

ORDINANCE No. 118187

*we*  
*Law Department*

COUNCIL BILL No. 111776

INDEXED

The City of Seattle--Legislative

OK

REPORT OF COMMITTEE

Honorable President:

Your Committee on \_\_\_\_\_

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

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <u>6-3-96</u>	By: <u>Pageley</u>
Referred: <u>6-3-96</u>	To: <u>Utilities</u>
Referred:	To:
Referred:	To:
Reported: <u>JUN 2 5 1996</u>	Second Reading: <u>JUN 2 4 1996</u>
Third Reading: <u>JUN 2 4 1996</u>	Signed: <u>JUN 2 4 1996</u>
Presented to Mayor: <u>JUN 2 5 1996</u>	Approved: <u>JUN 2 8 1996</u>
Returned to City Clerk: <u>JUN 2 8 1996</u>	Published: <u>Idle app.</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

*Full Council Vote*

Committee Chair

SEL

ORDINANCE 118187

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AN ORDINANCE relating to the Water Department, amending Section 2 of Ordinance 117325 to re-establish the fair market value of certain surplus property. (192207-9003)

WHEREAS, the real property described in Ordinance 117325 was rezoned from Forest/Recreation to Fores. which eliminated the ability to subdivide the property and therefore lessened its value and;

WHEREAS, a reappraisal of the property was obtained to establish a new fair market value relative to the new zoning; Now Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE as follows:

Section 1. Section 2 of Ordinance 117325 is hereby amended as follows: the appraised value of said property is hereby found and declared to be ~~One Hundred Eighty Two Thousand Eight Hundred Dollars (\$182,800))~~ One Hundred Forty Two Thousand Eight Hundred Dollars (\$142,800).

Section 2. The Superintendent of the Water Department is hereby authorized to offer the surplus property described in Ordinance No. 117325 for sale at or within ten percent (10%) of the re-established fair market value, consistent with all other terms and conditions stated in said Ordinance.

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

SEL

1 Section 3. This ordinance shall take effect and be in force thirty (30) days  
2 from and after its approval by the Mayor, but if not approved and returned by the  
3 Mayor within ten (10) days after presentation, it shall take effect as provided by  
4 Municipal Code Section 1.04.020.

5  
6 Passed by the City Council, this 24 day of June 1996,  
7 and signed by me in open session in authentication of its passage this 24 day of  
8 June, 1996.

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10  
11 Jan Rizzo  
12 President of the City Council

13  
14 Approved by me this 28 day of June 1996.

15  
16 Norman B. Rice  
17 Norman B. Rice, Mayor

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19 Filed by me this 28 day June 1996.

20 By Janitha E. Papp  
21 City Clerk

22  
23 (SEAL)

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RECEIVED OMP

MAY 10 1996



Diana Gale, Superintendent  
Norman B. Rice, Mayor

May 7, 1996

City Council  
City of Seattle

Via Mayor Norman B. Rice

Attention: Tom Tierney, Director Office of Management and Budget

**Subject: Request for Legislation Authorizing an Amendment to Ordinance 117325  
(Landsburg Parcel No. 1 92207-9003)**

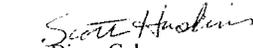
**Honorable Councilmembers:**

In August 1994 an ordinance was passed authorizing the sale of this property by bid. The property received one bid, however in the course of this sale the property was rezoned from Forest/Recreation (F/R) to Forest (F). The F/R zoning allowed the property to be subdivided into four parcels. The Forest zoning eliminated this option. The sale was terminated by the buyer due to the zoning change and the lessened value of the property. It has now been re-appraised under the new zoning. The value is about \$40,000 less than first appraised.

Originally, this 8+ acre site was a portion of land purchased in 1898 for protection of the Cedar River Watershed. A public roadway, Landsburg Road Southeast, constructed many years ago, severed this piece from the Watershed's hydrographic boundary. The land has not been used for water source protection. This property is a part of the Water Department's revenue forecast and was included in the 1996 budget.

The Seattle Water Department requests enactment of legislation to revise the sale price of surplus property by amending Ordinance 117325 which had authorized the sale of such property by bid or negotiated sale.

Sincerely,

  
Diana Gale  
Superintendent

Enclosures: Proposed Ordinance Amendment  
Sketch

cc: Rich Richmond, OMP

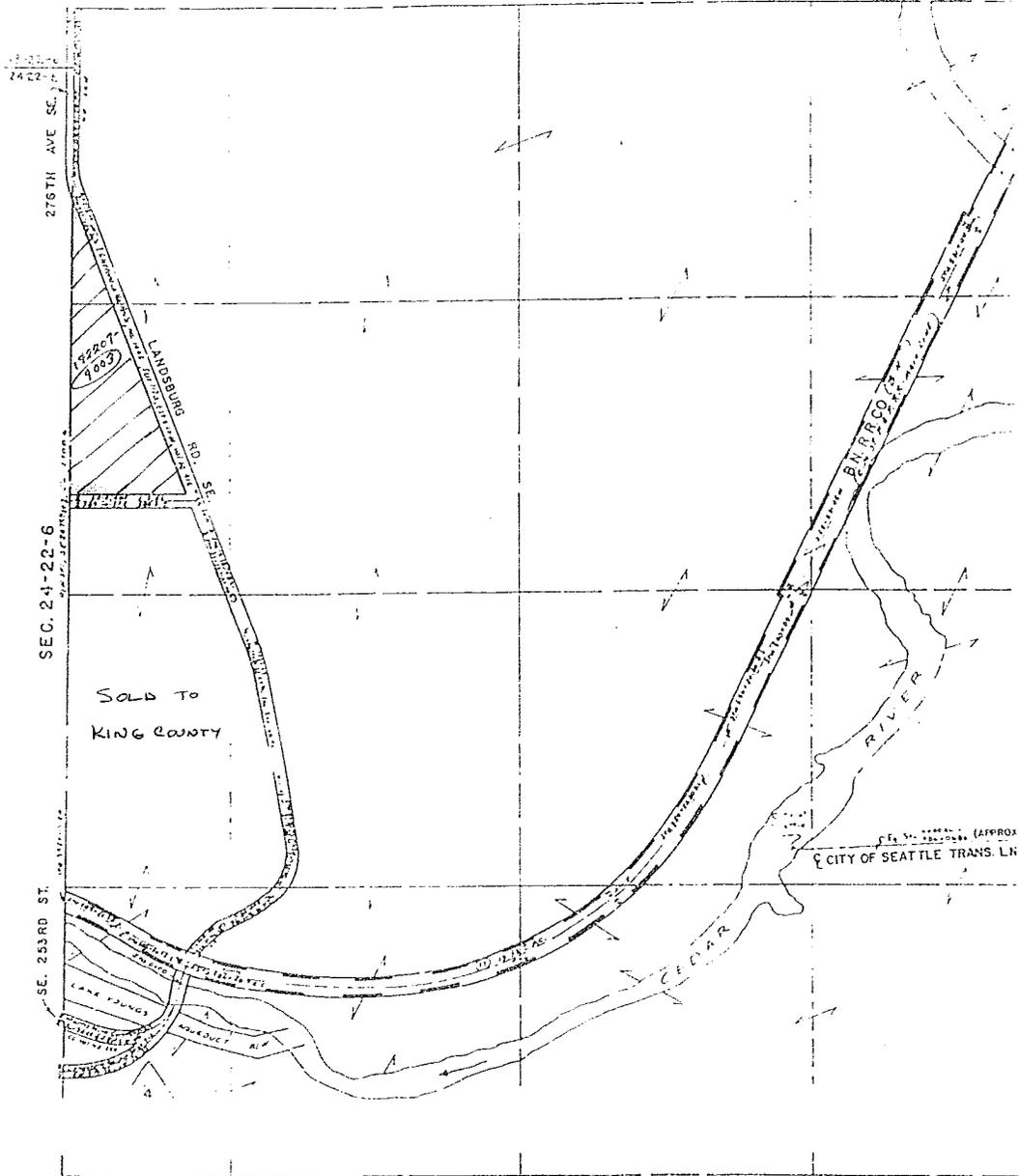
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Dexter Horton Building, 10th Floor 710 Second Avenue Seattle, WA 98104



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SEC. 19 - 22 - 7



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SEC. 30-22-7

ORDINANCE 117325

1 AN ORDINANCE relating to the Water Department, declaring Water  
2 Department property surplus to the City's needs and not  
3 required for providing continued public utility services;  
4 authorizing the sale by competitive bidding procedures or  
5 negotiations of said surplus property and establishing  
6 the fair market value thereof. (192207-9003)

7 WHEREAS, the real property hereinafter described, acquired  
8 for the municipal water system, is now surplus to the  
9 City's needs and is not and will not be used or useful  
10 for any Water Department or other municipal purpose; and  
11 the Superintendent of the Water Department has  
12 recommended in the attachments hereto the sale and  
13 conveyance thereof following competitive bidding or  
14 negotiations; Now Therefore,

15 BE IT ORDAINED BY THE CITY OF SEATTLE as follows:

16 Section 1. Pursuant to the provision of RCW 35.94.040  
17 and after a public hearing, property situated in King County,  
18 Washington, described as follows:

19 That portion of the West Half of the West Half of Section  
20 19, Township 22 North, Range 7 East, W.M., King County,  
21 Washington, lying north of S.E. 247th Street and west of  
22 Landsburg Road Southeast.

23 is hereby found and declared to be no longer required for  
24 providing public utility service and to be surplus to the  
25 City's needs.

26 Section 2. The appraised value of said property is  
27 hereby found and declared to be One Hundred Eight Two  
28 Thousand Eight Hundred Dollars (\$182,800.)

29 Section 3. As requested by the Superintendent of the  
30 Water Department and recommended by the Mayor in the  
31 attachments hereto, said Superintendent is authorized to  
32 offer said surplus property for sale substantially upon the  
33 terms, conditions, restrictions and limitations set forth  
34 in the "Invitation for Bids" contained in the materials  
35 attached hereto. The Contracting Services Administrator of  
36 Public Works and Consultant Contracting Section of the  
37 Department of Administrative Services is authorized to  
38 receive and open said bids. After the bids have been  
39 evaluated by the Superintendent, said Superintendent is

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hereby authorized to execute any such form of deed and/or deed of trust as may be necessary to effectuate the real property sale herein. If no acceptable bids are received for this property, the Superintendent may proceed with a negotiated sale as stated in Section 4.

Section 4. Recognizing that some properties may not sell through the bid process and that the value of property may vary with in a range of the appraisal, the Superintendent is authorized, in the event that no acceptable bids are received for this property, to negotiate a sale within 10% of the appraised value.

Section 5. Proceeds from the sale of the property shall be deposited into the Water Fund.

Section 6. Any act pursuant to the authority of this ordinance and prior to its effective date is hereby ratified and confirmed.

Section 7. 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, this 26 day of September 1994, and signed by me in open session in authentication of its passage this 26 day of September, 1994.

[Signature]  
President of the City Council

Approved by me this 29 day of September, 1994.

[Signature]  
Norman B. Rice, Mayor

Filed this 29 day of September, 1994.

[Signature]  
Deputy Clerk

(SEAL)

Published \_\_\_\_\_

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AN ORDINANCE relating to the Water Department, amending Section 2 of Ordinance 117325 to re-establishing the fair market value thereof. (192207-9003)

WHEREAS, the real property described in Ordinance 117325 was rezoned from Forest/Recreation to Forest which eliminated the ability to subdivide the property therefore lessening the value thereof, and;

WHEREAS, a reappraisal of the property was attained to established a new fair market value relative to the new zoning; Now Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE as follows:

Section 1. Section 2 of said Ordinance 117325 is hereby amended as follows: The appraised value of said property is hereby found and declared to be ~~((One Hundred Eighty Two Thousand Eight Hundred Dollars (\$182,800.))~~ One Hundred Forty Two Thousand Eight Hundred Dollars (\$142,800).

Section 2. The Superintendent of the Water Department is hereby authorized to offer the surplus property described in Ordinance No. 117325, for sale at or within ten percent (10%) of the re-established fair market value, consistent with all other terms and conditions stated in said Ordinance.

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Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council, this \_\_\_ day of \_\_\_\_\_ 1996,  
and signed by me in open session in authentication of its passage this \_\_\_ day of \_\_\_\_\_, 1996.

\_\_\_\_\_  
President of the City Council

Approved by me this \_\_\_ day of \_\_\_\_\_ 1996.

\_\_\_\_\_  
Norman B. Rice, Mayor

Filed by me this \_\_\_ day \_\_\_\_\_ 1996.

By \_\_\_\_\_  
City Clerk

(SEAL)

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AUGUST 14, 1994

CITY OF SEATTLE  
WATER DEPARTMENT  
SALE OF REAL PROPERTY

INVITATION FOR BIDS

Landsburg Parcel  
P.M. #192267-9003

Date of Bid Opening: November 30, 1994

Sealed bids for the purchase of Landsburg Parcel No. 9003, located in King County, Washington, will be accepted by the City of Seattle, Public Works Contracting Manager, Public Works and Consultant Contracting Section, 940 Arctic Building, 700 3rd Avenue, Seattle, Washington 98104, until 2:00 p.m., Wednesday, November 30, 1994.

Bids received after 2:00 p.m. on the above date will not be accepted or read.

The real property is legally described as follows:

That portion of the West Half of the West Half of Section 19, Township 22 North Range 7, East, W.M., King County, Washington, lying north of S.E. 247th Street and west of Landsburg Road Southeast.

Bids are to be in a sealed separate envelope marked "BID, Landsburg Parcel No. 9003". No bids will be considered for less than \$164,520. Each bid must be accompanied by a deposit of at least 20% of the bid price, in the form of a money order, certified check, or bank cashier's check payable to the City of Seattle. Said deposit shall be security for the performance of such bid and shall be held for liquidated damages in case the purchaser fails to comply with the bid terms. Deposits of unsuccessful bidders will be refunded after the bids have been evaluated. This may take at least two weeks.

Purchaser may purchase for the full price in cash or may finance the purchase by note and Deed of Trust. Terms shall include 20% of the bid price as down payment with the balance payable in 10 equal annual installments, together with interest at not less than 8.25% on the declining balance with option to pay the balance at any time. A credit report will be obtained by the City prior to approval of an offer for terms other than cash.

Property is sold "as is" and is subject to existing encumbrances. The City of Seattle takes no responsibility and makes no warranty as to the condition and suitability of the property for any purpose. The purchaser is responsible for ascertaining the usefulness and condition of the property. All assessments, if any, will be assumed by the purchaser. Purchaser will pay recording fees and may obtain title insurance, if desired. The sale must be closed within 30 days after approval of the bid by the Seattle Water Department or their agent.

The City has no knowledge of contamination on the site. The purchaser will be required to waive all claims and release the City from all liability associated in any way with contamination, hazardous substances, wastes, or materials used or on the site, as provided in a release agreement. If financing is provided by the City of Seattle, the purchaser shall be required to comply with all environmental laws during the term of the Deed of Trust and indemnify the City if the failure to do so results in liability.

Bid forms, sale documents, additional details, information and drawings may be obtained from:

Shirley Lukrang  
Seattle Water Department  
Real Property Services  
710 2nd Avenue, 11th Floor  
Seattle, Washington 98104  
(206) 386-9754

The City reserves the right to reject any and all bids submitted. The public offering and bid shall be subject to approval by the Superintendent of the Water Department and shall not be deemed binding upon the City until such approval is given. The City will provide a statutory form of Quit Claim Deed, conveying title to the property, upon payment of the full sale price or upon receipt of a signed Deed of Trust.

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# City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director  
Norman B. Rice, Mayor

May 10, 1996

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: Water Department

SUBJECT: AN ORDINANCE relating to the Water Department, amending Section 2 of Ordinance 117325 to re-establish the fair market value of certain surplus property. (192207-9003)

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 OMP. Any specific questions regarding the legislation can be directed to Rich Richmire at 684-8478.

Sincerely,

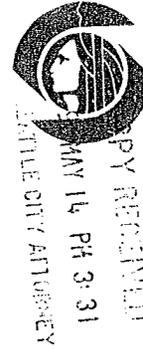
Norman B. Rice  
Mayor

by

  
TOM TIERNEY  
Director

lv:admin/legis/law/trs/rich4

Enclosure



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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:

*Margaret Peggler*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR CITY COUNCIL PRESIDENT USE ONLY**

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

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**CITY OF SEATTLE**

**TITLE-ONLY PUBLICATION**

The full text of the following ordinances, passed by the City Council on June 24, 1996, 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 684-8344.

**ORDINANCE NO. 118185**

AN ORDINANCE authorizing the contingent execution of a Second Supplemental Agreement between the City of Seattle and the Historic Seattle Preservation and Development Authority.

**ORDINANCE NO. 118187**

Relating to the Water Department, amending Section 2 of Ordinance 117825 to establish the fair market value of certain surplus property. (192207-9003)

**ORDINANCE NO. 118188**

Authorizing an expenditure from the Judgment/Claims Fund to settle the claim of Ruth M. Knight (C-54551), all by a two-thirds vote of the City Council.

**ORDINANCE NO. 118191**

AN ORDINANCE relating to telecommunications; authorizing the Department of Administrative Services and the City Light Department to enter into an inter-agency agreement with other governmental entities to participate in a project to share fiber optic cable; increasing the expenditure allowance in the 1996 budget of the Department of Administrative Services; and allowing the Department of Administrative Services to receive reimbursement from the other agencies participating in the project for the costs attributable to them; all by a three-fourths vote of the City Council.

**ORDINANCE NO. 118192**

AN ORDINANCE relating to the Community Development Block Grant Float Loan Program, authorizing a short-term loan of up to Eight Hundred Thousand Dollars (\$800,000) in Block Grant funds to On The Boards, a Washington nonprofit corporation, for an economic development project involving the purchase of the Queen Ann Hall; and authorizing an amendment to the City of Seattle's 1996 Consolidated Plan.

**ORDINANCE NO. 118193**

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

Publication ordered by JUDITH PIPIN, City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, July 15, 1996. 7/15/96(120)

**STATE OF WASHINGTON - KING COUNTY**

City Clerk

-SS-

No. 118191-11819

**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

CTOT: 118185, 87, 88, 91

was published on

07/15/96

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

Subscribed and sworn to before me on

07/15/96

Notary Public for the State of Washington, residing in Seattle

Affidavit of Publication

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