

Ordinance No. 120053

EW

Council Bill No. 113291

AN ORDINANCE vacating a portion of South Massachusetts Street, South Seattle Street and 9th Avenue, in the vicinity of South Holgate Street, Airport Way South, South Atlantic Street, and the Interstate 5 Freeway, (Clerk File 299814)

The City of Seattle - Legislative Department
Council Bill/Ordinance sponsored by: _____

Committee Action

August 1, 2000 - Transportation Committee - pass 3-0 (RM, HW, DC)

CF No. _____

Date Introduced:	JUL 10 2000	
Date 1st Referred:	To: (committee)	
Date Re - Referred:	TRANSPORTATION	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
8/7/00	8-0	
Date Presented to Mayor:	Date Approved:	
8/8/00	8-14-00	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/>
8-14-00	<i>2 pages</i>	F.T. <input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

me

This file is complete and ready for presentation to Full Council.

Law Department

Law Dept. Review

OMP Review

W
City Clerk Review

ew
The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Richard J. McIver

Councilmember

Committee Action:

August 1, 2000 - Transportation Committee - PASS 3-0 (RMH/LC)

This file is complete and ready for presentation to Full Council.

Committee: _____

(Initial/Date)

Law Department

Law Dept. Review

OMP
Review

(V)
City Clerk
Review

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PORTATION

O. ✓
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ORDINANCE 190053

AN ORDINANCE vacating a portion of South Massachusetts Street, South Seattle Street and 9th Avenue, in the vicinity of South Holgate Street, Airport Way South, South Atlantic Street, and the Interstate 5 Freeway, (Clerk File 299814)

WHEREAS, there has been filed with the City Council the petition of Northwest EnviroService, now Emerald Services, Inc., and the Washington State Department of Transportation (Clerk File 299814) for the vacation of a portion of South Massachusetts Street, South Seattle Street and 9th Avenue South, as therein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on March 5, 1996, said petition was granted by the City Council; and

WHEREAS, pursuant to Section 35.79.030 and Seattle Municipal Code Chapter 15.62, the petitioners have paid \$60,000 to the City, which amount is one half the appraised value of the property approved for vacation, according to an appraisal obtained by the Director of Seattle Transportation; Now, Therefore;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Portion of South Massachusetts Street, South Seattle Street and 9th Avenue South described as follows:

Beginning at the northwest corner of Lot 4, Block 221, Seattle Tide Lands; thence north along the production north of the west line of said lot to the intersection with the production southeasterly of the southwesterly line of Lot 3, Block 220, Seattle Tide Lands; thence northwesterly along said southeasterly produced line to the most southerly corner of said Lot 3; thence north along the east line of said Lot 3, and the east line of Lots 7 and 6, Block 9 McNaught's Third Addition to Seattle, according to the plat thereof recorded in Volume 1 of Plats, page 91, Records of King County, Washington, and the production north of the east line of said Lots 3, 7 and 6, to the north line of Lot 6, McNaught's Extension of Judkin's Addition to the Town (Now City) of Seattle, according to the plat thereof recorded in Volume 1 of Plats, page 85, Records of King County, Washington; thence west along said north line to the easterly line of that portion of South Seattle Street as vacated under Ordinance No. 86392 of the City of Seattle; thence northerly along said easterly line to the south line of Lot 1, Block 4, Judkin's Addition to the Town (Now City) of Seattle, according to the plat thereof recorded in Volume 1 of Plats, page 45, Records of King County, Washington; thence east along said south line of the westerly margin of Primary State Highway No. 1: Seattle Freeway; thence southerly along said westerly margin to the west line of Lot 1, Block 4, said plat of McNaught's Third Addition to Seattle; thence south along said west line of Lot 1 to the southwest corner of said lot; thence east along the south line of said lot to the westerly margin of Primary State Highway No. 1: Seattle Freeway; thence southerly along said westerly margin to the north line of Lot 4, Block 5, said plat of McNaught's Third Addition to Seattle; thence west along said north line of Lot 4 and the north line of Lot 4, Block 221, Seattle Tide Lands, to the beginning.

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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Section 2. 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 of the City of Seattle this 7th day of August, 2000, and signed by me in open session in authentication of its passage this 7th day of August, 2000.

Margaret Rogers
President _____ of the City Council

Approved by me this 14th day of AUGUST, 2000.
Paul Schell
Mayor

Filed by me this 14th day of August, 2000.
Judith E. Pippin
City Clerk

(Seal)




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16711/85

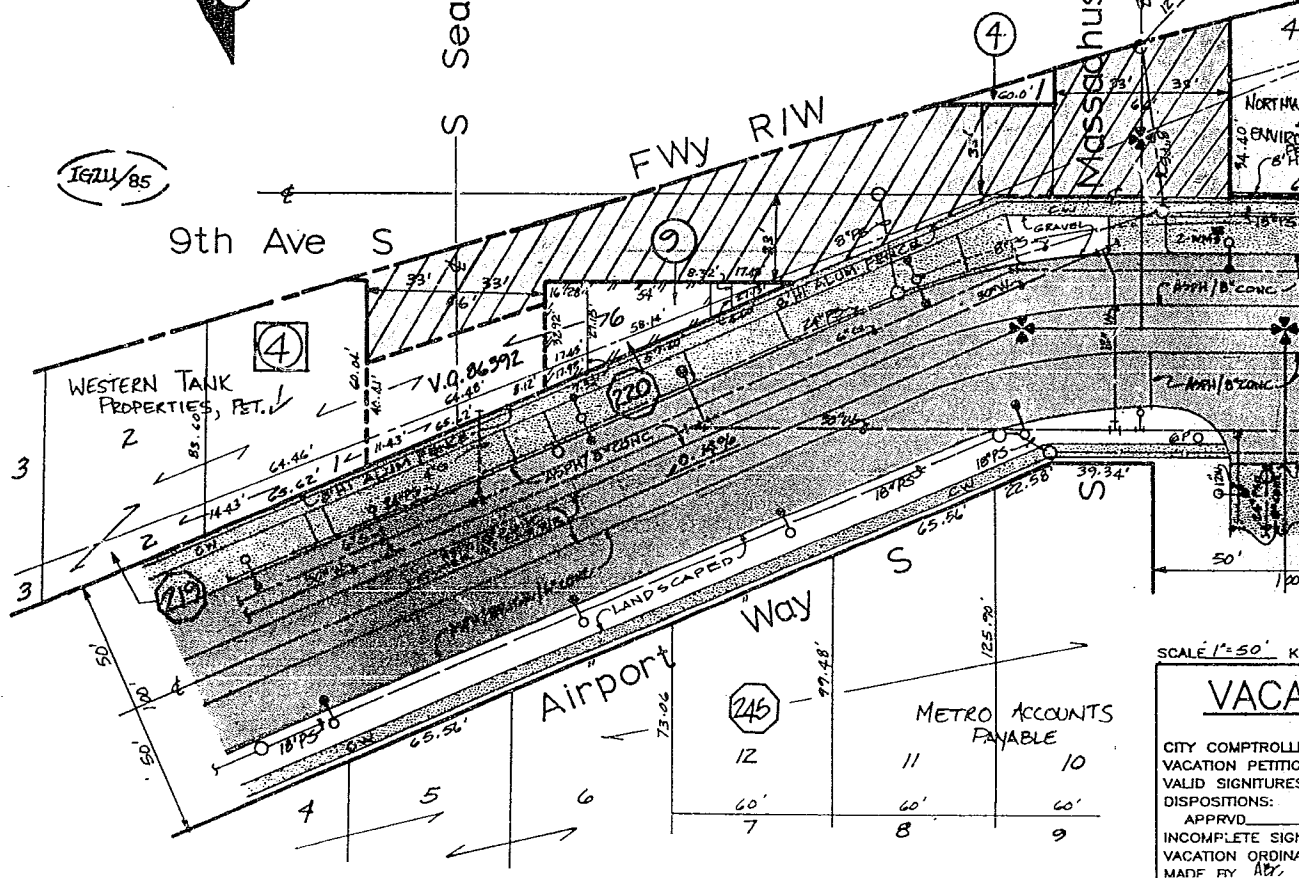
S Seattle St

Massachusetts St

-  SEATTLE TIDELANDS VOL 902-370
-  MCNAUGHTS 3RD ADD VOL 1-91
-  JUDKIN'S ADD VOL 1-45

9th Ave S

FWY RIW



SCALE 1" = 50' K

VACA




CITY COMPTROLLER
 VACATION PETITION
 VALID SIGNATURES
 DISPOSITIONS:
 APPROVD
 INCOMPLETE SIGNATURES
 VACATION ORDINANCE
 MADE BY ABY.

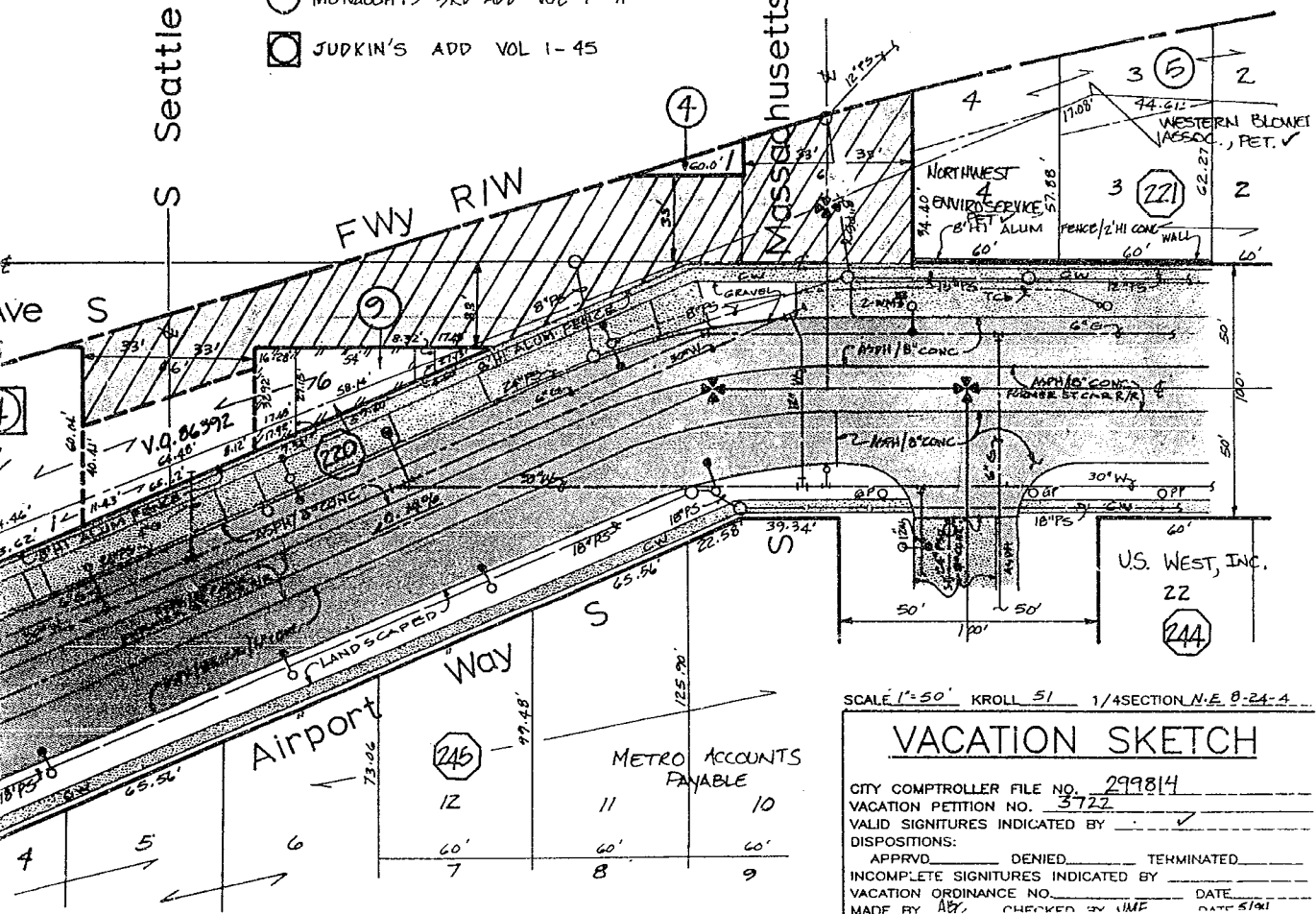
12	11	10
60'	60'	60'
7	8	9

Seattle St

Massachusetts St

2605

-  SEATTLE TIDELANDS VOL 902-370
-  MCNAUGHTS 3RD ADD VOL 1-91
-  JUDKIN'S ADD VOL 1-45



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SCALE 1"=50' KROLL 51 1/4 SECTION N.E. 8-24-4

VACATION SKETCH

CITY COMPTROLLER FILE NO. 299814
 VACATION PETITION NO. 3722
 VALID SIGNATURES INDICATED BY
 DISPOSITIONS:
 APPROVD _____ DENIED _____ TERMINATED _____
 INCOMPLETE SIGNATURES INDICATED BY _____
 VACATION ORDINANCE NO. _____ DATE _____
 MADE BY AB CHECKED BY UMF DATE 5/91

METRO ACCOUNTS PAYABLE		
12	11	10
60'	60'	60'
7	8	9



City of Seattle

Paul Schell, Mayor

Seattle Transportation

Daryl R. Grigsby, Director

June 30, 2000

Honorable Margaret Pageler
President, Seattle City Council
1100 Municipal Building
600 4th Avenue
Seattle, Washington 98104

VIA: Law Department

SUBJECT: Vacation of South Massachusetts Street, South Seattle Street,
9th Avenue South, Clerk File 299814

Dear Honorable Margaret Pageler:

Enclosed is a Council Bill to vacate portions of South Massachusetts Street, South Seattle Street, and 9th Avenue South, (Clerk File 299814). Northwest EnviroService is the principal petitioner, and the Washington State Department of Transportation (WSDOT) is the co-petitioner. Northwest EnviroService is an environmental service company that recycles and disposes of residential and commercial waste. Northwest EnviroService recently changed its name to Emerald Services, Inc.

Background

Northwest EnviroService provided waste management services from its plant at South Massachusetts Street and Airport Way South for over twenty-five years. Western Tank Properties, the predecessor to Northwest EnviroServices, specialized in cleaning the interiors of tanker trucks. Western Tank chemically treated the interiors to break down the residue and safely dispose of the waste. The business expanded and they began to acquire additional property around the proposed vacation site around 1979. Services expanded to include commercial and household hazardous wastes. Western Tank Properties changed its name to Northwest EnviroServices to reflect the additional waste management services. Services included recycling and reuse, treatment, processing, laboratory analysis, computerized tracking, packaging, and transporting for commercial and household hazardous waste. For 15 years Northwest EnviroService provided environmental clean-up services.



Seattle Municipal Building, 600 Fourth Avenue, Room 708, Seattle, WA 98104-1879
Tel: (206) 684-7623, TTY/TDD: (206) 684-4009, Fax: (206) 684-5180

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

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Honorable Margaret Pageler
June 30, 2000
Page 2

Following changes in environmental regulations, Northwest EnviroServices reduced its operations and now only recycles petroleum products. The firm also changed their name to Emerald Services. Emerald Services leases space to Evergreen Treatment Center, a drug addiction treatment program. The program and administrative offices were relocated to South Massachusetts Street around 1997 to make way for the development of Safeco Field. Currently, Evergreen Treatment Center occupies 20-30% of the office space.

In early 1994, Northwest EnviroService filed a petition to vacate South Massachusetts and South Seattle Streets, and 9th Avenue South. The vacation area is bordered on the east by the I-5 Freeway and on the west by Airport Way South. Ninth Avenue South intersects with South Massachusetts Street at its south terminus and with South Seattle Street at its north terminus. The vacation area is a long, narrow awkward site zoned General Industrial 2. The vacation would physically connect sites to the north and south. Washington State Department of Transportation owns the property next to the I-5 Freeway. WSDOT is entitled to acquire a portion of 9th Avenue South that abuts the Freeway right of way, but has conveyed its interest in the property to Emerald Services, Inc.

In 1996, the City Council conditionally granted approval to the vacation. Conceptual approval was subject to two conditions:

1. Utility issues shall be resolved to the full satisfaction of the affected utility. This may include easements, restrictive covenants, relocation agreements, or acquisition of the facilities. Providing for the utilities is to be done at the sole expense of the petitioners.
2. The petitioner must continue to provide for drainage on site.

To fully satisfy the utility issues, the petitioner provided easements to the City for combined sewer and water service facilities, and upgraded sections of combined sewer pipe as required per City specifications. The petitioner entered into an annual agreement with Metro/King County to provide for drainage on site.

Washington State Department of Transportation is the other abutting property owner. While WSDOT had always indicated a willingness to sell or convey its interest in right-of-way that was vacated, the parties only completed their negotiations this year. WSDOT has completed an agreement with Emerald

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Honorable Margaret Pagler
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Page 3

Services to exchange their portion of the vacated right of way for other property owned by Emerald Services.

Recommendation

The petitioner has satisfied all conditions of the conceptual approval and has paid the applicable fees, including the street vacation fee of \$60,000, which is one-half of the appraised value of the right-of-way. I recommend approval of the Council Bill. For more information on this file, contact Marilyn Senour, Street Vacation Specialist at 684-7553.

Sincerely,



Daryl Grigsby, Director
Seattle Transportation

DG/MLS:mls

Attachment

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STATE OF WASHINGTON - KING COUNTY

121771
City of Seattle, City Clerk

-ss.

No. ORD IN FULL

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

CT: 120053 ORDw/MAP

was published on
08/16/00

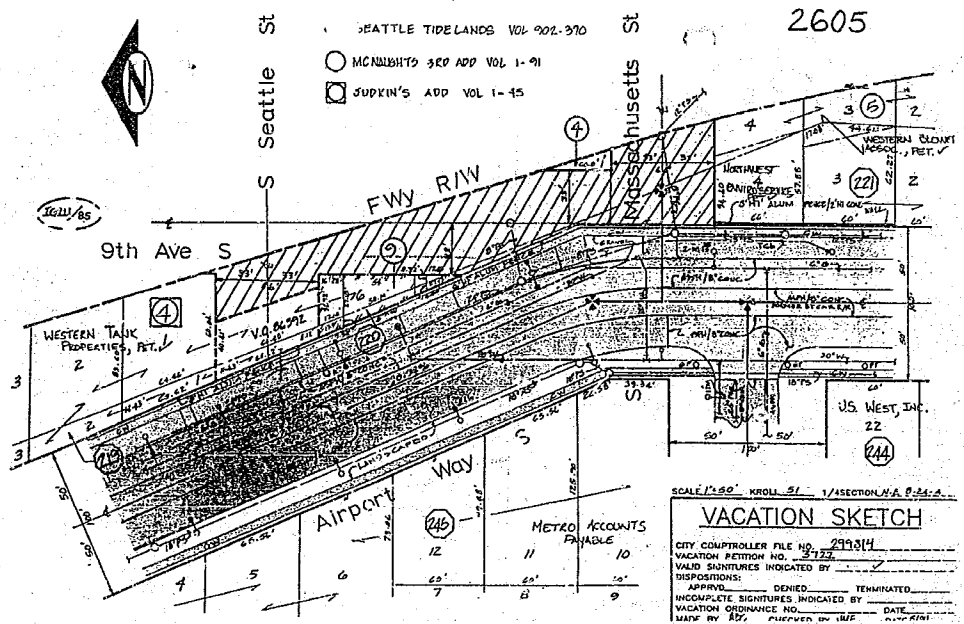
The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

[Signature]
Subscribed and sworn to before me on
[Signature]

08/16/00

Notary Public for the State of Washington,
residing in Seattle

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City of Seattle
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PASSED by the City Council of the City of Seattle this 7th day of August, 2000, and signed by me in open session in authentication of its passage this 7th day of August, 2000.

MARGARET PAGELER,
President of the City Council.

Approved by me this 14th day of August, 2000.

PAUL SCHELL,
Mayor.

Filed by me this 14th day of August, 2000.

(Seal) JUDITH E. PIPPIN,
City Clerk.

Publication ordered by JUDITH PIPPIN,
City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, August 16, 2000.
8/16(121771C)

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