

Ordinance No. 121550

*me*

Council Bill No. 114961

AN ORDINANCE vacating a portion of South Forest Street between 16<sup>th</sup> Avenue South and Beacon Avenue South, on the petition of the Seattle Public Library and specifying that this area shall remain undeveloped and accessible to the public, (C.F. 304913).

CF No. \_\_\_\_\_

Date Introduced:		
Date 1st Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
Date Presented to Mayor:	Date Approved:	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed or Veto:	Veto Sustained:	

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

**Committee Action:**

LEGISLATION PASSED 3 YES, 0 NAY

COUNCIL, RASMUSSEN, KOTROW

8-2-04 Passed 7-0

(Excused: Della, Steinbrun)

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

**Law Department**

Law Dept. Review

OMP Review

City Clerk Review



ORDINANCE 121550

1  
2 AN ORDINANCE vacating a portion of South Forest Street between 16<sup>th</sup> Avenue South and  
3 Beacon Avenue South, on the petition of the Seattle Public Library and specifying that  
4 this area shall remain undeveloped and accessible to the public, (C.F. 304913).

5 WHEREAS, Seattle Public Library has filed a petition to vacate a portion of South Forest Street;  
6 and

7 WHEREAS, following a public hearing on the petition, held on August 6, 2002, the petition was  
8 conditionally granted; and

9 WHEREAS, in order to meet the City Council conditions, the sidewalk and public entry area  
10 adjacent to the Beacon Hill Library shall remain undeveloped and accessible to the  
11 public; and

12 WHEREAS, pursuant to Section 5.79.030, RCW, and Seattle Municipal Code Chapter 15.62,  
13 the petitioner has paid the City a vacation fee of \$50,000, which amount is one-half the  
14 appraised value of the property approved for vacation, according to an appraisal obtained  
15 by the Director of Transportation; NOW, THEREFORE,

16 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

17 Section 1. The north 19 feet of South Forest Street, from the east margin of 16<sup>th</sup> Avenue  
18 South to the west margin of Beacon Avenue South, lying adjacent to Lot 1 and Lot 8, Block 52 of  
19 T. Hanford's Addition to South Seattle, as recorded in Volume 1 of Plats, page 141, Records of  
20 King County, Washington is hereby vacated; also RESERVING to the City of Seattle the right to  
21 make all necessary slopes for cuts or fills upon the above-described property in the reasonable  
22 original grading of any rights-of-way abutting upon said property after said vacation.

23 Section 2. The area described in Section 1 of this ordinance, together with the public  
24 entrance of the Beacon Hill Library abutting said area on the north side of South Forest Street  
25  
26  
27  
28



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1 shall remain undeveloped and accessible to the public, subject to reasonable and normal  
2 management practices by the Seattle Public Library.

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

6  
7 Passed by the City Council the 2<sup>nd</sup> day of August, 2004, and signed by me in open  
8 session in authentication of its passage this 2<sup>nd</sup> day of August, 2004.

9  
10 Jan Deago  
11 President of the City Council

12 Approved by me this 11<sup>th</sup> day of August, 2004.

13 Gregory J. Nickels  
14 Gregory J. Nickels, Mayor

15 Filed by me this 12<sup>th</sup> day of August, 2004.

16 Jessie E. Pappas  
17 City Clerk

18  
19 (Seal)

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**Return Address:**

Seattle City Clerk's Office  
600 4th Avenue, 3rd Floor City Hall  
Seattle, WA 98104



**20040819001340**  
SEATTLE CITY C ORD 21.00  
PAGE 001 OF 003  
08/19/2004 10:07  
KING COUNTY, WA

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

<b>Document Title(s)</b> (or transaction contained therein): (all areas applicable to your document <u>must</u> be filled in. 1. ORDINANCE #121550
<b>Re -</b> _____ of document. AN ORDINANCE Vacating a portion of South Forest Street between 16th Avenue South and Beacon Avenue South, on the petition of the Seattle Public Library and specifying that this area shall remain undeveloped and accessible to the public, (C.F. 304913).
<b>Grantor(s)</b> (Last name first, then first name and initials) 1. City of Seattle <input type="checkbox"/> Additional names on page----- of document.
<b>Grantee(s)</b> (Last name first, then first name and initials) 1. N/A 2.
<b>Legal description</b> (abbreviated: i.e. lot, block, plat or section, township, range) <input type="checkbox"/> Additional reference #'s on page ----- of document N/A Lot 8, Block 52 of T. Hanford's Addition.
<b>Assessor's Property Tax Parcel/Account Number/ N/A</b> <input type="checkbox"/> Assessor Tax # not yet assigned. Parcel # _____ (Attached to 3086003265) (See attachment)

L:\forms\recorder.doc

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1 shall remain undeveloped and accessible to the public, subject to reasonable and normal  
2 management practices by the Seattle Public Library.

3 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after  
4 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
5 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.  
6

7 Passed by the City Council the 2<sup>nd</sup> day of August, 2004, and signed by me in open  
8 session in authentication of its passage this 2<sup>nd</sup> day of August, 2004.  
9

10 Jan Diego  
11 President of the City Council

12 Approved by me this 11<sup>th</sup> day of August, 2004.

13 Gregory J. Nickels  
14 Gregory J. Nickels, Mayor

15 Filed by me this 10<sup>th</sup> day of August, 2004.

16 Judith E. Pippin  
17 City Clerk

18  
19 (Seal) STATE OF WASHINGTON  
20 COUNTY OF KING  
21 CITY OF SEATTLE

} ss

22 I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY  
23 CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT  
24 COPY OF Ordinance 121550

25 AS THE SAME APPEARS ON FILE AND RECORDED IN THIS DEPARTMENT.

26 IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND AND AFFIXED  
27 THE SEAL TO THE CITY OF SEATTLE, this 19<sup>th</sup> day of August, 2004.

28 Judith E. Pippin  
CITY CLERK

BY: Margaret Carter  
CITY CLERK



IN THE MATTER OF THE PETITION OF THE SEATTLE PUBLIC LIBRARY  
FOR THE VACATION OF A PORTION OF SOUTH FOREST STREET  
CLERK FILE 304913

The City Council hereby grants approval of the petition of the Seattle Public Library (petitioner) for the vacation of:

**The north 19 feet of South Forest Street from the east margin of 16<sup>th</sup> Avenue South to the west margin of Beacon Avenue South lying adjacent to Lot 1 and Lot 8, Block 52 of T. Hanford's Addition to South Seattle, as recorded in Volume 1 of Plats, page 141, Records of King County, Washington.**

It is recommended that the vacation be granted upon the petitioner meeting the following conditions. The petitioner shall provide regular updates to SDOT on the status of the development project and implementation of the conditions. The petitioner shall demonstrate that all conditions imposed by the City Council have been satisfied to the satisfaction of the City, prior to the passage of the final street vacation ordinance.

1. The vacation is granted to allow the petitioner to build a project substantially in conformity with the project presented to the City Council and for no other purpose. The project must be substantially in conformity with the proposal reviewed by the Transportation Committee in August of 2002.
2. All street improvements shall be designed to City standards and be reviewed and approved by Seattle Department of Transportation; including ingress and egress, turning movements to access the building, service, loading and drop-off areas, signage, street trees, landscaping and other elements of the street improvement plan.
3. The utility issues shall be resolved to the full satisfaction of the affected utility prior to the approval of the final vacation ordinance. This may include easements, restrictive covenants, relocation agreements, or acquisition of the utilities, which shall be at the sole expense of the petitioner. Utilities impacted include:
  - City Light,
  - Puget Sound Energy,
  - Qwest Communications,
  - Seattle Public Utilities.
4. It is expected that development activity will commence within 18 months of this approval and the development activity will be completed within five years. If the vacation cannot be completed within five years, the Transportation Committee must approve an extension of time. In order to insure timely compliance with the conditions imposed by the City Council, the petitioner shall provide Seattle

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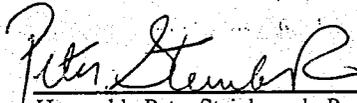


Honorable Richard Conlin  
08/29/02  
Page 2 of 2

Transportation with Quarterly Reports, commencing following Council approval of the vacation, providing an update on the development activity and schedule and the progress on meeting the conditions.

5. In addition to the conditions imposed through the vacation process, the project, as it proceeds through the permitting process, is subject to SEPA and to conditioning pursuant to various City codes and through regulatory review processes including SEPA.
6. The Petitioner shall provide a Property Use and Development Agreement (PUDA), an easement or other binding mechanism to insure that the sidewalk on South Forest Street within the area to be vacated and the entry plaza area remain undeveloped and accessible to the public.

Signed by me in open session this 3rd day of September, 2002.



Honorable Peter Steinbrueck, President of the City Council

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KNOWN UTILITIES WITHIN  
PROPOSED VACATION  
NONE FOUND

S. McCLELLAN ST.

HANFORD'S ADD

BLOCK 49

BLOCK 52

NC2  
40'

RILEY'S ADD

BLOCK 48

17TH AVENUE S.

S. FOREST ST.

BLOCK 48

BLOCK 53

NC2  
40'

16TH AVENUE S.

BEACON AVENUE S.

S. STEVENS ST.



Scale: 1" = 100'

2657

PROPOSED VACATION

VACATION AREA =

SCALE 1"=100' KROLL 52W

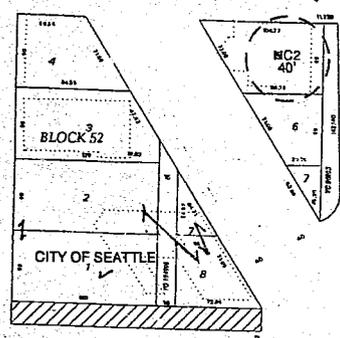
### VACATION

CITY CLERK FILE NO. 3045  
VACATION PETITION NO. 3815  
VALID SIGNATURES INDICATED BY \_\_\_\_\_  
DISPOSITION: \_\_\_\_\_  
APPRVD \_\_\_\_\_ DENIED \_\_\_\_\_ TERM \_\_\_\_\_  
INCOMPLETE SIGNATURES INDICATED BY \_\_\_\_\_  
VACATION ORDINANCE NO. \_\_\_\_\_  
MADE BY CM CHECKED BY M.S.

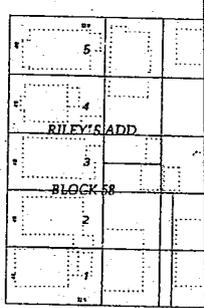


NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

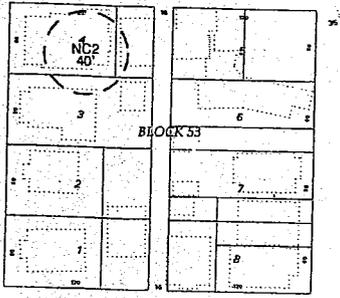
S. McCLELLAN ST.



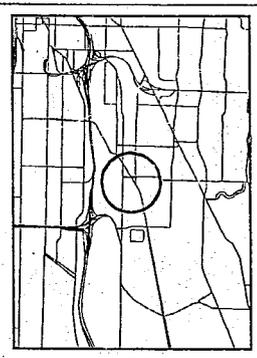
17TH AVENUE S.



16TH AVENUE S.



Scale: 1" = 100'



VICINITY MAP

2657



PROPOSED VACATION AREA

VACATION AREA = 3,966 SQ. FT

SCALE 1"=100' KROLL 52W 1/4 SECTION SW 9-24-4

VACATION SKETCH

CITY CLERK FILE NO. 304913  
 VACATION PETITION NO. 3815  
 VALID SIGNATURES INDICATED BY   
 DISPOSITION:  
 APPRVD  DENIED  TERMINATED   
 INCOMPLETE SIGNATURES INDICATED BY   
 VACATION ORDINANCE NO. DATE  
 MADE BY CM CHECKED BY MLS DATE 12-7-01

Moira Gray  
February 24, 2004  
SDOTSForestStVacOrd  
Version #: 1

Form revised February 12, 2004

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Transportation	Moira Gray 684-8272	Jennifer Devore 615-1328

**Legislation Title:**

AN ORDINANCE vacating a portion of South Forest Street between 16<sup>th</sup> Avenue South and Beacon Avenue South, on the petition of the Seattle Public Library and specifying that this area shall remain undeveloped and accessible to the public, (C.F. 304913).

• **Summary of the Legislation:**

This Council Bill vacates a portion of South Forest Street between 16<sup>th</sup> Avenue South and Beacon Avenue South, and provides that the vacated area remain undeveloped and accessible to the public.

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

This Council Bill completes the South Forest Street vacation process. The City Council granted conditional approval of the vacation in 2002. The petitioner has constructed the project including 10,800 square feet of library and neighborhood service center. The Council conditions have been met.

• *Please check one of the following:*

**This legislation does not have any financial implications.** (Stop here and delete the remainder of this document prior to saving and printing.)

**This legislation has financial implications.**

Although this legislation does not accept or appropriate funds, SDOT received a vacation fee of \$50,000 in July 2003, which was deposited in the Street Vacation Fund at that time.

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# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

June 29, 2004

Honorable Jan Drago  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

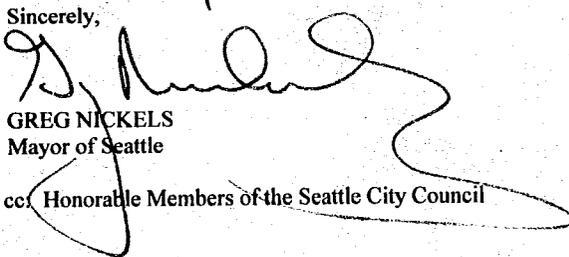
Dear Council President Drago:

I am pleased to transmit the attached Council Bill that vacates a portion of South Forest Street between 16<sup>th</sup> Avenue South and Beacon Avenue South on the petition of the Seattle Public Library for the construction of the new Beacon Hill Library and neighborhood service center (C.F. 304913). The legislation vacates nineteen feet along the northern edge of South Forest Street and provides that this space will remain undeveloped and accessible to the public.

The new Beacon Hill Library was completed this spring and provides expanded library services, a language center, a community meeting room, and a co-located neighborhood service center. The Seattle City Council conditionally approved the vacation petition in September of 2002. The Seattle Public Library has satisfied all of the Council conditions and has paid the street vacation fee of \$50,000. Attached to this letter is a list of the Council Conditions for your review.

The new Beacon Hill Library will be an on-going asset to the community and to the City of Seattle. 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

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600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E-mail: [mayors.office@seattle.gov](mailto:mayors.office@seattle.gov)

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STATE OF WASHINGTON - KING COUNTY

--SS.

175911  
CITY OF SEATTLE, CLERKS 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 12<sup>th</sup> 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:121550 ORD IN FULL

was published on

8/18/2004



*Michael D. [Signature]*

Subscribed and sworn to before me on

8/18/2004

*Jennifer A. Watzel [Signature]*

Notary public for the State of Washington,  
residing in Seattle

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# State of Washington, King County

## City of Seattle

### ORDINANCE 121880

AN ORDINANCE vacating a portion of South Forest Street between 16th Avenue South and Beacon Avenue South, on the petition of the Seattle Public Library and specifying that this area shall remain undeveloped and accessible to the public, (C.F. 304913).

WHEREAS, Seattle Public Library has filed a petition to vacate a portion of South Forest Street; and

WHEREAS, following a public hearing on the petition, held on August 6, 2002, the petition was conditionally granted; and

WHEREAS, in order to meet the City Council conditions, the sidewalk and public entry area adjacent to the Beacon Hill Library shall remain undeveloped and accessible to the public; and

WHEREAS, pursuant to Section 35.79.030, RCW, and Seattle Municipal Code Chapter 15.63, the petitioner has paid the City a vacation fee of \$50,000, which amount is one-half the appraised value of the property approved for vacation, according to an appraisal obtained by the Director of Transportation; NOW, THEREFORE,

### BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The north 19 feet of South Forest Street, from the east margin of 16th Avenue South to the west margin of Beacon Avenue South, lying adjacent to Lot 1 and Lot 3, Block 52 of T. Hanford's Addition to South Seattle, as recorded in Volume 1 of Plate, page 141, Records of King County, Washington is 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. The area described in Section 1 of this ordinance, together with the public entrance of the Beacon Hill Library abutting said area on the north side of South Forest Street shall remain undeveloped and accessible to the public, subject to reasonable and normal management practices by the Seattle Public Library.

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 2nd day of August, 2004, and signed by me in open session in authentication of its passage this 2nd day of August, 2004.

Jan Drago

President of the City Council

Approved by me this 11th day of August, 2004.

Gregory J. Nickels, Mayor

Filed by me this 12th day of August, 2004.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, August 18, 2004.

9/18(175911)