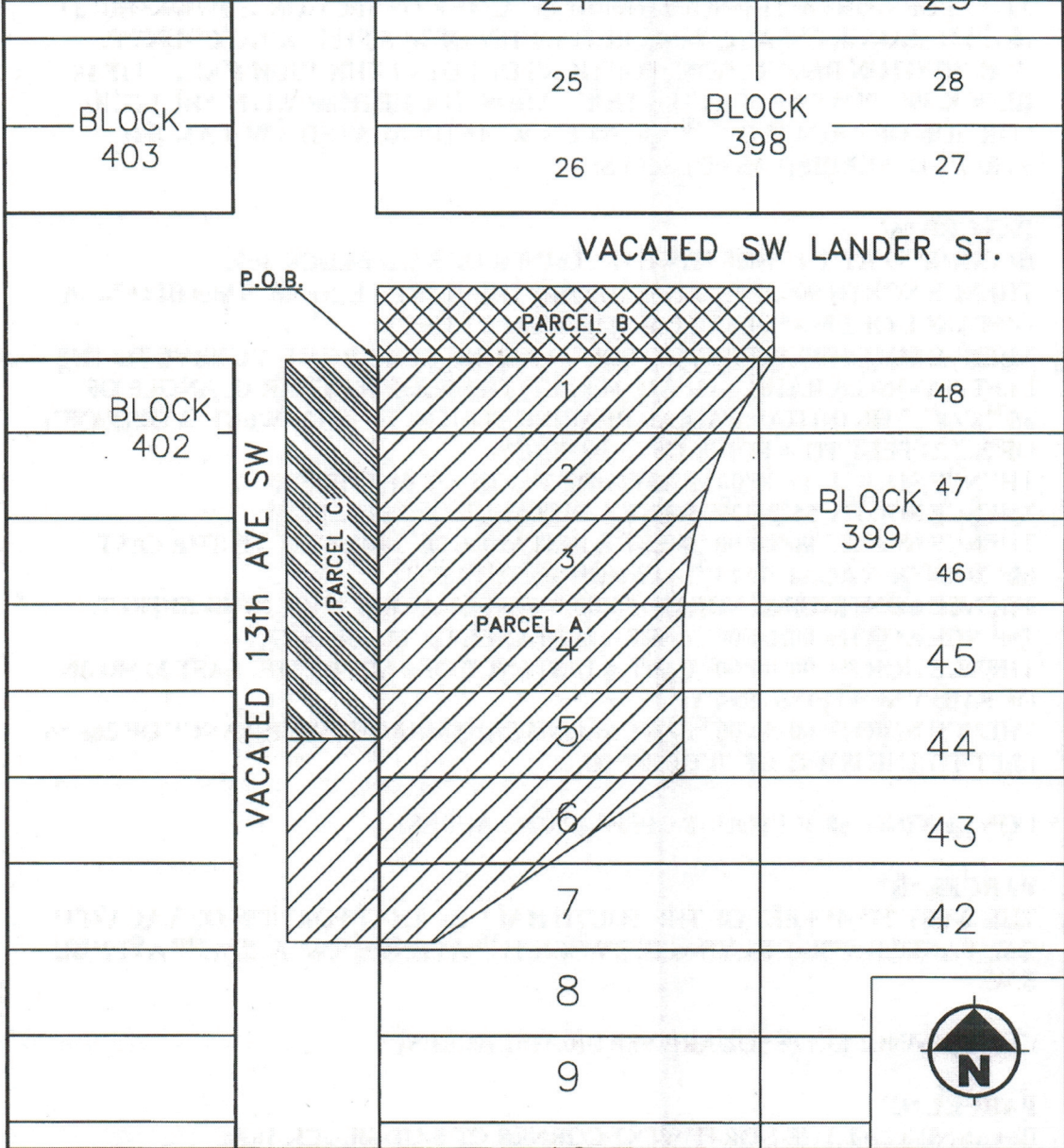
Area Manager
Kinder Morgan – Harbor Island Terminal
Date: 7/25/2017

Cc: M. Campagnaro

Enclosures:

1. Lease Area as described in KM Lease with the Port of Seattle, February 11, 2010
2. Master Easement with legal descriptions for utility Easement Areas, in particular B-6, B-8, and B-10
3. Proposed street vacation areas on Harbor Island

**PORTION OF SW QUARTER OF SECTION 7,
TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M.
KING COUNTY, WASHINGTON**



**TERMINAL 18
LEASE AREA**

EXHIBIT A

N.T.S.

DATE 07/19/2017

SHEET NO.

1 OF 1

**TERMINAL 18
LEASE AREA**

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 24 NORTH, RANGE 04 EAST, W.M., IN THE CITY OF SEATTLE, KING COUNTY, WASHINGTON BEING THOSE PORTIONS OF LOTS 1 THROUGH 8 AND LOT 48, BLOCK 399, PLAT OF SEATTLE TIDE LANDS, TOGETHER WITH ABUTTING PORTION OF VACATED 13TH AVENUE S.W. AND VACATED S.W. LANDER STREET DESCRIBED AS FOLLOWS:

PARCEL 'A'

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 399;
THENCE NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID BLOCK, A DISTANCE OF 275.45 FEET TO A POINT ON A CURVE;
THENCE SOUTHWESTERLY TO SOUTH ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 325.44 FEET, THROUGH A CENTRAL ANGLE OF 36°28'48", THE INITIAL RADIAL BEARING SOUTH 53°35'12" WEST, A DISTANCE OF 207.21 FEET TO A POINT OF TANGENCY;
THENCE SOUTH 00°00'00" EAST A DISTANCE OF 91.91 FEET;
THENCE SOUTH 55°26'28" WEST A DISTANCE OF 210.32 FEET;
THENCE NORTH 90°00'00" WEST A DISTANCE OF 38.48 FEET TO THE EAST MARGIN OF VACATED 13TH AVENUE SOUTHWEST;
THENCE CONTINUING NORTH 90°00'00" WEST A DISTANCE OF 64.61 FEET;
THENCE NORTH 00°00'00" EAST A DISTANCE OF 141.14 FEET;
THENCE NORTH 90°00'00" EAST A DISTANCE OF 64.61 TO THE EAST MARGIN OF SAID VACATED STREET;
THENCE NORTH 00°00'00" EAST ALONG SAID MARGIN, A DISTANCE OF 263.56 FEET TO THE POINT OF BEGINNING.

CONTAINING: 88,393 SQUARE FEET (2.0292 ACRES)

PARCEL 'B'

THE WEST 275.45 FEET OF THE SOUTH HALF OF THAT PORTION OF VACATED S.W. LANDER STREET LYING BETWEEN 11TH AVENUE S.W. AND 13TH AVENUE S.W.

CONTAINING: 13,773 SQUARE FEET (0.3162 ACRES)

PARCEL 'C'

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 399;
THENCE SOUTH 00°00'00" EAST ALONG THE WEST LINE OF SAID BLOCK, A DISTANCE OF 263.56 FEET;
THENCE NORTH 90°00'00" WEST A DISTANCE OF 64.61 FEET;
THENCE NORTH 00°00'00" EAST A DISTANCE OF 263.56 FEET;

H:\Projects\Seaport\T-18\0103\2017\T-18 Kinder Morgan Lease Area

**TERMINAL 18
LEASE AREA**

THENCE NORTH 90°00'00" EAST A DISTANCE OF 64.61 FEET TO THE POINT OF
BEGINNING.

CONTAINING: 17.029 SQUARE FEET (0.3909 ACRES)

Sent via EMAIL



**THE NORTHWEST
SEAPORT ALLIANCE**
Gateway to Solutions
nwseaportalliance.com

July 17, 2017

Mr. Eli Bohm
General Manager
SSA Terminals LLC
1131 Klickitat Ave SW
Seattle, WA 98134

Re: Utility Easements and Access Rights to SSA Lease Area, Terminal 18, Harbor Island

Dear Eli:

As the Port of Seattle completes the street vacation process for the Terminal 18 Redevelopment Project, the Port and Seattle Public Utilities ("SPU") are signing an Easement Agreement 15-084-A ("Master Easement") which grants SPU utility easements for the SPU assets that lay within the boundaries of Port property or that are within public right of way to be vacated (11th Avenue SW, 13th Avenue SW, SW Hanford Street, and SW Florida Street). Portions of the utility easements for SPU assets included in the Master Easement run underground, across Port of Seattle Property leased to SSA.

To address the need for utilities and access to the leased property, the Port and SSA negotiated language regarding access to the SSA lease area as described in Section 2.9 of the Lease Agreement between the Port and SSA Terminals LLC, dated October 28, 1999, as amended ("Terminal 18 Lease").

By signing below, SSA Terminals LLC, SSA TERMINALS, LLC, a Delaware limited liability company ("SSAT"), and SSA CONTAINERS, INC. (formerly named Stevedoring Services of America, Inc.) ("SSA"), a Washington corporation ("SSA" and together with "SSAT," hereinafter called "Lessee"), as Lessee of the Site described in that Lease referenced above, acknowledges as follows:

- (1) Portions of the Easement Areas granted under the Master Easement lie within Lessee's Site (see enclosed Master Easement and legal descriptions);
- (2) The Port reserved easement rights in Section 2.9 of the Terminal 18 Lease (the "Reservation Rights") "...to enter the Site and to cross over, construct, move, reconstruct, rearrange, alter, maintain, repair and operate the sewer, water and drainage lines, the electrical service and all other services and facilities required by the Port for the use of the Port and Port tenants." Lessee acknowledges and consents that as part of the street vacation(s) from the City of Seattle to the Port, the Port will grant easement rights for water, sewer, and storm drainage utilities to Seattle Public Utilities under and across the Easement Areas, which are consistent with the Reservation Rights in Section 2.9 of the Terminal 18 Lease.

P.O. Box 2985 | Tacoma, WA 98401-2985 | 800-657-9808

The Northwest Seaport Alliance is a marine-cargo operating partnership of the Port of Seattle and Port of Tacoma.

Best Regards,



David Amble
Real Estate Property Manager
NWSA Properties – North Harbor
Acting as Agent for the Port of Seattle

ACKNOWLEDGED:



Eli Bohm
General Manager
SSA Terminals LLC, Terminal 18 Seattle
Date: 7-24-17

Cc: M. Campagnaro

1. Lease Area as described in SSA Lease with the Port of Seattle, October 29, 1999
2. Master Easement with legal descriptions for utility Easement Areas.
3. Proposed street vacation areas on Harbor Island