

Ordinance No. 121050

Council Bill No. 114385

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

AN ORDINANCE vacating portions of 32nd Avenue South, 34th Avenue South, South Thistle Street, South Rose Street, the alley in Block 5, Rexford's Addition and the County Road adjacent to 34th Avenue on the petition of the Seattle School District, accepting a deed for park and open space purposes and placing real property herein related under the jurisdiction of the Department of Parks and Recreation, requiring the Seattle School District to accept the responsibility for maintenance of the portion of the City sewer located beneath the District's building, and accepting an easement for utility purposes, (Clerk File 302398)

Committee Action:

12/17/02 Unanimously approved 30
WKS

CF No. _____

Date Introduced:	<u>OCT 28 2002</u>	
Date 1st Referred:	<u>OCT 28 2002</u>	
Date Re - Referred:	To: (committee) TRANSPORTATION	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: 8-0	
Date Presented to Mayor:	Date Approved:	<u>11/6/03</u> <i>KE</i>
Date Returned to City Clerk:	Date Published:	<u>300 1/16/03</u> <i>FT. Phipps</i>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

1-6-03 Passed 8-0 (Excused: Melner)

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

Law Department

Law Dept. Review

OMP Review

City Clerk Review

(Signature)

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ORDINANCE 121050

AN ORDINANCE vacating portions of 32nd Avenue South, 34th Avenue South, South Thistle Street, South Rose Street, the alley in Block 5, Rexford's Addition and the County Road adjacent to 34th Avenue on the petition of the Seattle School District, accepting a deed for park and open space purposes and placing real property herein related under the jurisdiction of the Department of Parks and Recreation, requiring the Seattle School District to accept the responsibility for maintenance of the portion of the City sewer located beneath the District's building, and accepting an easement for utility purposes, (Clerk File 302398)

WHEREAS, there has been filed with the City Council the petition of the Seattle School District No. 1, (Clerk File 302398) for the vacation of portions of 32nd Avenue South, 34th Avenue South, South Thistle Street, South Rose Street and County Road adjacent to 34th Avenue South, and the alley in Block 5, Rexford's Addition as herein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on December 15, 1998, said petition was conditionally granted by the City Council; and

WHEREAS, pursuant to Section 35.79.030, RCW and Seattle Municipal Code Chapter 15.62, Seattle School District paid \$67,000 and has deeded real property to the City, which the combination value is one-half the appraised value of the property approved for vacation, according to an appraisal obtained by the Director of the Seattle Department of Transportation; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

Portion of 32nd Avenue South as established in City of Seattle Ordinance 61546, from the westerly extension of the south line of Block 13, Riverside Addition, as recorded in Volume 5 of Plats, page 92, Records of King County, Washington, to the north margin of South Thistle Street; and
Portion of South Thistle Street as established in city of Seattle Ordinance 61546, from the easterly margin of 32nd Avenue South, as established in City of Seattle Ordinance



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MoiraGray/mg
32SetalVacOrd
9/11/02
version #2

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61546, to a line 784 feet west of and parallel with the east line of Henry Van Asselt Donation Land Claim Number 50; and
Portion of South Rose Street from 32nd Avenue South as established in City of Seattle Ordinance 61546, to a line 784 feet west of and parallel with the east line of Henry Van Asselt Donation Land Claim Number 50; and
Portion of 34th Avenue South from the westerly extension of the north line of Block 5, Rexford's 1st Addition as recorded in Volume 22 of Plats, page 80, Records of King county, Washington, to the westerly extension of the south line of said Block 5; and
Portion of County Road per deed recorded in Volume 616 O, page 489, Records of King County, Washington, adjacent to portion of 34th Avenue South as described above; and
Alley in Block 5, Rexford's Addition, as recorded in Volume 22 of Plats, page 80, Records of King County, Washington, generally described as the alley in the block bounded by Beacon Avenue South, South Rose Street, 34th Avenue South and a line 99.33 feet north of and parallel with the north margin of South Thistle Street, as established in City of Seattle Ordinance 94864;

be and the same are hereby vacated; also 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 deed executed by the Seattle School District on the eleventh day of September, 2002, Recording Number 20020912000332, a copy which is attached hereto as Attachment A, conveying property to the City of Seattle for open space purposes is hereby accepted, and the real property conveyed is placed under the jurisdiction of the Department of Parks and Recreation.

Section 3. That the utility easement for sanitary sewer facilities, Recording Number 20010521000628, attached hereto as Attachment B, is hereby accepted. The City of Seattle requires as a condition of this vacation, that the Seattle School District accept maintenance for the portion of sanitary sewer underneath the African American Academy in vacated in 34th Avenue South as agreed upon in the correspondence attached hereto as Attachment C.

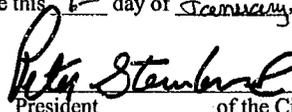
NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

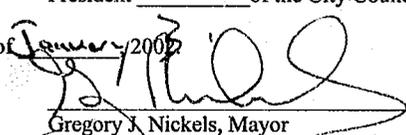


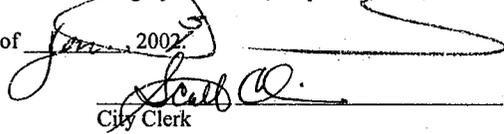
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9/11/02
version #2

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

4
5 Passed by the City Council the 6th day of January, 2003, and signed by me in
6 open session in authentication of its passage this 6th day of January, 2003

7
8 
President _____ of the City Council

9 Approved by me this 16 day of January, 2003
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11 
Gregory J. Nickels, Mayor

12 Filed by me this 17th day of January, 2003
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14 
City Clerk

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16 (Seal)

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COUNCIL CONDITIONS ON 32nd Avenue South et al (C.F. 302398)

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

1. The vacation is granted to allow the Seattle School District to design and develop the African American Academy in a manner substantially in conformity with the proposal presented to the City Council and for no other purpose.

The African American Academy has been constructed as presented to the Council and is in operation providing services to the students as well as the surrounding community.

2. All utility issues shall be resolved to the full satisfaction of the affected utilities. These may include easements, restrictive covenants, relocation of the utilities, or acquisition of facilities. Prior to the issuance of the building permit, the petitioner shall provide plans that demonstrate that adjacent property owners and public utility facilities are adequately provided for in the design of the facility. All work shall be at the sole expense of the petitioner and shall be performed to the satisfaction of the utilities. The utilities include:

- U.S. West Communications;
- Seattle Public Utilities Water, Drainage and Wastewater; and
- Puget Sound Energy.

All utility issues have been resolved:

- U.S. West (now Qwest) - their service pole was removed to accommodate construction of the project, and a new service is functioning.
 - Seattle Public Utilities - this ordinance accepts a utility easement, Recording Number 20010521000628; in addition, the petitioner has agreed to maintain a segment of the sewer line underneath the school as documented in Attachment C of this ordinance.
 - Puget Sound Energy - has cut and capped their facilities.
3. The petitioner shall provide the amenities identified in the plan, including the play-field, hard-surface play area, the enhanced wetland and pedestrian walkway, the street and sidewalk improvements, and landscaping and street trees.

All the amenities identified in the plan have been constructed.

4. All street improvements and the location of street improvements such as parking, bus load areas, passenger drop-off, ingress/egress, and service and loading areas, and pedestrian safety improvements shall be designed to SeaTran standards and shall require the approval of SeaTran.

All improvements were reviewed and approved by SeaTran (now SDOT).

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5. All proposed pedestrian safety improvements shall be subject to review and approval by SeaTran and shall be installed at the expense of the District. This includes:

- East-west crosswalks with signage at the intersections of Beacon Avenue South and South Rose Street, and Beacon Avenue South and South Thistle Street;
- A reduced speed zone along Beacon Avenue South; and
- Crossing guards at crosswalks on Beacon Avenue South during student arrival and departure times.

All pedestrian safety improvements have been installed on the project, including the crosswalks with signage, and reduced speed zone. Crossing guards are utilized during arrivals and departures.

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CONFORMED COPY

ATTACHMENT B

20010521000628

SEATTLE PUBLIC EAS
PAGE 001 OF 002
05/21/2001 09:45
KING COUNTY, WA 9.00

Recording Requested By And
When Recorded Mail To:

City of Seattle SPU/Real Prop -
710 Second Avenue 10th Floor
Seattle, WA 98104

EXCISE TAX NOT REQUIRED
King Co. Records Division

By Steve Churchill Deputy

COPY

EASEMENT FOR SANITARY SEWER FACILITIES

Reference #s of Documents Released or Assigned: none
Grantor: Seattle School District No. 1
Grantee: The City of Seattle
Legal Description (abbreviated): portions of vacated 32nd Avenue South and vacated 34th Avenue South in the West 1/2 of the NW1/4 of Section 32, Twp. 24 N., Rng 4 E., W.M.
Assessor's Tax Parcel ID#: portions of vacated street adjoining 0007400007, 7243500150, 7243500160 & 7243500195

RW 2001-010

"1" THIS EASEMENT granted this 10th day of MAY, 2001, by **Seattle School District No. 1**, a municipal corporation of the State of Washington, Grantor, to **THE CITY OF SEATTLE**, a municipal corporation of the State of Washington, hereinafter called The City, Grantee.

WITNESSETH: Said Grantor, as a condition for the vacation of 32nd Avenue South and 34th Avenue South, and the covenants and promises of The City hereinafter set forth, hereby conveys and warrants to said City an easement for **sanitary sewer facilities**, with necessary appurtenances over, under, through, across and upon the following described property in Seattle, King County, Washington:

A strip of land 15.00 feet in width being 7.50 feet on each side of the following described centerline over that portion of the West one-half of the Northwest quarter of Section 34, Township 24 North, Range 4 East, W.M., described as follows:

Commencing at the Northwest corner of Block 5, Rexford's First Addition to the City of Seattle, according to the plat thereof recorded in Volume 22 of Plats, page 80, Records of King County, Washington; thence North 88° 39' 20" West, along the Westerly projection of the North line of said Block 5 a distance of 25.06 feet to the True Point of Beginning of this centerline description; thence South 00° 50' 35" West a distance of 417.54 feet to the terminus of this centerline description

TOGETHER WITH a strip of land in the Northwest quarter of Section 34, Township 24 North, Range 4 East, W.M., 10 feet wide, lying 5 feet on each side of a centerline distant 108.56 feet north of and parallel with the centerline of South Thistle Street as established by Ordinance Number 94864 of The City of Seattle, being within that portion of the Van Asselt Donation Claim No. 50 lying between lines distant 193.15 feet and 850 feet south of the South line of Block 13, Riverside Addition to the City of Seattle, according to the plat thereof described in Volume 5 of Plats, page 13, Records of King County, Washington and lines parallel to and distant 882 feet and 902 feet west of the East line of said Van Asselt Donation Claim No. 50;

situate in the City of Seattle, County of King, State of Washington.

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This easement shall include only such rights in the land above described as shall be necessary for the construction, reconstruction, alteration, operation, maintenance and repair of said **sanitary sewer facilities** and appurtenances.

The Grantor, its successors and assigns, shall have the right to use said property in any way and for any purpose not inconsistent with the rights herein granted.

The City shall have the right without prior institution of any suit or proceeding at law, at such time as may be necessary, to enter upon said easement area for the purposes herein described, without incurring any legal obligation or liability therefor. Such work shall be accomplished by The City in such a manner that any private improvements existing in said easement area shall not be disturbed or destroyed, but in the event that they are disturbed or destroyed they shall be restored as nearly as possible to the condition existing immediately before the property was entered upon by The City.

No building or buildings or other permanent structures shall be constructed or permitted to remain within the boundaries of said easement area without written permission of the Director of Seattle Public Utilities, or any such officer or board who may hereafter succeed to the jurisdiction and powers in respect to said **sanitary sewer facilities** now possessed by the Director of Seattle Public Utilities.

THE covenants herein contained shall run with the land and shall be binding on the parties, their successors and assigns forever.

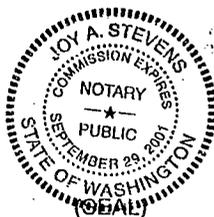
Seattle School District No. 1, a municipal corporation of the State of Washington

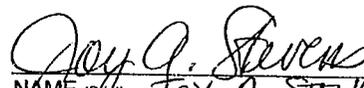
BY: 
Joseph Olchefske
Superintendent

STATE OF WASHINGTON)
COUNTY OF KING) ss.

I certify that I know or have satisfactory evidence that **Joseph Olchefske** signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the **Superintendent** of **Seattle School District No. 1**, a municipal corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated 5/10/01




NAME (Print) JOY A. STEVENS
NOTARY PUBLIC in and for the State of
Washington
My appointment expires 9/29/01

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ATTACHMENT LIST

AN ORDINANCE vacating portions of 32nd Avenue South, 34th Avenue South, South Thistle Street, South Rose Street, the alley in Block 5, Rexford's Addition and the County Road adjacent to 34th Avenue on the petition of the Seattle School District, accepting a deed for park and open space purposes and placing real property herein related under the jurisdiction of the Department of Parks and Recreation, requiring the Seattle School District to accept the responsibility for maintenance of the portion of the City sewer located beneath the District's building, and accepting an easement for utility purposes, (Clerk File 302398)

Attachment A: Statutory Warranty Deed, Recording Number 20020912000332

Attachment B: Utility Easement, Recording Number 20010521000628, not available on disk

Attachment C: Seattle School District maintenance acceptance letter, not available on disk

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After recording mail to:
Ronald J. English
4141 Fourth Ave. S. AF-151
Seattle, WA 98134



20020912000332

HAWKINS UD 20.00
PAGE 001 OF 002
09/12/2002 09:14
KING COUNTY, WA

ATTACHMENT A

E1909200

09/12/2002 09:14
KING COUNTY, WA
TAX \$3.00
SALE \$6.00
PAGE 001 OF 002

STATUTORY WARRANTY DEED

The Grantor, **Seattle School District No. 1**, for and in consideration of on dollar and other good and valuable consideration, the sufficiency of which is acknowledged, hereby grants, conveys and warrants to Grantee, **The City of Seattle**, the real estate described on Attachment A, situated in King County, Washington.

Dated: 9-11, 2002

John J. Richmond
Name: John J. Richmond
Title: Property Manager

State of Washington
County of King

I certify that I know or have satisfactory evidence that John J. Richmond is the person who appeared before me and personally acknowledged that he signed the above instrument and acknowledged it to be his free and voluntary act on behalf of Seattle School District No. 1 for the uses and purposes described.

Dated: Sept. 11, 2002

D. M. Tourner
Name: Desiree M. Tourner
Notary Public in and for the State of
Washington
Residing at Seattle
My appointment expires: 10-28-02



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ATTACHMENT A

Those portions of Henry Van Asselt Donation Claim Number 50, (located in the northwest quarter of the Northwest quarter of Section 34, Township 24 north, Range 4 East, W.M. in King county, Washington and the northeast quarter of the Northeast quarter of Section 33, Township 24 north, Range 4 East, W. M., in King County, Washington) described as follows:

Parcel 1

Beginning at a point 1020 feet West of the East line of Henry Van Asselt's Donation Claim No. 50, and 443.41 feet South of the South line of Riverside Addition to the City of Seattle, produced Westerly; thence South $0^{\circ}18'22''$ East 60 feet; thence South $89^{\circ}44'42''$ East 98 feet; thence North $0^{\circ}18'22''$ West 60 feet; thence North $89^{\circ}44'42''$ West 98 feet, to the True Point of Beginning;

Otherwise generally identified as tax parcel no. 000740-0087-01

Parcel 2

Beginning at a point on South line of Riverside Addition 1020 feet West of the East line of said Donation Claim, thence South $0^{\circ}18'22''$ East 503.41; thence continuing South $0^{\circ}18'22''$ East 120 feet; thence South $89^{\circ}44'42''$ East 98 feet; thence North $0^{\circ}18'22''$ West 120 feet; thence North $89^{\circ}44'42''$ West 98 feet to the true point of beginning (being also known as lots 10 and 11, block 1, Airport Addition, unrecorded; 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.

Otherwise generally identified as tax parcel no. 000740-0091-05

Parcel 3

Beginning on the south line of Riverside Addition produced west at a point 915.37' west of the east line of said donation claim which point is also the west margin of 32nd Ave. S. produced south; thence West 104.63'; thence South $0^{\circ}18'22''$ East 623.41 feet to the true point of beginning; thence East 98 feet; thence South $0^{\circ}18'22''$ East 180 feet; thence West 98 feet; thence North $0^{\circ}22'18''$ West 180 feet to true point of beginning (being also known as lots 12, 13 14, of block 1, Airport Addition unrecorded)

Otherwise generally identified as tax parcel no. 000740-0105-09

20020912000332

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*Celebrating 125 Years
of Putting Students First*

ATTACHMENT C

April 25, 2001

Seattle Public Utilities
Key Tower
700 Fifth Avenue
Seattle, Washington 98104

RE: Easement agreement for African American Academy

To Whom It May Concern:

During the design phase of the project, meetings were held between the Seattle School District and Seattle Public Utilities (SPU) to decide upon the best approach for locating the sewer line along 34th Avenue South. After investigating different options it was determined that the most cost effective method would be to replace the sewer line with ductile iron rather than rerouting it around the building.

Seattle School District understands that not rerouting the sewer line prevents SPU access for repair or reconstruction of the aforesaid facilities. Therefore, the Seattle School District will take its responsibility for any maintenance occurring at the portion of sewer line beneath the building.

Sincerely,
Seattle School District



Don Gillmore
Program Manager/SSD

CC: Bruce Herr, Asst. Program Manager/Heery International, Inc.

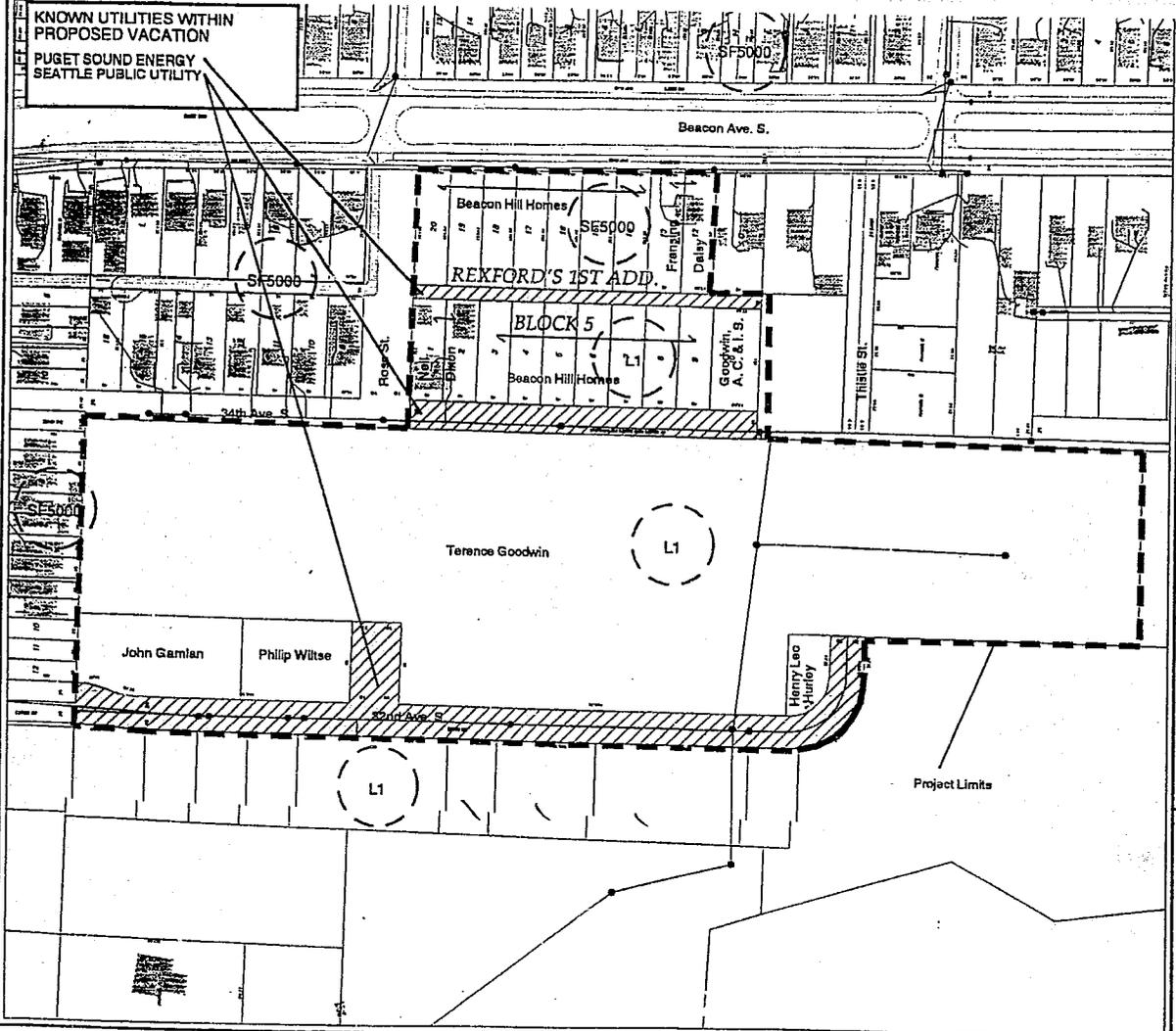
**Facilities
Development
& Construction**

4141 Fourth Avenue South, AF-332
Seattle, WA 98144
(206) 298-7645
(206) 298-7646 Fax



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Scale: 1" = 160'

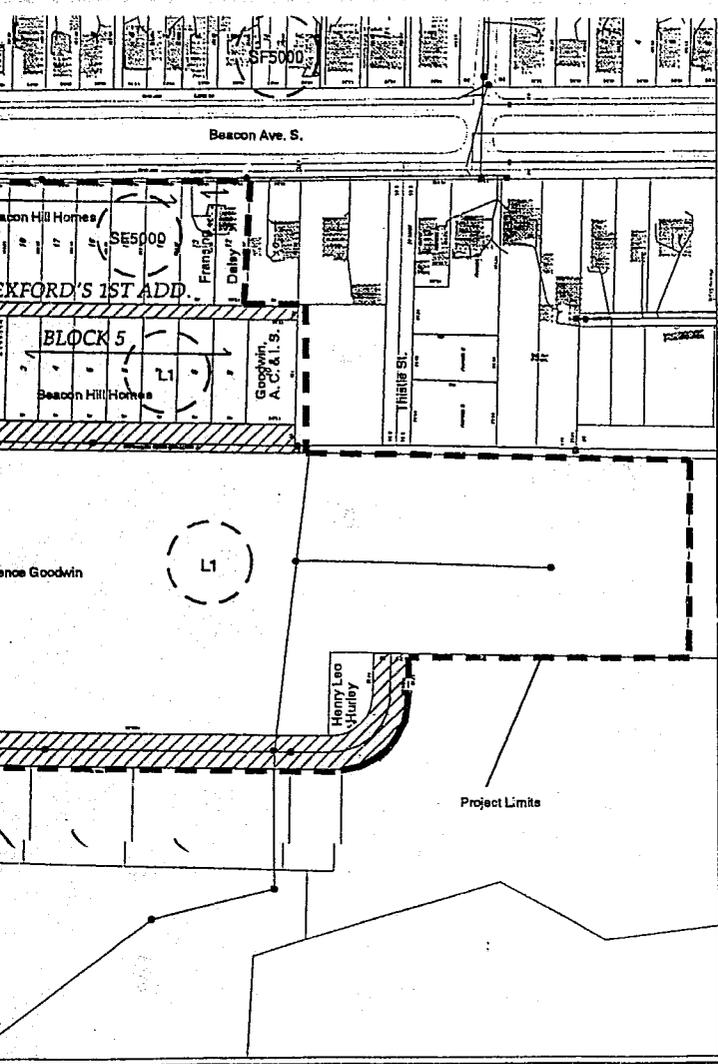
PROPOSED

VACATION AREA

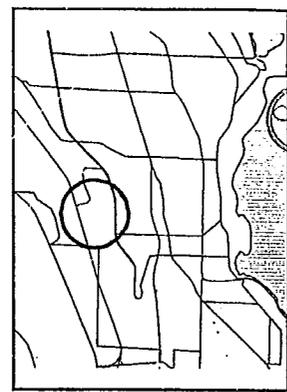
SCALE 1"=160' KROLL 80W

VACATION

CITY CLERK FILE NO. _____
 VACATION PETITION NO.: 37
 VALID SIGNATURES INDICATED _____
 DISPOSITION:
 APPROVD _____ DENIED _____
 INCOMPLETE SIGNATURES INDICATED _____
 VACATION ORDINANCE NO. _____
 MADE BY CM _____ CHECKED BY _____



Scale: 1" = 160'



VICINITY MAP

2634

 PROPOSED VACATION AREA

VACATION AREA = 67,544 SQ. FT

SCALE 1"=160' KROLL 80W 1/4 SECTION NE 34-24-4

VACATION SKETCH

CITY CLERK FILE NO. 302398
 VACATION PETITION NO. 3782
 VALID SIGNATURES INDICATED BY _____
 DISPOSITION:
 _____ APPRVD _____ DENIED _____ TERMINATED _____
 INCOMPLETE SIGNATURES INDICATED BY _____
 VACATION ORDINANCE NO. _____ DATE _____
 MADE BY CM CHECKED BY MLS DATE 2-9-98

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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

September 26, 2002

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

Dear Council President Steinbrueck:

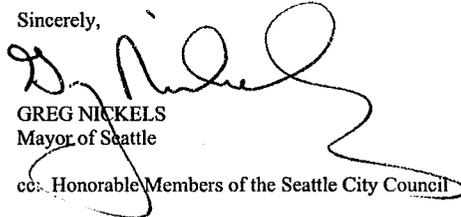
The attached ordinance vacates a portion of 32nd Avenue South, 34th Avenue South, South Thistle Street, South Rose Street, the alley in Block 5, Rexford's Addition and the County Road adjacent to 34th Avenue South located on south Beacon Hill (Clerk File 302398). The ordinance accepts a deed for park and open space purposes, places real property under the jurisdiction of the Department of Parks and Recreations, requires the petitioner, the Seattle School District, to accept maintenance for a portion of the sewer line, and accepts an easement for utility purposes. The City Council granted the petition in 1998 for the construction of the African American Academy.

The African American Academy is designed to house 750 students in kindergarten through eighth grade. The 101,646 square foot school building includes classrooms, specialized instruction areas, a media center, 150-200 seat theater/lecture hall, lunchroom, gymnasium, administrative space and dedicated childcare center. The site accommodates student drop-off, parking for staff and visitors, a hard surface play area and sports field. The site contained degraded wetlands, a portion of which was restored, enhanced, and protected by the School District as required mitigation for the project's impacts. The school has included wetland and habitat studies in its curriculum. The library, gymnasium, playfield and hard surface play area are available for community use in school off-hours, and the child care facility is open to the general public.

The Seattle School District has deeded three lots adjacent to the school and existing open space to the Department of Parks and Recreation as part of the vacation fee and has paid the remaining \$67,000 in cash. The entire list of conditions on the vacation and their satisfaction are attached to this cover letter for your information.

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

cc: Honorable Members of the Seattle City Council

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 request.

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STATE OF WASHINGTON – KING COUNTY

--SS.

154247
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 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:ORDINANCE 121050

was published on

1/29/2003

J. Stedman

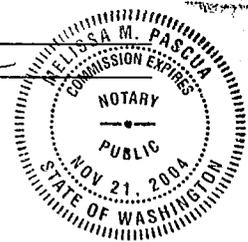
Subscribed and sworn to before me on

1/29/2003

Melissa M. Pasqua

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 181060

AN ORDINANCE vacating portions of 32nd Avenue South, 34th Avenue South, South Thistle Street, South Rose Street, the alley in Block 5, Rexford's Addition and the County Road adjacent to 34th Avenue on the petition of the Seattle School District, accepting a deed for park and open space purposes and placing real property herein related under the jurisdiction of the Department of Parks and Recreation, requiring the Seattle School District to accept the responsibility for maintenance of the portion of the City sewer located beneath the District's building, and accepting an easement for utility purposes, (Clerk File 302398).

WHEREAS, there has been filed with the City Council the petition of the Seattle School District No. 1, (Clerk File 302398) for the vacation of portions of 32nd Avenue South, 34th Avenue South, South Thistle Street, South Rose Street and County Road adjacent to 34th Avenue South, and the alley in Block 5, Rexford's Addition as herein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on December 16, 1998, said petition was conditionally granted by the City Council; and

WHEREAS, pursuant to Section 36.79.030, RCW and Seattle Municipal Code Chapter 16.92, Seattle School District paid \$67,000 and has deeded real property to the City, which the combination value is one-half the appraised value of the property approved for vacation, according to an appraisal obtained by the Director of the Seattle Department of Transportation; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That
 Portion of 32nd Avenue South as established in City of Seattle ordinance 81546, from the westerly extension of the south line of Block 13, Riverside Addition, as recorded in Volume 3 of Plats, page 92, Records of King County, Washington, to the north margin of South Thistle Street; and Portion of South Thistle Street as established in City of Seattle Ordinance 61546, from the easterly margin of 32nd Avenue South, as established in City of Seattle

Ordinance 61546, to a line 784 feet west of and parallel with the east line of Henry Van Asselt Donation Land Claim Number 60; and Portion of South Rose Street from 32nd Avenue South as established in City of Seattle Ordinance 61546, to a line 784 feet west of and parallel with the east line of Henry Van Asselt Donation Land Claim Number 60; and Portion of 34th Avenue South from the westerly extension of the north line of Block 5, Rexford's 1st Addition as recorded in Volume 22 of Plats, page 60, Records of King County, Washington, to the westerly extension of the south line of said Block 5; and Portion of County Road per deed recorded in Volume 6180, Page 489, Records of King County, Washington, adjacent to portion of 34th Avenue South as described above; and Alley in Block 5, Rexford's Addition, as recorded in Volume 22 of Plats, page 60, Records of King County, Washington, generally described as the alley in the block bounded by Beacon Avenue South, South Rose Street, 34th Avenue South, and a line 99.33 feet north of and parallel with the north margin of South Thistle Street, as established in City of Seattle Ordinance 94884;

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 deed executed by the Seattle School District on the eleventh day of September, 2002, Recording Number 20020912000332, a copy which is attached hereto as Attachment A, conveying property to the City of Seattle for open space purposes is hereby accepted, and the real property conveyed is placed under the jurisdiction of the Department of Parks and Recreation.

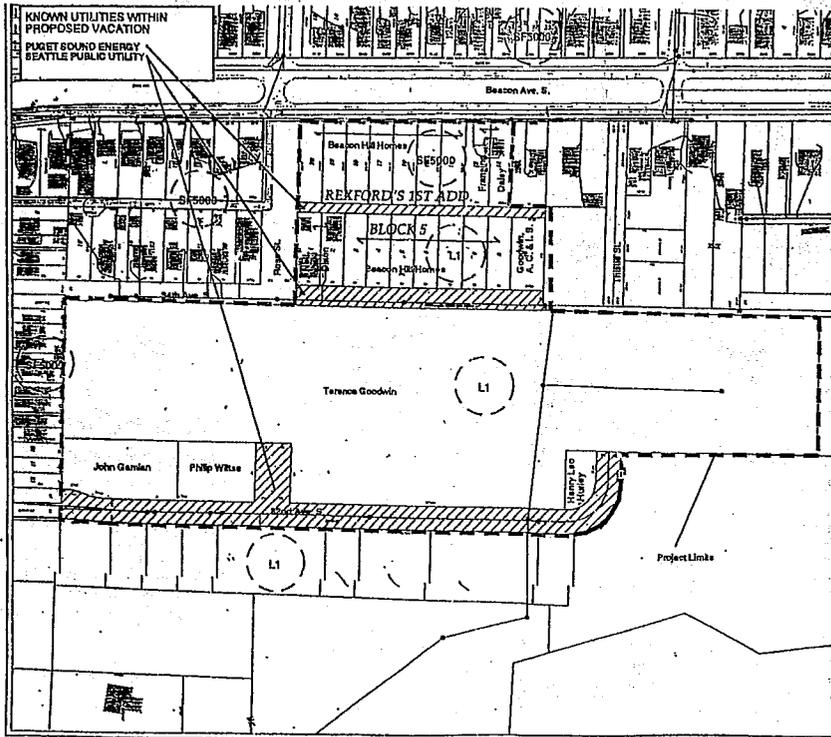
Section 3. That the utility easement for sanitary sewer facilities, Recording Number 20010521000828, attached hereto as Attachment B, is hereby accepted. The City of Seattle requires as a condition of this vacation, that the Seattle School District accept maintenance for the portion of sanitary sewer underneath the African American Academy in vacated in 34th Avenue South as agreed upon in the correspondence attached hereto as Attachment C.

Section 4. 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 the 6th day of January, 2003, and signed by me in open session in authentication of its passage this 6th day of January, 2003.

PETER STEINBRUECK,
 President of the City Council.
 Approved by me this 16th day of January, 2003.
 GREGORY J. NICKELS,
 Mayor.
 Filed by me this 17th day of January, 2003.
 (Seal) SCOTT CLINE,
 City Clerk.
 Publication Ordered by JUDITH PIPPIN,
 City Clerk.
 Date of publication in the Seattle Daily Journal of Commerce, January 29, 2003.
 1/29/03 (154247)



VICINITY MAP
 2634.

PROPOSED VACATION AREA
 VACATION AREA = 67,544 SQ. FT.

SCALE 1"=100' KROLL 80W 1/4 SECTION NE 34-2-4

VACATION SKETCH

CITY CLERK FILE NO. 302398
 VACATION PETITION NO. 3732
 VALID SIGNATURES INDICATED BY _____
 DISPOSITION: _____
 APPROVD _____ DENIED _____ TERMINATED _____
 INCOMPLETE SIGNATURES INDICATED BY _____
 VACATION ORDINANCE NO. _____ DATE _____
 MADE BY EM CHECKED BY JAS DATE 2-8-03