Chip Nevins
DPR B-G Trail Donation Deed Acceptance 12 ORD
October 18, 2012
Version #1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Department of Parks and Recreation; accepting a deed for the donation of real property along the Burke-Gilman Trail in northeast Seattle, for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

WHEREAS, the City of Seattle is continually acquiring property to expand existing parks and conserve green spaces; and

WHEREAS, the City of Seattle does not have adequate funding to acquire all the properties worthy of conservation; and

WHEREAS, the City of Seattle encourages owners of properties that add value to the City's inventory of parks and green spaces to donate them to the City; and

WHEREAS, the Seattle City Charter requires that all acquisition of real property be accepted by or under authority of ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The deed described below (by grantor, legal description, date and recording number), conveying real property to the City of Seattle, is hereby accepted for open space, park and recreation purposes, and the real property is hereby placed under the jurisdiction of the Department of Parks and Recreation:

Burke-Gilman Trail Green Space

The following parcel was acquired by donation:

TIMOTHY C. MOTZER AND SANDRA A. MOTZER, husband and wife, by Deed dated October 16, 2012, recorded October 17, 2012, under King County Recording Number 20121017000685, as to RPAMIS Subject Parcel No. 22685:

Lot A, City of Seattle Short Plat Number 81-037, recorded under Recording Number 8109180264, in King County, Washington; said Short Plat being described as follows:

Lots 1 And 2, Block 17, University Lakeshore Division No. 1, 2, And 3, Vol. 10, Page 81 King County, WA.

Together with that portion of vacated N.P. Railroad right of way as vacated under Ordinance 9103370; (commonly known as King County Tax Account Parcel No. 8820902227).

Section 2. Any act consistent with acceptance of the deed described in Section 1 above and prior to the effective date of this ordinance, including, without limitation, acceptance of the donation of real property described in Section 1 above, is hereby ratified and confirmed.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2012, and signed by me in open session in authentication of its passage this _____ day of _____, 2012.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2012.

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2012.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Form revised: December 6, 2011

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Donald Harris/ 684-8018	Jeff Muhm/ 684-8049

Legislation Title:
AN ORDINANCE relating to the Department of Parks and Recreation; accepting a deed for the donation of real property along the Burke-Gilman Trail in northeast Seattle, for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Summary and background of the Legislation:
This proposed legislation accepts one deed for property donated to the City for open space, park, and recreation purposes, and places the property under the jurisdiction of the Seattle Department of Parks and Recreation (DPR). The donation of this property will lead to increased operating costs for the Department beginning next year.

DPR is continually acquiring property to expand existing parks and green spaces or to add new land to the park system. The deed accepted in the proposed legislation conveys .17 acres of property along the Burke-Gilman Trail to the City's park inventory. The property provides a green buffer along the trail that will enhance the experience of anyone that rides or walks by.

The purpose of this legislation is to formally accept the deed to the donated property, as required by City Charter. Ordinance 122959 provided authority for planning and due diligence of green space properties and the authority to acquire property within designated green spaces at current fair market value. However, the legislation did not authorize the acquisition of property by donation. Section 2 of the Ordinance included with this legislation rectifies this lack of previous authorization by allowing for acquisition by donation through a ratify and confirm clause.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:

____ **This legislation creates, funds, or anticipates a new CIP Project.**

____ **This legislation does not have any financial implications.**

__X__ **This legislation has financial implications.**

Appropriations: N/A

Fund Name and Number	Department	Budget Control Level*	Existing 2011 Appropriation	New 2011 Appropriation (if any)	2012 Anticipated Appropriation
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Appropriations Notes:

Spending Plan and Future Appropriations for Capital Projects: N/A

Spending Plan and Budget	2012	2013	2014	2015	2016	2017	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Spending Plan and Budget Notes:

Funding Source: N/A

Funding Source (Fund Name and Number, if applicable)	2012	2013	2014	2015	2016	2017	Total
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Funding Source Notes:

Bond Financing Required: N/A

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Bond Notes:

Uses and Sources for Operation and Maintenance Costs for the Project:

O&M	2012	2013	2014	2015	2016	2017	Total
Uses							
Start Up							
On-going		$1,783	$2,321	$2,367	$2,414	**$2,463**	**$11,348**
Sources (itemize)							
Parks and Recreation Fund		$1,783	$2,321	$2,367	$2,414	**$2,463**	**$11,348**

Operation and Maintenance Notes:
The new facility O&M estimates listed above reflect the costs to care for the parcel in its current undeveloped condition. Maintenance work will include litter pickup, tree maintenance, application of legally-required herbicide to and removal of Giant Hogweed and Garlic Mustard several times per year. Also, installation and repair of regulatory signs, and graffiti removal will be done. Costs are lower in the first year because some maintenance costs are not anticipated for the first year. The O&M listed above assumes a 2% inflation rate in each successive year.

Periodic Major Maintenance Costs for the Project: N/A

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	**N/A**	**N/A**	**N/A**

Funding sources for replacement of project: N/A

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: N/A

Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2012 Positions	2012 FTE	2013 Positions **	2013 FTE **
TOTAL	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

Position Notes:

Do positions sunset in the future? N/A

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?**
No

b) **Does this legislation affect any departments besides the originating department?**
No

c) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** There are none.

d) **Is a public hearing required for this legislation?** No

e) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** No

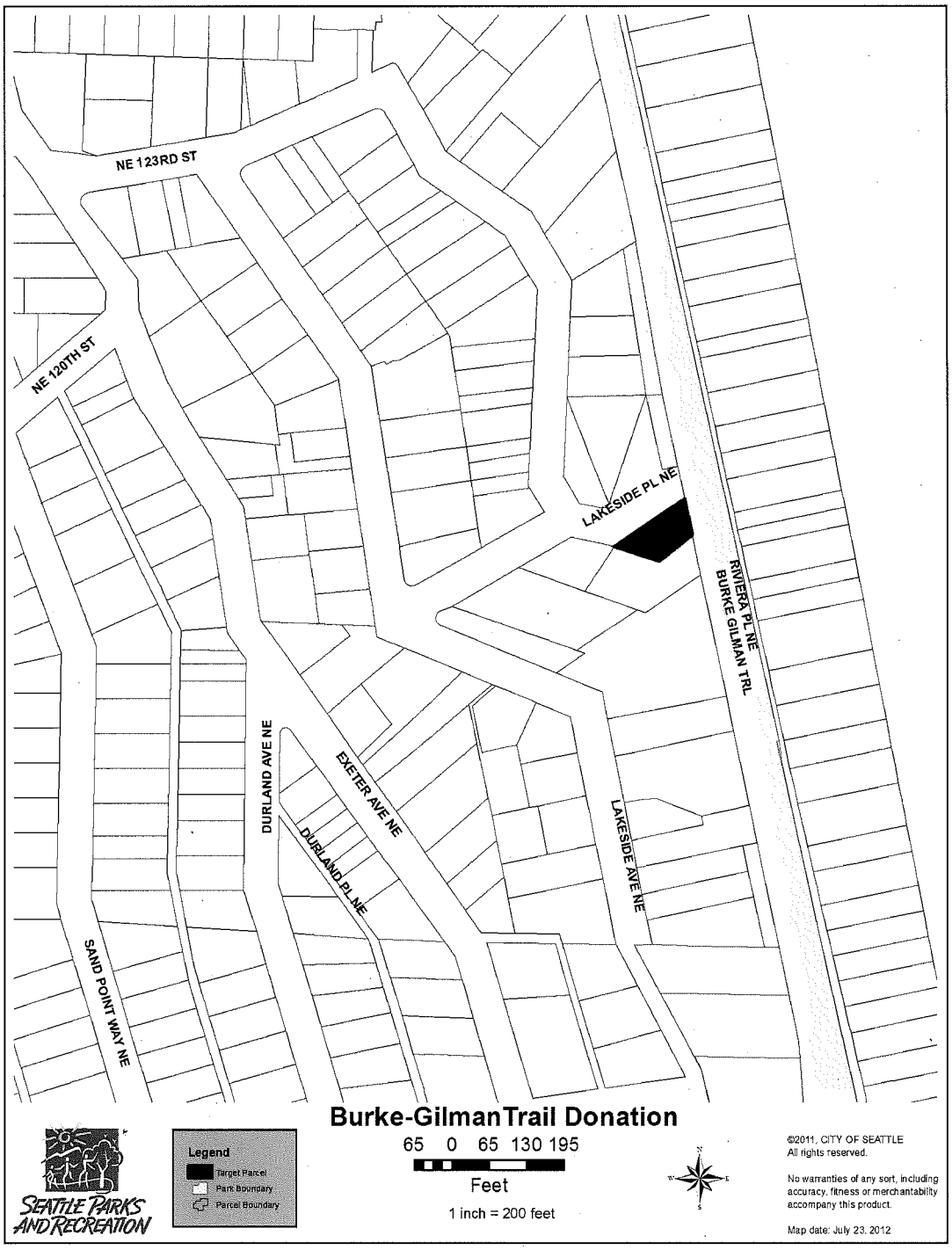
f) **Does this legislation affect a piece of property?**
Yes, map attached

g) **Other Issues:**

List attachments to the fiscal note below:

Attachment A: Map of Burke-Gilman Trail property donation

ATTACHMENT A: Map of Burke-Gilman Trail Property Donation



This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation

City of Seattle
Office of the Mayor

November 13, 2012

Honorable Sally Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that accepts the deed for a property acquired by donation in connection with the 2008 Parks and Green Spaces Levy. The purpose of this bill is to formally accept the deed to this property, as required by City Charter.

This acquisition adds .17 acres along the Burke-Gilman Trail in Northeast Seattle to the City's park inventory. The property provides a green buffer along the trail that will enhance the experience of anyone that rides or walks by. Voluntary conservation, such as donation of property, is an integral part of the City's Levy acquisition strategy, allowing for the preservation of more land than could be preserved with Levy funds.

Approval of this legislation contributes to the preservation of valued open space in Seattle. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
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