CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117962

AN ORDINANCE relating to the City Light Department, authorizing the acceptance of the Statutory Warranty Deed for the "Saunders Property" in Skagit County, Washington, placing said land under the jurisdiction of the City Light Department, and ratifying and confirming certain prior acts.

WHEREAS, in connection with the relicensing of the Skagit River Hydroelectric Project by the Federal Energy Regulatory Commission and pursuant to Resolution 28349, City Light entered into the Settlement Agreement Concerning Wildlife, incorporating by reference the Wildlife Habitat Protection and Management Plan, (collectively, "Wildlife Agreement"), dated April 1991, with the Washington Department of Wildlife (now, Washington Department of Fish and Wildlife); U.S. Department of the Interior, National Park Service, U.S. Fish and Wildlife Service and Bureau of Indian Affairs; U.S. Department of Agriculture, U.S. Forest Service; Upper Skagit Tribe; Sauk-Suiattle Tribe; Swinomish Indian Tribal Community; and the North Cascades Conservation Council; and

WHEREAS, Ordinance 118226 authorizes the Superintendent of City Light to negotiate for and purchase parcels of land pursuant to the principles and procedures of the Wildlife Agreement; and

WHEREAS, under authority of Ordinance 118226, City Light has acquired land known as the "Saunders Property" in the Skagit River watershed, said property being consistent with the lands sought under the principles of the Wildlife Agreement; and

WHEREAS, the City is able to manage the acquired property in concert with the City's existing wildlife habitat lands in a protected status; and

WHEREAS, this property acquisition adds approximately 31 acres of land to the City's wildlife habitat land holdings in the Skagit River basin; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Statutory Warranty Deed executed by James E. Saunders and Nancy J. Saunders on May 29, 2012, as Grantors, recorded under Skagit County Auditor's File Number 201206060001 on June 6, 2012, and legally described in Attachment A, is hereby accepted, and the real property conveyed therein is placed under the jurisdiction of the City Light Department.

Section 2. Any acts pursuant to the authority and prior to the effective date of this ordinance are 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 _____, 2013, and signed by me in open session in authentication of its passage this _____ day of _____, 2013.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2013.

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Attachment:

Attachment A –Saunders Statutory Warranty Deed

When recorded return to:

The City of Seattle
700 5th Ave., Suite 3300
P.O. Box 34023, Real Estate Services, Room 3012
Seattle, WA 98124-9871

201206060001
Skagit County Auditor
6/6/2012 Page 1 of 2 9:08AM

Filed for Record at Request of
Land Title and Escrow
Escrow Number: **140536-OE**

Grantor: **James E. Saunders and Nancy J. Saunders**
Grantee: **THE CITY OF SEATTLE, a municipal corporation of the State of Washington**

LAND TITLE OF SKAGIT COUNTY
140536-OE

Statutory Warranty Deed

THE GRANTOR JAMES E. SAUNDERS and NANCY J. SAUNDERS, who acquired title as NANCY J. FOWLER, husband and wife for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to **THE CITY OF SEATTLE, a municipal corporation of the State of Washington** the following described real estate, situated in the County of **Skagit**, State of **Washington**.

Abbreviated Legal: **Ptn N 1/2 Of NE 1/4, 26-35-10 E W.M.**

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Tax Parcel Number(s): 351026-1-001-0004, P45569

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B-1" of Land Title Company's Preliminary Commitment No. 140536-OE.

Dated May 29, 2012

James E. Saunders

Nancy J. Saunders

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that **James E. Saunders and Nancy J. Saunders** the person(s) who appeared before me, and said person(s) acknowledged that **they** signed this instrument and acknowledge it to be **their** free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: June 4, 2012

KAREN F. ASHLEY NOTARY PUBLIC STATE OF WASHINGTON expires 9/11/2014

Karen Ashley
Notary Public in and for the State of Washington
Residing at Sedro-Woolley
My appointment expires: 9/11/2014

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
20121021
JUN 06 2012
Amount Paid $ 2141.00
Skagit Co. Treasurer
By Mam Deputy

LPB 10-05(i-l)
Page 1 of 2

UNOFFICIAL DOCUMENT

Form revised: December 12, 2012

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
City Light	Ron Tressler / 386-4506	Anthony Colello / 684-5292

Legislation Title: SCL Saunders Property Deed Acceptance ORD

AN ORDINANCE relating to the City Light Department, authorizing the acceptance of the Statutory Warranty Deed for the "Saunders Property" in Skagit County, Washington, placing said land under the jurisdiction of the City Light Department, and ratifying and confirming certain prior acts.

Summary and Background of the Legislation:
This legislation authorizes the General Manager/Chief Executive Officer to accept a Statutory Warranty Deed for the "Saunders Property" in Skagit County, Washington, for wildlife habitat mitigation purposes. The property subject to this legislation was purchased as part of the Skagit Hydroelectric Project Mitigation under the authority of Ordinance 118226. In connection with the relicensing of the Skagit River Hydroelectric Project by the Federal Energy Regulatory Commission and pursuant to Resolution 28349, City Light entered into the Settlement Agreement Concerning Wildlife, incorporating by reference the Wildlife Habitat Protection and Management Plan, (collectively, "Wildlife Agreement"), dated April 1991, with several Federal, State, Tribal, and private non-profit parties. Ordinance 118226 authorizes the Superintendent of City Light to negotiate for and purchase parcels of land pursuant to the principles and procedures of the Wildlife Agreement. This legislation places the acquired properties under the jurisdiction of the City Light Department. The funding for these acquisitions was already budgeted and does not require a new appropriation.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:
Skagit Hydro Mitigation	6991	Skagit Watershed	1991	N/A

Please check any of the following that apply:

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

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

____ **This legislation has financial implications.**

Appropriations: The $121,025.98 used for this 31-acre land acquisition was from the existing Project 6991 budget and no additional appropriations are required.

Spending Plan and Future Appropriations for Capital Projects:
No funds are authorized by this legislation and no additional appropriations are anticipated in the future. The property will be maintained as wildlife habitat. There will be one or two inspections each year by the staff of City Light's Environmental Affairs and Real Estate Division. Sufficient funds for this purpose are available in the budget of Project 6991 (Skagit River Hydroelectric Project Mitigation). No future appropriations are anticipated.

Funding Source:
N/A.

Bond Financing Required:
N/A.

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

O&M	2013	2014	2015	2016	2017	2018	Total
Uses							
Start Up							
On-going							
Sources: Skagit Mitigation - 6991	$1,500	$200	$200	$200	$200	$200	**$2,500**

There are operational and maintenance costs anticipated for maintaining access for periodic visits by SCL EA&RED staff.

Periodic Major Maintenance Costs for the Project:
No major maintenance costs are anticipated.

Funding sources for replacement of project:
N/A.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: An existing position in SCL is responsible for managing the Skagit Wildlife Mitigation Lands.

Do positions sunset in the future?
N/A.

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?**
See discussion of routine maintenance costs.

b) **What is the financial cost of not implementing the legislation?**

If the legislation were not implemented, SCL would risk not being in compliance with the requirements of the Skagit Hydroelectric Project Settlement Agreement on Wildlife.

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

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** No other alternatives exist.

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

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

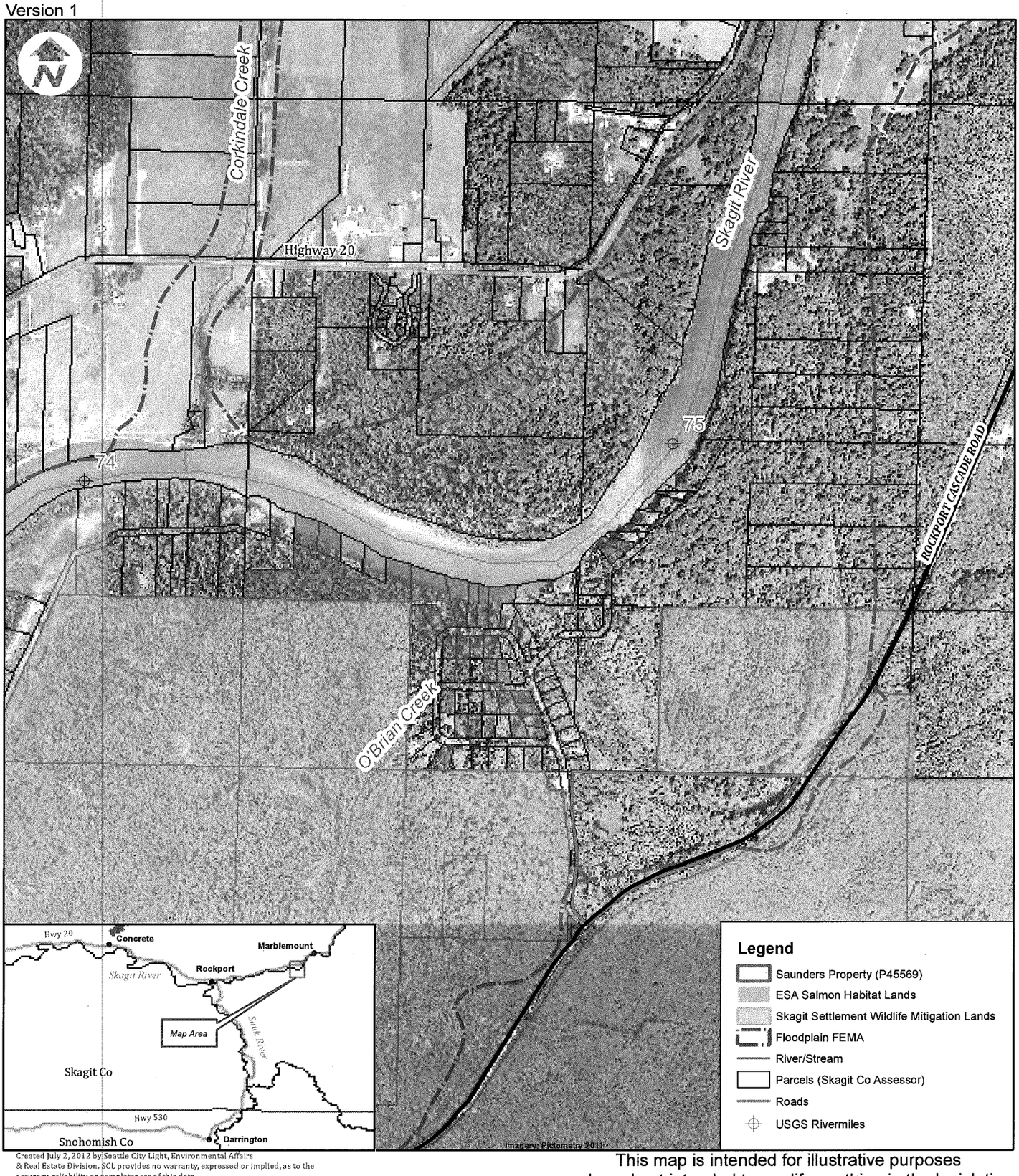
g) **Does this legislation affect a piece of property?**
Yes. A map showing location of the 31-acre Saunders property is included in Attachment A of this fiscal note.

h) **Other Issues:** None.

List attachments to the fiscal note below:
Attachment A: Map of Saunders Property

Attachment A to SCL Saunders Deed Acceptance Ordinance Fiscal Note

Ron Tressler
SCL Saunders Deed Acceptance FISC Att A
July 1, 2013
Version 1



Created July 2, 2012 by Seattle City Light, Environmental Affairs & Real Estate Division. SCL provides no warranty, expressed or implied, as to the accuracy, reliability or completeness of this data.

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

0 0.25 0.5 1 Miles

Attachment A to SCL Saunders Deed Acceptance FISC

City of Seattle
Office of the Mayor

October 24, 2013

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

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill which would authorize Seattle City Light to accept the deed for the Saunders property in Skagit County, Washington for wildlife habitat protection purposes, and authorize the acceptance of the Statutory Warranty Deed thereto, placing said lands under the jurisdiction of the City Light Department.

The City manages over 10,000 acres of wildlife mitigation lands in the Skagit and South Fork Nooksack watersheds in connection with re-licensing requirements for the Skagit River Hydroelectric Project. The purchase of the 31-acre Goodwin property was approved by the Wildlife Land Acquisition Group that oversees the wildlife habitat acquisitions under the Skagit Hydroelectric Project Settlement Agreement on Wildlife. This acquisition helps to ensure that the City is in compliance with the federal license and the Settlement Agreement.

Thank you for your consideration of this legislation. Should you have questions, please contact James Baggs, Seattle City Light Power Supply and Environmental Affairs, at 684-3260.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

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TDD (206) 615-0476
mike.mcginn@seattle.gov