



MEMO TO: Mayor Marchione and City Council

FROM: Craig Larsen, Park and Recreation Director 425-556-2310  
Carolyn Hope, Senior Park Planner 425-556-2313

DATE: March 27, 2012

SUBJECT: **BRIEFING ON THE STATUS OF THE SOUND TRANSIT EASEMENT AGREEMENTS WITHIN THE FORMER BNSF RAIL CORRIDOR**

**I. PURPOSE:**

City staff will brief the City Council on the status of the Sound Transit easement agreements in the former BNSF Corridor for the future East Link project, terminal station, and related high-capacity transit facilities.

**II. DESCRIPTION:**

In November 2009, the City signed a Memorandum of Understanding (MOU) regarding the City's intent to purchase the section of the BNSF Corridor that runs through Redmond from the Port of Seattle. The MOU also includes the City's commitment to providing easement agreements to other partners within the Corridor including Sound Transit, Puget Sound Energy, King County, and Cascade Water Alliance. In June 2010, the City purchased the Redmond section of the BNSF Rail Corridor from the Port of Seattle. Within the Purchase and Sale Agreement of that transaction, Redmond agreed to provide Sound Transit with an easement agreement for high-capacity transit within the Redmond section of the former rail corridor before Sound Transit closes with the Port of Seattle.

The first attachment will provide Sound Transit with an easement within the Redmond Central Connector and other city-controlled properties for a transit easement. Sound Transit has plans to develop a portion of Segment E of East Link and the terminal station for East Link in the Downtown City Segment sometime after 2021. The key terms of this agreement are as follows:

- Provides Sound Transit with property rights in the former BNSF railroad right-of-way, in the north edge of NE 76<sup>th</sup> Street, in the north portion of the properties known as the Old King County Shop Site, and access to cross current and future north-south streets within the corridor.
- These rights are strongest in the Downtown Transit Corridor, as shown in Exhibit D of the agreement, which is a more defined property within the overall easement.

- If Sound Transit requires more access within the remainder of the easement area, there are conditions that it must preserve the trail to the north, preserve a functioning NE 76<sup>th</sup> Street, and maintain a functioning stormwater trunkline, among other things.

The second attachment will provide Sound Transit with an easement north of Downtown to NE 124<sup>th</sup> Street (the North Segment) to preserve the right to extend high-capacity transit north in the future. Sound Transit has financially contributed to this easement through the regional transaction with the Port of Seattle and will not directly pay the City of Redmond for this easement. The key terms of this agreement are as follows:

- Provide Sound Transit with property rights in the former BNSF railroad right-of-way while allowing flexibility for the City to use the right-of-way for a regional trail and to expand Willows Road;
- Preserves street crossings and access to private driveways; and
- Requires Sound Transit to rebuild or modify trestles as necessary to travel north of the corridor and to accommodate the trail in those trestles.

#### **IV. SCHEDULE OF PROJECT**

<b>Task</b>	<b>Date</b>
Council Action on Easement Agreements	April 3, 2012
City to Deposit Fully Executed Agreements into Escrow	No later than April 11, 2012
Sound Transit Closing with Port of Seattle	April 12, 2012
City of Kirkland Closing with Port of Seattle*	April 13, 2012

\* This agreement refers to conditions in the Sound Transit agreement, which may need to be altered if Redmond is not timely in approving the easement agreements prior to the April 12 closing date.

#### **V. ROLE OF THE COUNCIL:**

On April 3, 2012, the Council will be asked to authorize the Mayor to sign easement agreements substantially similar to those presented at this study session.

#### **VI. ATTACHMENTS:**

- A. Draft Light Rail Easement Agreement (Redmond Spur Rail Corridor – Downtown City Segment) – *To be provided on Tuesday, March 27.*
- B. Draft High Capacity Transportation Easement Agreement (Redmond Spur Rail Corridor – North Segment) - *To be provided on Tuesday, March 27.*