

ORDINANCE No. 114022

COUNCIL BILL No. 106769

Law Department

The City of Seattle--Legislative

AN ORDINANCE authorizing the conveyance by Deed and Dedication to King County, Washington, for street and road purposes, of a portion of the City's (Water Department) Tolt Pipeline Right of Way access roadway in the southwest quarter of Section 14, Township 26 North, Range 5 East, W.M., King County, Washington (152nd Avenue Northeast).

REPORT OF COMMITTEE

Honorable President:

Your Committee on ENVIRONMENTAL

to which was referred the within Council Bill No. 106769 report that we have considered the same and respectfully recommend that the same be THE SAME OK

COMPTROLLER FILE No. Deed #19598

Introduced: JUN 6 1988	By: BENSON
Referred: JUN 6 1988	To: Environmental Management
Referred:	To:
Referred:	To:
Reported: JUN 20 1988	Second Reading: JUN 20 1988
Third Reading: JUN 20 1988	Signed: JUN 20 1988
Presented to Mayor: JUN 21 1988	Approved: JUN 30 1988
Returned to City Clerk: JUN 30 1988	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: <u>OK</u>

[Signature]
Committee Chair

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[Signature]
Committee Chair

Law Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

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Your Committee on ENVIRONMENTAL MGT

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[Signature]

Committee Chair

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE,
IT IS DUE TO THE QUALITY OF THE DOCUMENT

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ORDINANCE 114022

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C.B.106769

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AN ORDINANCE authorizing the conveyance by Deed and Dedication to King County, Washington, for street and road purposes, of a portion of the City's (Water Department) Tolt Pipeline Right of Way access roadway in the southwest quarter of Section 14, Township 26 North, Range 5 East, W.M., King County, Washington (152nd Avenue Northeast).

WHEREAS, the City acquired certain property to provide vehicular access to the Tolt Pipeline Right of Way by Warranty Deed filed in King County Records, Auditor's File Number 5040171, Volume 3920 of Deeds, page 100, from the Stimson-Moore Company, and accepted said deed by Ordinance No. 88229; and

WHEREAS, said deed is encumbered by an access easement reservation for the benefit of particular surrounding property owners; and

WHEREAS, a portion of the land acquired by said deed has been and is being used by other surrounding property owners for access to the surrounding properties; and

WHEREAS, King County has requested the opportunity to purchase said area to create a public road facility to provide for public access to adjacent properties; and

WHEREAS, the City's need for Tolt Pipeline Right of Way access would be adequately provided for by use of the public road as proposed; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That as requested by the Superintendent of Water and recommended by the Mayor in the attachments hereto, the Mayor is authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle a Deed and Dedication, substantially in the form of Exhibit "A" attached hereto, conveying and dedicating to King County, Washington, for street and road purposes, that portion of the City of Seattle's Tolt Pipeline Right of Way Access Road described as follows:

The west thirty feet of the south one-half of the northeast quarter of the southwest quarter of Section 14, Township 26 North, Range 5 East, W.M., EXCEPT that portion lying within Northeast 153rd Street as established by Deed recorded in King County under Recording No. 8107140625

for the sum of Seven Hundred Fifty Dollars (\$750.00), heretofore received in payment to the City of Seattle and deposited in the Water Fund.

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(To be used for all Ordinances except Emergency.)

A copy of said Deed and Dedication as executed, attested, delivered and recorded in the Office of the King County Director of Records and Elections shall be placed in the files of the City Comptroller and reference made thereon to this ordinance.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 20th day of June, 1988, and signed by me in open session in authentication of its passage the 20th day of June, 1988, President of the City Council.

Approved by me this 30th day of June, 1988, Mayor.

Filed by me this 30th day of June, 1988.

Attest: *Howard J. Brooks*
City Comptroller and City Clerk.

(SEAL)

By: *Margaret Carter*
Deputy Clerk.

Published.....

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

DEED AND DEDICATION

The Grantor, THE CITY OF SEATTLE, a municipal corporation of the State of Washington, for and in consideration of Seven Hundred Fifty Dollars (\$750.00) in hand paid, conveys and dedicates to KING COUNTY, a political subdivision of the State of Washington, the following-described real property in King County, Washington, for street and road purposes:

The west thirty feet of the south one-half of the northeast quarter of the southwest quarter of Section 14, Township 26 North, Range 5 East, W.M., EXCEPT that portion lying within Northeast 153rd Street as established by Deed recorded in King County under Recording Number 8107140625

The parties note, Grantor by its execution of this instrument, Grantee by its acceptance thereof, that at the time of the making of this conveyance the properties (except a 30-foot by 100-foot fragment southerly of the above described 30-foot strip) abutting the strip of land herein conveyed for street or road purposes are owned by parties other than the Grantor and that as a consequence of such fact should the public easement for street or road purposes created by this instrument be "lifted" or removed from said strip by a formal street or road vacation, the fee title to the entire strip will remain vested in the Grantor free of the public easement but subject once again to the easements for road purposes reserved in that particular deed to the City of Seattle recorded under King County Auditor's File No. 504171 in Volume 3920 of Deeds at page 100 for the benefit of the south one-half of the northeast quarter of the southwest quarter of Section 14, Township 26 North, Range 5 East, W.M.

IN WITNESS WHEREOF, pursuant to the provisions of Ordinance 114 022 of the City of Seattle, said City has caused this instrument to be executed by its Mayor and City Comptroller this 12th day of July, 1988.

THE CITY OF SEATTLE
By Charles Royer
Mayor
Norward J. Brooks
City Comptroller

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that CHARLES ROYER and NORWARD J. BROOKS signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the MAYOR and CITY COMPTROLLER, respectively, of THE CITY OF SEATTLE to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Dated: 7-13-88
Dorothy L. McFarlin
Notary Public, in and for the State of
Washington, residing
at Seattle, Wa.
My appointment expires 9-15-89

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City of Seattle

Executive Department-Office of Management and Budget

James P. Ritch, Director
Charles Royer, Mayor



May 10, 1988

Old
W. Jewett
COPY RECEIVED
MAY 12 1988

The Honorable Douglas Jewett
City Attorney
City of Seattle

Douglas N. Jewett
CITY ATTORNEY

Part 10

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Seattle Water Department

SUBJECT: An ordinance authorizing the conveyance by Deed and Dedication to King County, Washington, for street and road purposes, of a portion of the City's (Water Department) Tolt Pipeline Right of Way access roadway in the southwest quarter of Section 14, Township 26 North, Range 5 East, W.M., King County, Washington (152nd Avenue Northeast).

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Jim Durigan.

Sincerely,

Charles Royer
Mayor

by

J. Durigan for
JAMES P. RITCH
Budget Director

JR/jd/cq

Enclosure

cc: Robert P. Groncznack, Superintendent, SWD

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Seattle Water Department

Robert P. Groncznack, Superintendent
Charles Royer, Mayor



May 3, 1988

MAY 10 1988

City Council
City of Seattle

VIA: Mayor Charles Royer

839682

Attention: Jim Ritch, Director
Office of Management and Budget

Re: Authorizing a Conveyance by Deed to King County for a Public
Road; 152nd Avenue Northeast at Tolt Pipeline

Honorable Members:

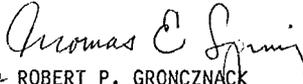
Here for City Council approval is a Council Bill authorizing the conveyance to King County, for road purposes, of the remainder of the Water Department's Tolt Pipeline Right of Way Access Road at 152nd Avenue Northeast.

The City (Water Department) acquired certain property in the Hollywood Hills area north of Redmond to provide vehicular access to the Tolt Pipeline Right of Way in 1959. King County has requested the opportunity to purchase said land which has been and is being used by surrounding property owners in the area for access. King County will create a public road facility on this strip of land and the City will have use of the public road for access to the Right of Way without the responsibility to maintain the roadway surface.

This parcel is heavily encumbered by access easements over its entire length and use for anything other than a road would be impractical. The value has been determined to be \$750.00, which amount has been paid by the surrounding property owners.

I recommend approval of this Council Bill.

Sincerely,


for ROBERT P. GRONCZNACK
Superintendent of Water

RPG:dsa
ET9.22.1

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

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C-538-X

Affidavit of Publication

City of Seattle

ORDINANCE 114022

AN ORDINANCE authorizing the conveyance by Deed and Dedication to King County, Washington, for street and road purposes, of a portion of the City's (Water Department) Tolt Pipeline Right of Way access roadway in the southwest quarter of Section 14, Township 28 North, Range 5 East, W. M., King County, Washington (152nd Avenue Northeast).

WHEREAS, the City acquired certain property to provide vehicular access to the Tolt Pipeline Right of Way by Warranty Deed filed in King County Records, Auditor's File Number 504071, Volume 3920 of Deeds, page 190, from the Stinson-Moore Company, and accepted said deed by Ordinance No. 88229; and

WHEREAS, said deed is encumbered by an access easement reservation for the benefit of particular surrounding property owners; and

WHEREAS, a portion of the land acquired by said deed has been and is being used by other surrounding property owners for access to the surrounding properties; and

WHEREAS, King County has requested the opportunity to purchase said area to create a public road facility to provide for public access to adjacent properties; and

WHEREAS, the City's need for Tolt Pipeline Right of Way access would be adequately provided for by use of the public road as proposed; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That as requested by the Superintendent of Water and recommended by the Mayor in the attachments hereto, the Mayor is authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle a Deed and Dedication, substantially in the form of Exhibit "A" attached hereto, conveying and dedicating to King County, Washington, for street and road purposes, that portion of the City of Seattle's Tolt Pipeline Right of Way Access Road described as follows:

The west thirty feet of the south one-half of the northeast quarter of the southwest quarter of Section 14, Township 28 North, Range 5 East, W. M., EXCEPT that portion lying within Northeast 153rd Street as established by Deed recorded in King County under Recording No. 81071-40629.

for the sum of Seven Hundred Fifty Dollars (\$750.00), heretofore received in payment to the City of Seattle and deposited in the Water Fund.

A copy of said Deed and Dedication as executed, attested, delivered and recorded in the Office of the King County Director of Records and Elections shall be placed in the files of the City Comptroller and reference made thereon to this ordinance.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 20th day of June, 1988, and signed by me in open session in authentication of its passage this 20th day of June, 1988.

SAM SMITH,
President of the City Council.
Approved by me this 30th day of June, 1988.

CHARLES ROYER,
Mayor.

Filed by me this 30th day of June, 1988.
ALBERT NORWARD J. BROOKS,
City Comptroller and City Clerk.

(Seal) By MARGARET CARTER,
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller & City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, July 14, 1988.
(C-538-X)

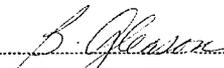
STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

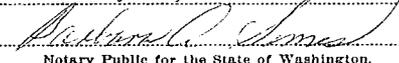
Ordinance No. 114022

was published on July 14, 1988



Subscribed and sworn to before me on

July 14, 1988



Notary Public for the State of Washington,
residing in Seattle.

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