

ORDINANCE No. 116612

COUNCIL BILL No. 109582

Amended

Law Department

The City of Seattle - Legislative Department

AN ORDINANCE repealing Ordinances 18026, 24359, and 28758 which granted the right, privilege and authority to Oregon-Washington Railroad Company, its successors and assigns, to locate, construct, maintain and operate sundry railway tracks and the right-of-way for such tracks along and across certain sundry streets, avenues, alleys and other public places of the City; accepting easements; terminating the Indemnity Agreement between the City of Seattle and Oregon-Washington Railroad Company recorded on April 9, 1921; authorizing acceptance of funds as full and final compensation for long-term maintenance of certain structures; and superseding Ordinance 116140.

Date Reported and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on Transportation

to which was referred the within Council Bill No. 109582

report that we have considered the same and respectfully recommend that the same:

Pass 3-0

Full Council Vote 9-0

COMPTROLLER FILE No.

Introduced: <u>MAR 8 1993</u>	By: <u>CHOE</u>
Referred: <u>MAR 8 1993</u>	To: <u>TRANSPORTATION</u>
Referred:	To:
Referred:	To:
Reported: <u>MAR 22 1993</u>	Second Reading: <u>MAR 22 1993</u>
Third Reading: <u>MAR 22 1993</u>	Signed: <u>MAR 22 1993</u>
Presented to Mayor: <u>MAR 23 1993</u>	Approved: <u>MAR 25 1993</u>
Returned to City Clerk: <u>MAR 25 1993</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: <u>OK</u>

Masha Choe

Committee Chair

ORDINANCE

116612

1
2
3 AN ORDINANCE repealing Ordinances 18026, 24359, and 28758 which
4 granted the right, privilege and authority to Oregon-
5 Washington Railroad Company, its successors and assigns, to
6 locate, construct, maintain and operate sundry railway tracks
7 and the right-of-way for such tracks along and across certain
8 sundry streets, avenues, alleys and other public places of
the City; accepting easements; terminating the Indemnity
Agreement between the City of Seattle and Oregon-Washington
Railroad Company recorded on April 9, 1921; authorizing
acceptance of funds as full and final compensation for long
term maintenance of certain structures; and superseding
Ordinance 116140.

9 WHEREAS, Union Pacific Railroad Company, the successor-in-interest
10 of Oregon-Washington Railroad Company, has ceased to use the
11 franchise rights granted in Ordinance 18026 as amended by
Ordinance 24359 and Ordinance 28758;

12 WHEREAS, Section No. 5 of Ordinance 18026 provided that Oregon-
13 Washington Railroad Company, its successors and assigns, had
the obligation to build a retaining wall along Fifth Avenue
in Downtown Seattle;

14 WHEREAS, Section 1 of Ordinance No. 24359 of 1910 amended Section
15 5 of Ordinance No. 18026 of 1908 regarding, among other
things, the retaining wall along Fifth Avenue;

16 WHEREAS, in 1921, Oregon-Washington Railroad Company entered into
17 an indemnity agreement with the City of Seattle under which
18 Oregon-Washington Railroad Company released the City from all
19 future claims resulting from, and in consideration of the
20 City's permission to said railroad company to occupy space
under a sidewalk by erecting and maintaining an areaway with
necessary bulkheads, concrete sidewalk and glass sidewalk
lights. This agreement was recorded on April 9, 1921;

21 WHEREAS, in April 1987, the Municipality of Metropolitan Seattle
22 (Metro) entered into a Purchase and Sale Agreement with Union
23 Pacific Railroad Company, the successor-in-interest through
merger of Oregon-Washington Railroad Company, under which
Union Pacific Railroad Company assigned and Metro assumed the
obligation regarding the retaining wall along Fifth Avenue;

24 WHEREAS, on January 29, 1990, the City Council passed Ordinance
25 114918 relating to land use and zoning, amending Plat 44W,
26 page 116 of the Official Land Use Map; rezoning one of three
27 parcels at the site of the Union Station from International
28 District Mixed 65'/120' (IDM 65'/120') to International
District Mixed 65'/150' (IDM 65'/150'); accepting a Property
Use and Development Agreement in connection therewith, and
approving the planned community development (PCD) for the
entire site petitioned by Union Pacific Realty Company;

29 WHEREAS, Union Pacific Railroad Company has agreed to pay the City
30 of Seattle the amount of Six Hundred Twenty Thousand Nine
31 Hundred Thirty-Two and No/100 (\$620,932.00) as full and final
32 compensation for the long term maintenance of bridges and
structures which were part of Ordinance 18026 as amended by
Ordinance 24359 and Ordinance 28758;

33 WHEREAS, extinguishment of the franchise rights and duties
necessitates the grant to the City by Union Pacific Railroad
Company of easements for public roadway and bridge structures

1 purposes and public sidewalk and pedestrian purposes upon the
2 Company's Union Station property;

3 WHEREAS, Ordinance 116140 passed April 13, 1992 omitted certain
4 language which both the City and Union Pacific had agreed an
5 ordinance extinguishing the franchise should contain. Now,
6 Therefore,

7 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

8 Section 1. As requested by the Director of Engineering and
9 recommended by the Mayor in the attachments in this ordinance
10 file, Ordinance 18026, entitled:

11 "AN ORDINANCE OF THE CITY OF SEATTLE granting to the
12 Oregon and Washington Railroad Company, a corporation
13 organized under the laws of the State of Oregon, its
14 successors and assigns, the right, privilege, and
15 authority to locate, lay down, construct, maintain and
16 operate sundry railway tracks in, along and across
17 sundry streets, avenues, alleys, and other public places
18 within the limits of said city, and granting to said
19 company, its successors and assigns, rights of way for
20 such tracks in, along and across all such streets,
21 avenues, alleys, and other public places of said city.";

22 Ordinance 24359, entitled:

23 "An Ordinance amending Section 5 of Ordinance No.
24 218026 entitled 'An Ordinance granting to the Oregon and
25 Washington Railroad Company, a corporation organized
26 under the laws of the State of Oregon, its successors
27 and assigns, the right, privilege, and authority to
28 locate, lay down, construct, maintain and operate sundry
29 railway tracks in, along and across sundry streets,
30 avenues, alleys, and other public places within the
31 limits of said city, and granting to said company, its
32 successors and assigns, rights of way for such tracks
33 in, along and across all such streets, avenues, alleys,
and other public places of said city,' passed by the
Council March 2nd, 1908, approved and filed March 6th,
1908, published March 7th, 1908."; and

Ordinance 28758, entitled:

"AN ORDINANCE of the City of Seattle granting to
the OREGON AND WASHINGTON RAILROAD COMPANY, a
corporation organized under the laws of the State of
Oregon, its successors and assigns, the right, privilege
and authority to locate, lay down, construct, maintain
and operate sundry railway tracks in, along and across
sundry streets, avenues, alleys and other public places
within the limits of said assigns, rights of way for
such tracks in, along and across all such streets,
avenues, alleys, and other public places of said City."

are each hereby repealed, with the exception of obligations
relating to the Fifth Avenue retaining wall which have been
assumed by the Municipality of Metropolitan Seattle. Union
Pacific Railroad Company is hereby released from any and all

1 obligations imposed by said Ordinances, including any and all
2 obligations relating to the Fifth Avenue retaining wall.

3 Section 2. The easements granted by the Union Pacific
4 Railroad Company on November 6, 1991 for the purposes hereinafter
5 set forth upon, along and across the following described real
6 property situated in the City of Seattle, King County, Washington:

7 For public roadway and bridge structure purposes:

8
9 **PARCEL B**

10 The southerly 15 feet of Lots 4 and 5 and vacated alley
11 adjoining in Block 28 of D.S. Maynard's Plat of the Town
12 (now City) of Seattle, according to the plat thereof
13 recorded in Volume 1 of Plats, page 23, Records of King
14 County, Washington;

15 Together with a curve connection between Jackson Street
16 and Fourth Avenue South to be made across the southwest
17 corner of said Block 28, which connection shall have as
18 its northerly line a curve of a radius of 40 feet
19 tangent to the original east margin of Fourth Avenue
20 South and tangent to a line laid parallel with and 15
21 feet northerly from the original south marginal line of
22 said block.

23 Situate in the City of Seattle, King County, Washington.

24 The vertical extent of this easement shall be limited to
25 that portion of the above described parcel lying above
26 the bottom surface of the cement concrete sidewalk
27 existing thereon as shown on City of Seattle Vault Plan
28 No. 782-158, Sheets 24 S.1 and 78 S.1, as-built 1-10-90
29 and 1-24-90 respectively.

30 **PARCEL C**

31 Those portions of the north 9.00 feet of Lots 1 and 8,
32 and vacated alley adjoining, in Block 27 of D.S.
33 Maynard's Plat of the Town (now City) of Seattle,
according to the plat thereof recorded in Volume 1 of
Plats, page 23, Records of King County, Washington,
Described as follows:

Beginning at the northwest corner of said Block 27;
thence South $88^{\circ}45'46''$ East 146.86 feet along the north
line thereof;
thence South $01^{\circ}18'32''$ West 9.00 feet to the south line
of said north 9.00 feet;
thence North $88^{\circ}45'46''$ West 146.85 feet along said south
line to the west line of said Block 27;
thence North $01^{\circ}15'09''$ East 9.00 feet along said west
line to the point of beginning.

Situate in the City of Seattle, King County, Washington.

The vertical extent of this easement shall be limited to
that portion of the above described parcel lying above

1 the bottom surface of the cement concrete sidewalk
2 existing thereon as shown on City of Seattle Vault Plan
3 No. 782-158, Sheets 24 S.1, as-built 1-24-90.

4 **PARCEL D-1**

5 Those portions of Lots 7 and 8, Block 27, of D.S.
6 Maynard's Plat of the Town (now City) of Seattle,
7 according to the plat thereof recorded in Volume 1 of
8 Plats, page 23, Records of King County, Washington,
9 described as follows:

10 Commencing at the northwest corner of said Block 27;
11 thence South 88°45'46" East 146.86 feet along the north
12 line thereof to a point hereinafter referred to as Point
13 "A";
14 thence South 01°18'32" West 64.00 feet;
15 thence South 88°41'28" East 14.47 feet;
16 thence South 01°18'32" West 417.90 feet;
17 thence South 88°41'28" East 93.51 feet to the east line
18 of said Block 26;
19 thence North 01°17'46" East 392.94 feet along the east
20 line of said Blocks 26 and 27 to the True Point of
21 Beginning;
22 thence continuing North 01°17'46" East 89.09 feet to the
23 northeast corner of said Block 27;
24 thence North 88°45'46" West 107.87 feet along said north
25 line to Point "A" described above;
26 thence South 01°18'32" West 9.00 feet to the south line
27 of the north 9.00 feet of said Block 27;
28 thence South 88°45'46" East 19.79 feet along said south
29 line to the beginning of a curve concave to the
30 southwest having a radius of 80.00 feet;
31 thence Easterly, southeasterly and southerly 125.75 feet
32 along said curve through a central angle of 90°03'32" to
33 a Point of Tangency on the west line of the east 8.00
feet of said Block 27;
thence South 88°42'14" East 8.00 feet to the true point
of beginning.

Situate in the City of Seattle, King County, Washington.

The vertical extent of this easement shall be limited to that portion of the above described parcel lying above the bottom surface of the cement sidewalk existing thereon or adjacent thereto, as shown on City of Seattle Vault Plan No. 782-158, Sheets 77 S.1 and 78 S.1, as-built 1-24-90.

For public sidewalk and pedestrian purposes:

PARCEL E

Those portions of Lot 5, Block 26, Lots 5, 6, 7, and 8, Block 25, and vacated Weller and Lane streets adjoining said Blocks 25 and 26, of D.S. Maynard's Plat of the Town (now City) of Seattle according to the plat thereof recorded in Volume 1 of Plats, page 23, Records of King County, Washington, and Lots 4, 5 and 6, Block 202 of Seattle Tidelands, according to the plat thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington, lying between two inclined planes, the lower of which is coincident with the surface of the

1 concrete sidewalk existing thereon or adjacent thereto
2 on August 23, 1991, and the higher of which is parallel
3 with and 9.00 feet above said surface, said portions
4 being more particularly described as follows:

5 Commencing at the northwest corner of Block 27 of said
6 Maynard's plat;
7 thence South 88°45'46" East 146.86 feet along the north
8 line thereof;
9 thence South 01°18'32" West 64.00 feet;
10 thence South 88°41'28" East 14.47 feet;
11 thence South 01°18'32" West 417.90 feet;
12 thence South 88°41'28" East 93.51 feet to the east line
13 of said Block 26, the west line of Fifth Avenue South
14 and the true point of beginning;
15 thence along said west line the following five courses:
16 thence South 01°17'48" West 129.00 feet (sidewalk
17 elevation = 35.9);
18 thence South 01°17'48" West 149.80 feet (sidewalk
19 elevation = 35.2);
20 thence South 01°17'48" West 188.50 feet (sidewalk
21 elevation = 35.3);
22 thence South 01°17'48" West 91.16 feet (sidewalk
23 elevation = 34.7); to a point on the east line of said
24 Block 202 which is 80.00 feet northerly of the most
25 southerly corner thereof;
26 thence South 64°39'05" West 8.95 feet along a line
27 connecting last said point and a point on the
28 southwesterly line of said Block 202 which is 80.00 feet
29 northwesterly of said most southerly corner thereof to
30 the west line of the east 8.00 feet of said Block 202;
31 thence along a line parallel with said west line of 5th
32 Avenue South, North 01°17'46" East 562.48 feet to a
33 point which bears North 88°41'28" West from the true
point of beginning;
thence South 88°41'28" East 8.00 feet to the True Point
of Beginning.

Elevations contained herein are reference to City of
Seattle Datum.

Situate in the City of Seattle, King County, Washington.

PARCEL D-2

Those portions of Lots 6, 7 and 8, Block 26, Lots 5, 6
and 7, Block 27, and vacated King Street adjoining said
Blocks 26 and 27, of D.S. Maynard's Plat of the Town
(now City) of Seattle according to the plat thereof
recorded in Volume 1 of Plats, page 23, Records of King
County, Washington, described as follows:

Commencing at the northwest corner of said Block 27,
thence South 88°45'46" East 146.86 feet along the north
line thereof;
thence South 01°18'32" West 64.00 feet;
thence South 88°41'28" East 14.47 feet;
thence South 01°18'32" West 417.90 feet;
thence South 88°41'28" East 93.51 feet to the east line
of said Block 26, and the true point of beginning;
thence north 01°17'46" East 392.94 feet along the east
line of said Blocks 26 and 27;
thence North 88°42'14" west 8.00 feet to the west line
of the east 8.00 feet of said Block 27;
thence South 01°17'46" West 392.94 feet along last said

1 west line and its southerly prolongation to a point
2 which bears north 88°41'28" West from the true point of
beginning;
3 thence South 88°41'28" East 8.00 feet to the true point
of beginning.

4 Situate in the City of Seattle, King County, Washington.

5 The vertical extent of this easement shall be limited to
6 that portion of the above described parcel lying above
7 the top surface of the cement concrete sidewalk existing
thereon or adjacent thereto, as shown on Metro File No.
T/F 39-87, Drawing Nos. S-202 and S-203(5), as-built
8 December, 1990.

9 **PARCEL A**

10 That portion of the East 8.00 feet of Block 28 of D.S.
11 Maynard's plat of the Town (now City) of Seattle,
12 according to the plat thereof recorded in Volume 1 of
Plats, page 23, Records of King County, Washington,
13 lying between two inclined planes, the lower of which is
coincident with the surface of the concrete sidewalk
14 existing thereon on August 23, 1991, and the higher of
which is parallel with and 9.00 feet above said surface,
said portion being more particularly described as
15 follows:

16 Beginning at the northeast corner of said Block 28
(sidewalk elevation = 54.0);
17 thence South 01°17'48" West 225.06 feet to the north
line of the south 15.00 feet of said Block 28 (sidewalk
18 elevation = 38.8);
thence North 88°45'46" West 8.00 feet along said north
19 line to the west line of said east 8.00 feet (sidewalk
elevation = 38.7);
20 thence North 01°17'48" East 225.06 feet along said west
line to the north line of said Block 28 (sidewalk
21 elevation = 53.9);
thence South 88°45'52" East 8.00 feet along last said
22 north line to the Point of Beginning.

23 Elevation contained herein are referenced to City of
Seattle datum.

24 Situate in The City of Seattle, King County, Washington

25
26 For public sidewalk, roadway and bridge structure purposes:

27 **PARCEL F**

28 Those portions of Lots 3 and 4, Block 202 of Seattle
29 Tidelands, according to the plat thereof on file in the
office of the Commissioner of Public Lands at Olympia,
30 Washington, lying between two inclined planes, the lower
of which is coincident with the bottom surface of the
31 bridge structure existing thereon as shown on City of
Seattle Engineer's Drawing No. 777-296, Sheets 3 and 4
32 of 16, final construction checked June 22, 1982, and the
higher of which is parallel with and 16.50 feet above
33 the top surface of the hereinafter described concrete
curb existing thereon August 23, 1991, said portions
being more particularly described as follows:

1 Beginning at the most southerly corner of said Block
2 202;
3 thence North 01°17'46" East 64.66 feet along the east
4 line thereof to the back of said concrete curb (top of
5 curb elevation = 34.7) and a point hereinafter referred
6 to as Point "A";
7 thence along said curb the following three courses:
8 thence South 45°19'02" West 17.94 feet to the beginning
9 of a curve concave to the northwest having a radius of
10 37.79 feet;
11 thence southwesterly 12.92 feet along said curve through
12 a central angle of 19°35'21";
13 thence South 64°54'23" West 24.39 feet to the
14 southwesterly line of said Block 202 (top of curb
15 elevation = 34.4);
16 thence South 51°59'37" East 55.75 feet along said
17 southwesterly line to the Point of Beginning.

18 Together with that portion of said Lot 4 lying between
19 two inclined planes, the lower of which is coincident
20 with said bottom bridge structure surface and the higher
21 of which is parallel with and 9.00 feet above said curb
22 and the concrete sidewalk existing thereon or adjacent
23 thereto on August 23, 1991, said portion being more
24 particularly described as follows:

25 Beginning at Point "A" described above;
26 thence along said curb the following three courses:
27 thence South 45°19'02" West 17.94 feet to the beginning
28 of a curve concave to the northwest having a radius of
29 37.79 feet;
30 thence southwesterly 12.92 feet along said curve through
31 a central angle of 19°35'21";
32 thence South 64°54'23" West 24.39 feet to the
33 southwesterly line of said Block 202 (top of curb
elevation = 34.4);
thence North 51°59'37" West 24.25 feet along said
southwesterly line to a point (sidewalk elevation =
34.9) which is 80.00 feet northwesterly of said most
southerly corner of Block 202;
thence North 64°39'05" East 71.75 feet to a point on
said East line of Block 202 which is 80.00 feet
northerly of said most southerly corner;
thence South 01°17'46" West 15.34 feet along said east
line to the point of beginning.

Elevations contained herein are referenced to City of
Seattle Datum.

Situate in the City of Seattle, King County, Washington.

be and the same are hereby accepted.

Section 3. The indemnity agreement between Oregon-Washington
Railroad Company and City of Seattle recorded on April 9, 1921 is
hereby terminated.

Section 4. The repeal of the Ordinances provided under
Section 1 does not affect any rights granted by Ordinance 114918
approving the PCD. If in any event this Ordinance is construed to

1 be in conflict with Ordinance 114918 or the instruments referred
2 to therein, the terms of Ordinance 114918 or such instruments
3 shall control.

4 Section 5. Any act consistent with the authority and prior
5 to the effective date of this ordinance is hereby ratified and
6 confirmed.

7 Section 6. Ordinance 116140 is hereby superseded.

8 Section 7. This Ordinance shall take effect and be enforced
9 at the time it shall become a law under the provisions of the City
10 Charter and upon payment to the City by Union Pacific Railroad
11 Company of the amount of Six Hundred Twenty Thousand Nine Hundred
12 Thirty-Two Dollars and No/100 (\$620,932.00) as full and final
13 compensation for the long term maintenance of all bridges and
14 structures associated with Ordinance No. 18026 published in 1908,
15 as amended by Ordinance No. 24359 in 1910 and Ordinance No. 28758
16 in 1912. Such funds, when received, shall be deposited into the
17 Arterial City Street Fund for Bridge and Structures Maintenance as
18 provided for in the 1992 Capital Improvement Program. Interest
19 accruing thereon shall be credited to the principal.

20 Passed by the City Council the 22nd day of March,
21 1993, and signed by me in open session in authentication of its
22 passage this 22nd day of March, 1993.

23 Geo. J. Benson
24 President of the City Council

25 Approved by me this 25 day of March, 1993.

26 Norman B. Rice
27 Norman B. Rice, Mayor

28 Filed by me this 25 day of March, 1993.

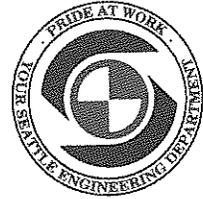
29 Dudith E. Lippner
30 City Clerk

31 (SEAL)

32 Published _____

33 By Margaret Carter
Deputy Clerk

Seattle
Engineering Department



Gary Zarker, Director
Norman B. Rice, Mayor

February 22, 1993

Honorable Norman B. Rice
Mayor of the City of Seattle
1200 Municipal Building
Seattle, Washington 98104

ATTN: Office of Management and Budget

SUBJECT: Union Pacific Franchise Release

Dear Mayor Rice:

Here for City Council approval is a Council Bill repealing Ordinance 18026, 24359, and 28758, terminating an Indemnity Agreement, accepting easements, authorizing acceptance of funds as compensation for long term maintenance of certain structures, and superseding Ordinance 116140.

Ordinance 116140 was adopted by the City Council on April 13, 1992. It repealed Union Pacific's franchises adjacent to the Union Station site and authorized acceptance of funds for the City taking over the long term maintenance of the bridges adjacent to this site. Upon receipt of the adopted ordinance, Union Pacific representatives discovered the omission of certain language which both the City and Union Pacific had agreed the ordinance should contain. Since we were already in the process of preparing an ordinance to accept the easements for the portions of the bridges that encroach over Union Pacific property, we have prepared a single ordinance which corrects the language omission and accepts the easements.

When Ordinance 116140 was before the Council last year, Kirk Jones described the negotiation process with Union Pacific. Exhibit A recaps the three major elements of those discussions.

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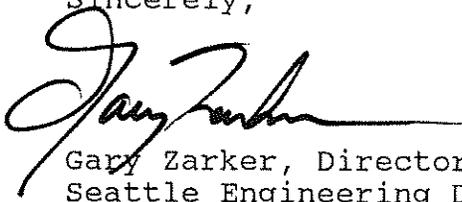
Seattle Engineering Department, Room 910, Seattle Municipal Building, 600 Fourth Avenue, Seattle, Washington 98104-1879 (206) 684-5000 VTDD (206) 233-1088

Honorable Norman B. Rice
ATTN: Office of Management and Budget
February 22, 1993
Page 2

Union Pacific has already paid the City \$182,067 for damage done to City facilities during construction of the first phase of their project and they will continue to be responsible for the maintenance of the Main Street Wall. With adoption of this ordinance, Union Pacific will pay the City \$620,932 as franchise considerations. In return their property will no longer have this encumbrance on it and will aid them in the marketing of their Planned Community Development.

I recommend approval of this Council Bill.

Sincerely,



Gary Zarker, Director
Seattle Engineering Department

GZ/KTJ:mtn

Attachments

EXHIBIT A

April 23, 1991

5th Ave. S. Sewer & Paving Recommendations

Description	Cost to be paid by Union Pacific Realty	Comments
1. 5th Ave. East side sidewalk damage.	\$22,500	The City's alternative to provide a new sidewalk.
2. Repaving of 5th Ave. S. to new grades.	\$22,500	The cost to repave could be reduced further if the City would accept a 3-4% side slope sidewalk and an 8" curb.
3. Repair of Roadway Expansion joint.	\$56,250	Alt. "A" would be the best permanent solution.
4. 15" Sewer between S. Lane St. & S. Weller St	\$53,750	The City would like to see the entire line replaced but KPFF feels that only a portion should be replace by UPR and that most of the settlement is due to poor initial installation.
5. Repair of City Light ducts.	\$9,267	As per City's #.
6. Seattle Water Dept.	\$17,800	As per City's #.
Subtotal	\$182,067	These costs include a 25% markup to cover overhead and profit and sales tax.

Main St. Wall Recommendations

(Based on Ratti Swenson Perbix & Clark drawings dated 1/17/91)

Description	Estimated Cost	Comments
Option 3 - UPR Proposal	\$76,000	Drill, furnish, and install WF, concrete, tieback and stress. This is the least intrusive solution and the cheapest cost.

Costs based on estimate received from Malcolm Drilling dated 2/8/91.

All other solutions investigated were either more expensive or more intrusive to the adjacent property.

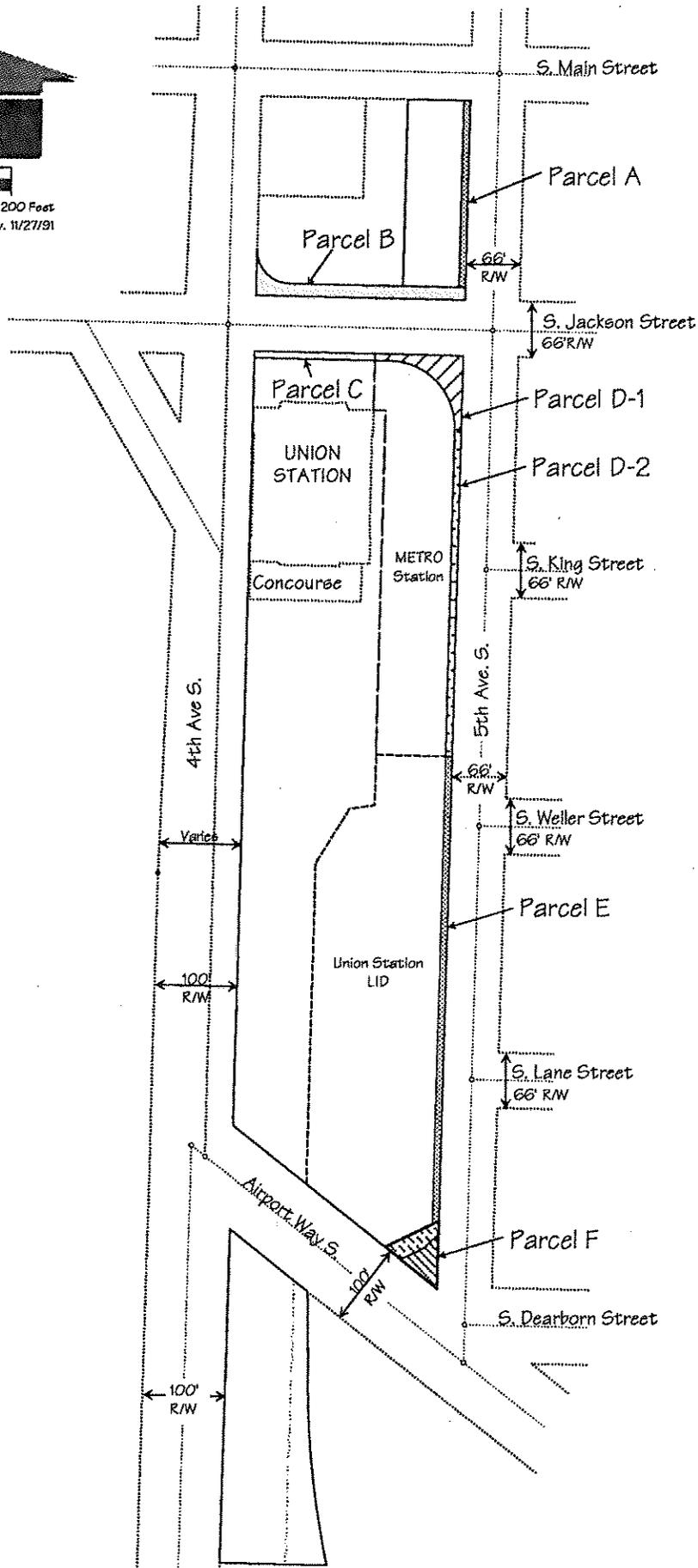
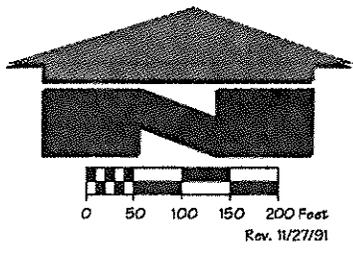
Franchise Considerations

(Based on 25yr. period @ 8%)

	UPR Proposal	Comments
Routine annual maintenance	\$536,519	Based on 51,862 sf (4th Ave. S.) & 29,203 sf (Jackson St.) all @ \$.62/sf.
Resurfacing with asphalt & membrane every 10 years	\$84,413	Based on 36,965 sf @ \$2/sf. (R/W minus sidewalk of 16'x931.07' along 4th Ave. S. only in years 5, 15 and 25.
Subtotal	\$620,932	

RECAP

UPR Proposal	Comments
\$878,999	Assumes tieback system (Option 3) on Main St. & Alt. "A" for expansion joint on 5th Ave. S.



UNION STATION
Seattle, Washington

City of Seattle

Executive Department—Office of Management and Budget

Diana Gale, Director
Norman B. Rice, Mayor



March 1, 1993

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

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

REQUESTING
DEPARTMENT Engineering

SUBJECT: AN ORDINANCE repealing Ordinances 18026, 24359, and 28758 which granted the right, privilege and authority to Oregon-Washington Railroad Company, its successors and assigns, to locate, construct, maintain and operate sundry railway tracks and the right-of-way for such tracks along and across certain sundry streets, avenues, alleys and other public places of the City; accepting easements; terminating the Indemnity Agreement between the City of Seattle and Oregon-Washington Railroad Company recorded on April 9, 1921; authorizing acceptance of funds as full and final compensation for long-term maintenance of certain structures; and superseding Ordinance 116140.

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 Bob Goldstein at 684-8080.

Sincerely,

Norman B. Rice
Mayor

by


For Diana Gale

DIANA GALE
Budget Director

DG\rg\mpe

Enclosure

cc: Director, Engineering

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:

Matthew Chae

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

City of Seattle

--SS.

No. ORDINANCE 11

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on March 23, 1993, and published here by title only, will be mailed, at no cost, upon request for two months after this publication. For further information, contact the Seattle City Clerk at 884-8344.

ORDINANCE NO. 118607

AN ORDINANCE authorizing execution of a Memorandum of Understanding effective through December 31, 1992, and a collective bargaining agreement effective through December 31, 1995, between the City of Seattle and Seattle Police Officers' Guild; authorizing a one-time, lump-sum payment; and providing payment therefor.

ORDINANCE NO. 118608

AN ORDINANCE accepting a deed for street/alley purposes to a portion of Block D, 4th Addition to the City of Seattle as laid off by Wm. N. Bell, and laying off the alley in Block D, 4th Addition to the City of Seattle as laid off by Wm. N. Bell (RW 8948).

ORDINANCE NO. 118609

AN ORDINANCE accepting a quit claim deed to a portion of Government Lot 16 in Section 29, Township 24 North, Range 4 East, W. M., and laying off 2nd Avenue South (RW 92059).

ORDINANCE NO. 118610

AN ORDINANCE relating to the Department of Parks and Recreation, authorizing a grant agreement with the State of Washington, Department of Community Development, for financial assistance supporting continued development and improvements to the Martin Luther King, Jr. Memorial Park, and making a reimbursable appropriation from the Cumulative Reserve Fund therefor.

ORDINANCE NO. 118611

AN ORDINANCE authorizing an agreement between the City and the Vee Corporation for the use and occupancy of the Seattle Center Coliseum on certain dates.

ORDINANCE NO. 118612

AN ORDINANCE repealing Ordinance 18028, 24359, and 29789 which granted the right, privilege and authority to Oregon-Washington Railroad Company, its successors and assigns, to locate, construct, maintain and operate sundry railway tracks and the right-of-way for such tracks along and across certain sundry streets, avenues, alleys and other public places of the City; accepting easements; terminating the Indemnity Agreement between the City of Seattle and Oregon-Washington Railroad Company recorded on April 9, 1921; authorizing acceptance of funds as full and final compensation for long term maintenance of certain structures; and superseding Ordinance 115140.

ORDINANCE NO. 118613

AN ORDINANCE accepting a deed for street purposes to a portion of Block 4, Weed's Division of Green Lake Addition to Seattle, and laying off Roosevelt Way Northeast (RW 8991).

ORDINANCE NO. 118614

AN ORDINANCE making an appropriation from the Judgment Claims Fund for payment to Ralph Carter, Charging Party, in settlement of a discrimination complaint, authorizing payment of the claim from the Judgment Claims Fund.

ORDINANCE NO. 118615

AN ORDINANCE relating to the Department of Administrative Services; authorizing the Director to enter into a contract with the State of Washington, Department of Community Development, to facilitate the ongoing development of the City's disaster readiness and responses efforts; increasing expenditures allowances in the 1993 Budget of the Department of Administrative Services; and making a reimbursable appropriation from the Administrative Services Fund, all by three-fourths vote of the City Council.

ORDINANCE NO. 118617

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Publication ordered by JUDITH PIP-PIN, City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, April 1, 1993. 4/1(28391)

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

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was published on

04/01/93

The amount of the fee charged for the foregoing publication is the sum of \$

1.00, which amount has been paid in full.

[Signature]
Subscribed and sworn to before me on
04/01/93
[Signature]

Notary Public for the State of Washington, residing in Seattle