Ordinance No. 121130

Council Bill No. 114533

AN ORDINANCE vacating Northeast Radford Drive and a portion of Northeast 64th Street on the petition of the University of Washington and accepting a Public Access Easement in relation herein, (Clerk File303453).

CF No.

Date Introduced: APR 1 4 2003	
Date 1st Referred: APR 1 4 2003	To: (committee) TRANSPORTATION
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: 4-21-03	Full Council Vote: 7-0
Date Presented to Mayor: 4-22-03	Date Approved: 5-1-03
Date Returned to City Clerk: 5-2-03	Date Published: 28 T.O. F.T. ✓
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Depar

Council Bill/Ordinance sponsored by:

Committee Acti

4/18/03 3-0 approved unanim

Conlin, Wil

4-21-03 Passed 7-0 (Excused:

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

Law Department

Law Dept. Review | OMP Review | City Cle: Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Richard Conlin

Councilmember

l a portion of Northeast 64th Street on
ccepting a Public Access Easement in

Committee Action:

4/18/03 3-0 approved unanimously 3-0 yes
Conlin, Wills, McIver

4-21-03 Passed 7-0 (Excused: Conlin, Wills)

This file is complete and ready for presentation to Full Council. Committee: RC 4/15/03
(initial/date)

ATION

T.O.
F.T. ✓

Law Department

Law Dept. Review	OMP Review	City Clerk Review	Electronic Copy Loaded	Indexed

Electronic Note
Formatted
Full Text loaded
Search
Attachment A

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MoiraGray/mg
RadfordCtVacation
03/13/03
version1

ORDINANCE 121130

AN ORDINANCE vacating Northeast Radford Drive and a portion of Northeast 64th Street on the petition of the University of Washington and accepting a Public Access Easement in relation herein, (Clerk File303453).

WHEREAS, there has been filed with the City Council the petition of the University of Washington for the vacation of Northeast Radford Drive and a portion of Northeast 64th Street as herein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on May 16, 2000, said petition was conditionally granted by the City Council; and

WHEREAS, the petitioner is granting a public access easement for the vacated rights-of-way; and

WHEREAS, pursuant to Seattle Municipal Code Chapter 15.62, the petitioner is exempt from the street vacation fee; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

that portion of Northeast Radford Drive in the Correction Plat of Sand Point Homes, an Addition to the City of Seattle, being a replat of Block 1 and Block 7 to 24, of the Evergreen Addition to the City of Seattle as recorded in Volume 39 of Plats, page 4, Records of King County, Washington, AND
that portion of Northeast 64th Street lying between the production north of the west margin of Correction Plat of Sand Point Homes Addition, and a line drawn 264 feet parallel with, and east of, said produced west margin

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.

ACTING CITY CLERK

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RadfordCtVacation
03/13/03
version1

Section 2. That the Public Access Easement, Recording Number 20030224001584, executed by the University of Washington, and Attachment 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 the 21st day of April, 2003, and signed by me in open session in authentication of its passage this 21st day of April, 2003.

Peter Steinbrueck
President _____ of the City Council

Approved by me this 2 day of May, 2003.

Gregory J. Nickels, Mayor

Filed by me this 2nd day of May, 2003.

City Clerk

(Seal)

Attachment A: Public Access Easement Agreement Recording Number 20030224001584

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CTING CITY CLERK

COUNCIL CONDITIONS ON PORTIONS OF NORTHEAST RADFORD DRIVE AND NORTHEAST 64TH STREET, C.F. 303453

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

1. The vacation is granted to allow the petitioners to build a project substantially in conformity with the project presented to the City Council and for no other purpose.

   The project has been completed as approved. A temporary Certificate of Occupancy has been issued. The final Certificate will be issued on the passage of the vacation ordinance.

2. All street improvements shall be designed to City standards and be reviewed and approved by Seattle Transportation. The improvements shall include:

- Northeast 64th Street shall remain open. The design of the connection with Northeast Radford Drive must be reviewed to ensure a clear distinction between private and public roadway, or in the alternative the connection between Northeast 65th Street and Northeast 64th Street can be dedicated as street to ensure that a public street connects with public street, or a public access easement must be provided;

  Northeast 64th Street has remained open. A Public Access Easement Agreement has been executed and recorded and will be accepted in this ordinance. This agreement ensures public access to and from the east end of Northeast 64th Street onto Northeast Radford Drive.

- 65th Avenue Northeast shall remain open without the addition of bollards; the existing cul de sac shall remain in place at the intersection of 65th Avenue Northeast and Northeast 65th Street. No connection between Northeast 65th Street and 65th Avenue Northeast shall be permitted related to this project.

  65th Avenue Northeast is open and the cul-de-sac remains unchanged. No connection between Northeast 65th Street and 65th Avenue Northeast has been constructed.

- Improvements around the site included in the proposal shall be provided as shown, including: preservation of street trees, lighting, sidewalks, bicycle and pedestrian paths, and roadway surface improvements.

  The site improvements and landscaping requirements have been completed in accordance with the plans submitted and approved by the Department of Construction and Land Use and the Department of Transportation. Fifty-three percent of the established trees were preserved.

- Access as proposed to connect with Northeast 65th Street should be permitted in a single location as shown at the western edge of the project. The design of the access point shall be reviewed and approved by SDOT.

  The connection has been constructed as required and approved by SDOT.

- The sidewalk on Northeast 61st Street on the project frontage shall be repaired.

ACTING CITY CLERK

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The sidewalk has been repaired as required.

- The UW shall develop and maintain a single traffic circle at Northeast 61st Street and 65th Avenue Northeast.

  The traffic circle has been constructed.

- The UW will also provide for additional traffic calming measures in the project area, particularly 6th Avenue Northeast which may include signage, street design elements such as curb bulbs or cross walks, or chicanes. Such traffic calming measures shall be reviewed and approved by SDOT.

  A traffic circle has been constructed at the intersection of Northeast 60th Street and 65th Avenue Northeast. Street signs have been installed at 65th Avenue Northeast and a Dead End sign installed at 61st Avenue Northeast. Curb bulbs were installed on 65th Avenue Northeast, north of Northeast 61st Street for mid-block traffic calming.

3. The utility issues shall be resolved to the full satisfaction of the affected utilities prior to the approval of the final vacation ordinance. This may include easements, restrictive covenants, relocation covenants, relocation agreements, or acquisition of the utilities which shall be at the sole expense of the petitioner.

   - **Natural gas service has been abandoned and removed.**
   - **Water services to the complex are private and are connected to the public system at Northeast 61st Street and Northeast 64th Street.**
   - **Storm water drainage system is connected to the public drainage swales on Northeast 65th Street, the undeveloped right of way of Northeast 64th Street and a collection vault at the intersection of Northeast 65th Street and 65th Avenue Northeast.**
   - **Waster water lines connect with a City pump station at Northeast 65th Street and 65th Avenue Northeast.**
   - **Access and maintenance of City Light distribution facilities on the perimeter of Radford Drive Northeast and in the other locations on site is provided for in the proposed access easement.**
   - **Maintenance and access agreements have been executed with ATT and Qwest.**

4. In addition to the conditions imposed through the vacation process, the project, as it proceeds through the permitting process, is subject to SEPA review and the conditioning imposed pursuant to various City codes and through regulatory review processes including SEPA.

   The project has been reviewed, approved and constructed in compliance with SEPA and all City codes.

5. The petitioner shall provide a Public Access Easement Agreement or some other mechanism to ensure that the private roadway system, the pedestrian walkways, the bicycle path, and play areas shall remain open and accessible to the public in the future. An easement agreement shall also be provided to ensure that 65th Avenue Northeast remains open and accessible to the public in the future.

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The Public Access Easement Agreement has been executed and recorded and will be accepted in this ordinance.

6. The petitioner shall continue to work with the Design Commission to review the public portions of the site, including the pedestrian and bicycle paths, the community center, and the play areas.

The project underwent multiple reviews by the Design Commission. The Design Commission approved the project as conditioned by the City Council.

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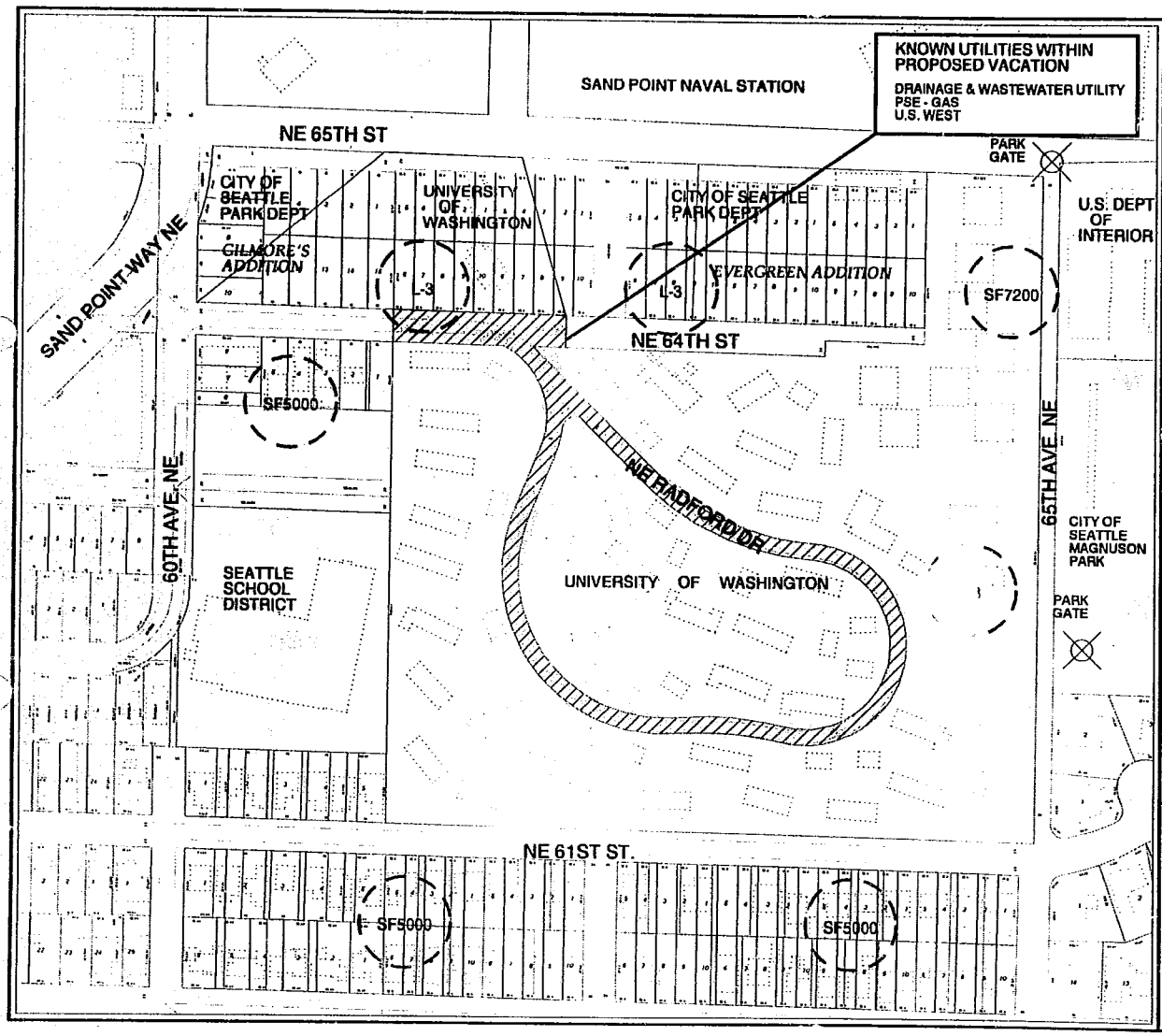
AURORA CITY CLERK



N

S

Scale: 1" = 200'

2645

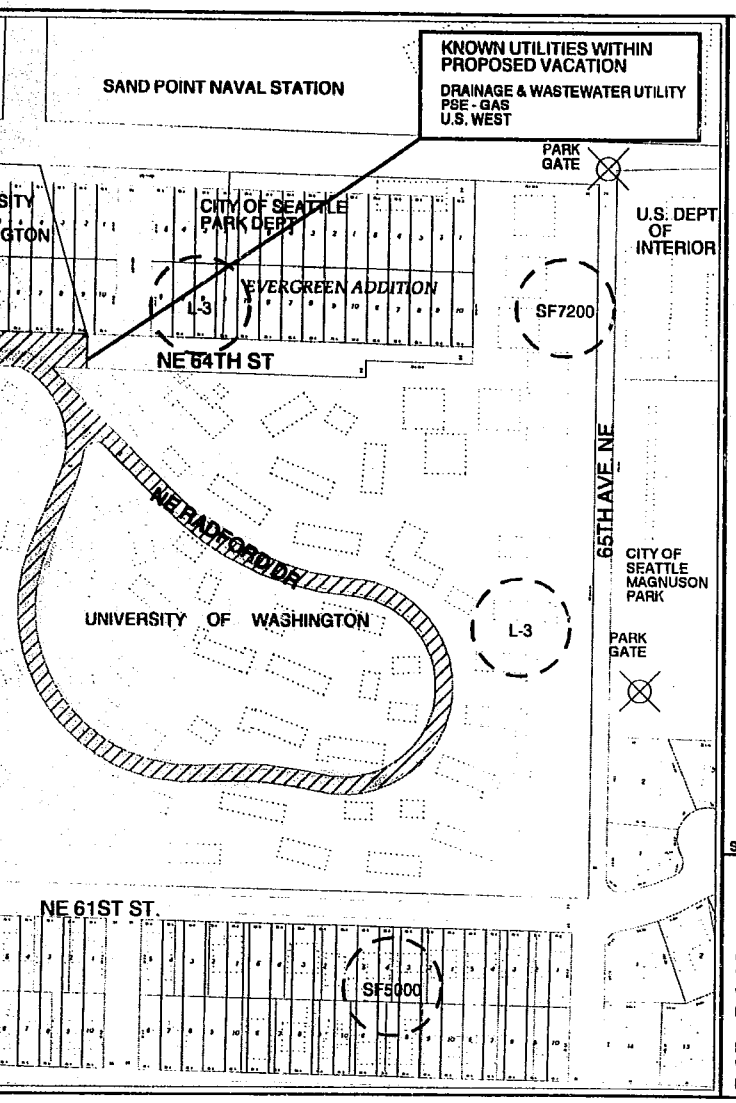
PROPOSED VACA

VACATION AREA = 60

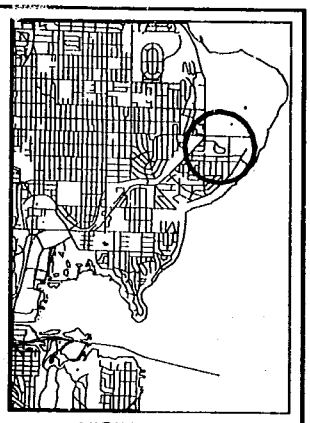
SCALE 1"=200' KROLL 17W 1/4 S

VACATION S

CITY CLERK FILE NO. 303453
VACATION PETITION NO. 3798
VALID SIGNATURES INDICATED BY
DISPOSITION:
APPRVD ____ DENIED ____ TERMINA
INCOMPLETE SIGNATURES INDICATED BY
VACATION ORDINANCE NO.
MADE BY CM CHECKED BY MLS



Scale: 1" = 200'



VICINITY MAP

2645

PROPOSED VACATION AREA

VACATION AREA = 60,395 SQ. FT

SCALE 1"=200' KROLL 17W 1/4 SECTION NW 11-25-4

VACATION SKETCH

CITY CLERK FILE NO. 303453
VACATION PETITION NO. 3798
VALID SIGNATURES INDICATED BY
DISPOSITION:
APPRVD ____ DENIED ____ TERMINATED
INCOMPLETE SIGNATURES INDICATED BY
VACATION ORDINANCE NO. ____ DATE
MADE BY CM CHECKED BY MLS DATE 9-28-99

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ATTACHMENT A

Unofficial Document

After Recording Return To.

William H. Block
Buck & Gordon LLP
902 Waterfront Place
1011 Western Avenue
Seattle, WA 98104-1097

20030224001584
BUCK & GORDON AG 27.00
PAGE 001 OF 005
02/24/2003 12:42
KING COUNTY, WA

PUBLIC ACCESS AGREEMENT

Grantor: Board of Regents of the University of Washington

Grantee: City of Seattle

Legal Description:

Block 1 and 2 of Correction Plat of Sandpoint Homes as per plat recorded in Volume 39 of Plats, page 4 records of King County and Lots (see detailed survey) and Lots described in legal description

Assessor's Property Tax Parcel/Account Number(s): 753480 0005

This Public Access Agreement (this "Agreement") is made this 5th day of February 2003 by the Board of Regents for the University of Washington, an agency of the State of Washington ("Owner") in favor of the City of Seattle, a municipal corporation of the State of Washington (the "City").

RECITALS:

Owner is vested in fee simple title and/or has a substantial beneficial interest in the real property situated in King County, Washington, legally described on Exhibit A hereto (the "Property")

On July 10, 2000, the Seattle City Council voted to conditionally grant a petition to vacate portions of Northeast Radford Drive and of Northeast 64th Street located within the Property (the "Conditional Vacation") as more particularly described in Seattle Clerk's File 303453 , for the construction of housing and related facilities

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Pursuant to conditions 2 and 5 of the Vacation, Owner is required to provide public access within the Property over and across the following three areas

(a) The drive areas connecting Northeast 65th Street and Northeast 64th Street as shown in dark shading on Exhibit B (the "NE 65th Connector"),

(b) The drive areas of 65th Avenue Northeast as shown in dark shading on Exhibit C hereto ("65th Ave NE"),

(c) The drive areas of Northeast Radford Drive and adjacent sidewalks, sidewalks providing through-access from Sand Point Way NE to 65th Avenue NE as shown in dark lines on Exhibit D ("NE Radford"), and

(d) The general use walkways, common lawns and common play areas of the Property as shown in cross hatching on Exhibit D (the "Common Areas").

The NE 65th Connector, 65th Ave NE, NE Radford and the Common Areas are referred to collectively herein as the "Public Access Areas". In each case, they shall exclude areas designated for curbside parking and private entry drives

Owner now seeks final vacation of Northeast Radford Drive and Northeast 64th Street

AGREEMENT

Now, therefore, the Owner hereby covenants, bargains and agrees on behalf of itself, its successors and assigns as follows:

Section 1 The Owner hereby grants to the City, for the benefit of the public, a right of public access over and across the Public Access Areas as described above

Section 2 The Owner further grants to the City, for the benefit of Seattle City Light or its assigns, a right of entry to the Public Access Areas for servicing of utility lines and vaults

Section 3 Owner shall have the right from time to time to temporarily close or obstruct the Public Access Areas for required maintenance and repair or because of circumstances beyond Owner's control. Owner may adopt and enforce such reasonable rules and regulations regarding the use of and access to the Public Access Areas Owner reasonably deems necessary to ensure the safety or security of the residents of Radford Court and users of the Public Access Areas or the Property, including but not limited to rules and regulations similar to those applicable to the University of Washington campus and dormitory areas in other locations in Seattle

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Section 4. Owner agrees to indemnify and hold the City harmless from any claims, losses, or liabilities for physical damage to persons or property occurring in the Public Access Areas to the extent caused by the Owner's negligence

Section 5 This Agreement shall be recorded in the records of King County and the covenants hereof shall be deemed to attach to and run with the Property and shall be binding upon Owner, its heirs, successors and assigns

Section 6 This Agreement may be amended or modified by agreement between Owner and City provided such amended agreement shall be approved by the legislative authority of the City by ordinance Nothing in this Agreement shall be construed as a surrender of the City's governmental powers.

Section 7 This Agreement grants a right of access to the public and to City Light for the benefit of the City and the City may institute and prosecute any proceeding at law or in equity to enforce this Agreement This Agreement shall not grant any private right of enforcement to any individual member of the public

Section 8 Owner reserves the right to use the Public Access Areas for any purpose which does not interfere with the public's use of the Public Access Areas, including but not limited to the right to use the subsurface for construction, support or tieback and the right to grant easements within the Public Access Area

Section 8 Notwithstanding the covenants contained herein, nothing in this Agreement shall constitute a public dedication of any portion of the Property

Section 9 In the event any covenant or condition hereinabove contained, or any portion thereof is invalid or void, such invalidity or avoidance shall in no way affect any other covenant, condition or restriction herein contained

IN WITNESS WHEREOF, this Agreement has been duly executed and delivered as of the 5th day of February, 2003

OWNER.
BOARD OF REGENTS OF THE
UNIVERSITY OF WASHINGTON

By: Jeanette S. Henderson

Its: Director of Real Estate

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Approved:

William H Block
Special Assistant Attorney General

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Jeanette L. Henderson signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it in (his/her) capacity as Director of Real Estate of Board of Regents of the University of Washington to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument

GIVEN under my hand and official seal this 5th day of February, 2003

NOTARY PUBLIC in and for the
State of Washington, residing
at Edmonds;
My commission expires 4-29-03
Carol J. Hinklin
[Type or Print Notary Name]

CAROL J. HINKLIN
COMMISSION EXPIRES
NOTARY PUBLIC
4-29-03
STATE OF WASHINGTON

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EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL 1

BLOCKS 1 AND 2 OF CORRECTION PLAT OF SAND POINT HOMES, AS PER PLAT RECORDED IN VOLUME 39 OF PLATS, PAGE 4, RECORDS OF KING COUNTY,

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

PARCEL 2

THOSE PORTIONS OF A TRACT OF LAND IN GILMORE'S ADDITION AND EVERGREEN ADDITION TO THE CITY OF SEATT , AS PER PLAT RECORDED IN VOLUME 32 OF PLATS, PAGE 10 AND VOLUME 12 OF P , PAGE 66, RESPECTIVELY, RECORDS OF KING COUNTY, SAID TRACT BEING ACQUIRED BY THE WAR DEPARTMENT THROUGH CIVIL ACTION 388, TOGETHER WITH THOSE PORTIONS OF VACATED NE 65TH STREET AND 63RD AVE N E IN SAID ADDITIONS AS VACATED BY VACATION ORDINANCE N0 71498, BOUNDED BY THE FOLLOWING DESCRIPTIONS

BEGINNING AT THE SE CORNER OF BLOCK 1 IN SAID GILMORE'S ADDITION,
THENCE NORTH 89°35'06" WEST ON THE SOUTH LINE OF SAID BLOCK 1, A DISTANCE OF 299 88 FEET TO THE SW CORNER OF SAID BLOCK 1,
THENCE NORTH 42°03'59" EAST A DISTANCE OF 320 31 FEET TO THE NORTH LINE OF SAID GILMORE'S ADDITION, BEING THE SAME AS THE SECTION LINE COMMON TO SECTION 2 AND 11, TOWNSHIP 25 NORTH, RANGE 4 EAST, W M ,
THENCE SOUTH 89°35'06" EAST ON SAID SECTION LINE A DISTANCE OF 81 87 FEET TO THE NE CORNER OF SAID BLOCK 1,
THENCE SOUTH 00°48'49" EAST ON THE EAST LINE OF SAID BLOCK 1, A DISTANCE OF 239 39 FEET TO THE POINT OF BEGINNING,

EXCEPT THE NORTH 20 00 FEET THEREOF,

TOGETHER WITH

BEGINNING AT THE SW CORNER OF BLOCK 6 IN SAID EVERGREEN ADDITION,
THENCE NORTH 00°48'49" WEST ON THE WEST LINE OF SAID ADDITION A DISTANCE OF 239 39 FEET TO THE NORTH LINE OF SAID ADDITION, BEING THE SAME AS THE SECTION LINE COMMON TO SECTIONS 2 AND 11, TOWNSHIP 25 NORTH, RANGE 4 EAST W M ,
THENCE SOUTH 89°35'06" EAST ON SAID SECTION LINE A DISTANCE OF 198 15 FEET,
THENCE SOUTH 17°27'07" EAST, A DISTANCE OF 251 47 FEET TO THE SOUTH LINE OF BLOCK 5 IN SAID ADDITION,
THENCE NORTH 89°35'06" WEST ON THE SOUTH LINE OF BLOCKS 5 AND 6 IN SAID ADDITION, A DISTANCE OF 270 17 FEET TO THE POINT OF BEGINNING,

EXCEPT THE NORTH 20 00 FEET THEREOF,

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EXHIBIT B

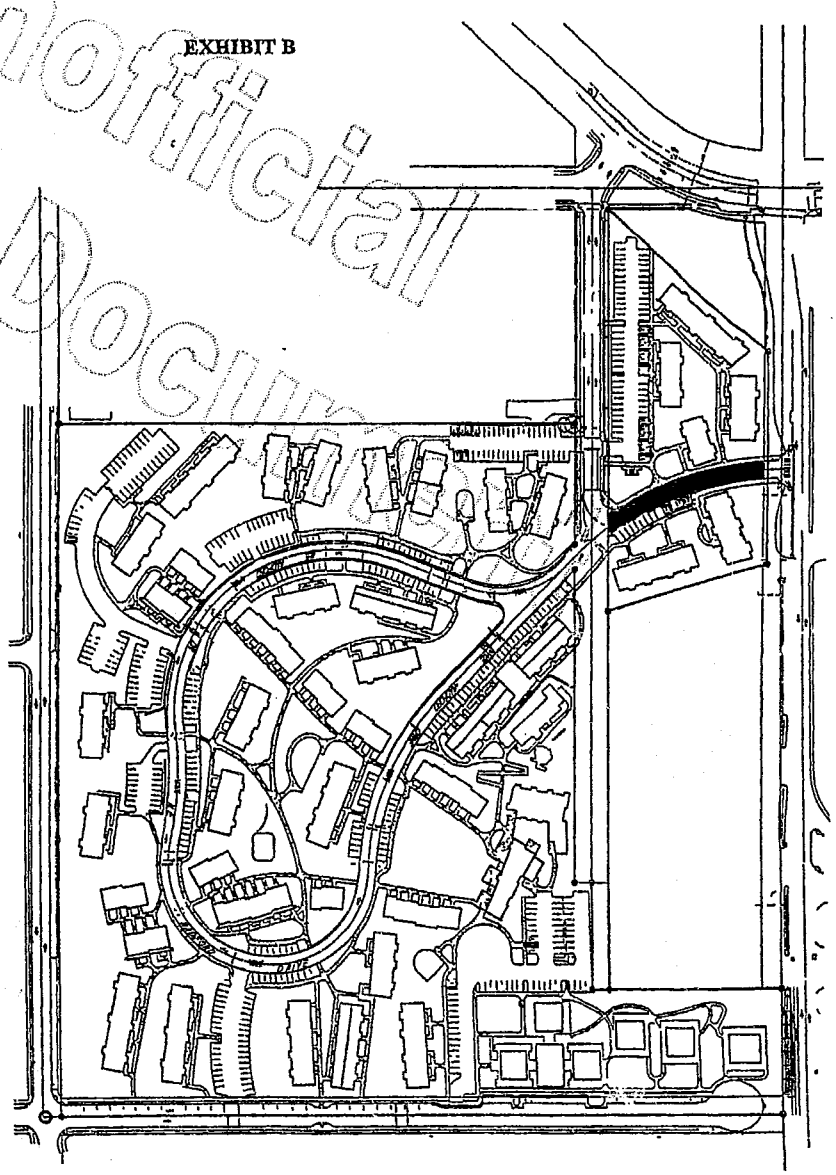

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EXHIBIT C

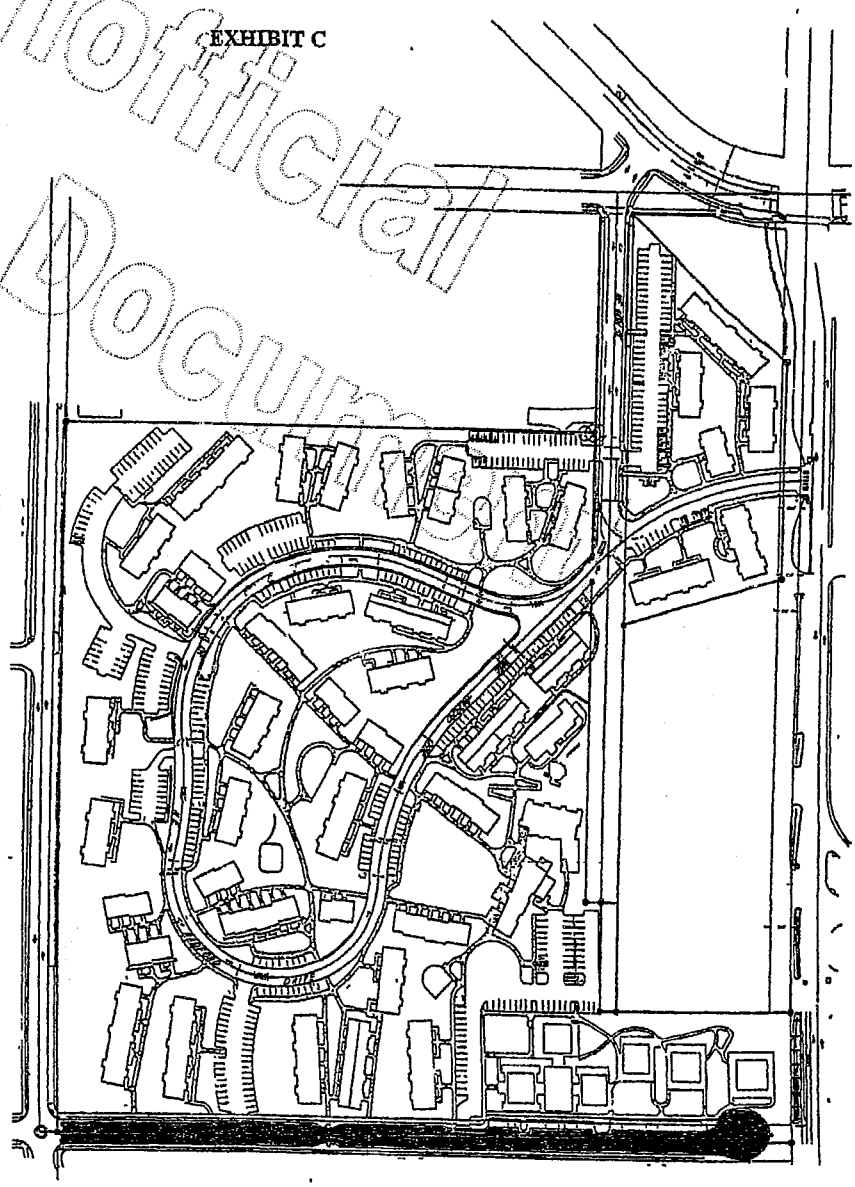

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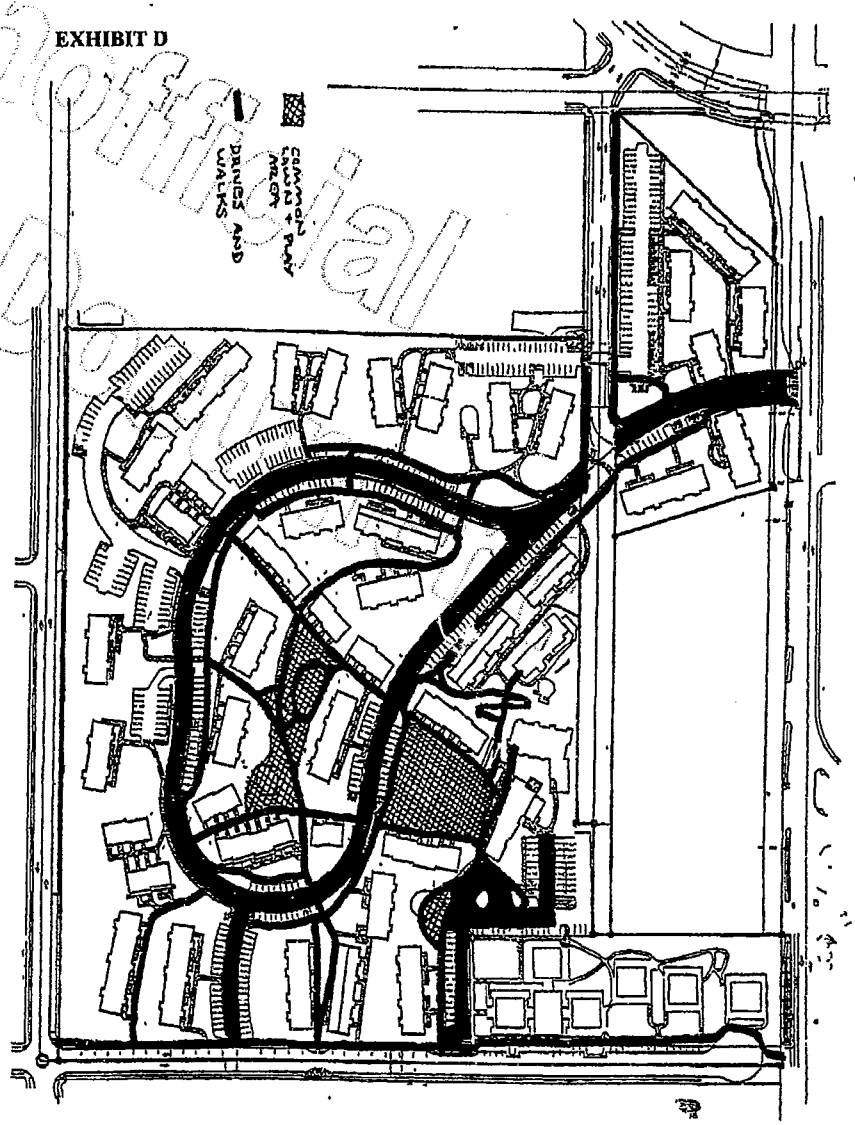
EXHIBIT D



CLERK

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Moira Gray
03/28/03
RadfordDr.Vacation
Version #1.

Form revised January 17, 2003

Fiscal Note

Each piece of legislation that appropriates funds, creates position authority, or will create a financial impact through policy direction or otherwise, requires a fiscal note. The fiscal note should be drafted by department staff and should include all relevant financial information. After preparation by departmental staff, the Department of Finance will review and make necessary revisions before transmittal to Council.

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle Transportation	Moira Gray 684-8272	Jennifer Devore 5-1382

Legislation Title:

AN ORDINANCE vacating Northeast Radford Drive and a portion of Northeast 64th Street on the petition of the University of Washington and accepting a Public Access Easement in relation herein, (Clerk File303453).

Summary of the Legislation:

This ordinance vacates a portion of Northeast Radford Drive in the vicinity of Magnuson Park on the petition of the University of Washington and accepts a Public Access Easement in relation herein. The City Council granted the petition in 2000 for the redevelopment of the University of Washington's Radford Court married student housing.
There are no financial implications associated with this legislation.

Appropriations (in $1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Appropriation	2004 Anticipated Appropriation
TOTAL				

**** This is line of business for operating budgets, and program or project for capital improvements***

Notes:

Expenditures (in $1,000's):

Fund Name and Number	Department	Budget Control Level*	2003 Expenditures	2004 Anticipated Expenditures
TOTAL				

**** This is line of business for operating budgets, and program or project for capital improvements***

Notes:

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03/28/03
RadfordDr.Vacation
Version #1.

Anticipated Revenue/Reimbursement (in $1,000's):

Fund Name and Number	Department	Revenue Source	2003 Revenue	2004 Revenue
TOTAL				

Notes:

Total Permanent Positions Created Or Abrogated Through Legislation, Including FTE Impact; Estimated FTE Impact for Temporary Positions:

Fund Name and Number	Department	Position Title*	2003 FTE	2004 FTE
TOTAL				

* List each position separately

Do positions sunset in the future? (If yes, identify sunset date):

Background (Include brief description which states the purpose and context of legislation and include record of previous legislation and funding history, if applicable):

The financial cost of not implementing the legislation (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):

Possible alternatives to the legislation which could achieve the same or similar objectives (Include any potential alternatives to the proposed legislation, including using an existing facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an outside organization to provide the services the proposed project would fill, or other alternatives):

Is the legislation subject to public hearing requirements (If yes, what public hearings have been held to date):

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Other Issues (including long-term implications of the legislation):

FOR CAPITAL PROJECTS ONLY

Background (Include brief description that states the purpose and context of legislation, the expected useful life, anticipated customers/users, assumed level of LEED or other sustainable design elements. Also include record of previous legislation and funding history, if applicable):

Project Name:	Project Location:	Start Date:	End Date:

Spending Plan and Future Appropriations for Capital Projects (Estimate cost of legislation over time; list timing of anticipated appropriation authority requests and expected spending plan. Please identify your cost estimate methodology including inflation assumptions and key assumptions related to the timing of appropriation requests and expected expenditures. In addition, include the projected costs of meeting the LEED Silver standard in all facilities and buildings with over 5,000 gross square feet of occupied space. Also, be sure to include percent for art and percent for design as appropriate):

Spending Plan and Budget	2003	2004	2005	2006	2007	2008	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations							

Key Assumptions:

Funding source (Identify funding sources including revenue generated from the project and the expected level of funding from each source):

Funding Source	2003	2004	2005	2006	2007	2008	Total
TOTAL							

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Moira Gray
03/28/03
RadfordDr.Vacation
Version #1.

Bond Financing Required (If the project or program requires financing, please list type of financing, amount, interest rate, term and annual debt service or payment amount. Please include issuance costs of 3% in listed amount):

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
TOTAL					

Uses and Sources for Operation and Maintenance Costs for the Project (Estimate cost of one-time startup, operating and maintaining the project over a six year period and identify each fund source available. Estimate the annual savings of implementing the LEED Silver standard. Identify key assumptions such as staffing required, assumed utility usage and rates and other potential drivers of the facility's cost):

O&M	2003	2004	2005	2006	2007	2008	Total
Uses							
Start Up							
On-going							
Sources (itemize)							

Key Assumptions:

Periodic Major Maintenance costs for the project (Estimate capital cost of performing periodic maintenance over life of facility. Please identify major work items, frequency):

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL			

Funding sources for replacement of project (Identify possible and/or recommended method of financing the project replacement costs):

CITY CLERK

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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

March 31, 2003

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

Dear Council President Steinbrueck:

The attached ordinance vacates a portion of Northeast Radford Drive and a portion of Northeast 64th Street, located between Magnuson Park and the Windemere residential area, on the petition of the University of Washington, and accepts a Public Access Easement. The City Council granted the petition in 2000 for the redevelopment of the University of Washington's Radford Court married student housing. The list of conditions on the vacation and their satisfaction are attached to this cover letter.

The Radford Court project replaced structures built as temporary housing for the Sand Point Naval Air Station in the early 1940's and constructed family oriented buildings designed specifically for married students with children. The project provides 400 units, varying from one to three bedrooms, with study areas and internet access. The project provides 518 parking spaces, a childcare facility, modern accessible play areas and community center. Pedestrian and bicycle paths connect to Magnuson Park and the Burke Gilman Trail.

The vacation provides for a street design that is specifically suited to the site, but not permitted on typical neighborhood streets. The project encourages bicycle travel by providing secure covered storage and easier connections through the site to connecting trails. The street design allowed for the preservation of fifty three percent of the existing mature trees on the site. While the vacation was granted for private development purposes, the University of Washington has provided for public access to the area and has executed a public access easement providing for public use of the driving portions of Radford Drive, the major pedestrian walkways and the play areas.

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
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CITY CLERK

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

STATE OF WASHINGTON – KING COUNTY

--ss.

158136
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 121130

was published on

5/7/2003

Subscribed and sworn to before me on

5/7/2003

Notary public for the State of Washington, residing in Seattle

MELISSA M. PASCUA
COMMISSION EXPIRES
NOTARY
PUBLIC
NOV 21, 2004
STATE OF WASHINGTON

Affidavit of Publication

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State of Washington, King County

City of Seattle

ORDINANCE 121159

AN ORDINANCE vacating Northeast Radford Drive and a portion of Northeast 64th Street on the petition of the University of Washington and accepting a Public Access Easement in relation herein. (Clerk File 303455).

WHEREAS, there has been filed with the City Council the petition of the University of Washington for the vacation of Northeast Radford Drive and a portion of Northeast 64th Street as herein fully described; and

WHEREAS, following a public hearing on said petition, which commenced on May 16, 2000, said petition was conditionally granted by the City Council; and

WHEREAS, the petitioner is granting a public access easement for the vacated rights-of-way; and

WHEREAS, pursuant to Seattle Municipal Code Chapter 15.62, the petitioner is exempt from the street vacation fee; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

that portion of Northeast Radford Drive in the Correction Plat of Sand Point House, an Addition to the City of Seattle, being a replat of Block 1 and Block 7 to 24, of the Evergreen Addition to the City of Seattle, as recorded in Volume 26 of Plats, page 4, Records of King County, Washington, AND that portion of Northeast 64th Street lying between the production south of the west margin of Correction Plat of Sand Point House Addition, and a line drawn 264 feet parallel with, and east of, said produced west margin

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 right-of-way abutting upon said property after said vacation.

Section 2. That the Public Access Easement, Recording Number 20030224001584, executed by the University of Washington, and Attachment hereto as Attachment A, is hereby accepted.

Section 3. This ordinance shall take effective 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 in Municipal Code Section 1.04.020.

Passed by the City Council the 21st day of April, 2003, and signed by me in open session in authentication of its passage this 21st day of April, 2003.

PETER STEINBRUECK,

President Steinbrueck of the City Council.

Approved by me this 2nd day of May, 2003.

GREGORY J. NICKELS,

Mayor.

Filed by me this 2nd day of May, 2003.

(Seal) SCOTT CLINE,

City Clerk.

Attachment A: Public Access Easement Agreement Recording Number 20030224001584

Publication ordered by Judith Pippin, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce May 7, 2003.

5/7(158139)

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