Ordinance No. 120791

Council Bill No. 114146

The City of Seattle - Legislative Departmen

Council Bill/Ordinance sponsored by: T.

AN ORDINANCE vacating a portion of South Lane Street and the alley in Block 37 Maynard's Plat and Seattle Tide Lands on the petition of Uwajimaya Plaza LLC, and accepting an Easement and Property Use Covenant Agreement in relation herein. (Clerk File 301561).

Committee Action:

4/30/02 Unanimously approved
Conlin, McIre

5-6-02 Passed (Excused: Conlin, Dr

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

CF No.

Date Introduced: APR 8 2002	
Date 1st Referred: APR 8 2002	To: (committee) CONLIN
Date Re - Referred:	To: (committee) TRANSPORTATION
Date Re - Referred:	To: (committee)
Date of Final Passage: 5-6-02	Full Council Vote: 7-0
Date Presented to Mayor: 5-7-02	Date Approved: 5/13/02
Date Returned to City Clerk: 5/13/02	Date Published: 2pg. T.O. ___ F.T. ✓
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

KC Agreement already Recorded with KC

Law Department

Law Dept. Review | OMP Review | City Clerk Review | F Co

mc

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Richard Conlin
Councilmember

and the alley in Block 37 Maynard's
imaya Plaza LLC, and accepting an
ent in relation herein, (Clerk File

Committee Action:

4/30/02 Unanimously approved 3-0
Conlin, McIver, Wills

5-6-02 Passed (Excused: Conlin, Drago)

This file is complete and ready for presentation to Full Council. Committee: RC 4/30/02
(initial/date)

IN
ORTATION
3/02
T.O. ✓
F.T. ✓ KC
Agreement already Recorded with KC

Law Department

Law Dept. Review	OMP Review	City Clerk Review	Electronic Copy Loaded	Indexed
		D/PS	C Search Formatted Loaded Text NO DISK FOR ATTACHMENT A	

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slanevacord.dot
03/28/02
Ver.1/mjg

ORDINANCE 120791

AN ORDINANCE vacating a portion of South Lane Street and the alley in Block 37 Maynard's Plat and Seattle Tide Lands on the petition of Uwajimaya Plaza LLC, and accepting an Easement and Property Use Covenant Agreement in relation herein, (Clerk File 301561).

WHEREAS, there has been filed with the City Council the petition of Uwajimaya Plaza LLC, (Clerk File 301561) for the vacation of South Lane Street and the alley in Block 37 Maynard's Plat and Seattle Tide Lands, as herein fully described; and

WHEREAS, a public hearing on said petition was held on May 19, 1998; and

WHEREAS, the City Council decision on the conditional approval of the vacation was based on the adopted Street Vacation Policies that provided that the land use code, SEPA regulations, and other City codes will be relied on to regulate post-vacation development; and

WHEREAS, the Department of Design, Construction and Land Use on June 25, 1998 issued a Determination of Nonsignificance (DNS) and a Master Use Permit (MUP) that determined that the project, including the vacation of this portion of South Lane Street, would have no significant adverse environmental impacts; and

WHEREAS, the project has been developed in compliance with all applicable regulations and satisfying all conditions; and

WHEREAS, pursuant to Section 35.79.030, RCW, Seattle Municipal Code Chapter 15.62, the petitioners have paid the vacation fee of $550,000 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

South Lane Street, from the east margin of 5th Avenue South to the west margin of 6th Avenue South; And
The alley in Block 37, Town of Seattle, as laid out by D. S. Maynard, commonly known as D. S. Maynard's Plat of Seattle, according to the plat thereof recorded in Volume 1 of Plats, page 23, Records of King County, Washington; and that portion of the alley in Block 203, Seattle Tide Lands, according to the official maps thereof on file in the Office of the Commissioner of Public Lands in Olympia, Washington, laying north of the south 12 feet of Lots 4 and 5 in said

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03/28/02
Ver.1/mjg

Block 203, as condemned by Ordinance Number 13320 of The City of Seattle for South Dearborn Street.

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.

Section 2. That the Property Use and Development Agreement, King County Recording Number 20020221000660, attached hereto as Attachment A, is hereby accepted.

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 of the City of Seattle this 6th day of May, 2002, and signed by me in open session in authentication of its passage this 6th day of May, 2002.

Peter Steinbrueck
President of the City Council

Approved by me this 13 day of May, 2002.

Mayor

Filed by me this 13th day of May, 2002.

Judith E. Pippin
City Clerk

(Seal)

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ACTING CITY CLERK

City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

March 28, 2002

Honorable Peter Steinbrueck
President,
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

I am transmitting the attached ordinance for Council consideration.

This legislation vacates a portion of South Lane Street from 5th Avenue South to 6th Avenue South and the alley south of South Lane Street in Block 37, Maynard's Plat and Block 203, Seattle Tide Lands, being the alley bounded by 5th and 6th Avenues South and South Lane and Dearborn Streets (Clerk File 301561). The legislation also accepts a Public Access Easement related to the petition. The petition was filed by Uwajimaya Plaza LLC. The City Council granted approval of the vacation in 1998.

The petition was filed in 1996 as part of Uwajimaya's expansion project for its grocery and retail store located at 6th Avenue and South King Street. The project consists of the new Uwajimaya Plaza with 75,000 square feet of retail. The main tenant is Uwajimaya with related retail occupying about 18,000 square feet. A one-level underground parking garage is built beneath the retail level, containing 224 spaces. A surface lot provides an additional 159 parking spaces. About 176 units of market-rate housing are located over the Uwajimaya store.

The Council conditions on the vacation and the satisfaction of the conditions are attached to this cover letter.

The petitioner has satisfied all the conditions and has paid all fees, including the street vacation fee of $550,000.00, which is one-half the appraised value of the property, according to an appraisal obtained by Seattle Transportation.

Thank you for your consideration of this legislation. Should you have questions please contact Moira Gray at 684-8272.

Sincerely,

GREG NICKELS
Mayor of Seattle

Enclosure

600 Fourth Avenue, 12th Floor, Seattle, WA 98104-1873
Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@ci.seattle.wa.us
An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon reque

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ATTACHMENT A
COUNCIL CONDITIONS ON SOUTH LANE STREET AND BLOCK 37 VACATION
(C.F. 301561)

The City Council granted the vacation subject to the following conditions:

1. The vacation of the street and alley is granted to allow Uwajimaya, LLC to develop a project substantially in conformity with the proposal presented to the City Council and for no other purpose

   The project has been completed as presented to Council. Project elements were approved by the International District Special Review Board.

2. The utility issues shall be resolved to the full satisfaction of the affected utilities prior to the approval of the final street vacation ordinance. This may include easements, restrictive covenants, relocation agreements, or acquisition of the facilities, which shall be at the sole expense of the petitioner. The utilities include:
   - SPU water, sanitary sewer and storm drains;
   - Seattle City Light;
   - US West (now Qwest); and
   - Puget Sound Energy.

   All affected utilities have been removed from the right-of-way area and relocated under Seattle Transportation review, inspection and approval. No easements on private property were necessary.

3. The petitioner shall provide the street and sidewalk improvements as outlined in the plan and reviewed by the International District Special Review Board. This includes: unique light standards and poles (in the form of Chinese lanterns); street trees and grates with brick surrounds at the base; "pagoda" telephone booths; underground utilities; pedestrian curb bulbs; and brick sidewalk treatments at corners.

   All street and sidewalk improvements were approved by the City and the International District Special Review Board and include the light standards, poles, trees and grates and pagoda telephone booths.

4. Street improvements and the location of street improvements such as curb bulbs, parking ingress/egress, and loading areas shall be designed to Seattle Transportation standards and shall require the approval of Seattle Transportation.

   All street improvements have been inspected and approved by Seattle Transportation.

5. Truckload maneuvering which requires backing into the loading berths on 5th Avenue South shall be prohibited during peak hours between 7:00 and 10:00 AM as well as between 3:00 PM and 8:00 PM. During periods when traffic and pedestrian activity on 5th Avenue South is high, the curb area adjacent to the truck loading dock should be used as a curb-loading zone. The petitioner shall provide flaggers to assist with truck maneuvering and traffic cones to identify loading areas.

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ATTACHMENT A
COUNCIL CONDITIONS ON SOUTH LANE STEET AND BLOCK 37 VACATION
(C.F. 301561)

Truck service activity is monitored and controlled by the petitioner and complies with the conditions restricting the hours and operation of the loading area.

6. A public access easement or similar binding agreement is required to ensure that the 20 to 30 feet wide portion of South Lane Street between 5th Avenue South and 6th Avenue South designated as the pedestrian plaza area shall remain undeveloped and available to the public. The agreement shall also insure that the portion of South Lane Street which will be used for vehicular circulation also remains undeveloped during any future development phases.

   The public access easement agreement has been completed and recorded, and is attached to this legislation.

7. Left-turn movements for vehicles both entering and exiting the parking area onto South Dearborn Street shall be prohibited unless a revised channelization plan is reviewed and approved by the City Traffic Engineer in Seattle Transportation.

   Left turn movements for vehicles entering and exiting the parking area onto South Dearborn Street are prohibited by a c-curb in the centerline of the street.

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EXHIBIT LIST

ATTACHMENT A: Easement and Property Use Covenant Agreement, Recording Number 20020221000660.

Vicinity Map

Vacation Map

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ACTING CITY CLERK

ATTACHMENT A

After Recording
Please Return To:

Alan Kurimura
Uwajimaya, Inc.
4601 Sixth Avenue South
PO Box 3642
Seattle, WA 98108

20020221000660
CUSTOMER EAS 20.00
PAGE 001 OF 012
02/21/2002 11:02
KING COUNTY, WA

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EASEMENT AND PROPERTY USE COVENANT AGREEMENT

Reference #s of Documents Released or Assigned:	None
Grantor:	Uwajimaya Real Properties L.L.C. and Uwajimaya Village L.L.C.
Grantee:	The City of Seattle
Legal Description (abbreviated):	Portion of south 30 feet of vacated Lane Street lying between Blk 36 and Block 37, D.S. Maynard's Plat of Seattle, vol.1 p.23 of Plats in King Cty [complete legal at Exhibit B hereto]
Affected Assessor's Tax Parcel ID#s:	5247801695, 5247801745, 5247801765

THIS EASEMENT AND PROPERTY USE COVENANT AGREEMENT ("Agreement") is executed this date in favor of the City of Seattle, a Municipal Corporation of the State of Washington (herein called "City"), by Uwajimaya Real Properties, L.L.C., and Uwajimaya Village L.L.C., owners of the within described property (collectively referred to herein as "Owner").

50300957.03

EXCISE TAX NOT REQUIRED
King County Records Division
BY: D. Kemper, Deputy

ACTING CITY CLERK

20020221000660

WITNESSETH:

WHEREAS, Owner owns a fee simple and/or has a substantial beneficial interest in the property on the two-block site bounded by South Weller Street, South Dearborn Street, 5th Avenue S., and 6th Avenue S. (herein called "Property"). The complete legal description of the Property is attached as Exhibit A; and

WHEREAS, Uwajimaya Real Properties filed a petition (C.F. 301561) with the City, pursuant to RCW ch. 35.79 and Seattle Municipal Code ch. 15.62 and the Street Vacation Policies, for the vacation of a portion of South Lane Street and the alley in Block 37 and Block 203 (the "Alley"), described as: S. Lane Street from the eastern margin or 5th Avenue S. to the western margin of 6th Avenue S. and the

> Alley located between: (a) the following described property that abuts the alley on the west: Lots 1 and 2, Block 37, D.S. Maynard's Plat of Seattle as per plat recorded in Volume 1 of Plats, p. 23, records of King County, Washington: and Lots 2-4, Block 203 of Seattle Tide Lands; and (b) the following described property that abuts the alley on the east: Lots 7 and 8 , Block 37, D.S. Maynard's Plat of Seattle, as per plat recorded in Volume 1 of Plats, p.23, records of King County, Washington; and Lots 5-7, Block 203 of Seattle Tide Land; and the

WHEREAS, following a petition for vacation, a public hearing was held on May 12, 1998. On June 8, 1998, the City Council authorized the preliminary approval of the vacation with seven conditions; and

WHEREAS, one of the seven conditions to the preliminary vacation approval is a requirement that the Owner enter a public access easement or similar binding agreement under which it ensures that a 20-30 foot wide portion of South Lane Street between Fifth Avenue South and Sixth Avenue South is designated as a pedestrian plaza area which remains undeveloped and

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available to the public. The preliminary vacation condition also requires Owner to ensure that the portion of South Lane Street which will be used for vehicular circulation remains undeveloped and/or forever accessible to the public during any future development phases; and

WHEREAS, the Owner is developing the Property abutting South Lane Street and the Alley, and one or both of the parties referred to as Owner will be fee holder of the pedestrian plaza area and vehicular circulation area referred to in Sections 1 and 2 below;

NOW, THEREFORE, in consideration of the vacation of a portion of South Lane Street and the Alley, Owner hereby covenants, bargains and agrees on behalf of itself, its successors and assigns as follows:

Section 1. In partial consideration for this vacation, Owner grants, conveys, and warrants to The City of Seattle a non-exclusive easement for pedestrian access and public plaza purposes on a portion of former South Lane Street between Fifth Avenue South and Sixth Avenue South, as legally described on Exhibit B ("Plaza"), on the terms and conditions set forth below. Owner agrees to maintain the paving and pedestrian-related improvements on the Plaza. With respect to the public plaza purpose of the easement, public events and displays, including such activities as picketing and solicitations, may take place on the Plaza only if the persons or groups conducting or sponsoring such events or displays, if other than the Owner, first secure Owner's written approval before using the Plaza, and further provided that public access may not be interfered with. Owner may locate, on an interim basis, products, public display boards and kiosks, on the Plaza as well as have performances on the Plaza, provided that public access is maintained.

Section 2. Owner covenants that the portion of South Lane Street which will be used for vehicular circulation will also remain undeveloped during any future development phases, unless an alternative access plan associated with the development of the block south of the vehicular lane is proposed, developed, and approved by the City. Paving and vehicular-related

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improvements are not considered to be development under this section. Exhibit C contains a legal description and drawing which depicts the area which will be reserved for vehicular purposes. The drawing at Exhibit C also shows the Plaza area.

Section 3. This Agreement shall be recorded in the record of King County and the covenant hereof shall be deemed to attach to and run with the Property and shall be binding upon the Owner, its successors and assigns.

Section 4. This Agreement may be amended or modified by agreement between the Owner and the City; provided such amended agreement shall be approved by the legislative authority of the City by ordinance.

Section 5. This Agreement is made for the benefit of the City and the public, and the City may institute and prosecute any proceeding at law or in equity to enforce this Agreement.

Section 6. In the event any covenant or condition hereinabove contained or any portion thereof is invalid or void, such invalidity or voidness shall in no way affect any other covenant, condition or restriction herein contained.

Section 7. Owner shall indemnify and hold harmless the City for any and all claims, losses, liabilities, liens, costs or expenses resulting from or arising out of public use of those parts of the Property and the vacated parcel covenanted to be preserved for public use. If any claim covered by this paragraph is asserted against the City, Owner, upon notice from the City, shall defend the same at its sole cost and expense, and shall pay any final judgment rendered upon such claim. Nothing in this paragraph shall affect any rights or protections accorded to Owner under RCW 4.24.210, or any other applicable state or local law.

Section 8. Upon the effective date of the vacation ordinance, Owner shall provide and thereafter maintain in full force and effect, general liability insurance providing for a limit of not less than One Million Dollars per occurrence for all damages arising out of bodily injuries or

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death. The insurance policies obtained shall be approved as to form by the City Risk Manager, and shall name the City as an additional insured.

DATED this 14th day of February, 2002.

OWNERS:

UWAJIMAYA REAL PROPERTIES L.L.C.

By: Uwajimaya, Inc.
Its: managing member

By: [signature]
Its: Chairman

UWAJIMAYA VILLAGE L.L.C.

By Weller Street Housing LLC, manager
By Lorig Associates L.L.C., manager
By Lorig Inc., member

By: Bruce C. Lorig
Its: President

By Sadako, Inc., manager

By: [signature]
Its: President

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ACTING CITY CLERK

STATE OF WASHINGTON

COUNTY OF KING

ss.

I certify that I know or have satisfactory evidence that TOMIO MORIGUCHI is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the CHAIRMAN of Uwajimaya Inc., which is the managing member of Uwajimaya Real Properties, L.L.C., a limited liability company, to be the free and voluntary act of such limited liability company for the uses and purposes mentioned in the instrument.

Dated this FEBRUARY 14TH day of FEBRUARY, 2002.

(Signature of Notary)

AMY MAEDA
(Legibly Print or Stamp Name of Notary)

Notary public in and for the state of Washington, residing at NEWCASTLE

My appointment expires 8/8/03

AMY MAEDA NOTARY EXP. 8-8-2003 PUBLIC STATE OF WASHINGTON

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20020210000960

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ACTING CITY CLERK

20020221000660

STATE OF WASHINGTON

COUNTY OF _____ ss.

I certify that I know or have satisfactory evidence that Bruce Lorig is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the President of Lorig Inc., a corporation, a member of Lorig Associates L.L.C., the manager of Weller Street Housing LLC, the manager of Uwajimaya Village L.L.C., a limited liability company, to be the free and voluntary act of such limited liability company for the uses and purposes mentioned in the instrument.

Dated this 14th day of January, 2002.

Vicki Cushman
(Signature of Notary)

VICKI CUSHMAN
(Legibly Print or Stamp Name of Notary)

Notary public in and for the state of Washington, residing at Seattle

My appointment expires 3/29/03

VICKI CUSHMAN NOTARY PUBLIC COMMISSION EXPIRES 3-29-03 STATE OF WASHINGTON

50300957.03

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STATE OF WASHINGTON

COUNTY OF KING

ss.

I certify that I know or have satisfactory evidence that TOMIO MORIGUCHI is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the PRESIDENT of Sadako, Inc., a corporation, the manager of Uwajimaya Village L.L.C., a limited liability company, to be the free and voluntary act of such limited liability company for the uses and purposes mentioned in the instrument.

Dated this 14TH day of FEBRUARY, 2002.

(Signature of Notary)

AMY MAEDA
NOTARY
EXP. 8-8-2003
PUBLIC
STATE OF WASHINGTON

AMY MAEDA
(Legibly Print or Stamp Name of Notary)

Notary public in and for the state of Washington, residing at NEWCASTLE

My appointment expires 8/8/03

20020221000660

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20020221000660

EXHIBIT A

Legal Description of Project Porperty

LOTS 1, 2, 3, 4, 5, 6, 7, AND 8, BLOCK 35, TOWN OF SEATTLE, AS LAID OUT BY D.S. MAYNARD, COMMONLY KNOWN AS D.S. MAYNARD'S PLAT OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1 OF PLATS, PAGE(S) 23, IN KING COUNTY, WASHINGTON; TOGETHER WITH VACATED ALLEY ADJOINING; EXCEPT THE WEST 60 FEET OF LOTS 1 AND 2 THEREOF, LOTS 1 THROUGH 8, INCLUSIVE IN BLOCK 36 OF TOWN OF SEATTLE, AS LAID OFF BY D.S. MAYNARD (COMMONLY KNOWN AS D.S. MAYNARD'S PLAT OF SEATTLE), AS PER E.PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 23, RECORDS OF KING COUNTY; TOGETHER WITH VACATED ALLEY ADJOINING, WHICH, UPON VACATION, ATTACH TO SAID PROPERTY BY OPERATION OF LAW; LOTS 7 AND 8 IN BLOCK 37 OF TOWN OF SEATTLE, AS LAID OUT BY D.S. MAYNARD, COMMONLY KNOWN AS D.S. MAYNARD'S PLAT AND OF SEATTLE, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 23. RECORDS OF KING COUNTY; TOGETHR WITH LOTS 3 AND 4 IN BLOCK 203 OF SEATTLE TIDELANDS; EXCEPT THE SOUTHERLY 12 FEET OF SAID LOT 4 CONDEMNED FOR STREET PURPOSES IN KING COUNTY SUPERIOR COURT CAUSE NO. 52652 AS PROVIDED BY ORDINANCE NO. 13320 OF THE CITY OF SEATTLE; LOT 1 AND 2 IN BLOCK 37 OF TOWN OF SEATTLE AS LAID OUT BY D.S. MAYNARD, COMMONLY AS D.S. MAYNARD'S PLAT OF SEATTLE, AS PER PLAT RECORDED ON VOLUME 1 OF PLATS, PAGE 23, RECORDS OF KING COUNTY; TOGETHER WITH LOTS 1 AND 2 IN BLOCK 203 OF SEATTLE TIDELANDS; LOTS 5 AND 8, BLOCK 37, TOWN OF SEATTLE, AS LAID OUT BY D.S. MAYNARD (COMMONLY KNOWN AS D.S. MAYNARD'S PLAT OF SEATTLE), ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1 OF PLATS, PAGE(S) 23, IN KING COUNTY, WASHINGTON; EXCEPT THAT PORTION THEREOF INCLUDED IN SEATTLE TIDELANDS; ALSO LOTS 5 AND 6, BLOCK 203, SEATTLE TIDELANDS, IN KING COUNTY, WASHINGTON, AS SHOWN ON THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS AT OLYMPIA, WASHINGTON; EXCEPT PORTION OF LOT 5 CONDEMNED FOR SOUTH DEARBORN STREET.

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EXHIBIT B

THE SOUTH 30.00 FEET OF VACATED LANE STREET LYING BETWEEN BLOCK 36 AND BLOCK 37, TOWN OF SEATTLE, AS LAID OUT BY D.S. MAYNARD (COMMONLY KNOWS AS D.S. MAYNARD'S PLAT OF SEATTLE), ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 23, IN KING COUNTY, WASHINGTON; EXCEPT THE EAST 175.00 FEET OF THE SOUTH 10.00 FEET THEREOF;

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.
00000

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EXHIBIT C
Page 1 of 2

THE EAST 175.00 FEET OF THE SOUTH 10.00 FEET OF VACATED LANE STREET LYING BETWEEN BLOCK 36 AND BLOCK 37, TOWN OF SEATTLE, AS LAID OUT BY D.S. MAYNARD (COMMONLY KNOWS AS D.S. MAYNARD'S PLAT OF SEATTLE), ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 23, IN KING COUNTY, WASHINGTON;

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

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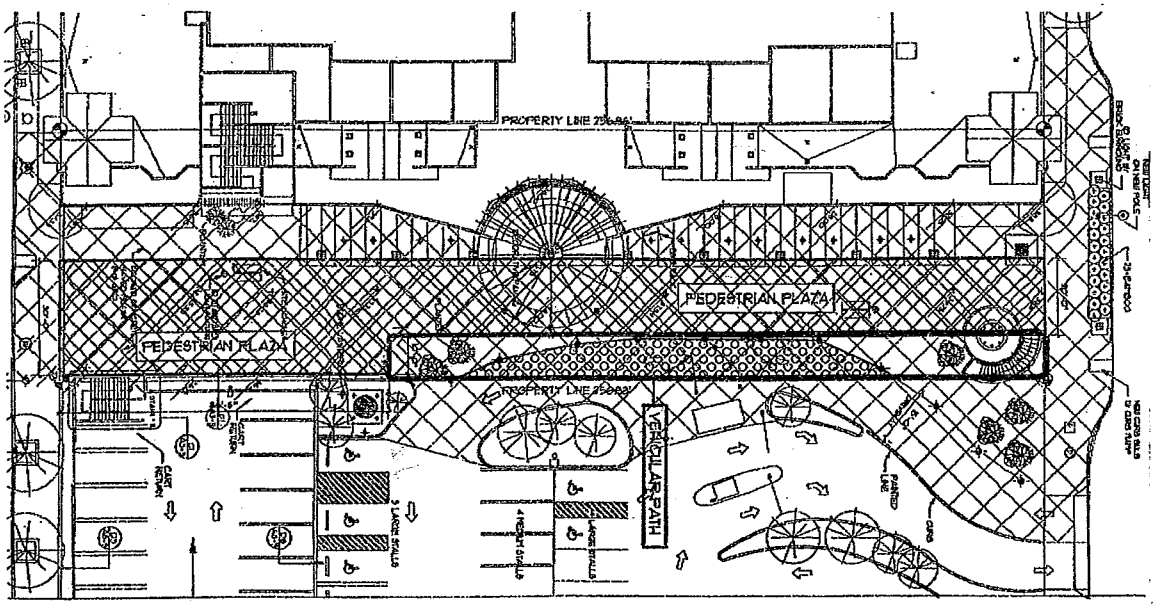

Exhibit C, Page 2 of 2

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The City of Seattle

South Lane Street Vacation

Produced by the City of Seattle

March 21, 2002

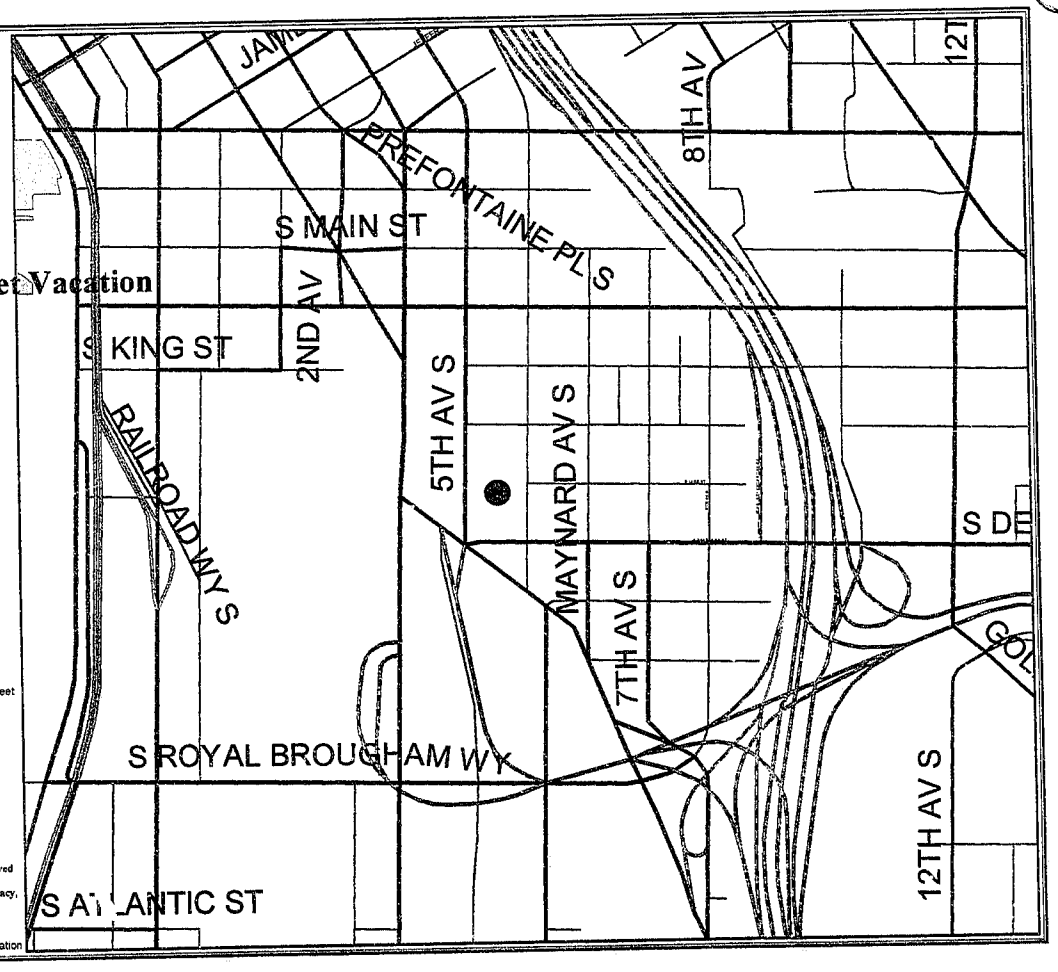
Legend

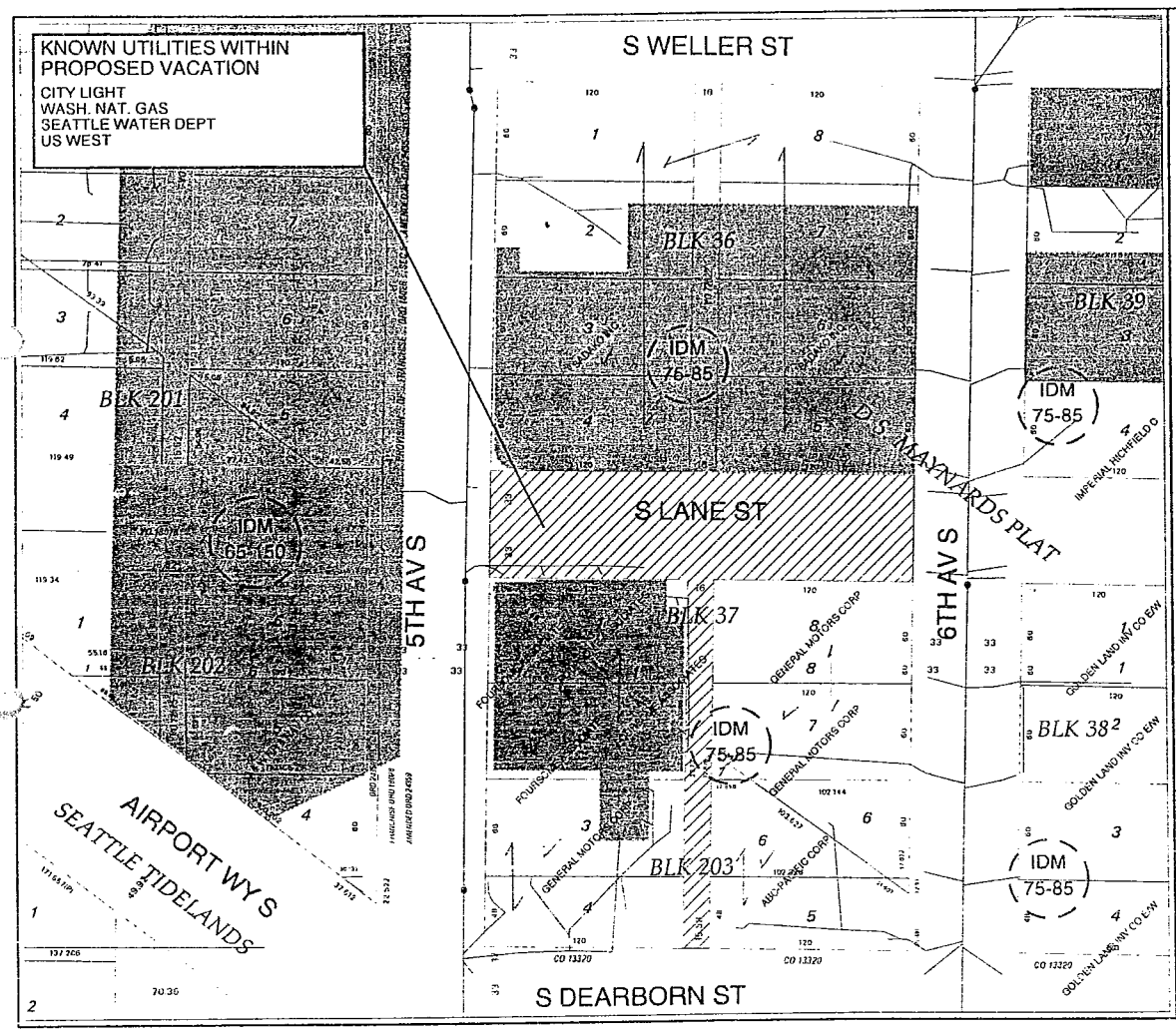
500 0 500 Feet

THE CITY OF SEATTLE, 2002. All rights reserved

No guarantee of any sort implied, including accuracy, completeness, or fitness for use.

c:\arcvproj\property.apr: south lane street vacation





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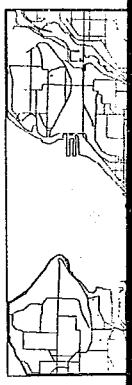
Scale: 1" = 100'



VICIN

2630

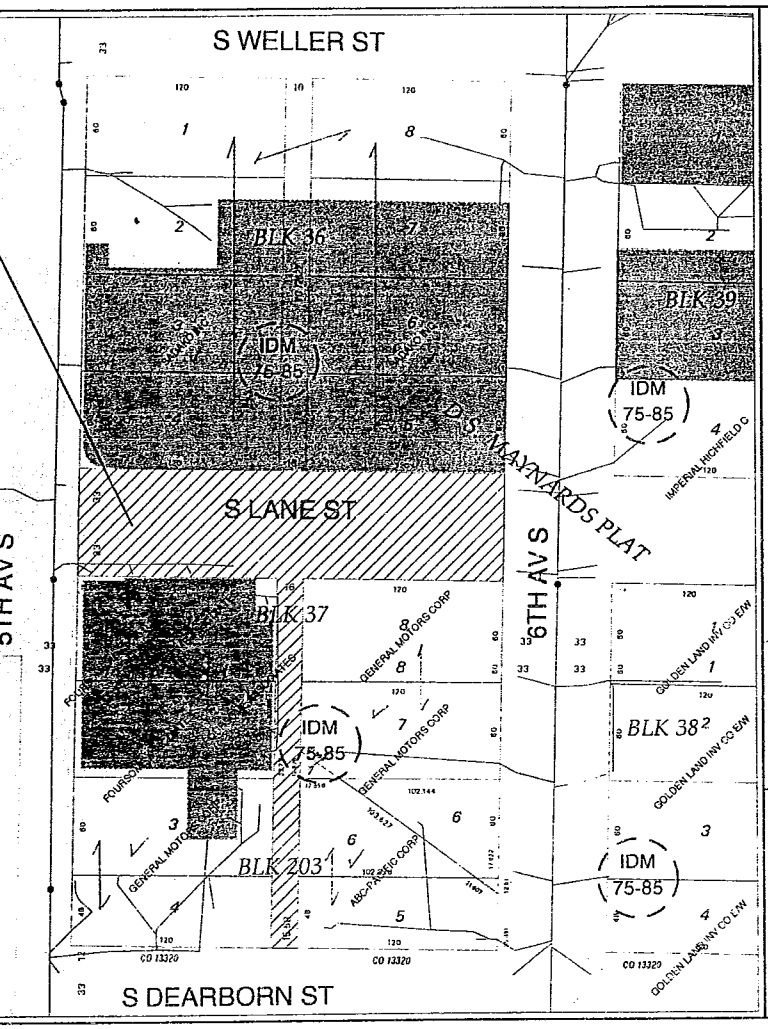
PROPOSED VACATION

VACATION AREA = 20,550

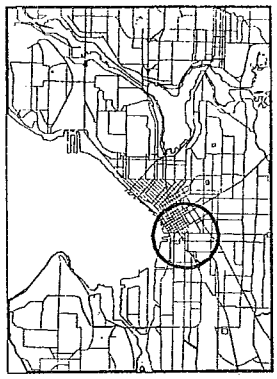
SCALE 1"=100' KROLL 44W 1/4 SECTION

VACATION SKE

CITY COMPTROLLER FILE NO. 301561
VACATION PETITION NO. 3777
VALID SIGNATURES INDICATED BY ✓
DISPOSITION:
APPRVD ____ DENIED ____ TERMINATED
INCOMPLETE SIGNATURES INDICATED BY
VACATION ORDINANCE NO. ____ DAT
MADE BY LMK CHECKED BY MLS DAT



Scale: 1" = 100'



VICINITY MAP

2630

PROPOSED VACATION AREA

VACATION AREA = 20,550 SQ. FT

SCALE 1"=100' KROLL 44W 1/4 SECTION SW 5-24-4 NW 5-24-4

VACATION SKETCH

CITY COMPTROLLER FILE NO. 301561
VACATION PETITION NO. 3777
VALID SIGNATURES INDICATED BY ✓
DISPOSITION:
APPRVD ____ DENIED ____ TERMINATED ____
INCOMPLETE SIGNATURES INDICATED BY ____
VACATION ORDINANCE NO. ____ DATE ____
MADE BY LMK CHECKED BY MLS DATE 1-27-97

ACTING CITY CLERK

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FILED
CITY OF SEATTLE

Return Address:

Seattle City Clerk's Office
600 4th Avenue, Room 104
Seattle, WA 98104

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transaction contained therein): (all areas applicable to your document must be filled

1. ORDINANCE # 120791

Re - of document.
AN ORDINANCE vacating a portion of South Lane Street and the alley in Block 37 Maynard's Plat and Seattle Tide Lands on the petition of Uwajimaya Plaza LLC, and accepting an Easement and Property Use Covenant Agreement in relation herein, (Clerk File 301561)

Grantor(s) (Last name first, then first name and initials)
1.City of Seattle
☐ Additional names on page-----of document.

Grantee(s) (Last name first, then first name and initials)
1.N/A
2.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)
☐ Additional reference #'s on page --------of document N/A

Assessor's Property Tax Parcel/Account Number/ N/A

☐ Assessor Tax # not yet assigned.

g:\recorder.doc

2002 052 1002409

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slanevacord.dot
03/28/02
Ver.1/mjg

ORDINANCE 120791

AN ORDINANCE vacating a portion of South Lane Street and the alley in Block 37 Maynard's Plat and Seattle Tide Lands on the petition of Uwajimaya Plaza LLC, and accepting an Easement and Property Use Covenant Agreement in relation herein, (Clerk File 301561).

WHEREAS, there has been filed with the City Council the petition of Uwajimaya Plaza LLC, (Clerk File 301561) for the vacation of South Lane Street and the alley in Block 37 Maynard's Plat and Seattle Tide Lands, as herein fully described; and

WHEREAS, a public hearing on said petition was held on May 19, 1998; and

WHEREAS, the City Council decision on the conditional approval of the vacation was based on the adopted Street Vacation Policies that provided that the land use code, SEPA regulations, and other City codes will be relied on to regulate post-vacation development; and

WHEREAS, the Department of Design, Construction and Land Use on June 25, 1998 issued a Determination of Nonsignificance (DNS) and a Master Use Permit (MUP) that determined that the project, including the vacation of this portion of South Lane Street, would have no significant adverse environmental impacts; and

WHEREAS, the project has been developed in compliance with all applicable regulations and satisfying all conditions; and

WHEREAS, pursuant to Section 35.79.030, RCW, Seattle Municipal Code Chapter 15.62, the petitioners have paid the vacation fee of $550,000 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

South Lane Street, from the east margin of 5th Avenue South to the west margin of 6th Avenue South; And
The alley in Block 37, Town of Seattle, as laid out by D. S. Maynard, commonly known as D. S. Maynard's Plat of Seattle, according to the plat thereof recorded in Volume 1 of Plats, page 23, Records of King County, Washington; and that portion of the alley in Block 203, Seattle Tide Lands, according to the official maps thereof on file in the Office of the Commissioner of Public Lands in Olympia, Washington, laying north of the south 12 feet of Lots 4 and 5 in said

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2002 052 1002495

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03/28/02
Ver.1/mjg

Block 203, as condemned by Ordinance Number 13320 of The City of Seattle for South Dearborn Street.

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.

Section 2. That the Property Use and Development Agreement, King County Recording Number 20020221000660, attached hereto as Attachment A, is hereby accepted.

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 of the City of Seattle this 6th day of May, 2002, and signed by me in open session in authentication of its passage this 6th day of May, 2002.

Peter Steinbrueck
President of the City Council

Approved by me this 13 day of May, 2002.

Mayor

Filed by me this 13th day of May, 2002.

Judith E. Pippin
City Clerk

(Seal)

ACTING CITY CLERK

2002 052 1002435

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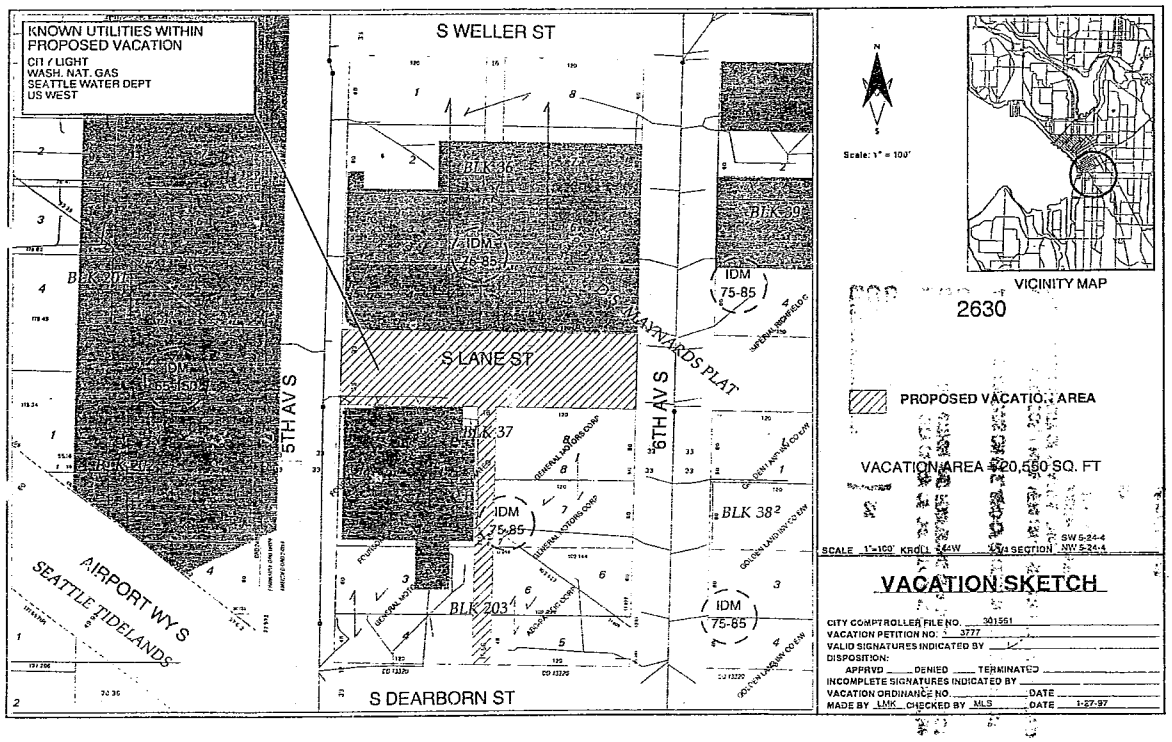

2002 052 1002435

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STATE OF WASHINGTON
COUNTY OF KING } SS
CITY OF SEATTLE

I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT COPY OF ordinance 120791

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 TO THE CITY OF SEATTLE, THIS 20th day of May, 2002

JUDITH E. PIPPIN
CITY CLERK

BY: Margaret Carter
DEPUTY CLERK

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STATE OF WASHINGTON – KING COUNTY

--ss.

145243
City of Seattle,Clerk's Office

No. ORDINANCE IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Jour ·al 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:ORD#120791

was published on

5/22/2002

Subscribed and sworn to before me on

M. C. OLIVAREZ
COMMISSION EXPIRES
5/22/2002
NOTARY
PUBLIC
OCT 1, 20
STATE OF WASHINGTON

Notary public for the State of Washington,
Residing in Seattle

Affidavit of Publication

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State of Washington, King County

City of Seattle

ORDINANCE 120791

AN ORDINANCE vacating a portion of South Lane Street and the alley in Block 37 Maynard's Plat and Seattle Tide Lands on the petition of Uwajimaya Plaza LLC, and accepting an Easement and Property Use Covenant Agreement in relation herein, (Clerk File 301561).

WHEREAS, there has been filed with the City Council the petition of Uwajimaya Plaza LLC, (Clerk File 301561) for the vacation of South Lane Street and the alley in Block 37 Maynard's Plat and Seattle Tide Lands, as herein fully described; and

WHEREAS, a public hearing on said petition was held on May 19, 1998; and

WHEREAS, the City Council decision on the conditional approval of the vacation was based on the adopted Street Vacation Policies that provided that the land use code, SEPA regulations, and other City codes will be relied on to regulate post-vacation development; and

WHEREAS, the Department of Design, Construction and Land Use on June 25, 1998 issued a Determination of Nonsignificance (DNS) and a Master Use Permit (MUP) that determined that the project, including the vacation of this portion of South Lane Street, would have no significant adverse environmental impacts; and

WHEREAS, the project has been developed in compliance with all applicable regulations and satisfying all conditions; and

WHEREAS, pursuant to Section 35.79.030, RCW, Seattle Municipal Code Chapter 15.62, the petitioners have paid the vacation fee of $550,000 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

SOUTH LANE STREET, FROM THE EAST MARGIN OF 5TH AVENUE SOUTH TO THE WEST MARGIN OF 6TH AVENUE SOUTH; AND

THE ALLEY IN BLOCK 37, TOWN OF SEATTLE, AS LAID OUT BY D.S. MAYNARD, COMMONLY KNOWN AS D.S. MAYNARD'S PLAT OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE 23, RECORDS OF KING COUNTY, WASHINGTON; AND THAT PORTION OF THE ALLEY IN BLOCK 203, SEATTLE TIDE LANDS, ACCORDING TO THE OFFICIAL MAPS THEREOF ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS IN OLYMPIA, WASHINGTON, LAYING NORTH OF THE SOUTH 12 FEET OF LOTS 4 AND 5 IN SAID BLOCK 203, AS CONDEMNED BY ORDINANCE NUMBER 13320 OF THE CITY OF SEATTLE FOR SOUTH DEARBORN STREET.

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.

Section 2. That the Property Use and Development Agreement, King County Recording Number 20020221000660, attached hereto as Attachment A, is hereby accepted.

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 of the City of Seattle this 6th day of May, 2002, and signed by me in open session in authentication of its passage this 6th day of May, 2002.

PETER STEINBRUECK,
President of the City Council.

Approved by me this 13th day of May, 2002.

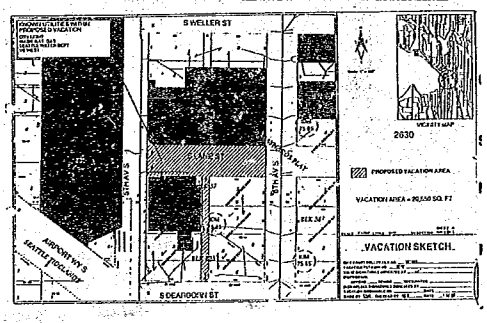
GREGORY L. NICKELS,
Mayor.

Filed by me this 13th day of May, 2002.

(Seal) JUDITH E. PIPPIN,
City Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, May 22, 2002. 5/22(145243CI)



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