

Ordinance No. 123126

Council Bill No. 116669

AN ORDINANCE relating to the City Light Department, declaring as surplus and authorizing the Superintendent of the City Light Department to release three (3) easements for electrical service over properties located at 1318 Western Avenue, 12738-33rd Avenue NE, and 14027 Lake City Way NE in Seattle, Washington and ratifying and confirming certain prior acts.

The City of Seattle - Legislative Department

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

Committee Action:

09/30/09 PASS BH, JG
10-5-09 Passed 9-0

CF No. _____

Date Introduced:	<u>9.28.09</u>	
Date 1st Referred:	To: (committee) <u>Energy + Technology</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor:	Date Approved: <u>10.8.09</u>	
Date Returned to City Clerk:	Date Published:	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 DEPARTMENT

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

1) 12738 – 33rd Avenue NE; Seattle, Washington (Seattle City Light PM #260421-4-012)

2) That certain easement dated August 29, 1950, and recorded September 19, 1950 under King County Auditor's File Nos. 4058565, Records of King County, Washington; said easement having been assigned to the City of Seattle by Assignments of Easements dated March 5, 1951, and recorded under King County Auditor's File No. 4114713, Volume 3028 of Deeds, page 560, Records of King County, Washington; lying within that property legally described as follows:

The entire Lake City Court Condominium, a condominium, according to the Condominium Declaration recorded under Recording Number 20080904000328, and amendments thereto, if any, and in Volume 252 of Condominiums, pages 96 through 99, inclusive, records of King County, Washington.

(Being also known as a portion of Lots 2 and 3, Block 5, Cedar Park, according to the plat thereof recorded in Volume 26 of Plats, page 19, in King County.)

3) 14027 Lake City Way NE; Seattle, Washington (Seattle City Light PM #260421-1-008)

A portion of those certain easements dated December 1, 1938, and recorded under King County Auditor's File Nos. 302770, 302771, and 302772, Records of King County, Washington; said easements having been assigned to the City of Seattle by Assignments of Easements dated March 5, 1951, and recorded under King County Auditor's File No. 4114713, Volume 3028 of Deeds, page 560, Records of King County, Washington; lying within that property legally described as follows:

Lots 1, 2, and 3, Block 19, Seattle Suburban Home Tracts, as recorded in Volume 7 of Plats, page 93, records of King County, Washington.

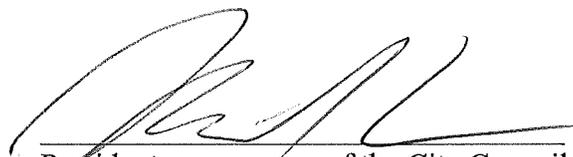
Section 2. The Superintendent of the City Light Department or his designee is authorized to release the easements over the properties legally described above by executing "Release of Easement" documents substantially in the forms shown in Attachments 1, 2, and 3 hereto.



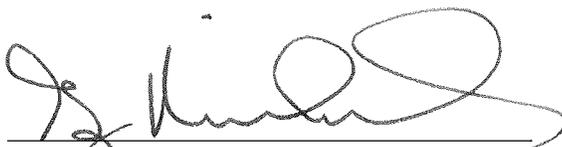
1 Section 3. Any act consistent with the authority of this ordinance taken after the passage
2 of this ordinance and prior to its effective date is hereby ratified and confirmed.

3 Section 4. 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.

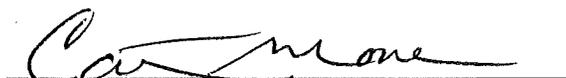
6 Passed by the City Council the 5th day of October, 2009, and
7 signed by me in open session in authentication of its passage this
8 5th day of October, 2009.

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12 
13 President _____ of the City Council

14 Approved by me this 8th day of October, 2009.

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16 
17 Gregory J. Nickels, Mayor

18
19 Filed by me this 8th day of October, 2009.

20
21 
22 City Clerk

23 (Seal)

24 Attachment 1: Release of Easement, Seattle City Light PM #250431-4-016

25 Attachment 2: Release of Easement, Seattle City Light PM #260421-4-012

26 Attachment 3: Release of Easement, Seattle City Light PM #260421-1-008



Dave Barber/DB
SCL – Esmt Release ORD
August 17, 2009
Version #1

Attachment 2

SEATTLE CITY LIGHT
Real Estate Services (KT 3012)
700 Fifth Avenue, Room 3300
P.O. Box 34023
Seattle, WA 98124-4023

Release of Easement
King County Assessor's No. 145360-0840, 145360-0862 and 145360-0863

RELEASE OF EASEMENT
(Seattle City Light PM #260421-4-012)

The CITY OF SEATTLE, a municipal corporation of the State of Washington, hereby grants to LIHI LAKE CITY COURT LLC, A WASHINGTON LIMITED LIABILITY COMPANY and NORTH HELPLINE, A WASHINGTON NONPROFIT CORPORATION, their successors and assigns, a release from that certain easement dated August 29, 1950, and recorded September 19, 1950 under King County Auditor's File Nos. 4058565, Records of King County, Washington; said easement having been assigned to the City of Seattle by Assignments of Easements dated March 5, 1951, and recorded under King County Auditor's File No. 4114713, Volume 3028 of Deeds, page 560, Records of King County, Washington; lying within that property legally described as follows:

The entire Lake City Court Condominium, a condominium, according to the Condominium Declaration recorded under Recording Number 20080904000328, and amendments thereto, if any, and in Volume 252 of Condominiums, pages 96 through 99, inclusive, records of King County, Washington.

(Being also known as a portion of Lots 2 and 3, Block 5, Cedar Park, according to the plat thereof recorded in Volume 26 of Plats, page 19, in King County.)

This instrument is given by the CITY OF SEATTLE for the purpose of abandoning the aforesaid easement.

IN WITNESS WHEREOF, the CITY OF SEATTLE has caused this instrument to be executed pursuant to Ordinance No. _____ on this ____ day of _____ 20____.

CITY OF SEATTLE
SEATTLE CITY LIGHT

By: _____

Name: _____

Title: _____



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle City Light	Dave Barber / 694-0400	Karl Stickel / 684-8085

Legislation Title:

AN ORDINANCE relating to the City Light Department, declaring as surplus and authorizing the Superintendent of the City Light Department to release three (3) easements for electrical service over properties located at 1318 Western Avenue, 12738 33rd Avenue NE, and 14027 Lake City Way NE in Seattle, Washington, and ratifying and confirming certain prior acts.

• **Summary of the Legislation:**

This legislation would authorize the release of three easements for overhead and underground electrical distribution rights in King County, Washington.

• **Background:**

City Light acquires distribution easements to allow the installation of conductors and equipment on customers' property, and to ensure that any future improvements on the customers' property do not endanger or compromise the electrical service.

From time to time, when property is redeveloped, a prior easement is no longer needed and the customer requests that the prior easement be released to facilitate the new development. Sometimes the release of a prior easement is required as a condition of permitting or financing for the new development.

One of the three releases which would be authorized by this legislation will facilitate construction of McDermott Place in Lake City. McDermott Place is being developed by the Low Income Housing Institute (LIHI) and will provide 75 affordable housing units for homeless and veterans. McDermott Place will also include space for the North Helpline Foodbank and a free medical clinic staffed by RotaCare. The North Helpline and RotaCare will move from their current space in Fire Station #39, which is being rebuilt by the Fire Facilities and Emergency Response Levy of 2003.

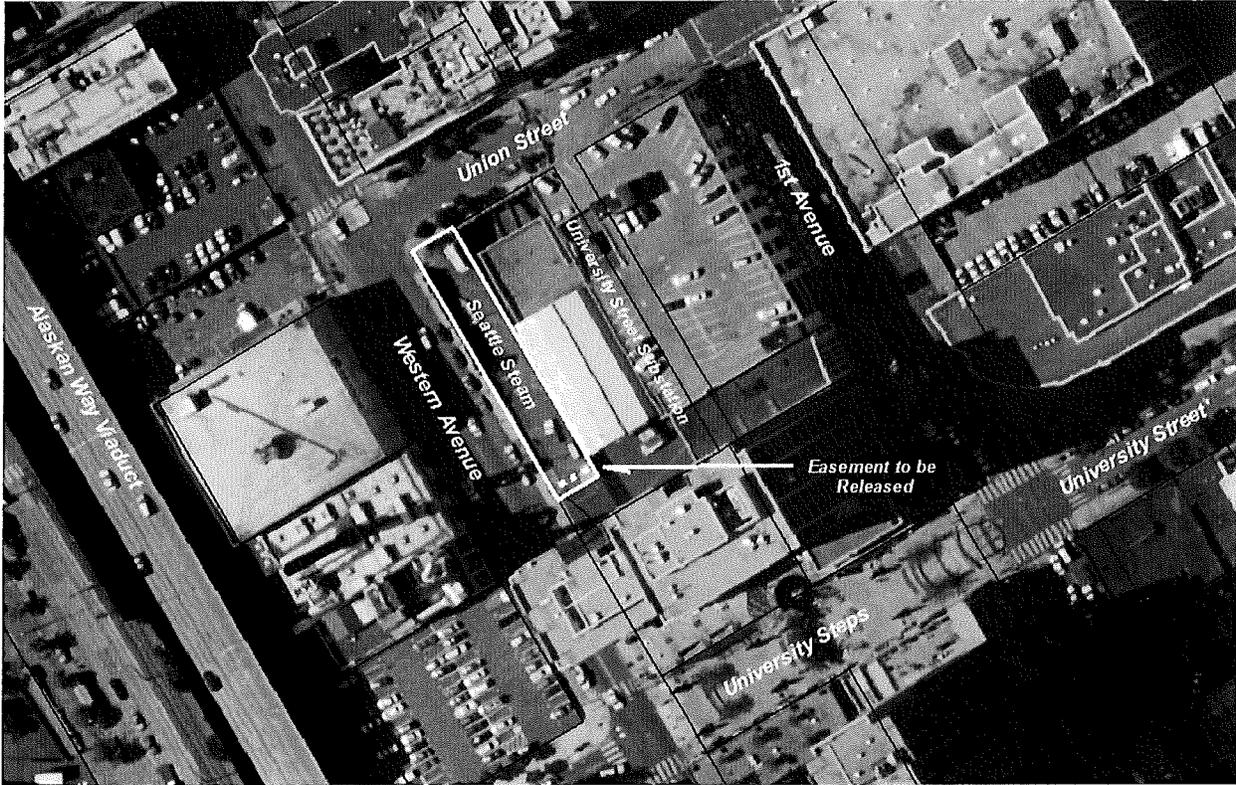
These easements are released at no expense to the City and at no cost to the current property owners.

X This legislation does not have any financial implications.

Attachments:

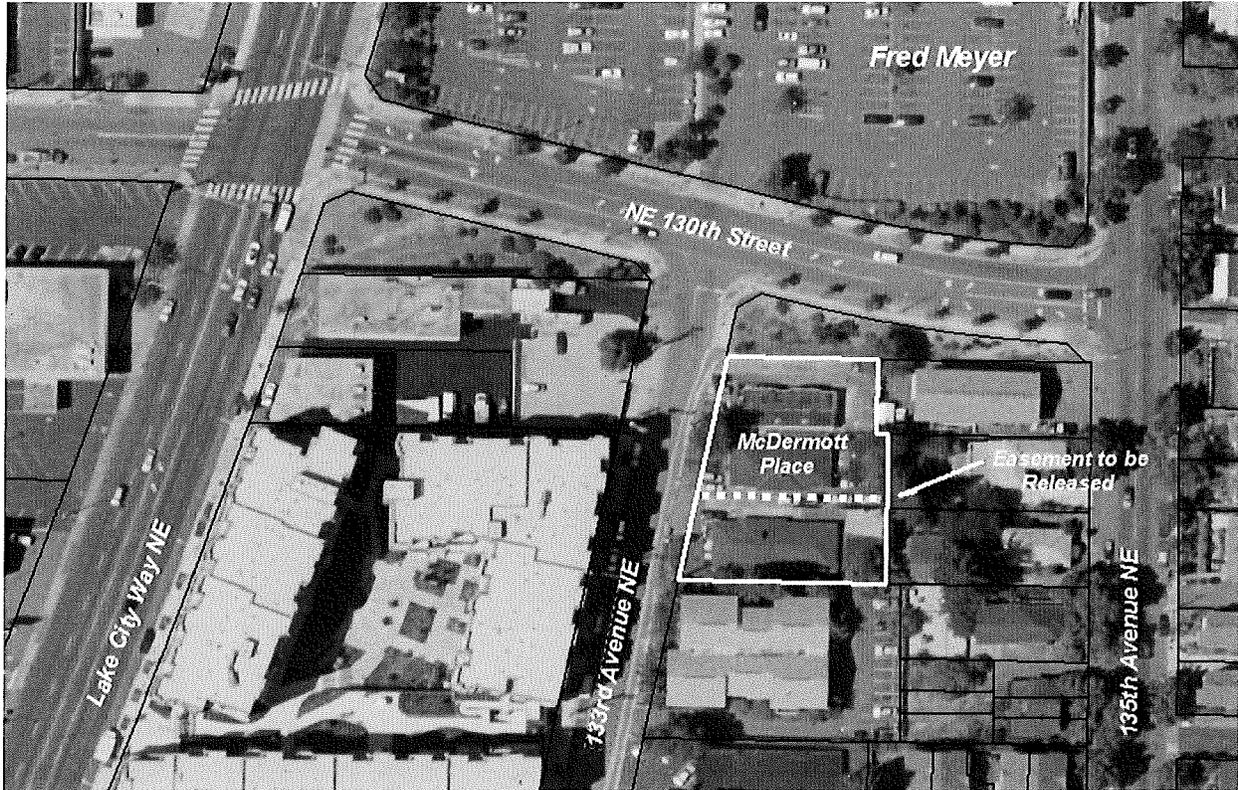
Maps of easements to be released.





Easement to be Released
1318 Western Avenue

Seattle Steam



Easement to be Released
12738 – 33rd Avenue NE

McDermott Place
North Helpline Foodbank
RotaCare Free Health Clinic



Easement to be Released
14027 Lake City Way NE

Gary and Clarese North



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

September 15, 2009

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill relating to the City Light Department, which would authorize the release of three easements for overhead and underground electrical distribution rights in King County, Washington. One of the three releases authorized in this legislation will facilitate construction of affordable housing units.

City Light acquires distribution easements to allow the installation of conductors and equipment on customers' property, and to ensure that any future improvements on the customers' property do not endanger or compromise the electrical service. From time to time, when property is redeveloped, a prior easement is no longer needed and the customer requests that the prior easement be released to facilitate the new development. These easements are acquired at no expense to the City and are released at not cost to the current property owner. Pursuant to RCW 35.94.040, this legislation requires a public hearing.

Thank you for your consideration of this legislation. Should you have any questions, please contact Cheryl Crawford, Seattle City Light Real Estate Services, at 684-3116.

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

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

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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123114

FILED
CITY OF SEATTLE
2010 JAN 12 PM 3:37
CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--SS.

245936
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

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.

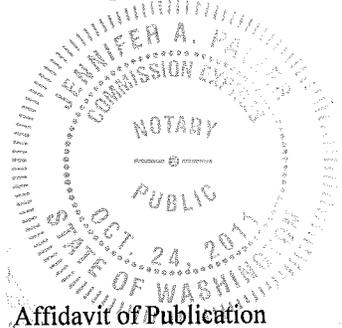
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123117-19,21,23,24,26.

was published on

10/14/09

The amount of the fee charged for the foregoing publication is the sum of \$ 106.13, which amount has been paid in full.



Parula Oglesby

Subscribed and sworn to before me on

10/14/09

[Signature]

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on October 5, 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. 123127

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

ORDINANCE NO. 123126

AN ORDINANCE relating to the City Light Department, declaring as surplus and authorizing the Superintendent of the City Light Department to release three (3) easements for electrical service over properties located at 1318 Western Avenue, 12738 33rd Avenue NE, and 14027 Lake City Way NE in Seattle, Washington, and ratifying and confirming certain prior acts.

ORDINANCE NO. 123124

AN ORDINANCE relating to the Seattle Center Department; authorizing the execution of a facility use agreement with Seattle University, for use and occupancy of KeyArena and adjacent areas at the Seattle Center.

ORDINANCE NO. 123123

AN ORDINANCE relating to the Seattle Center Department; authorizing execution of an agreement with Theatre Puget Sound to manage and operate space in the Seattle Center House for use by non-profit arts organizations and individual artists.

ORDINANCE NO. 123121

AN ORDINANCE authorizing the Superintendent of the Department of Parks and Recreation to execute a lease amendment between the City of Seattle and Fu Quan, LLC, a Washington limited liability company, for property located at 800 Maynard Avenue South.

ORDINANCE NO. 123119

AN ORDINANCE relating to the City Light Department; authorizing execution of a 20-year agreement with the King County Wastewater Treatment Division for the purchase of renewable power and environmental attributes of power generated at the West Point Wastewater Treatment Facility and other related agreements that are necessary or convenient to establish and operate the generator interconnection.

ORDINANCE NO. 123117

AN ORDINANCE relating to the Seattle Center Department; authorizing execution of an agreement with AEG Management WA, LLC for AEG to provide certain marketing, sales, technical operations and other services related to KeyArena at Seattle Center.

ORDINANCE NO. 123118

AN ORDINANCE relating to the Seattle Streetcar, authorizing an agreement with the Central Puget Sound Regional Transit Authority for implementation of the First Hill Streetcar Connector Project.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily
Journal of Commerce, October 14, 2009.

10/14(245936)