

ORDINANCE No.

118873

COUNCIL BILL No.

112018

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to accept a donation to The City of Seattle of certain real property located along the Burke Gilman Trail, being a portion of the Northeast Quarter of Section 27, Township 26 North, Range 4 East, W. M., in King County, Washington, from Timothy C. and Sandra A. Motzer, husband and wife, Donald W. and Sheila Belcher, husband and wife, and Richard Brandon and Lee Mozena, to accept and record the deed, and to pay certain costs in connection with the donation; and placing the property under the jurisdiction of the Department of Parks and Recreation for open space, park and recreation purposes.

COMPTROLLER FILE No.

Introduced:	DEC - 8 1997	By:	DONALDSON
Referred:	DEC - 8 1997	To:	PARKS, PUBLIC GROUNDS AND RECREATION COMMITTEE
Referred:		To:	
Referred:		To:	
Reported:	DEC 15 1997	Second Reading:	DEC 15 1997
Third Reading:	DEC 15 1997	Signed:	DEC 15 1997
Presented to Mayor:		Approved:	DEC 22 1997
Returned to City Clerk:	DEC 23 1997	Published:	little 3/14
Vetoed by Mayor:		Veto Published:	
Passed over Veto:		Veto Sustained:	

Law Department

OK

## The City of Seattle--Legislative

## 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

12/10/97 Parks, Public Grounds and Rec

Full Council vote 8-0  
Ekens: Choe

12/10/97

Committee Chair

73

018

ks and Recreation; authorizing  
n to accept a donation to The  
ated along the Burke Gilman  
arter of Section 27, Township  
County, Washington, from  
nd and wife, Donald W. and  
ard Brandon and Lee  
nd to pay certain costs in  
the property under the  
d Recreation for open space,

*Law Department*

OK

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

Honorable President:

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

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

12/10/97 Parks, Public Grounds and Recreation 1-0 Do Pass

Full Council vote 8-0  
excused: chae

DONALDSON

PARKS,  
PUBLIC GROUNDS AND  
RECREATION COMMITTEE

Reading: DEC 15 1997

DEC 22 1997

314

stained:

Committee Chair



ORDINANCE 118873

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to accept a donation to The City of Seattle of certain real property located along the Burke Gilman Trail, being a portion of the Northeast Quarter of Section 27, Township 26 North, Range 4 East, W. M., in King County, Washington, from Timothy C. and Sandra A. Motzer, husband and wife, Donald W. and Sheila Belcher, husband and wife, and Richard Brandon and Lee Mozena, to accept and record the deed, and to pay certain costs in connection with the donation; and placing the property under the jurisdiction of the Department of Parks and Recreation for open space, park and recreation purposes.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Superintendent of Parks and Recreation, is hereby authorized to accept, for and on behalf of The City of Seattle, a donation from Timothy C. Motzer and Sandra A. Motzer, husband and wife, Donald W. Belcher and Sheila Belcher, husband and wife, and Richard Brandon and Lee Mozena of all of their right, title and interest in certain real property located along the Burke Gilman Trail, known as OSP Parcel No. 308.005000 and legally described as follows:

Parcel A

Unplatted strip 25 feet in width lying between Northern Pacific R.R. right-of-way and the Plat of University Lake Shore Addition, Division # 1-2-3, recorded in Volume 18 of Plats, page 81, in King County, Washington, and between the Easterly production of the North line of Lot 45 and the South line of Lot 47 of said Plat; in the Northeast Quarter of Section 27, Township 26 North, Range 4 East, W.M.

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Parcel B

That portion of an unplatted strip of land 25 feet in width in the Northeast Quarter of Section 27, Township 26 North, Range 4 East, W.M., lying between the East line of University Lake Shore Addition, Division # 1-2-3, recorded in Volume 18 of Plats, page 81, in King County, Washington, and the West line of the Northern Pacific R.R. right-of-way, and extending from the South line produced of Northeast 119th Street to the South line produced of Lot 47, Block 14, of said Addition, EXCEPT that part described as follows:

Beginning at the intersection of the South line of Northeast 119th Street and the East line of the University Lake Shore Addition;  
THENCE Easterly on said South line produced to its intersection with the West line of N.P.R.R. right-of-way;  
THENCE Northerly on said West line a distance of 50 feet;  
THENCE Westerly at right angles to said West line a distance of 25 feet to a point on the East line of said Addition;  
THENCE Southerly on said East line to the Point of Beginning; reserving however to the City of Seattle the right to make all necessary slopes for cuts or fills upon the abutting property in the reasonable original grading of the street to be established over and across the lands described above.

BOTH SITUATED in the County of King, State of Washington.  
AKA King County Tax Account Parcel Nos. 272604-9158 and 272604-9161).

Section 2. The Superintendent of Parks and Recreation is authorized to accept and record the deed for the real property described in Section 1, and to pay for title insurance, closing costs, and administrative costs associated with accepting the donation. The real property described in Section 1 and all rights appurtenant thereto shall be under the jurisdiction of the Department of Parks and Recreation for open space, park, and recreation purposes.

Section 3. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

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

6 PASSED by the City Council the 15<sup>th</sup> day of Dec, 1997, and  
7 signed by me in open session in authentication of its passage this  
8 15<sup>th</sup> day of December 1997.

9 Jan Drago  
President of the City Council

10 Approved by me this 2nd day of Dec, 1997

11 Norman B. Rice  
12 Norman B. Rice, Mayor

13 Filed by me this 23 day of December, 1997

14 Justith E. Lippin  
15 City Clerk  
16 n:\donbggtn\mtr\mtr\donbggtn.ord

17 (SEAL)

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## City of Seattle

Norman B. Rice, Mayor

### Seattle Department of Parks and Recreation

Kenneth R. Bounds, Superintendent

November 20, 1997

The Honorable Jan Drago, President  
The Seattle City Council  
600 Fourth Avenue  
11th Floor Municipal Building  
Seattle, Washington 98104-1873

VIA: Judy Bunnell, Director, Office of Management and Planning

Subject: AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to accept a donation to The City of Seattle of certain real property located along the Burke Gilman Trail, being a portion of the Northeast Quarter of Section 27, Township 26 North, Range 4 East, W. M., in King County, Washington, from Timothy C. and Sandra A. Motzer, husband and wife, Donald W. and Sheila Belcher, husband and wife, and Richard Brandon and Lee Mozena, to accept and record the deed, and to pay certain costs in connection with the donation; and placing the property under the jurisdiction of the Department of Parks and Recreation for open space, park and recreation purposes.

Dear Council President Drago:

The Department of Parks and Recreation is herein proposing legislation to authorize the Superintendent to accept a donation of 0.3 acres of land along the Burke Gilman Trail in Northeast Seattle from Timothy C. and Sandra A. Motzer, husband and wife, Donald W. and Sheila Belcher, husband and wife, and Richard Brandon and Lee Mozena, for open space, park, and recreation purposes.

The property abuts the Burke Gilman Trail north of NE 119th Street. The trail corridor from Seattle to Bothell was identified as the Burke Gilman Greenway and targeted for preservation in King County's 1993 Regional Conservation Futures Acquisition Program. The Open Space Program has been successful in the acquisition of two of the parcels identified in the Burke Gilman Greenway project, but will need to abandon a proposed acquisition at 25th Avenue Northeast referred to as Silver Cloud. This donation will add a 25-foot buffer along the west side of the trail right-of-way north of NE 119th Street and protect some stands of trees along the trail corridor. Given that it is a donation and the only costs to be incurred are to cover title insurance, closing costs and administrative costs, the Department will be pleased, pending the outcome of the transaction screening for environmental hazards, to add this property to the Burke-Gilman Greenway.

2911 Second Avenue, 4th Floor, Seattle, Washington 98121-1079

TEL: (206) 684-4075, TDL: (206) 233-7061

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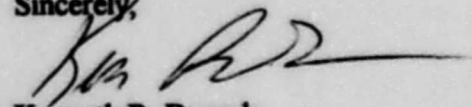
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Letter - Bounds to Drago  
November 20, 1997  
Page 2

If you have any questions regarding the proposed legislation, please contact Donald M. Harris,  
684-8018 or Anne Knight, 233-7932.

Sincerely,



Kenneth R. Bounds  
Superintendent

AK:ak  
n:\doc\donate\motzer\donbggtn.hr

Attachment

cc:	Woody Wilkinson	Lanny Shuman
	Donald Harris	Terry Dunning
	Warren Eckstrom	Kris Castleman, OMP
	Anne Knight	Judy Nevins, Law Department

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**Legislative Request Supporting Information**

In conformance with the City of Seattle's Standard Operating Procedure 200-001, the following information is submitted:

**Title of Project or Program:**

Regional Conservation Futures Acquisition Program (RCF), specifically:  
° Burke Gilman Greenway project (CIP #K73109)

**Background:**

This Burke Gilman Greenway project was approved as part of the Regional Conservation Futures Acquisition Program (RCF) and authorized by Ordinance 117070. The Grantors will donate a 0.3 acre parcel abutting the Burke Gilman Trail to the City.

**Project Statement of Objectives:**

This ordinance will authorize acceptance of the donation, authorize payment of certain costs, and authorize acceptance and recording by the Superintendent, on behalf of the City, of the deed, from Timothy Motzer and others, for open space and park purposes.

**Fund Sources:**

Regional Conservation Futures Fund for administrative costs, escrow, title insurance, and recording fees.

**Length of Program Commitment:**

N/A

**Personnel or Equipment Required:**

NA

**Evaluation Criteria:**

The property abuts the Burke Gilman Trail, which was included in King County's 1993 Regional Conservation Futures Acquisition Program as the Burke Gilman Greenway. The property will provide a 25 foot buffer along the trail right-of-way.

**Environmental Site Assessment:**

Transaction Screen Analysis will be completed prior to acceptance.

**Alternative Fund Source:**

N/A

**Contact Persons:**

Donald M. Harris - 684-8018; Anne Knight - 233-7932.

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## City of Seattle

Norman B. Rice, Mayor

Executive Department - Office of Management and Planning

Judy Bunnell, Director

November 21, 1997

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:

Parks and Recreation

SUBJECT:

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to accept a donation to The City of Seattle of certain real property located along the Burke Gilman Trail, being a portion of the Northeast Quarter of Section 27, Township 26 North, Range 4 East, W. M., in King County, Washington, from Timothy C. and Sandra A. Motzer, husband and wife, Donald W. and Sheila Belcher, husband and wife, and Richard Brandon and Lee Mozena, to accept and record the deed, and to pay certain costs in connection with the donation; and placing the property under the jurisdiction of the Department of Parks and Recreation for open space, park and recreation purposes.

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 Kris Castleman 684-8367.

Sincerely,

Norman B. Rice  
Mayor

by

*Kristie Castleman for*

JUDY BUNNELL  
Director

h:\admin\legis\law\tr\castle26

Enclosure

Seattle Municipal Building, 600 Fourth Avenue, Seattle, WA 98104-1826

Tel: (206) 684-8080, TDD (206) 684-8118, FAX: (206) 233-0085

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COPY RECEIVED  
97 NOV 25 AM 9:24  
SEATTLE CITY ATTORNEY

APPROVED AS TO FORM ONLY  
MARK H. SIDRAN  
City Attorney

By *JBW* 11/26/97  
Assistant City Attorney

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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:

_____	_____
_____	_____
_____	_____
_____	_____

Suzanne Malden

**FOR CITY COUNCIL PRESIDENT USE ONLY**

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

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

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

C. S. 20 28

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## STATE OF WASHINGTON - KING COUNTY

88353

City of Seattle, City Clerk

—SS.

No. ORDINANCE TI

### City of Seattle

#### TITLE-ONLY PUBLICATION

The full text of the following ordinance, passed by the City Council on December 15, 1997, 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 118871

AN ORDINANCE relating to the Department of Parks and Recreation; making appropriations from the Shoreline Parks Improvement Fund to carry out the South Lake Union and Olmsted-Fairview Capital Improvement Projects; all upon a three-quarters vote of the City Council.

#### ORDINANCE 118872

AN ORDINANCE relating to the Department of Parks and Recreation; amending Section 3 of Ordinance 118250; authorizing an interfund loan to the Conservation Futures Tax Fund; setting interest rates and the maximum term for the interfund loan; and making an appropriation from the Conservation

Futures Tax Fund by a three-fourths vote of the City Council; all relating to acquisition of certain real property located in Duwamish Head Greenbelt and described as Lots 5 through 21, inclusive, Block 446, as shown on the Official Map of Seattle Tide Lands filed in the Office of the Board of State Land Commissioners of Olympia, Washington; and that portion of Lot 26, Block 72, Replat of the West Seattle Land and Improvement Company's Third Plat, according to the plat thereof recorded in Volume 9 of Plats, page 56, in King County, Washington, lying adjacent to Block 446, of Seattle Tide Lands to the southwesterly thereof and easterly of Southwest Bluff Street.

#### ORDINANCE 118873

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to accept a donation to The City of Seattle of certain real property located along the Burke Gilman Trail, being a portion of the Northeast Quarter of Section 27, Township 26 North, Range 4 East, W. M., in King County, Washington, from Timothy C. and Sandra A. Meyer, husband and wife, Donald W. and Sheila Belcher, husband and wife, and Richard Brandon and Lee Monson, to accept and record the deed, and to pay certain costs in connection with the donation; and placing the property under the jurisdiction of the Department of Parks and Recreation for open space, park and recreation purposes.

#### ORDINANCE 118874

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of a portion of Lot 5, Block 18, Homestead Addition according to the plat thereof recorded in Volume 24 of Plats, page 62, in King County, Washington; authorizing the payment of related costs; and authorizing acceptance of the deed for open space, park and recreation purposes.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, January 8, 1998.  
1/8/98353

### 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:118871-118874

was published on

01/08/98

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

01/08/98

Notary Public for the State of Washington,  
residing in Seattle

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