

Ordinance No. 123~~78~~234

Council Bill No. 116780

AN ORDINANCE, relating to a vehicular and pedestrian skybridge over and across the alley between 11th Avenue Northeast and 12th Avenue Northeast, north of Northeast 43rd Street, amending Ordinance 119161, as amended by Ordinance 121855, to transfer the permit from the General Insurance Company of America to the Board of Regents of the University of Washington, update the insurance and bond requirements, and amend the annual fee; renewing the term of the permit; providing for acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

Related Legislation File:

Date Introduced and Referred: <u>1.19.10</u>	To: (committee): <u>Transportation</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>2.1.10</u>	Date Presented to Mayor: <u>2.2.10</u>
Date Signed by Mayor: <u>2.8.10</u>	Date Returned to City Clerk: <u>2.9.10</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text <input type="checkbox"/>	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: *[Signature]*

Committee Action:

Date	Recommendation	Vote
<u>1-26-10</u>	<u>PASS TR, JG, NH, TB, MO</u>	

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

Full Council Action:

Date	Decision	Vote
<u>2.1.10</u>	<u>Passed</u>	<u>8-0</u>
	<u>Disqualified: BH</u>	

Law Department

ORDINANCE 123784²³⁴ *com*

1
2 AN ORDINANCE, relating to a vehicular and pedestrian skybridge over and across the alley
3 between 11th Avenue Northeast and 12th Avenue Northeast, north of Northeast 43rd Street,
4 amending Ordinance 119161, as amended by Ordinance 121855, to transfer the permit
5 from the General Insurance Company of America to the Board of Regents of the
6 University of Washington, update the insurance and bond requirements, and amend the
annual fee; renewing the term of the permit; providing for acceptance of the permit and
conditions; and ratifying and confirming certain prior acts.

7 WHEREAS, by Ordinance 96899 the City of Seattle ("City") granted permission for the
8 construction, operation and maintenance of the vehicular and pedestrian skybridge over
9 and across the alley between 11th Avenue Northeast and 12th Avenue Northeast,
10 approximately 270 feet north of Northeast 43rd Street, to the General Insurance Company
of America; and

11 WHEREAS, the permission authorized by Ordinance 96899 expired after thirty years; and

12 WHEREAS, by Ordinance 119161 the City granted permission to the General Insurance
13 Company of America for the ongoing maintenance and operation of the skybridge for a
14 ten-year term, renewable for two successive ten-year terms, and this ordinance was
amended by Ordinance 121855; and

15 WHEREAS, Ordinance 121855 amended Ordinance 119161 to, among other things, authorize
16 the Director of the Department of Transportation ("Director") to renew the permit after
17 the first ten-year term and to approve an assignment or transfer of the permit to a
18 successor, but only if the successor agreed to all of the terms of the permission granted to
the previous permittee; and

19 WHEREAS, the University of Washington purchased the property at 4317 12th Avenue Northeast
20 in September 2006 and assumed ownership of the skybridge; and

21 WHEREAS, the Board of Regents of the University of Washington has made written request to
22 the Director to continue maintenance and operation of this vehicular and pedestrian
23 skybridge and to transfer the permit to the Board of Regents of the University of
Washington; and

24 WHEREAS, other than the original insurance and surety provisions, which may be waived if the
25 City's Risk Manager determines that the University of Washington's self-insurance
26 program and other provisions are adequate to protect the City's interests, the Board of
27 Regents of the University of Washington has satisfied all terms and conditions of the
28 original authorizing ordinance; NOW, THEREFORE,



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

2 Section 1. Permission is hereby granted for the transfer to the Board of Regents of the
3 University of Washington, a state institution of higher education and an agency of the state of
4 Washington ("Permittee") of all rights, title and interest of the General Insurance Company of
5 America in the authorization conferred by Ordinance 119161 and amended by Ordinance
6 121855, to maintain and operate a vehicular and pedestrian skybridge over and across the alley
7 between 11th Avenue Northeast and 12th Avenue Northeast, approximately 270 feet north of
8 Northeast 43rd Street. The Permittee is to assume all of the responsibilities and duties of the
9 permittee under Ordinance 119161, as amended by Ordinance 121855 and as amended by this
10 ordinance. The permission granted by Ordinance 119161, as amended by Ordinance 121855, is
11 renewed for a ten year period commencing August 15, 2008 and terminating at 11:59 p.m. on
12 August 14, 2018, upon the terms and conditions set forth in Ordinance 119161, as amended by
13 Ordinance 121855, and as further amended by this ordinance.
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17 Section 2. Sections 9, 10, 11, and 13 of Ordinance 119161, as amended by Ordinance
18 121855, are amended as follows:

19 9. **Insurance.** For as long as the Permittee, its successors and assigns, shall exercise
20 any permission granted by this ordinance and until the skybridge is entirely removed from its
21 location as described in Section 1 or until discharged by order of the Director as provided in
22 Section 7 of this ordinance, the Permittee shall obtain and maintain in full force and effect, at its
23 own expense, insurance ~~((policies which))~~ that protects the City from ~~((any and all))~~ claims and
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1 risks of loss from perils that can be insured against under commercial general liability (“CGL”)

2 insurance policies in conjunction with:

3 (a) construction, reconstruction, operation, maintenance, use or existence of the skybridge
4 permitted by this ordinance and of any and all portions of the skybridge;

5
6 (b) ~~((the))~~ Permittee's activities upon or the use or occupation of alley between 11th
7 Avenue Northeast and 12th Avenue Northeast, north of Northeast 43rd Street, the area((s))
8 described in Section 1 of this ordinance~~((, as well as))~~; and

9
10 (c) ~~((any and all e))~~ Claims and risks in conjunction with and activity performed by the
11 Permittee by virtue of the permission granted by this ordinance.

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13 Minimum insurance requirements are ~~((shall be an occurrence form policy of commercial general~~
14 liability,)) CGL insurance based on the Insurance Services Office (ISO) form CG 00 01 or
15 equivalent. The City requires insurance coverage to be placed with an insurer ((company))
16 admitted and licensed to conduct business in Washington State or procured under Chapter 48.15
17 RCW, “Unauthorized insurers,” except that if it is infeasible to obtain coverage with such
18 insurers, the City may approve an alternative. Minimum ((policy)) limits of liability shall be Two
19 Million Dollars (\$2,000,000) each occurrence combined single limit bodily injury and property
20 damage, with ((per occurrence,)) Four Million Dollars (\$4,000,000) annual aggregate. Coverage
21 shall ((specifically name)) apply to the skybridge exposure. Liability insurance ((€)) coverage
22 shall ((add by endorsement)) include “((F)) the City of Seattle, its elected and appointed officers,
23 officials, employees and agents” as additional insureds~~((, Coverage shall contain))~~ for primary
24 and non-contributory limits of liability subject to a Separation of Insureds clause. ((indicating
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1 essentially that ~~"except with respect to the limits of insurance, and any rights or duties~~
2 ~~specifically assigned in this coverage part to the first named insured, this insurance applies as if~~
3 ~~each named insured were the only named insured, and separately to each insured against whom~~
4 ~~claim is made or suit is brought." Evidence of current coverage shall be submitted to the City in~~
5 ~~the form of a copy of the full insurance policy with all endorsements attached thereto, and is a~~
6 ~~condition to the validity of this permit.))~~ Permittee shall cause certification of insurance coverage
7 consisting of the CGL declarations page, schedule of forms and endorsements and blanket or
8 additional insured policy provision per the ISO CG 20 12 or equivalent to be provided to the
9 City. Such insurance certification shall be delivered or sent to the following department and
10 address or to such other address as the City may specify, from time to time, in writing: The City
11 of Seattle, Risk Management Division, P.O. Box 94669, Seattle, WA 98124-4669. The
12 documents shall not be mailed but an electronic copy of the certification attached to the full text
13 of this Ordinance shall be either be emailed as a PDF/XLS format document attached to an email
14 addressed to riskmanagement@seattle.gov or delivered by facsimile transmission to (206) 470-
15 1270.

16 Should the insurance coverages and limits of liability to be maintained by Permittee be self-
17 insured, certification from the Corporate Risk Manager or appropriate Finance Officer may be
18 accepted in lieu of insurance specified herein if such letter documents, to the satisfaction of the
19 City's Risk Manager, that self-insurance equivalent to the insurance requirements of this
20 ordinance is in force. After such self-insurance certification is approved, the City may
21 subsequently from time to time require updated or additional information. The approved self-
22 insured Permittee shall provide not less than a 30 day notice of cancellation or material adverse
23 information to the City.



1 financial condition of its self-insurance program, and the City may at any time require the
2 Permittee to obtain and maintain insurance as specified in this ordinance in lieu of self-insurance.

3 **Adjustment of insurance and bond requirements.** The Director, in consultation with
4 the City Risk Manager, may adjust minimum levels of liability insurance and surety bond
5 requirements. The Director shall notify the Permittee of the new requirements in writing. Upon
6 receipt, the Permittee shall provide proof of the adjusted required levels of insurance and surety
7 bond to the Director within 60 days.
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11 10. **Contractor Insurance.** The Permittee shall contractually require that any and all
12 of its contractors performing construction work on ~~((the))~~any premises as contemplated by this
13 permit~~((, name))~~include ~~“((F))~~the City of Seattle, its elected and appointed officers, officials,
14 employees, and agents” as ~~((an))~~ additional insureds for primary and non-contributory limits of
15 liability on all ~~((policies of public))~~CGL, Automobile and Pollution liability insurance and/or
16 self-insurance. Permittee~~((, and))~~ shall also include in all contract documents with its contractors
17 a third party beneficiary provision extending construction indemnities and warranties granted to
18 ~~((General Insurance Company of America))~~ Permittee to the City as well.
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22 11. **Performance Bond.** Within ~~((sixty(60)))~~60((9)) days after the effective date of this
23 ordinance the Permittee shall deliver to the Director ~~((of Transportation))~~ for filing with the City
24 Clerk a good and sufficient bond, in ~~((the sum of Twenty-Five Thousand Dollars (\$25,000.00)))~~
25 an amount to be determined by the Director in consultation with the City Risk Manager, executed
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1 by a surety company authorized and qualified to do business in the State of Washington,
2 conditioned that the Permittee will comply with each and every provision of this ordinance and
3 with each and every order of the Director pursuant thereto. (~~(; provided, that if the Mayor of the~~
4 ~~City of Seattle in his/her judgement shall deem any bond or bonds filed to be insufficient and~~
5 ~~demand a new or additional bond, the Permittee shall furnish a new or additional bond in such~~
6 ~~amount as the Mayor may specify to be necessary to fully protect the City.)) The ((Said)) bond
7 shall remain in effect until such time as the skybridge is entirely removed from its location as
8 described in Section 1, or until discharged by order of the Director as provided in Section 7 of
9 this ordinance.
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12 **Waiver of bond requirement.** The City may waive the bond requirements for any public
13 entity permittee for which the City's Risk Manager has determined that the City's interest will be
14 adequately protected. If at any time during the term granted by this ordinance the City's Risk
15 Manager determines that a bond is necessary to adequately protect the City's interests, the
16 Director shall notify the Permittee of the new requirements in writing. The Permittee shall
17 provide the bond to the Director within 60 days after notification.
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22 **13. A. Inspection fees.** The Permittee, its successors and assigns, shall pay to The City
23 of Seattle such amounts as may be justly chargeable by ((said)) the City as costs of inspection of
24 ((said)) the skybridge((s)) during reconstruction, repair, annual structural inspections, and at
25 other times deemed necessary to ensure the safety of the skybridge((s)), under the direction of the
26 Director, as provided by Chapter 15.76 of the Seattle Municipal Code .
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1 **B. Annual fees.** Permittee shall also ~~((and in addition shall))~~ promptly pay to the City
2 ~~((in advance))~~ upon statements or invoices ~~((rendered))~~ issued by the Director an annual fee for
3 the privileges granted and exercised hereunder of ~~((Two Thousand One Hundred Seventy Four~~
4 ~~Dollars (\$2,174.00-))~~ One Thousand Nine Hundred Thirty Dollars (\$1,930.00), beginning on the
5 commencement date of the term, i.e., August 15, 2008, and adjusted annually thereafter.

6
7 Adjustments to the annual fee ~~((amount))~~ shall be made in accordance with a term permit fee
8 schedule adopted by the City Council by ordinance and may be ~~((adjusted))~~ made every year. In
9 the absence of such a schedule, the Director may only increase or decrease the previous year's fee
10 ~~((amount annually))~~ to reflect any inflationary changes so as to charge said fee in constant dollar
11 terms. This adjustment will be calculated by adjusting the previous year's fee ~~((amount))~~ by the
12 percentage change between the two most recent year-end values available of the Consumer Price
13 Index for the Seattle-Tacoma-Bremerton Area, All Urban Consumers, All Products, Not
14 Seasonally Adjusted. All payments shall be made to the City Finance Director for credit to the
15 Transportation Operating Fund.
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18 Section 3. **Acceptance.** The Permittee shall deliver its written acceptance of the
19 permission conferred by this ordinance and its terms and conditions to the Director within 60
20 days after the effective date of this ordinance. The acceptance shall be filed with the City Clerk.
21 If no such acceptance is received by then, the privileges provided by this ordinance shall be
22 deemed declined or abandoned; and the permission extended, contingent upon its acceptance,
23 deemed lapsed and forfeited.
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1 Section 4. **Ratify and Confirm.** Any act taken by the City or the Permittee pursuant to
2 the authority and in compliance with the conditions of this ordinance, but prior to the effective
3 date, is hereby ratified and confirmed.

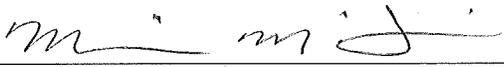
4 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after
5 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
6 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
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1 Passed by the City Council the 1st day of February, 2010, and
2 signed by me in open session in authentication of its passage this
3 1st day of February, 2010.

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5 
6 _____
President _____ of the City Council

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8 Approved by me this 8th day of February, 2010.

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10 
11 _____
Michael McGinn, Mayor

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13 Filed by me this 9th day of February, 2010.

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16 _____
City Clerk

17 (Seal)
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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle Department of Transportation	Angela Steel/684-5967	Stephen Barham/733-9084

Legislation Title:

AN ORDINANCE, relating to a vehicular and pedestrian skybridge over and across the alley between 11th Avenue Northeast and 12th Avenue Northeast, north of Northeast 43rd Street, amending Ordinance 119161, as amended by Ordinance 121855, to transfer the permit from the General Insurance Company of America to the Board of Regents of the University of Washington, update the insurance and bond requirements, and amend the annual fee; renewing the term of the permit; providing for acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

• **Summary of the Legislation:**

This legislation will amend the Ordinance 119161, as amended by Ordinance 121855, to transfer the permission to the Board of Regents of the University of Washington to maintain and operate the existing vehicular and pedestrian skybridge over and across the alley between 11th Avenue Northeast and 12th Avenue Northeast, approximately 270 feet north of Northeast 43rd Street. See Attachment A - Vehicular and Pedestrian Skybridge Area Map.

The permit is renewed for a ten-year term commencing on August 15, 2008. The legislation provides that the original insurance and surety provisions may be waived if the City's Risk Manager determines that the University of Washington's self-insurance program and other provisions are adequate to protect the City's interests. The legislation specifies the conditions under which authorization is granted and provides for acceptance of the permit and conditions.

The Board of Regents of the University of Washington is to pay the City of Seattle an annual fee of \$1,930.00 commencing from the expiration of the last term for this vehicular and pedestrian skybridge, August 15, 2008, and annually thereafter. Adjustments to the annual fee shall be made in accordance with a term permit fee schedule adopted by the City Council by ordinance and may be made every year. In the absence of such a schedule, the Director may only increase or decrease the previous year's fee annually to reflect any inflationary changes so as to charge said fee in constant dollar terms. This adjustment will be calculated by adjusting the previous year's fee by the percentage change between the two most recent year-end values available of the Consumer Price Index for the Seattle-Tacoma-Bremerton Area, All Urban Consumers, All Products, Not Seasonally Adjusted. See Attachment B- Annual Fee Appraisal Summary

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



By Ordinance 96899, the City of Seattle granted permission for the construction, operation and maintenance of the vehicular and pedestrian skybridge over and across the alley between 11th Avenue Northeast and 12th Avenue Northeast, approximately 270 feet north of Northeast 43rd Street, to the General Insurance Company of America. This permission authorized by Ordinance 96899 expired after thirty years. By Ordinance 119161, the City of Seattle granted permission to the General Insurance Company of America for the ongoing maintenance and operation of the vehicular and pedestrian skybridge for a ten-year term, renewable for two successive ten-year terms. Ordinance 119161 was amended by Ordinance 121855 which authorized the Director of Transportation to renew the permit after the first ten-year term and to approve an assignment or transfer of the permit, but only if the successor agreed to all the terms of the permission granted to the previous permittee.

X This legislation has financial implications. (Please complete all relevant sections that follow.)

Appropriations: This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation, please provide details in the Notes section below.

Fund Name and Number	Department	Budget Control Level*	2009 Appropriation	2010 Anticipated Appropriation
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Notes: N/A

Anticipated Revenue/Reimbursement: Resulting From This Legislation: This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.

Fund Name and Number	Department	Revenue Source	2009 Revenue	2010 Revenue
Transportation Operating Fund 10310	Seattle Department of Transportation	Annual Fee –	\$1,930.00 (August 15, 2008-August 14, 2009)	\$1,930.00 + \$81.06 (4.2% CPI) = \$2,011.06 (August 15, 2009-August 14, 2010)
TOTAL			\$1,930.00	\$2,011.06



Total Regular Positions Created, Modified, Or Abrogated Through This Legislation, Including FTE Impact: *This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.*

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2009 Positions	2009 FTE	2010 Positions*	2010 FTE*
TOTAL							

* 2010 positions and FTE are total 2010 position changes resulting from this legislation, not incremental changes. Therefore, under 2010, please be sure to include any continuing positions from 2009.

Notes: N/A

- **Do positions sunset in the future?** (If yes, identify sunset date):N/A

Spending/Cash Flow: *This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.*

Fund Name & #	Department	Budget Control Level*	2009 Expenditures	2010 Anticipated Expenditures
TOTAL				

* See budget book to obtain the appropriate Budget Control Level for your department.

Notes: N/A

What is the financial cost of not implementing the legislation? If the legislation is not enacted by the City Council, the City of Seattle will not receive the annual fee of \$1,930.00 for at least ten years. As previously stated, the City of Seattle has the option to adjust the fee amount on an annual basis. The vehicular and pedestrian skybridge, as originally permitted under Ordinance 119161, will no longer be permitted.

- **Does this legislation affect any departments besides the originating department?**
None
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
None



- **Is the legislation subject to public hearing requirements:**
No

- **Other Issues:**

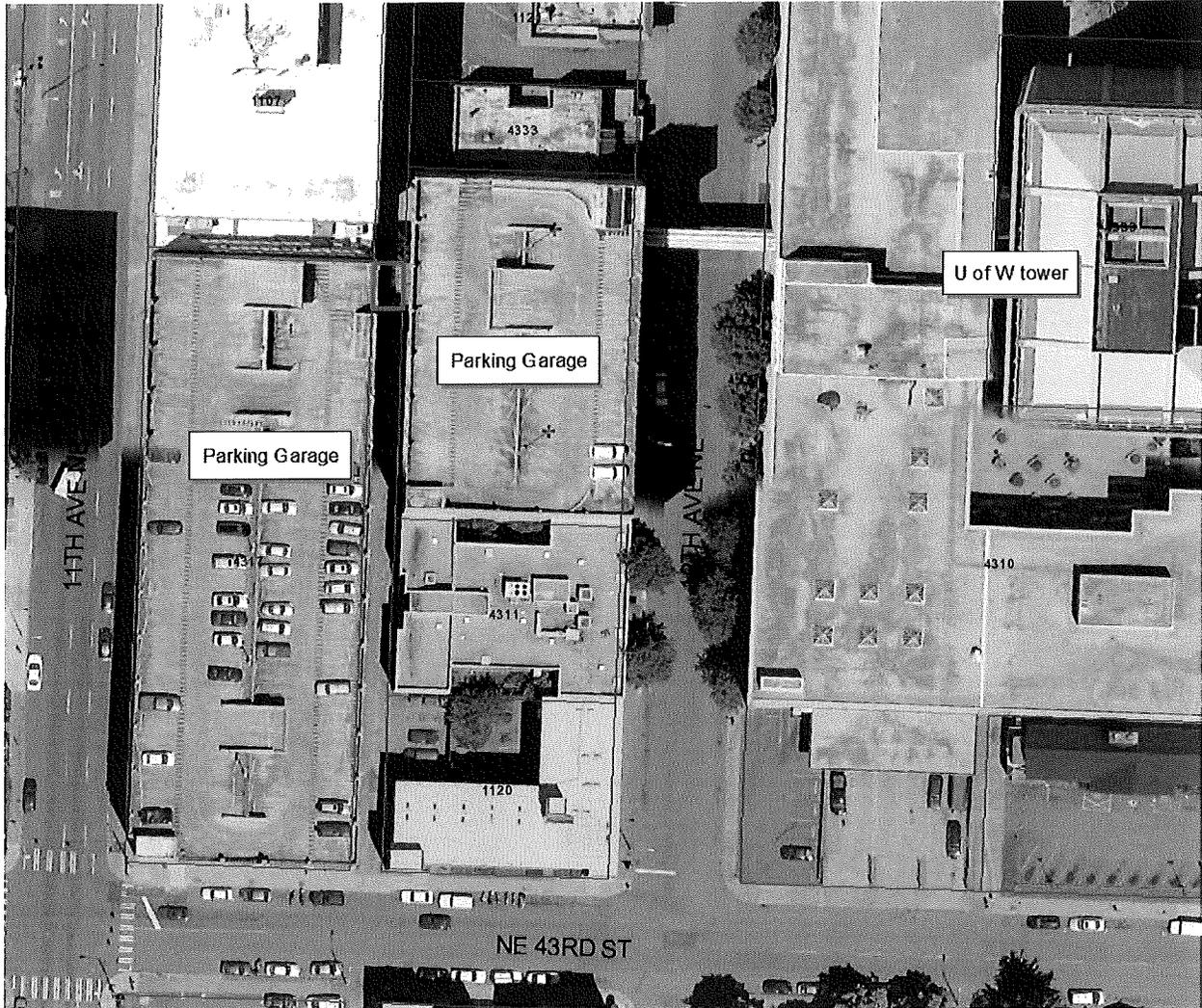
Please list attachments to the fiscal note below:

Attachment A – Vehicular and Pedestrian Skybridge Area Map

Attachment B – Annual Fee Appraisal Summary



Attachment A –Vehicular and Pedestrian Skybridge Area Map



Attachment B - Annual Fee Appraisal Summary

STREET USE VALUE ESTIMATE

Date: 5/27/2009
 Prepared by: John Bresnahan, Sr. Real Property Agent

Summary:
Land Value: \$175/SF
First Year Permit Fee:
\$1,930.00

I. Property Description:

That portion of the 14' wide public alley right-of-way between 11th Ave. NE and 12th Ave. NE bounded by NE 45th Street to the north and NE 43rd Street to the south lying beneath a skybridge connecting tax parcels 114200-0290 and 114200-0425, measuring approximately 245 square feet (17.5' bridge width X 14' length across right-of-way).

II. Applicant:

University of Washington, Seattle.

III. Zoning, Size, Assessed Value:

Parcel 114200-0290—NC3-85. 74,880 SF. Assessed \$115/SF
 Parcel 114200-0425—NC3-85. 45,320 SF. Assessed \$115/SF.

IV. Highest and Best Use Analysis:

The highest and best use of this particular public road right-of-way would be assemblage to the adjoining properties.

V. Brief Sales Data Summary:

	Sale #1	Sale #2	Sale #3	Sale #4
Location	Subject Property.	4558 7 th Ave NE.	NW Market St.	4719 12 th Ave. NE.
Sale Price	\$130,000,000	\$1,185,000	\$12,500,000	\$2,500,000
Area SF	115,434	6,420	60,000	9,000
Sale Date	9/2006	3/08	5/2006	3/09
Zoning	NC3-85	MR	NC3-85	NC3-65
Price/SF	\$1,126	\$185	\$208	\$278
Parcel Number	6 properties	881240-0295	276770-0655 (multiple)	674670-0955 (multiple)

VI. Notes:

Sale prices within the U-District/ Ballard/Fremont/Lake Union submarket ranged from \$61/SF for land in Ballard to \$1,126/SF for the subject property. The most relevant sales of properties with similar zoning and use are shown above, which range of values is \$185-\$278. The problem is that there have been no sales of similar sized properties in the last 2 years in this area. The subject sold in 2006 for \$130,000,000, and the \$1,126 per SF price is just a gross calculation, but there is tremendous value in 3 of the 6 structures, including the structures connected by the skybridge. Downward adjustments have to be made to the older sale to account for depressed market conditions. Applying a 15% decrease since 2006, the 2006 sale becomes \$177 per SF. Due to the size of the subject parcel versus the more recent sales, a further downward adjustment to sales #2 and #4 is needed, which makes the range of values \$167-\$250.



VII. Conclusion:

The value of that portion of the alley beneath the 11th Ave/12th Ave. alley parking garage skybridge is estimated at \$175 per square foot. The first year permit fee should be calculated as follows: $(\$175/\text{SF}) \times (245 \text{ SF}) \times (50\%) \times (9\%) = \$1,930.00 \text{ (rounded)}$, where 50% is the historical air rights/alienation multiplier and 9% is the rate of return.





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

December 15, 2009

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

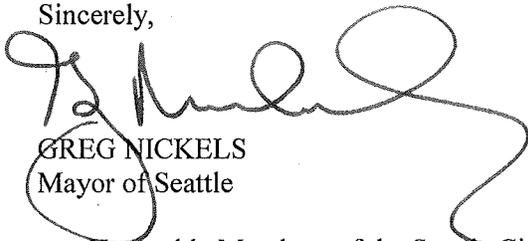
Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that transfers permission to the Board of Regents of the University of Washington to maintain and operate an existing skybridge, and grants renewal of the permit for a ten-year term. The vehicle and pedestrian skybridge is located over and across the alley between 11th Avenue Northeast and 12th Avenue Northeast, north of Northeast 43rd Street, linking two parking garages.

The permit for the skybridge was originally granted to the General Insurance Company of America (Safeco). The skybridge was subsequently acquired by the University of Washington when it purchased the adjoining properties in September 2006. In addition to granting a new term and transferring ownership of the skybridge permit, the proposed Council Bill updates the insurance and bond requirements, amends the annual fee, and specifies the conditions under which authorization is granted.

Thank you for your consideration of this legislation. Should you have questions, please contact Angela Steel at (206) 684-5967.

Sincerely,



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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REAL ESTATE OFFICE
UNIVERSITY of WASHINGTON
Finance & Facilities

FILED
CITY OF SEATTLE
10 MAY 14 AM 10:05
CITY CLERK

May 7, 2010

Seattle Department of Transportation
Street Use Division
Angela Steel
PO Box 34996
Seattle, WA 98124-4996

RE: Ordinance Number 123234 – Vehicle Bridge

Dear Ms. Steel,

This letter confirms the acceptance by the Board of Regents, University of Washington to the terms and conditions of the above referenced ordinance.

Enclosed you will find our evidence of compliance with the bond and insurance requirements of the ordinance.

Please contact me if you have any questions.

Sincerely,

Jeanette L. Henderson
Director



UNIVERSITY OF WASHINGTON

OFFICE OF RISK MANAGEMENT

EVIDENCE OF GENERAL LIABILITY COVERAGE

Regarding: University of Washington Leased Properties

Covered Entity: The University of Washington – Leased Properties

Term: 07/01/2009 through 06/30/2012

Limits: Coverage is unlimited per occurrence and in the aggregate

Policy Number: Not applicable; this is a statutorily self-insured program

Form: Occurrence

Conditions: Coverage applies to the negligent acts or omissions of the University of Washington and its employees, students, and agents acting in the course and scope of their University duties. The term "agent" includes volunteers to authorized University programs.

Contact: Garrett Stronks at (206) 543-3659, fax (206) 543-3773

Date Issued: May 27, 2009

STATE OF WASHINGTON – KING COUNTY

--SS.

250690
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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

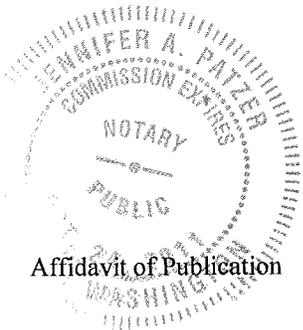
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123231-123234 TITLE

was published on

02/16/10

The amount of the fee charged for the foregoing publication is the sum of \$ 75.08, which amount has been paid in full.



Affidavit of Publication

[Signature]

Subscribed and sworn to before me on
02/16/10 *[Signature]*

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 February 1, 2010, 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. 123231

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

ORDINANCE NO. 123232

AN ORDINANCE granting the Board of Regents of the University of

Washington permission to maintain and operate a utility tunnel under and across Northeast 41st Street, west of 15th Avenue Northeast, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123233

AN ORDINANCE relating to Seattle Public Utilities; authorizing the acceptance of utility and temporary construction ease-

ments in the property commonly known as 5142 Cloverdale Place South, Seattle, for the upgrade and future maintenance of a culvert end to reduce flooding in the area, and placing said easements under the jurisdiction of Seattle Public Utilities.

ORDINANCE NO. 123234

AN ORDINANCE, relating to a vehicular and pedestrian skybridge over and across the alley between 11th Avenue Northeast and 12th Avenue Northeast, north of Northeast 43rd Street, amending Ordinance 119161, as amended by Ordinance 121855, to transfer the permit from the General Insurance Company of America to the Board of Regents of the University of Washington, update the insurance and bond requirements, and amend the annual fee; renewing the term of the permit; providing for acceptance of the permit and conditions; and ratifying and confirming certain prior acts.

Publication ordered by the City Clerk
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