

Ordinance No. 123077

Council Bill No. 116618

AN ORDINANCE relating to the City Light Department, authorizing the Superintendent of City Light or his designee to grant a permit agreement to the City of Shoreline for construction and completion of a section of the Aurora Corridor Improvement Project (North 165<sup>th</sup> Street to North 185<sup>th</sup> Street), located in Sections 6 and 7, Township 26 North, Range 4 East, W.M., King County, Washington, and ratifying and confirming certain prior acts.

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Bruce A. Hewell  
Councilmember

## Committee Action:

08/19/2009 PASS BH, JG, RC

9-8-09 Passed 8-0 (Excluded: Rasmussen)

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

Date Introduced:	<u>8.17.09</u>	
Date 1st Referred:	To: (committee) <u>Energy + <del>Finance + Budget</del> Technology</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>8-0</u>	
Date Presented to Mayor:	Date Approved: <u>9-11-09</u>	
Date Returned to City Clerk:	Date Published: <u>3p</u>	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

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

ORDINANCE 123077

AN ORDINANCE relating to the City Light Department, authorizing the Superintendent of City Light or his designee to grant a permit agreement to the City of Shoreline for construction and completion of a section of the Aurora Corridor Improvement Project (North 165<sup>th</sup> Street to North 185<sup>th</sup> Street), located in Sections 6 and 7, Township 26 North, Range 4 East, W.M., King County, Washington, and ratifying and confirming certain prior acts.

WHEREAS, as authorized by the municipal election of November 7, 1950, City Light acquired a 100 foot wide right-of-way over portions of the southeast quarter of Section 6 and the northeast quarter of Section 7, Township 26 North, Range 4 East, W.M., in what is now the City of Shoreline, Washington (City Light's Right-of-Way);

WHEREAS, the City of Shoreline requests a permit agreement from City Light for use of portions of City Light's Right-of-Way to construct its Aurora Corridor Improvement Project (North 165<sup>th</sup> Street to North 185<sup>th</sup> Street); and

WHEREAS, the City Light Department has determined that said improvements will not present a hazard to or an interference with the construction, operation, maintenance, repair or patrol of City Light's Right-of-Way; and

WHEREAS, the City Light Department and the City of Shoreline have agreed on a price of Eight Hundred Ten Thousand Nine Hundred Eighty Dollars (\$810,980.00) for the requested permit, which is based on an appraisal of the fair market value for said permit;

NOW, THEREFORE,

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

Section 1. For and in consideration of Eight Hundred Ten Thousand Nine Hundred Eighty Dollars (\$810,980), to be deposited in the City Light Fund, the Superintendent of City Light or his designee is authorized to execute, for and on behalf of the City of Seattle, a permit agreement, substantially in the form attached hereto as Exhibit 1, granting a permit to the City of Shoreline for street improvements, amenity and utility improvements, and temporary



1 construction activities, over, upon, under and across the following described property in King  
2 County, Washington:

3 Portions of the southeast quarter of Section 6 and the northeast quarter of  
4 Section 7, Township 26 North, Range 4 East, W.M., City of Shoreline, King  
5 County, Washington; as legally described in the attachment to Exhibit 1 attached  
6 hereto.

7 Section 2. Any act consistent with the authority of this ordinance taken after the passage  
8 of this ordinance and prior to its effective date is hereby ratified and confirmed.

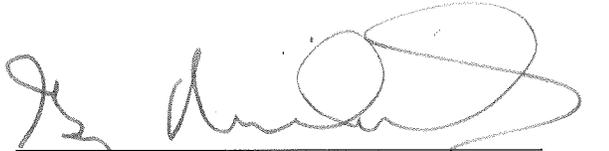
9 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after  
10 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days  
11 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.  
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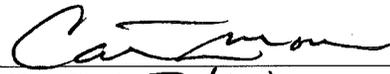
1 Passed by the City Council the 8<sup>th</sup> day of September, 2009, and  
2 signed by me in open session in authentication of its passage this  
3 8<sup>th</sup> day of September, 2009.

4   
5 \_\_\_\_\_  
6 President \_\_\_\_\_ of the City Council

7 Approved by me this 11<sup>th</sup> day of September, 2009.

8   
9 \_\_\_\_\_

10 Gregory J. Nickels, Mayor  
11 Filed by me this 9<sup>th</sup> day of September, 2009.

12   
13 \_\_\_\_\_  
14 City Clerk Interim

15 (Seal)

16  
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21  
22 Attachment: Exhibit 1 (Shoreline Permit Agreement)



## EXHIBIT 1

Seattle City Light  
Real Estate Services  
700 Fifth Ave., Suite 3300, SMT 3012  
P.O. Box 34023  
Seattle, WA 98124-4023

### PERMIT AGREEMENT P.M. #260407-1-301

King County Assessor's Parcel Nos. 062604-9028, -9060, 9061  
072604-9050, -9154, -9155, -9156

THIS PERMIT AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by and between the CITY OF SEATTLE, a municipal corporation of the State of Washington, by and through its City Light Department, hereinafter called "Seattle", and the CITY OF SHORELINE, hereinafter called "Shoreline," grants Shoreline the use of a portion of Seattle's transmission line right-of-way described as follows:

Portions of the southeast quarter of Section 6 and the northeast quarter of Section 7, Township 26 North, Range 4 east, W.M., City of Shoreline, King County, Washington, as legally described in Exhibit A attached hereto, hereinafter called the "Property."

The use of the Property permitted by this Permit Agreement is for street, amenity and utility improvements, including a street, street lights, fire hydrants, street signs, vegetation, bus stops and sidewalks, future maintenance of these street, amenity, and utility improvements, and temporary construction activities for Shoreline's "Aurora Corridor Improvement Project," which shall include the N. 165<sup>th</sup> Street – N. 185<sup>th</sup> Street portion and the N. 185<sup>th</sup> Street – N. 192<sup>nd</sup> Street portion, hereinafter the "Project" as shown on Exhibits A and B, attached hereto and made a part hereof.

The permitted uses shall be limited to specific area of the Property as follows:

- 1) The street improvement zone shall occupy 11,715 square feet (SF) of the Property, as described and shown in Exhibit A and B to this Permit Agreement.
- 2) The amenity/utility improvement zone shall occupy 6,697SF of the Property, as described and shown in Exhibit A and B to this Permit Agreement.
- 3) The temporary construction activities zone shall occur in a 29,488SF area of the Property, as described and shown in Exhibits A and B to this Permit Agreement. The duration of the temporary construction activities shall be for an aggregate total of 120 days for each portion of the Project, which may be intermittent, and shall not extend beyond 24 months after commencement of each portion of the Project, unless extended by the parties. Shoreline shall provide Seattle with notice of commencement of each portion of the Project and shall provide notice to Seattle prior to accessing the temporary construction activities zone.

Said permitted use of the Property is subject to the following terms and conditions:

### TERMS AND CONDITIONS

1. Shoreline agrees to pay the following fees for the rights and privileges conferred by this Permit Agreement:

- a. The permit fee to be paid to Seattle for the use of the Property shall be Eight Hundred Ten Thousand Nine Hundred and Eighty Dollars and Zero Cents (\$810,980.00),

Shoreline Permit Agreement  
Exhibit 1



payable in advance, except for One Hundred Eighty Three Thousand Eight Hundred Dollars and Zero Cents (\$183,800.00) which shall be paid upon demolition of the 1,674 SF building known as the James Alan Salon, located on King County Tax Parcels #s 0626049028 & 0626049061. Shoreline shall have the right to enter the Property and demolish the building after sixty (60) days written notice to Seattle, however demolition shall not occur prior to December 31, 2009. Shoreline shall be responsible for all demolition costs associated with the building.

- b. The administrative fee for granting this permit shall be waived.
  - c. To assure proper positing of payment Shoreline shall note on its check "Seattle City Light Permit P.M.# 260407-1-301," and include the payment stub from the invoice.
2. As long as Shoreline complies with the terms and conditions of this Permit Agreement, Seattle will not act to alter or extinguish the rights described herein or to cause the permanent street improvements to be removed or altered.
  3. Shoreline agrees that it will not oppose any effort or action by Seattle to quiet title or assert adverse possession rights to the Property or any real property within Seattle City Light's Aurora Transmission Corridor within the city limits of Shoreline, should that be necessary or desired, in Seattle's sole discretion.
  4. Shoreline agrees that it will not initiate condemnation proceedings for the Property or any portion thereof.
  5. Shoreline shall provide Seattle with copies of construction plans and as-built drawings once they are finalized. No building or structure shall be constructed or placed on the Property by Shoreline without prior coordination and written approval by Seattle
  6. No ponds, ditches, or open water retention facilities of any kind shall be constructed by Shoreline on the Property.
  7. Shoreline shall, upon completion of the construction of any improvements described herein, remove all debris and restore the surface of the Property to as good condition or better than that which existed prior to the commencement of said construction.
  8. Shoreline agrees not to place any fill against any transmission line poles or do any excavation within ten (10) feet of any pole footing without prior coordination and written approval by Seattle.
  9. Shoreline shall not at any time unnecessarily interfere with the Seattle's access to and over the Property.
  10. Seattle reserves the right to locate a transmission line support structure and any other necessary appurtenances on the Property except for that portion of the Property where impervious street surface may exist.
  11. Shoreline agrees to assume all risk of loss, damage or injury which may result from Shoreline's use of the Property, except for any loss, damage or injury caused by Seattle's sole negligence. It is understood that any damage to Seattle's property caused by or resulting from Shoreline's use of the Property may be repaired by Seattle and the actual cost of such repair shall be charged against and be paid by Shoreline. Shoreline will be given the opportunity to fix damage caused by Shoreline prior to Seattle performing the work, except for emergency circumstances and electrical work.
  12. This agreement is only for Seattle's permission for Shoreline's use of portions of the Property, and shall not be construed to replace or to be used in lieu of any permits, licenses, approval or consent which may be required, granted or supervised by any other agency or



subdivision of government with authority to license, regulate or supervise Shoreline's operations or land use.

13. Shoreline agrees to submit plans furnishing details of any future landscaping, construction, paving, grading, cuts or fills within the Property for review by the Superintendent of City Light, or his or her representatives. Shoreline may make changes to street signage and perform maintenance to infrastructure installed as part of the Project without additional Seattle review, provided that such changes or maintenance do not interfere with Seattle's facilities or use of the Property.

14. Vegetation on the Property will be limited to and maintained at a height below twelve (12) feet. If vegetation is not so maintained, Seattle has the right, once it has given Shoreline thirty (30) days written notice to perform maintenance, to trim or remove the vegetation and charge Shoreline for the cost of such work, and Seattle shall not be liable for any damage to any vegetation as a result of such trimming or removal.

15. The type of construction, materials and equipment used, manner of erection, construction, and maintenance of utility facilities shall comply with all applicable Federal, State and local laws and regulations. All construction work on the Property shall comply with all applicable Federal, State and local electrical safety regulations.

16. The placement of underground utility lines within the Property must be indicated above ground in a manner approved by the Superintendent of Seattle City Light.

17. Shoreline agrees not to allow vehicles within five (5) feet of any pole.

18. Shoreline agrees to indemnify and hold harmless Seattle from all claims, actions or damages of every kind and description, including all claims, actions or damages brought by Shoreline's employees, agents, representatives, contractors or tenants, which may accrue from or be suffered by reason of Shoreline's use of the Property or the performance of any work in connection with such use, except for those claims, actions or damages resulting from the negligence of Seattle. In case of any suit or action brought against Seattle arising out of or by reason of any of the above causes, Shoreline shall, upon notice to the Seattle of the commencement of such action, defend the same at no cost or expense to Seattle. Shoreline will fully satisfy any judgment in such action rendered adversely to Seattle, except to the extent of the negligence or willful misconduct of Seattle, Seattle City Light, or its agents or representatives. By this indemnity provision, Shoreline expressly waives any immunity it may have from claims by its employees under any industrial insurance or workers' compensation law arising out of workplace injuries in connection with Shoreline's use of the right of way. Said express waiver was mutually negotiated between Seattle and Shoreline.

19. Shoreline understands that scientific studies concerning potential health effects of power frequency electric and magnetic fields (EMF) have been and are being conducted. Shoreline assumes responsibility for all potential risks, actions or damages related to exposure to EMF and/or radio frequency radiation, connected with the construction, operation and maintenance of Shoreline's improvements. The indemnity and hold harmless provisions of this agreement apply to all claims, actions or damages related to EMF, and/or radio frequency radiation, in the same manner and to the same extent as they apply to all claims, actions or damages of every other kind and description.

20. If Shoreline's use of the Property should at any time become a hazard, as determined by the Superintendent of Seattle City Light, to the presently installed electrical facilities of Seattle or any facilities added or constructed in the future, either overhead or underground, or should such use as determined by the Superintendent interfere with the inspection, maintenance or repair of the same or with access along the right of way, Shoreline, upon thirty (30) days' written notice, will be required to remove or relocate such hazard or interference at no expense to Seattle. If Shoreline shall fail to remove or relocate such hazard or interference, Seattle may, at its election, remove such hazard or interference without liability to Shoreline for loss, injury or damage



Shoreline may thereby sustain, and the cost of such removal shall be paid by Shoreline to Seattle upon demand.

21. Should Seattle, in order to enforce any term or condition of this Permit Agreement, elect to bring an action in a court having jurisdiction to enforce this agreement, then Shoreline agrees that execution of this agreement shall serve to estop Shoreline from raising or asserting hardship, inequity or unreasonableness as a defense to enforcement of any term or condition of this agreement or the grant of injunctive relief to Seattle.

22. Shoreline covenants and agrees that neither it, nor its contractors or agents, will store, dump, bury or transfer any hazardous substances, flammable materials, inoperable vehicles, chemicals, oils, fuels, or containers for said substances, chemicals, oils, fuels, etc., on the right of way, and agrees to observe all Federal, State and local environmental laws and regulations.

23. It is understood that any consent and grant given hereunder is subject to existing rights of other parties and the real property or other rights of Seattle for its electric transmission system. In consenting to the use of the Property for this purpose, Seattle does not waive or subordinate any of the rights and privileges granted to Seattle under its deeds or easements for transmission line purposes within the Property except Seattle agrees it will not install transmission/distribution poles on that portion of the Property upon which paved streets have been constructed by Shoreline.

24. The Superintendent of Seattle City Light, or his representatives, shall have the right at all times to inspect said premises for the purpose of observing the conditions thereof, and the manner of compliance by Shoreline with the terms and conditions of this agreement.

25. Shoreline and Seattle agree that this Permit Agreement shall be for an indefinite term, subject to the termination rights of the parties herein, and shall also be subject to ratification by the Seattle City Council in the form of an ordinance of the City of Seattle authorizing and approving this Permit Agreement. In the event that an ordinance of the City of Seattle authorizing and approving this Permit Agreement has not been passed and become effective by December 31, 2009, this Permit Agreement shall terminate, and neither party shall have any liability or further obligation to the other party.

GRANTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

SEATTLE CITY LIGHT

\_\_\_\_\_  
David L. Barber  
Real Estate Manager

ACCEPTED  
CITY OF SHORELINE

By: \_\_\_\_\_  
Printed \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_



EXHIBIT A  
Permit Agreement P.M. #260407-1-301  
Legal Descriptions

City of Shoreline – Aurora Corridor Improvement Project  
Property Rights Granted to the City of Shoreline  
In City of Seattle Transmission Line Right-of-Way  
City of Shoreline Parcel Nos. 269, 359, 360, 361  
Permitted Right-of-Way for Street Improvements

A PERMITTED RIGHT-OF-WAY FOR STREET IMPROVEMENTS IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 7, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., CITY OF SHORELINE, KING COUNTY, WASHINGTON, BEING THAT PORTION OF THE SEATTLE AND EVERETT INTERURBAN LINE RIGHT-OF-WAY ALSO KNOWN AS TRACT "X", MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT 30.00 FEET NORTHERLY MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 12+55 +/- OF THE "C" LINE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY, ALSO BEING A POINT ON THE WEST BOUNDARY OF TRACT "X"; THENCE NORTHERLY ALONG SAID WEST BOUNDARY, BEING A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 3017.77 FEET, TO A POINT 60.00 FEET THEREFROM ENGINEER'S STATION 12+49 +/- OF SAID "C" LINE; THENCE EASTERLY TO A POINT 60.00 FEET THEREFROM ENGINEER'S STATION 13+22.21 OF SAID "C" LINE; THENCE SOUTHERLY TO A POINT 30.00 FEET THEREFROM ENGINEER'S STATION 13+28.66 OF SAID "C" LINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

TOGETHER WITH ALL THAT PORTION OF LAND LYING WESTERLY, SOUTHERLY, WESTERLY, SOUTHERLY, WESTERLY, NORTHERLY, NORTHWESTERLY AND NORTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT 51.50 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 257+77 +/- OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY ALONG A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 5641.13 FEET TO A POINT 51.50 FEET THEREFROM ENGINEER'S STATION 258+69.18 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO A POINT 51.00 FEET THEREFROM ENGINEER'S STATION 258+69.18 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT 51.00 FEET THEREFROM ENGINEER'S STATION 261+15.00 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO A POINT 50.50 FEET THEREFROM ENGINEER'S STATION 261+15.00 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT 50.50 FEET THEREFROM ENGINEER'S STATION 268+72.20 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 57.50 FEET THEREFROM ENGINEER'S STATION 268+72.20 OF SAID AURORA; THENCE NORTHEASTERLY TO A POINT 91.12 FEET THEREFROM ENGINEER'S STATION 269+09.83 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT ON THE EAST BOUNDARY OF TRACT "X", ALSO BEING 140 FEET +/- THEREFROM ENGINEER'S STATION 269+11.22 OF SAID AURORA CENTERLINE, AND THE TERMINUS OF THIS LINE;

TOGETHER WITH ALL THOSE PORTIONS OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINES:



COMMENCING AT A POINT 59.24 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 256+83.73 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 59.24 FEET THEREFROM ENGINEER'S STATION 256+89.79 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 65.24 FEET THEREFROM ENGINEER'S STATION 256+89.79 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 65.24 FEET THEREFROM ENGINEER'S STATION 256+83.73 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 55.32 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 257+55.34 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 55.32 FEET THEREFROM ENGINEER'S STATION 257+61.40 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 61.32 FEET THEREFROM ENGINEER'S STATION 257+61.40 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 61.32 FEET THEREFROM ENGINEER'S STATION 257+55.34 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 51.92 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 258+68.63 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 51.92 FEET THEREFROM ENGINEER'S STATION 258+74.64 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 57.92 FEET THEREFROM ENGINEER'S STATION 258+74.64 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 57.92 FEET THEREFROM ENGINEER'S STATION 258+68.63 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 51.47 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 259+55.21 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 51.47 FEET THEREFROM ENGINEER'S STATION 259+61.21 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 57.47 FEET THEREFROM ENGINEER'S STATION 259+61.21 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 57.47 FEET THEREFROM ENGINEER'S STATION 259+55.21 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 60.26 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 260+25.29 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 60.26 FEET THEREFROM ENGINEER'S STATION 260+31.29 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 66.26 FEET THEREFROM ENGINEER'S STATION 260+31.29 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 66.26 FEET THEREFROM ENGINEER'S STATION 260+25.29 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 57.12 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 260+95.04 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE



NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 57.12 FEET THEREFROM ENGINEER'S STATION 261+01.04 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 63.12 FEET THEREFROM ENGINEER'S STATION 261+01.04 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 63.12 FEET THEREFROM ENGINEER'S STATION 260+95.04 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 50.50 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 262+53.36 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 50.50 FEET THEREFROM ENGINEER'S STATION 262+59.36 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 56.44 FEET THEREFROM ENGINEER'S STATION 262+59.36 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 56.44 FEET THEREFROM ENGINEER'S STATION 262+53.36 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 50.50 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 263+99.62 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 50.50 FEET THEREFROM ENGINEER'S STATION 264+05.62 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 55.14 FEET THEREFROM ENGINEER'S STATION 264+05.62 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 55.14 FEET THEREFROM ENGINEER'S STATION 263+99.62 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 53.02 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 264+16.90 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 53.02 FEET THEREFROM ENGINEER'S STATION 264+22.90 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 59.02 FEET THEREFROM ENGINEER'S STATION 264+22.90 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 59.02 FEET THEREFROM ENGINEER'S STATION 264+16.90 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 56.99 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 264+88.00 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 56.99 FEET THEREFROM ENGINEER'S STATION 264+94.00 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 62.99 FEET THEREFROM ENGINEER'S STATION 264+94.00 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 62.99 FEET THEREFROM ENGINEER'S STATION 264+88.00 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 51.96 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 265+53.83 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 51.96 FEET THEREFROM ENGINEER'S STATION 265+59.83 OF SAID AURORA



CENTERLINE; THENCE EASTERLY TO A POINT 57.96 FEET THEREFROM ENGINEER'S STATION 265+59.83 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 57.96 FEET THEREFROM ENGINEER'S STATION 265+53.83 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 50.63 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 267+17.56 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 50.63 FEET THEREFROM ENGINEER'S STATION 267+23.56 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 56.63 FEET THEREFROM ENGINEER'S STATION 267+23.56 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 56.63 FEET THEREFROM ENGINEER'S STATION 267+17.56 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

COMMENCING AT A POINT 51.30 FEET EASTERLY AS MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 268+52.71 OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT 51.30 FEET THEREFROM ENGINEER'S STATION 268+58.71 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 57.30 FEET THEREFROM ENGINEER'S STATION 268+58.71 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 57.30 FEET THEREFROM ENGINEER'S STATION 268+52.71 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

CONTAINING 10,159 SQUARE FEET MORE OR LESS.

City of Shoreline – Aurora Corridor Improvement Project  
Property Rights Granted to the City of Shoreline  
In City of Seattle Transmission Line Right-of-Way  
City of Shoreline Parcel Nos. 451, 452, and 453  
Permitted Right-of-Way for Street Improvements

A PERMITTED RIGHT-OF-WAY FOR STREET IMPROVEMENTS IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 6, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., CITY OF SHORELINE, KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE CITY OF SEATTLE AND EVERETT INTERURBAN LINE RIGHT-OF WAY LYING SOUTHERLY, SOUTHWESTERLY AND SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT WHICH IS 40.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, OF ENGINEER'S STATION 11+36 +/- ON LINE "D" AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE WESTERLY TO A POINT LYING 40.00 FEET THEREFROM ENGINEER'S STATION 10+81.00 OF SAID "D" LINE; THENCE NORTHWESTERLY TO A POINT LYING 57.00 FEET EASTERLY, MEASURED AT RIGHT ANGLES, FROM ENGINEER'S STATION 270+21.00 OF THE CENTERLINE OF AURORA AVENUE NORTH AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE WESTERLY TO A POINT ON THE WESTERN BOUNDARY OF TRACT "X", ALSO BEING 45.00 FEET THEREFROM ENGINEER'S STATION 270+21.00 OF SAID AURORA CENTERLINE, SAID POINT BEING THE TERMINUS OF THIS LINE;



CONTAINING 1,556 SQUARE FEET MORE OR LESS.

City of Shoreline – Aurora Corridor Improvement Project  
Property Rights Granted to the City of Shoreline  
In City of Seattle Transmission Line Right-of-Way  
City of Shoreline Parcel Nos. 451, 452, and 453  
Permitted Use for Amenity/Utility/Sidewalk Improvements

A PERMITTED USE FOR AMENITY/UTILITY/SIDEWALK IMPROVEMENTS IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 6, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., CITY OF SHORELINE, KING COUNTY, WASHINGTON; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE CITY OF SEATTLE AND EVERETT INTERURBAN LINE RIGHT-OF WAY LYING NORTHERLY, WESTERLY, NORTHERLY, WESTERLY, NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:  
COMMENCING AT A POINT ON THE WESTERN BOUNDARY OF TRACT "X" WHICH IS 45.00 FEET EASTERLY, MEASURED AT RIGHT ANGLES, THEREFROM ENGINEER'S STATION 270+21.00 OF THE CENTERLINE OF AURORA AVENUE NORTH AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE EASTERLY TO A POINT 57.00 FEET THEREFROM ENGINEER'S STATION 270+21.00 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT 51.00 FEET THEREFROM ENGINEER'S STATION 273+25.00 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT 51.00 FEET THEREFROM ENGINEER'S STATION 274+52.00 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 55.69 FEET THEREFROM ENGINEER'S STATION 274+52.00 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT 55.69 FEET THEREFROM ENGINEER'S STATION 276+83.00 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 60.69 FEET THEREFROM ENGINEER'S STATION 276+83.00 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT ON THE NORTHERN BOUNDARY OF SAID TRACT "X", ALSO BEING 60.68 FEET THEREFROM ENGINEER'S STATION 277+60 +/-; SAID POINT BEING THE TERMINUS OF THIS LINE;

CONTAINING 6,697 SQUARE FEET MORE OR LESS.

City of Shoreline – Aurora Corridor Improvement Project  
Property Rights Granted to the City of Shoreline  
In City of Seattle Transmission Line Right-of-Way  
City of Shoreline Parcel Nos. 269, 359, 360, 361  
Permitted Use for Temporary Construction

A PERMITTED TEMPORARY CONSTRUCTION AREA IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 7, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., CITY OF SHORELINE, KING COUNTY, WASHINGTON, BEING THAT PORTION OF THE SEATTLE AND EVERETT INTERURBAN LINE RIGHT-OF-WAY ALSO KNOWN AS TRACT "X"; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE:  
COMMENCING AT A POINT 50.00 FEET SOUTHERLY MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 12+69 +/- OF THE "C" LINE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY, ALSO BEING A POINT ON THE WEST BOUNDARY OF TRACT "X" AND THE TRUE POINT OF BEGINNING; THENCE EASTERLY TO A POINT LYING 50.00 FEET THEREFROM ENGINEER'S STATION 13+30.50 OF SAID "C" LINE;

Shoreline Permit Agreement  
Exhibit 1



THENCE SOUTHERLY TO A POINT LYING 54.00 FEET THEREFROM ENGINEER'S STATION 13+30.50 OF SAID "C" LINE; THENCE EASTERLY TO A POINT LYING 57.00 FEET THEREFROM ENGINEER'S STATION 13+40.50 OF SAID "C" LINE; THENCE SOUTHEASTERLY TO A POINT LYING 68.00 FEET THEREFROM ENGINEER'S STATION 13+45.50 OF SAID "C" LINE; THENCE SOUTHERLY TO A POINT LYING 85.00 FEET THEREFROM ENGINEER'S STATION 13+45.50 OF SAID "C" LINE; THENCE EASTERLY TO A POINT LYING 85.00 FEET THEREFROM ENGINEER'S STATION 13+75 +/- OF SAID "C" LINE, ALSO BEING A POINT ON THE EAST BOUNDARY OF TRACT "X"; THENCE SOUTHERLY ALONG SAID EAST BOUNDARY TO A POINT LYING 90.00 FEET THEREFROM ENGINEER'S STATION 13+76 +/- OF SAID "C" LINE; THENCE WESTERLY TO A POINT LYING 90.00 FEET THEREFROM ENGINEER'S STATION 13+37.00 OF SAID "C" LINE; THENCE NORTHERLY TO A POINT LYING 65.00 FEET THEREFROM ENGINEER'S STATION 13+37.00 OF SAID "C" LINE; THENCE WESTERLY TO A POINT LYING 65.00 FEET THEREFROM ENGINEER'S STATION 12+71 +/- OF SAID "C" LINE, ALSO BEING A POINT ON THE WEST BOUNDARY OF TRACT "X"; THENCE NORTHERLY ALONG SAID WEST BOUNDARY TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT 60.00 FEET NORTHERLY MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 12+49 +/- OF THE "C" LINE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY, ALSO BEING A POINT ON THE WEST BOUNDARY OF TRACT "X" AND THE TRUE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST BOUNDARY TO A POINT 65.00 FEET THEREFROM ENGINEER'S STATION 12+48 +/- OF SAID "C" LINE; THENCE EASTERLY TO A POINT 65.00 FEET THEREFROM ENGINEER'S STATION 13+09.52 OF SAID "C" LINE; THENCE NORTHERLY TO A POINT 87.44 FEET THEREFROM ENGINEER'S STATION 13+05.14 OF SAID "C" LINE; THENCE EASTERLY TO A POINT 89.55 FEET THEREFROM ENGINEER'S STATION 13+15.87 OF SAID "C" LINE; THENCE SOUTHERLY TO A POINT 60.00 FEET THEREFROM ENGINEER'S STATION 13+22.21 OF SAID "C" LINE; THENCE WESTERLY TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT 68.50 FEET EASTERLY MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 255+43 +/- OF THE CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY, ALSO BEING A POINT ON THE WEST BOUNDARY OF TRACT "X" AND THE TRUE POINT OF BEGINNING; THENCE NORTHERLY ALONG SAID WEST BOUNDARY TO A POINT 51.50 FEET THEREFROM ENGINEER'S STATION 257+77 +/- OF SAID AURORA CENTERLINE; THENCE NORTHERLY ALONG A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 5641.13 FEET TO A POINT 51.50 FEET THEREFROM ENGINEER'S STATION 258+69.18 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO A POINT 51.00 FEET THEREFROM ENGINEER'S STATION 258+69.18 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT 51.00 FEET THEREFROM ENGINEER'S STATION 261+15.00 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO A POINT 50.50 FEET THEREFROM ENGINEER'S STATION 261+15.00 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT 50.50 FEET THEREFROM ENGINEER'S STATION 264+15.00 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 65.50 FEET THEREFROM ENGINEER'S STATION 264+15.00 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 65.50 FEET THEREFROM ENGINEER'S STATION 261+09.50 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT 71.00 FEET THEREFROM ENGINEER'S STATION 261+09.50 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT 71.00 FEET THEREFROM ENGINEER'S STATION 258+69.18 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY ALONG A CURVE CONCAVE TO THE EAST WITH A RADIUS OF 5621.63 FEET TO A POINT 71.00 FEET THEREFROM



ENGINEER'S STATION 257+92.50 OF SAID AURORA CENTERLINE; THENCE  
EASTERLY TO A POINT 76.00 FEET THEREFROM ENGINEER'S STATION 257+92.50 OF  
SAID AURORA CENTERLINE; THENCE SOUTHERLY ALONG A CURVE CONCAVE  
TO THE EAST WITH A RADIUS OF 5616.63 FEET TO A POINT 76.00 FEET THEREFROM  
ENGINEER'S STATION 256+54.00 OF SAID AURORA CENTERLINE; THENCE  
WESTERLY TO A POINT 68.50 FEET THEREFROM ENGINEER'S STATION 256+54.00  
OF SAID AURORA CENTERLINE; THENCE SOUTHERLY ALONG A CURVE CONCAVE  
TO THE EAST WITH A RADIUS OF 5624.13 FEET TO THE TRUE POINT OF  
BEGINNING;

TOGETHER WITH ALL THAT PORTION OF LAND LYING WITHIN THE FOLLOWING  
DESCRIBED LINE: COMMENCING AT A POINT 50.50 FEET EASTERLY AS  
MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 264+98.00 OF THE  
CENTERLINE OF AURORA AVENUE AS SHOWN ON THE RECORD OF SURVEY  
RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING  
COUNTY, AND THE TRUE POINT OF BEGINNING; THENCE NORTHERLY TO A  
POINT 50.50 FEET THEREFROM ENGINEER'S STATION 268+72.20 OF SAID AURORA  
CENTERLINE; THENCE EASTERLY TO A POINT 57.50 FEET THEREFROM  
ENGINEER'S STATION 268+72.20 OF SAID AURORA CENTERLINE; THENCE  
NORTHEASTERLY TO A POINT 91.12 FEET THEREFROM ENGINEER'S STATION  
269+09.83 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT ON THE  
EAST BOUNDARY OF TRACT "X", ALSO BEING 140 FEET +/- THEREFROM  
ENGINEER'S STATION 269+11.22 OF SAID AURORA CENTERLINE; THENCE  
SOUTHERLY ALONG SAID EAST BOUNDARY LINE, BEING A CURVE CONCAVE TO  
THE SOUTHWEST HAVING A RADIUS OF 25 FEET, TO A POINT 145 FEET +/-  
THEREFROM ENGINEER'S STATION 268+95.36 OF SAID AURORA CENTERLINE;  
THENCE WESTERLY TO A POINT 79.09 FEET THEREFROM ENGINEER'S STATION  
268+89.00 OF SAID AURORA CENTERLINE; THENCE SOUTHWESTERLY TO A POINT  
66.50 FEET THEREFROM ENGINEER'S STATION 268+72.20 OF SAID AURORA  
CENTERLINE; THENCE SOUTHERLY TO A POINT 66.50 FEET THEREFROM  
ENGINEER'S STATION 264+98.00 OF SAID AURORA CENTERLINE; THENCE  
WESTERLY TO THE TRUE POINT OF BEGINNING;

CONTAINING 23,228 SQUARE FEET MORE OR LESS.

City of Shoreline – Aurora Corridor Improvement Project  
Property Rights Granted to the City of Shoreline  
In City of Seattle Transmission Line Right-of-Way  
City of Shoreline Parcel Nos. 451, 452, and 453  
Permitted Use for Temporary Construction

A PERMITTED TEMPORARY CONSTRUCTION AREA LOCATED IN THE SOUTHWEST  
QUARTER OF THE SOUTHEAST QUARTER, SECTION 6, TOWNSHIP 26 NORTH,  
RANGE 4 EAST, W.M., CITY OF SHORELINE, AND KING COUNTY, WASHINGTON,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE CITY OF SEATTLE AND EVERETT INTERURBAN LINE  
RIGHT-OF WAY LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING  
AT A POINT 40.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, OF  
ENGINEER'S STATION 11+36 +/- OF THE "D" LINE AS SHOWN ON THE RECORD OF  
SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF  
KING COUNTY, ALSO BEING A POINT ON THE EAST BOUNDARY OF TRACT "X"  
AND THE TRUE POINT OF BEGINNING; THENCE WESTERLY TO A POINT LYING  
40.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM ENGINEER'S  
STATION 10+81.00 OF SAID "D" LINE; THENCE NORTHWESTERLY TO A POINT  
LYING 57.00 FEET EASTERLY, MEASURED AT RIGHT ANGLES, FROM ENGINEER'S  
STATION 270+21.00 OF THE CENTERLINE OF AURORA AVENUE NORTH AS SHOWN

Shoreline Permit Agreement  
Exhibit 1



ON THE RECORD OF SURVEY RECORDED AT AUDITORS FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT LYING 52.48 FEET THEREFROM ENGINEER'S STATION 272+50.00 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT LYING 66.00 FEET THEREFROM ENGINEER'S STATION 272+50.00 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT LYING 66.00 FEET THEREFROM ENGINEER'S STATION 272+15 +/- OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT LYING 68.00 FEET THEREFROM ENGINEER'S STATION 270+34.00 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT LYING 72.00 FEET THEREFROM ENGINEER'S STATION 270+34.00 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT LYING 72.00 FEET THEREFROM ENGINEER'S STATION 270+20.00 OF SAID AURORA CENTERLINE; THENCE SOUTHEASTERLY TO A POINT LYING 57.00 FEET THEREFROM ENGINEER'S STATION 10+86.79 OF SAID "D" LINE; THENCE EASTERLY TO A POINT LYING ON THE EAST BOUNDARY OF SAID TRACT "X" BEING 57.00 FEET THEREFROM ENGINEER'S STATION 11+36 +/- OF SAID "D" LINE; THENCE SOUTHERLY ALONG THE EAST BOUNDARY OF SAID TRACT "X" TO THE POINT OF BEGINNING;

TOGETHER WITH ALL THAT PORTION OF THE CITY OF SEATTLE AND EVERETT INTERURBAN LINE RIGHT-OF WAY LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT 51.00 FEET EASTERLY, MEASURED AT RIGHT ANGLES, OF ENGINEER'S STATION 273+29.00 OF THE CENTERLINE OF AURORA AVENUE NORTH AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT LYING 51.00 FEET THEREFROM ENGINEER'S STATION 274+02.00 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT LYING 61.00 FEET THEREFROM ENGINEER'S STATION 274+02.00 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT LYING 61.00 FEET THEREFROM ENGINEER'S STATION 273+29.00 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

TOGETHER WITH ALL THAT PORTION OF THE CITY OF SEATTLE AND EVERETT INTERURBAN LINE RIGHT-OF WAY LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT 55.69 FEET EASTERLY, MEASURED AT RIGHT ANGLES, OF ENGINEER'S STATION 274+52.00 OF THE CENTERLINE OF AURORA AVENUE NORTH AS SHOWN ON THE RECORD OF SURVEY RECORDED AT AUDITOR'S FILE NUMBER 20080305900001 RECORDS OF KING COUNTY; THENCE NORTHERLY TO A POINT LYING 55.69 FEET THEREFROM ENGINEER'S STATION 276+83.00 OF SAID AURORA CENTERLINE; THENCE EASTERLY TO A POINT LYING 60.69 FEET THEREFROM ENGINEER'S STATION 276+83.00 OF SAID AURORA CENTERLINE; THENCE NORTHERLY TO A POINT ON THE NORTHERN BOUNDARY OF SAID TRACT "X", ALSO BEING 60.68 FEET THEREFROM ENGINEER'S STATION 277+60 +/- OF SAID AURORA CENTERLINE; THENCE ALONG SAID NORTHERN BOUNDARY TO A POINT LYING 66.00 FEET THEREFROM ENGINEER'S STATION 277+60 +/- OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT LYING 66.00 FEET THEREFROM ENGINEER'S STATION 276+78.00 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO A POINT LYING 61.00 FEET THEREFROM ENGINEER'S STATION 276+78.00 OF SAID AURORA CENTERLINE; THENCE SOUTHERLY TO A POINT LYING 61.00 FEET THEREFROM ENGINEER'S STATION 274+52.00 OF SAID AURORA CENTERLINE; THENCE WESTERLY TO THE POINT OF BEGINNING;

CONTAINING 6,260 SQUARE FEET MORE OR LESS.



City of Shoreline – Aurora Corridor Improvement Project  
Property Rights Granted to the City of Shoreline  
In City of Seattle Transmission Line Right-of-Way  
TRACT “X”, Referenced in Legal Descriptions Associated with  
City of Shoreline Parcel Nos. 269, 359, 360, and 361 Herein

PARCEL A: KING COUNTY TAX PARCEL NO. 072604-9154

THAT PORTION OF THE CITY OF SEATTLE TRANSMISSION LINE RIGHT-OF-WAY LYING WITHIN THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID RIGHT-OF-WAY WITH THE NORTH LINE OF THE NORTHEAST QUARTER; THENCE SOUTH ALONG SAID WESTERLY LINE 100 FEET TO THE POINT OF BEGINNING; THENCE EAST AT A RIGHT ANGLE 30 FEET; THENCE SOUTH PARALLEL WITH SAID WEST LINE 150 FEET; THENCE WEST AT A RIGHT ANGLE 30 FEET TO SAID WEST LINE; THENCE NORTH ALONG SAID WEST LINE 150 FEET TO THE POINT OF BEGINNING.

PARCEL B: KING COUNTY TAX PARCEL NO. 072604-9155

THAT PORTION OF THE CITY OF SEATTLE TRANSMISSION LINE RIGHT-OF-WAY LYING WITHIN THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING BETWEEN THE EASTERLY LINE OF STATE ROAD NO. 1 AND A LINE 13 FEET WESTERLY OF AND PARALLEL TO THE CENTER LINE OF SAID RIGHT-OF-WAY AND LYING BETWEEN A LINE 250 FEET SOUTH AND 400 FEET SOUTH OF THE NORTH LINE OF SAID SECTION MEASURED ALONG AND AT RIGHT ANGLES TO SAID EASTERLY LINE.

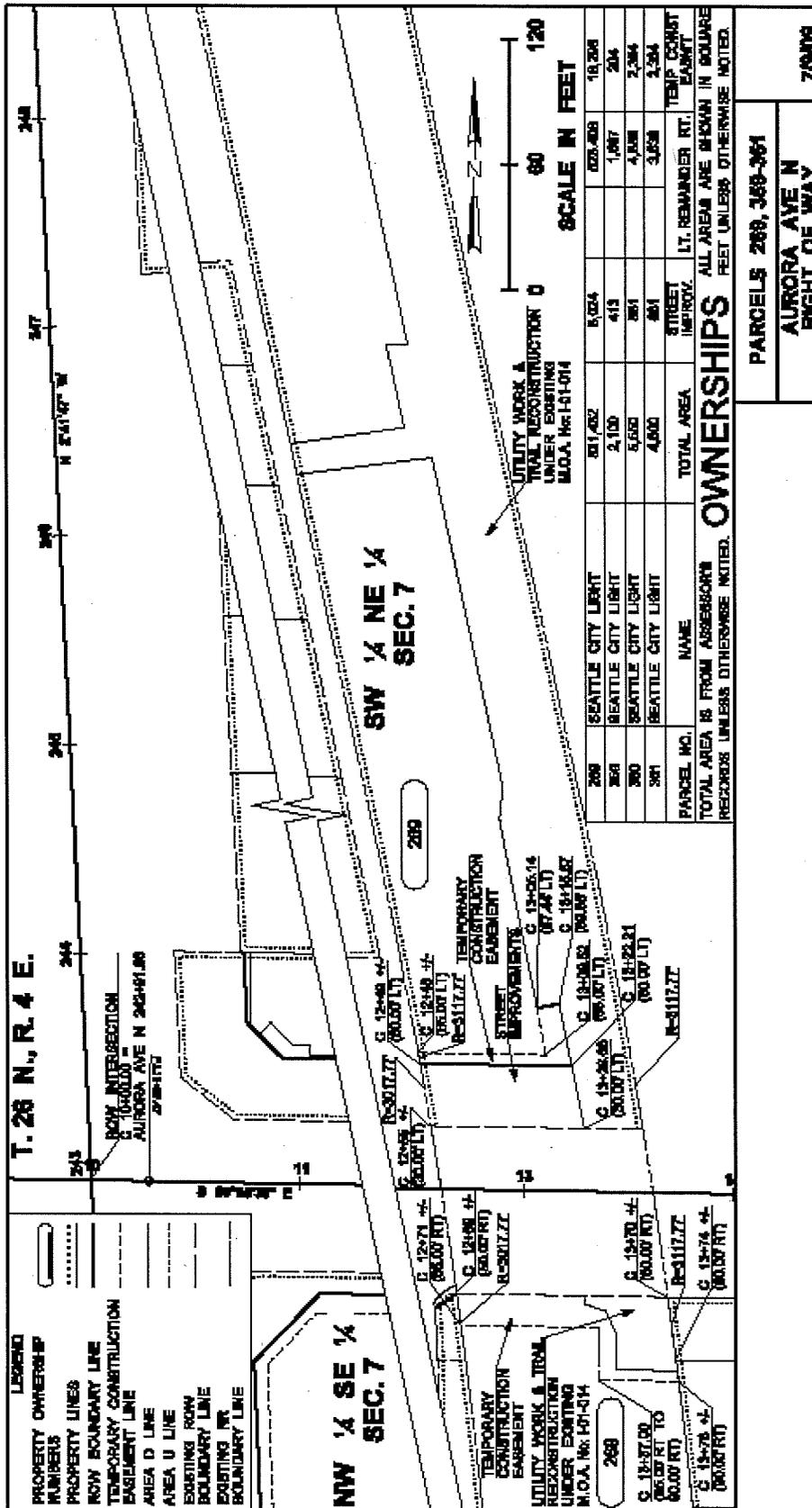
City of Shoreline – Aurora Corridor Improvement Project  
Property Rights Granted to the City of Shoreline  
In City of Seattle Transmission Line Right-of-Way  
TRACT “X”, Referenced in Legal Descriptions Associated with  
City of Shoreline Parcel Nos. 451, 452, and 453 Herein

THAT PORTION OF THE CITY OF SEATTLE TRANSMISSION LINE RIGHT-OF-WAY THROUGH CLIVE ADDITION TO ECHO LAKE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 5, IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, BEING ALL LAND IN SAID ADDITION LYING WITHIN 50 FEET EITHER SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS:

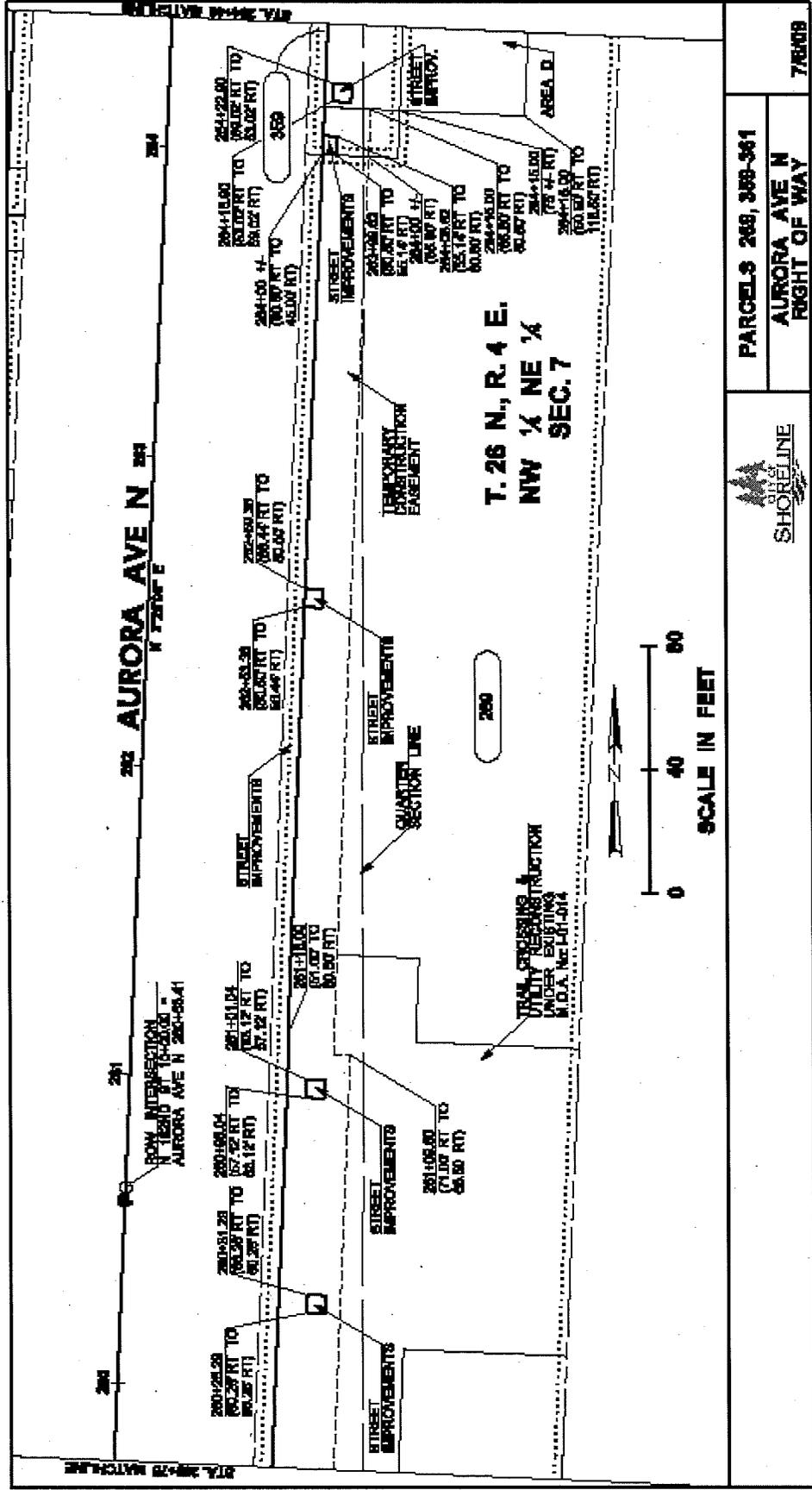
COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 6, 48 FEET, MORE OR LESS, EAST OF THE SOUTH QUARTER CORNER OF SAID SECTION 6 THENCE ON A COURSE NORTHEASTERLY FOR 440 FEET; THENCE ON A CURVE TO THE RIGHT FOR 430 FEET; THENCE ON A COURSE NORTHEASTERLY FOR 450 FEET; THENCE ON A CURVE TO THE RIGHT FOR 360 FEET TO THE NORTH LINE OF LOT 1, BLOCK 5, CLIVE ADDITION, ALSO DESCRIBED AS THE RESERVED TRACT IN CLIVE ADDITION TO ECHO LAKE.



EXHIBIT B  
 Permit Agreement P.M. #260407-1-301  
 Right-of-Way Maps

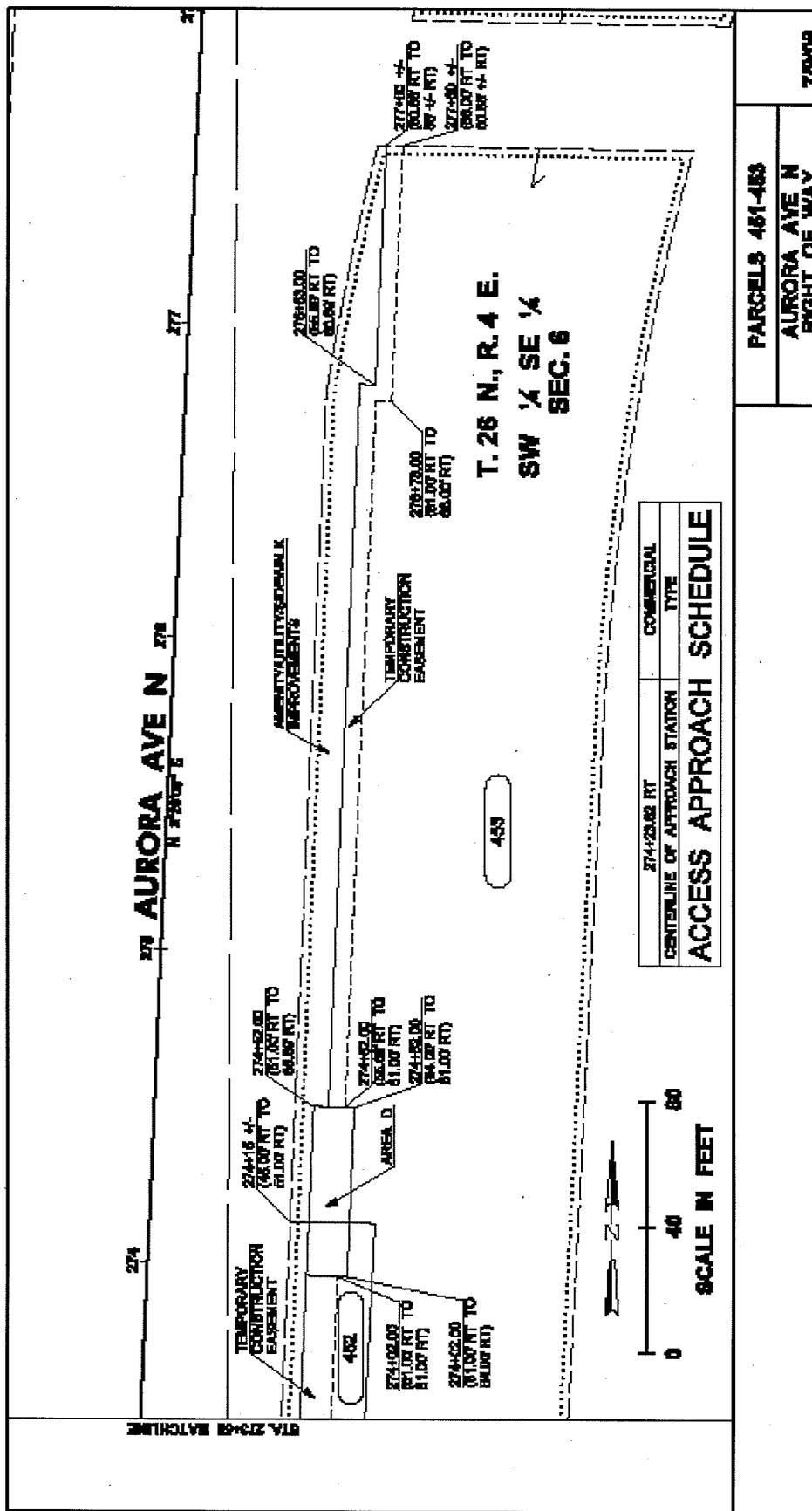












PARCELS 481-483  
 AURORA AVE N  
 RIGHT OF WAY  
 7/8/09



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
City Light	Dave Barber / 684-0400	Karl Stickel / 684-8085

**Legislation Title:**

AN ORDINANCE relating to the City Light Department, authorizing the Superintendent of City Light or his designee to grant a permit agreement to the City of Shoreline for construction and completion of a section of the Aurora Corridor Improvement Project (North 165<sup>th</sup> Street to North 185<sup>th</sup> Street), located in Sections 6 and 7, Township 26 North, Range 4 East, W.M., King County, Washington, and ratifying and confirming certain prior acts.

• **Summary of the Legislation:**

This legislation authorizes City Light to grant a permit to allow construction of the Aurora Corridor Improvement Project by the City of Shoreline.

• **Background:**

The City Light Transmission Right-of-Way runs parallel to Aurora Avenue North (State Highway 99) through much of the City of Shoreline. This permit will allow the City of Shoreline to use a narrow strip along the west edge of City Light's transmission right-of-way, and additional land at street crossing points, to widen and beautify the Aurora Corridor.

The form of the proposed permit has been reviewed by the Washington State Department of Transportation (WSDOT) and has been determined to be acceptable for WSDOT to certify the right-of-way and to release State funding for this project.

These improvements will not affect City Light's existing transmission line and will still allow for future transmission growth.

**X This legislation has financial implications.**

The City of Shoreline will pay the City of Seattle \$810,980 for this permit, to be deposited in the City Light Fund. This amount is based on an appraisal of true and fair value of the property rights to be granted. This is one-time funding.

<b>Fund Name and Number</b>	<b>Department</b>	<b>Revenue Source</b>	<b>2009 Revenue</b>	<b>2010 Revenue</b>
City Light Fund 41000	City Light	City of Shoreline	\$810,980	
<b>TOTAL</b>			<b>\$810,980</b>	



***Notes:***

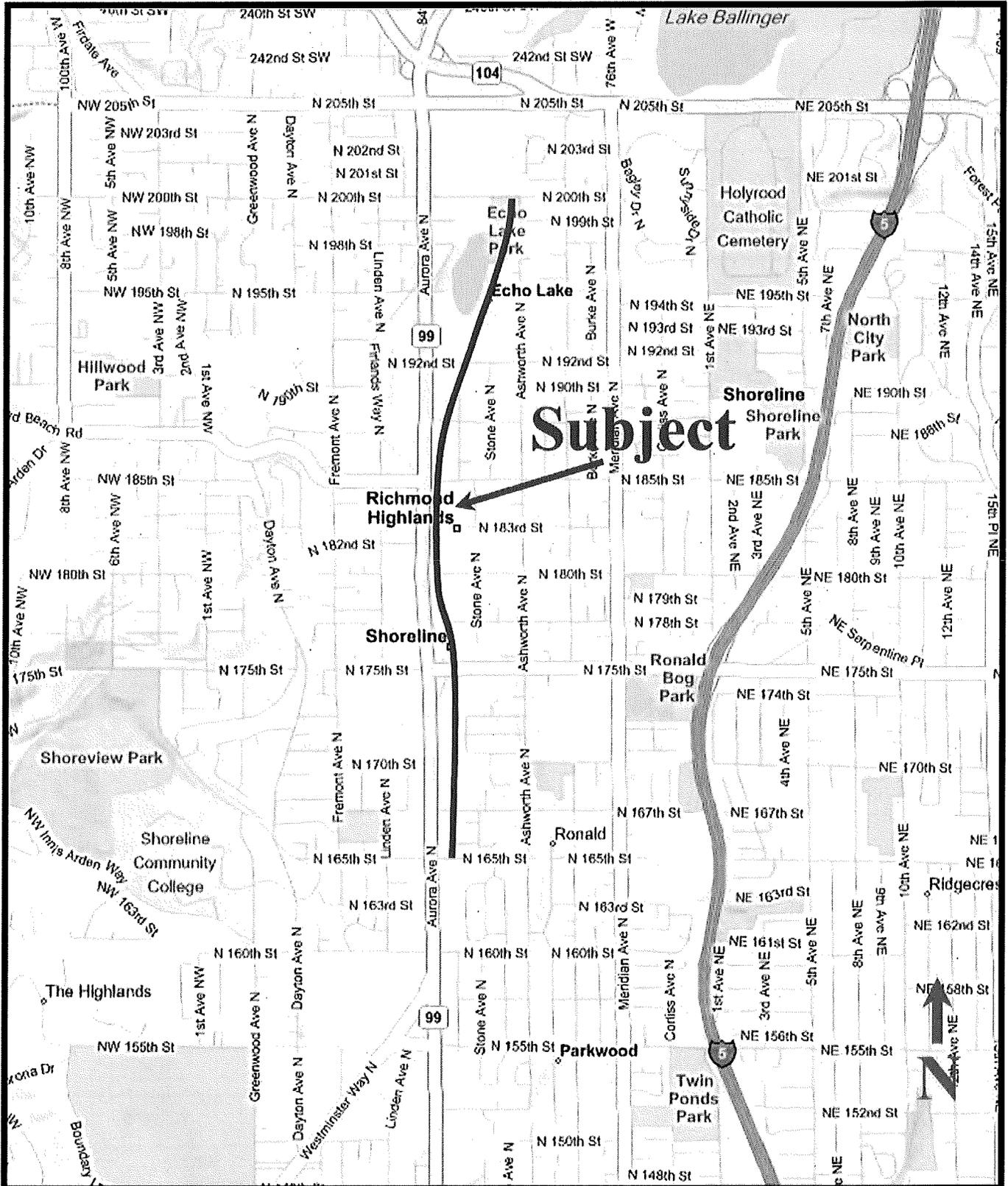
City Light is relocating and undergrounding local distribution and feeder lines on the west edge of Aurora Avenue North as part of the Corridor Improvement Project; this work is being reimbursed by the City of Shoreline. All expenditures for the relocation and undergrounding work were previously authorized in the 2009 Annual Budget.

**Please list attachments to the fiscal note below:**

Attachment A: Project/Neighborhood Map



# Neighborhood Map





# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

August 11, 2009

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill relating to the City Light Department, which will authorize City Light to grant a permit agreement to allow the construction of improvements along the Aurora Corridor (Highway 99) by the City of Shoreline.

The City Light Skagit Transmission Right-of-Way runs parallel to Highway 99 through much of the City of Shoreline. The permit authorized by this Bill will allow the City of Shoreline to use a narrow strip along the west edge of City Light's transmission right-of-way and additional land at street crossing points to widen and beautify the Aurora Corridor. These improvements will not affect City Light's existing transmission line and will still allow for future transmission growth. The City of Shoreline will pay City Light \$810,980 for this permit.

Thank you for your consideration of this legislation. Should you have questions, please contact Dave Barber, Seattle City Light Real Estate Services, at 684-0400.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels".

GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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245152  
CITY OF SEATTLE, CLERKS OFFICE

No.

**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.

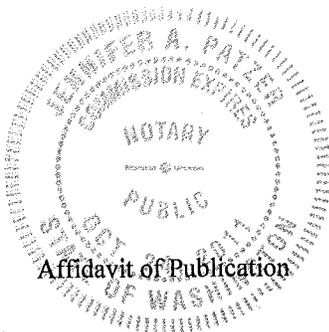
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123077-123083 TITLE

was published on

09/23/09

The amount of the fee charged for the foregoing publication is the sum of \$ 91.98, which amount has been paid in full.



Affidavit of Publication

*Phil*  
\_\_\_\_\_  
Subscribed and sworn to before me on  
09/23/09  
*Jennifer A. Patzer*  
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle

### TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on September 8, 2009, and published here by title only, will be mailed upon request, or can be accessed at <http://clerk.ci.seattle.wa.us>. For further

information, contact the Seattle City Clerk at 684-8344.

#### ORDINANCE NO. 123083

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 123082

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 123081

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

#### ORDINANCE NO. 123080

AN ORDINANCE relating to the financing of the Lake Union Park Project; authorizing the loan of funds from the City's Consolidated (Residual) Cash Pool, or its participating funds, to the South Lake Union Trust Fund; and providing for the repayment thereof.

#### ORDINANCE NO. 123079

AN ORDINANCE relating to the Alaskan Way Viaduct for SR 99 Viaduct Replacement from South Holgate to South King Street Stage 2 Project; authorizing execution of three Memoranda of Agreement between the Washington State Department of Transportation and the City of Seattle; and ratifying and confirming prior acts.

#### ORDINANCE NO. 123078

AN ORDINANCE relating to local economic stimulus efforts; amending the 2009 Adopted Budget and increasing an appropriation; revising project allocations and spending plans in the 2009-2014 Capital Improvement Program for certain projects; and amending a budget proviso; all by a three-fourths vote of the City Council.

#### ORDINANCE NO. 123077

AN ORDINANCE relating to the City Light Department, authorizing the Superintendent of City Light or his designee to grant a permit agreement to the City of Shoreline for construction and completion of a section of the Aurora Corridor Improvement Project (North 165th Street to North 185th Street), located in Sections 6 and 7, Township 26 North, Range 4 East, W.M., King County, Washington, and ratifying and confirming certain prior acts.

Publication ordered by the City Clerk  
Date of publication in the Seattle Daily  
Journal of Commerce, September 23, 2009.

9/23(245152)