

ORDINANCE No. 114330

COUNCIL BILL No. 107074

AN ORDINANCE vacating a portion of Elliott (aka Alaskan Freeway) on the petition of the Department of Community Development (Comptroller File No. 296179).

*Law Department*

The City of Seattle - Legislative

REPORT OF COMMITTEE

Honorable President:

Your Committee on Transportation

to which was referred the within Council Bill No. 107074 report that we have considered the same and respectfully recommend

*Be it Passed*

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*Stanley D. Williams*

Committee Chair

COMPTROLLER FILE No.

Introduced: <u>DEC 12 1988</u>	By: <u>Williams</u>
Referred: <u>DEC 12 1988</u>	To: <u>Transportation</u>
Referred:	To:
Referred:	To:
Reported: <u>JAN 17 1989</u>	Second Reading: <u>JAN 17 1989</u>
Third Reading: <u>JAN 17 1989</u>	Signed: <u>JAN 17 1989</u>
Presented to Mayor: <u>JAN 18 1989</u>	Approved: <u>JAN 24 1989</u>
Returned to City Clerk: <u>JAN 24 1989</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: 

*Law Department*

TRANS

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

Honorable President:

Your Committee on Transportation

to which was referred the within Council Bill No. 107074  
report that we have considered the same and respectfully recommend that the same:

Be Ad Pased

*James D. ...*

Committee Chair

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

# 20  
C.B. 107074

ORDINANCE 114330

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AN ORDINANCE vacating a portion of Elliott Avenue (aka Alaskan Freeway) on the petition of the Department of Community Development (Comptroller File No. 296179).

WHEREAS, there has been filed with the City Council the petition of the Department of Community Development (Comptroller's File No. 296179), for the vacation of Elliott Avenue as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on September 14, 1988, said petition was granted by the City Council; and

WHEREAS, the subject vacation and the adjacent property is being sold by the City (Department of Community Development) to the Pike Place Market Preservation and Development Authority by a contract of sale;

WHEREAS, the value of the vacation fee is included within the sales agreement and it's disposition into the general fund as a vacation fee payment is providing the City's sale agreement, no direct vacation fee is paid at this time.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

The northeasterly 15 feet of Elliott Avenue (aka Alaskan Freeway), established by Ordinance 67125 for the establishment of Armory Way, lying between a line 120 feet northwesterly of the northwesterly line of Pike Street (A.K.A. production southwesterly of the southeasterly line of Lot 8, Block H, A.A. Denny's 4th Addition) and the production southwesterly of the centerline of vacated Pine Street. (C.F. 296179)

be and the same is hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any rights of way abutting upon said property after said vacation.

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(To be used for all Ordinances except Emergency.)

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

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 17<sup>th</sup> day of January, 1989, and signed by me in open session in authentication of its passage this 17<sup>th</sup> day of January, 1989. *[Signature]* President of the City Council.

Approved by me this 24<sup>th</sup> day of January, 1989. *[Signature]* Mayor.

Filed by me this 24<sup>th</sup> day of January, 1989.

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

(SEAL)

Published.....

By *Theresa Dunbar*  
Deputy Clerk.

Seattle  
Engineering Department



Gary Zarker, Director of Engineering  
Charles Royer, Mayor

NOV 15 1988

November 7, 1988

840145

The Honorable Charles Royer  
Mayor of the City of Seattle  
1200 Municipal Building  
600 Fourth Avenue  
Seattle, Washington 98104

VIA: Office of Management and Budget

SUBJECT: Vacation of a Portion of Elliott Avenue  
(aka Alaskan Freeway)  
C.F. No. 296179

Dear Mayor Royer:

Here for City Council approval is a Council Bill vacating a portion of Elliott Avenue (Comptroller's File Number 296179).

The vacation was approved by the City Council following a public hearing held on September 14, 1988.

The vacation and adjoining property is being sold to the Pike Place Market Authority. The vacation fee is included in the sale agreement. The vacation fee is to be deposited into the General Fund pursuant to instructions within DCD's contract legislation as to segregating the payment with the vacation fee portion thereof being deposited into the General Fund.

I recommend approval of this Council Bill.

Sincerely,

GARY ZARKER  
Director of Engineering

GZ/LAK:1h52.7

Enclosure

cc: J. G. Ralph, Director of Operations

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"An Equal Employment Opportunity - Affirmative Action Employer"  
Seattle Engineering Department, Room 910, Seattle Municipal Building, 600 Fourth Avenue, Seattle, WA 98104, (206) 684-5000

**City of Seattle**

Executive Department-Office of Management and Budget  
James P. Ritch, Director  
Charles Royer, Mayor



**COPY RECEIVED**

NOV 23 1988

November 21, 1988

The Honorable Douglas Jewett  
City Attorney  
City of Seattle

**Douglas N. Jewett**  
CITY ATTORNEY

*Team/Klause  
OK  
WSPW 11/30/88*

Dear Mr. Jewett:

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

REQUESTING  
DEPARTMENT: Seattle Engineering Department

SUBJECT: An ordinance vacating a portion of Elliott (aka Alaskan Freeway) on the petition of the Department of Community Development (Comptroller File No. 296179).

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 Marian Merkel.

Sincerely,

Charles Royer  
Mayor

by

*Marian Merkel*

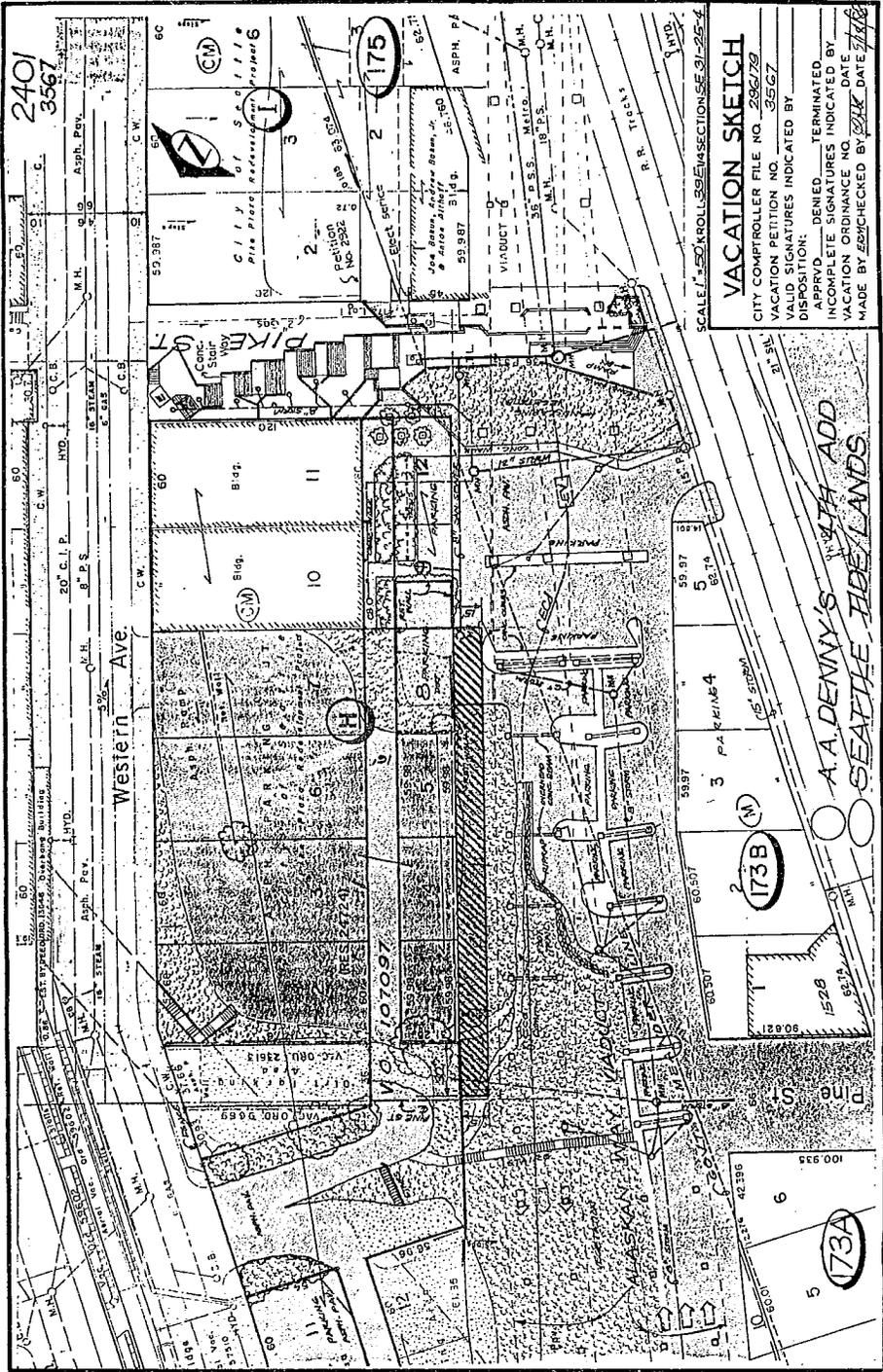
JAMES P. RITCH  
Budget Director

JR/mm/ncc

Enclosure

cc: Director, Seattle Engineering Department

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**VACATION SKETCH**  
 CITY COMPTROLLER FILE NO. 296779  
 VACATION PETITION NO. 3567  
 VALID SIGNATURES INDICATED BY  
 DISPOSITION: DENIED, TERMINATED  
 APPROVED, INCOMPLETE SIGNATURES INDICATED BY  
 VACATION ORDINANCE NO. DATE  
 MADE BY CHECKED BY

A.A. DENNY'S  
 SEATTLE IDEAL LANDS

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE,  
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CITY OF SEATTLE  
NOTICE OF PUBLIC HEARING FOR  
PROPOSED STREET VACATION

Notice is hereby given that the petition of property owners (City Comptroller's File No. 296179) for the vacation (abandonment of a public right of way) of the following described property:

The northeasterly 14 feet of Alaskan Way, established by Ordinance 67125, lying between a line 120 feet northwesterly of the northwesterly line of Pike Street (A.K.A. production southwesterly of the southeasterly line of Lot B, Block H, A.A. Denny's 4th Addition) and the production southwesterly of the centerline of vacated Pine Street. (C.F. 296179)

OR in the alternative, to vacate any portion of said right(s) of way so particularly described;

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any right of way abutting upon said property after said vacation; and further,

RESERVING to the City of Seattle the right to reconstruct, maintain and operate any existing overhead or underground utilities in said described property until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal,

will be considered by the TRANSPORTATION COMMITTEE of the Seattle City Council in the Council Chambers, Room 1101, Seattle Municipal Building, on

WEDNESDAY, SEPTEMBER 14th, at 10:00 a.m.

at which time petitions for and protests against such vacation will be heard. It is requested that such letters or petitions be submitted on Monday preceding the hearing to allow time for review and consideration thereon.

A map indicating the street or alley described in the petition has been posted on the site of the proposed vacation for your examination.

For further information, contact Larry Knutson, 606 Seattle Municipal Building, 600 Fourth Avenue, Seattle, Washington 98104, or telephone 684-5040.

Sketch 2401

o/lak52.3  
08-04-88:pn

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C.B. 107074

ORDINANCE 114330

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WHEREAS, there has been filed with the City Council the petition of the Department of Community Development (Comptroller's File No. 296179), for the vacation of Elliott Avenue as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on September 14, 1988, said petition was granted by the City Council; and

WHEREAS, the subject vacation and the adjacent property is being sold by the City (Department of Community Development) to the Pike Place Market Preservation and Development Authority by a contract of sale;

WHEREAS, the value of the vacation fee is included within the sales agreement and it's disposition into the general fund as a vacation fee payment is providing the City's sale agreement, no direct vacation fee is paid at this time.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

The northeasterly 15 feet of Elliott Avenue (aka Alaskan Freeway), established by Ordinance 67125 for the establishment of Armory Way, lying between a line 120 feet northwesterly of the northwesterly line of Pike Street (A.K.A. production southwesterly of the southeasterly line of Lot 8, Block H, A.A. Denny's 4th Addition) and the production southwesterly of the centerline of vacated Pine Street. (C.F. 296179)

be and the same is hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any rights of way abutting upon said property after said vacation.

89/01/27 #1396 B  
RECD F 6.00  
CASHSL \*\*\*6.00  
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RECEIVED THIS DAY

JAN 27 4 11 PM '89  
BY THE DIVISION OF  
RECORDS & COLLECTIONS  
KING COUNTY

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(To be used for all Ordinances except Emergency.)

8901271396

STATE OF WASHINGTON )  
COUNTY OF KING ) SS  
CITY OF SEATTLE )

I, NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this 25<sup>th</sup> day of January, 1989

NORWARD J. BROOKS  
Comptroller and City Clerk

By: Theresa Dunbar  
Deputy Clerk

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 17<sup>th</sup> day of January, 1989,  
and signed by me in open session in authentication of its passage this 17<sup>th</sup> day of  
January, 1989  
President of the City Council.

Approved by me this 24<sup>th</sup> day of January, 1989  
Mayor.

Filed by me this 24<sup>th</sup> day of January, 1989.

Attest: Norward J. Brooks  
City Comptroller and City Clerk.

(SEAL)

Published.....

By: Theresa Dunbar  
Deputy Clerk.

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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:

*Scott Williams*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
PRESIDENT'S SIGNATURE

C S 20 28

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## City of Seattle

ORDINANCE 114330

AN ORDINANCE vacating a portion of Elliott Avenue (aka Alaskan Freeway) on the petition of the Department of Community Development (Comptroller File No. 296179).

WHEREAS, there has been filed with the City Council the petition of the Department of Community Development (Comptroller's File No. 296179), for the vacation of Elliott Avenue as therein fully described; and

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WHEREAS, the value of the vacation fee is included within the sales agreement and its disposition into the general fund as a vacation fee payment is providing the City's sales agreement, no direct vacation fee is paid at this time.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

### Section 1. That

The northeasterly 15 feet of Elliott Avenue (aka Alaskan Freeway), established by Ordinance 67725 for the establishment of Artery Way, lying between a line 120 feet northwesterly of the northwesterly line of Pike Street (A.K.A. production southwesterly of the southeasterly line of Lot 8, Block H, A.A. Denny's 4th Addition) and the production southwesterly of the centerline of vacated Pine Street. (C.F. 296179)

and the same is hereby vacated; RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of any rights of way existing upon said property after said vacation.

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 17th day of January, 1989, and signed by me in open session in authentication of its passage this 17th day of January, 1989.

SAM SMITH,

President of the City Council.

Approved by me this 24th day of January, 1989.

CHARLES ROYER,

Mayor.

Filed by me this 24th day of January, 1989.

Attest: NORWARD J. BROOKS,

City Comptroller and City Clerk.

(S.S.) By THERESA DUNBAR,

Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.  
Date of official publication in Daily Journal of Commerce, Seattle, February 6, 1989. (11745)

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STATE OF WASHINGTON - KING COUNTY

11745  
City of Seattle, City Clerk -ss.

No.

Affidavit of Publication

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. 114330

was published on  
02/06/89

The amount of the fee charged for the foregoing publication is the sum of \$ \_\_\_\_\_, which amount has been paid in full.

A. Sprague  
Subscribed and sworn to before me on  
February 6, 1989  
Barbara A. Jones

Notary Public for the State of Washington,  
residing in Seattle

Affidavit of Publication

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