

Ordinance No. 123270

Council Bill No. 116819

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property located at the northeast corner of Federal Avenue East and East Republican Street, otherwise known as Parcels A and B of Seattle Lot Boundary Adjustment No. 3006437; authorizing acceptance and recording of deeds for open space, park, and recreation purposes; and authorizing acquisition by condemnation.

The City of Seattle - Legislative Department
Council Bill/Ordinance sponsored by: SGJ Bagshaw
Councilmember

Committee Action:

3/18/10 PASS 2-0 (SB, BH)

3-29-10 Passed 8-0 (Excused: Licata)

CF No. _____

Date Introduced:	<u>3.15.10</u>	<u>Parks + Sea Center</u>
Date 1st Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>3-29-10</u>	Full Council Vote: <u>8-0</u>
Date Presented to Mayor:	<u>3-30-10</u>	Date Approved: <u>4.8.10</u>
Date Returned to City Clerk:	<u>4.8.10</u>	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: SGJ 3/18/10
(initial/date)

Law Department

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

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3 **ORDINANCE** 123270

4 AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the
5 acquisition of real property located at the northeast corner of Federal Avenue East and
6 East Republican Street, otherwise known as Parcels A and B of Seattle Lot Boundary
7 Adjustment No. 3006437; authorizing acceptance and recording of deeds for open space,
8 park, and recreation purposes; and authorizing acquisition by condemnation.

9 WHEREAS, Resolution 31055 created the Parks and Green Spaces Levy Citizens' Advisory
10 Committee to ensure citizen participation in the development of a potential package of
11 parks, open space, boulevards, trails, green infrastructure, and recreation projects and a
12 proposed set of options to fund the package; and

13 WHEREAS, the Parks and Green Spaces Levy Citizens' Advisory Committee, after being duly
14 appointed and after spending many hours in open meetings and receiving public
15 testimony and deliberating on the levy, voted by a strong majority to recommend that the
16 City Council place a \$145.5 million six-year levy proposal for park purposes before the
17 voters of Seattle; and

18 WHEREAS, in response to this recommendation, the City Council passed Ordinance 122749,
19 placing Proposition 2, the 2008 Parks and Green Spaces Levy before the voters of Seattle;
20 and

21 WHEREAS, the 2008 Parks and Green Spaces Levy was approved by Seattle voters on
22 November 4, 2008; and

23 WHEREAS, Ordinance 122749 identifies the Capitol Hill Urban Center Village for a potential
24 neighborhood park acquisition; and

25 WHEREAS, the Department of Parks and Recreation considers the Capitol Hill Urban Center
26 Village as significantly underserved with quality open space and is, therefore, a priority
27 for additional development of parks and open space; and

28 WHEREAS, a vacant site at the northeast corner of Federal Avenue East and East Republican
Street is well-suited for open space, park and recreation uses; and

WHEREAS, the City has determined that the property at the northeast corner of Federal Avenue
East and East Republican Street will provide a new neighborhood park that meets the
criteria to address open space needs established in Seattle's Park and Recreation
Comprehensive Plan, Seattle's Parks and Recreation Plan 2000, and Seattle's 2006 Open



1 Space Gap Report Update and that it is in the public's best interest to acquire the same
2 for open space, park, and recreation purposes; NOW, THEREFORE,

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

4 Section 1. That public convenience and necessity require that the following described
5 real property, situated in the City of Seattle, County of King, State of Washington, and
6 commonly known as the northeast corner of Federal Avenue East and East Republican Street
7 ("Property"), together with all rights, privileges and other property pertaining thereto, be
8 acquired for open space, park, and recreation purposes:
9

10 *Parcels A and B City of Seattle Lot Boundary Adjustment No. 3006437 recorded*
11 *under recording number 20070911900005 also described of record as: Lots 7 and 8,*
12 *Block 23, Supplemental Plat of Lincoln Pontius Addition to the City of Seattle, according*
13 *to the plat thereof recorded in Volume 91 of Plats, page 52, in King County, Washington.*

14 Section 2. The Superintendent of Parks and Recreation ("Superintendent"), or his or her
15 designee, is authorized, on behalf of the City of Seattle, to negotiate and enter into agreements
16 to acquire the Property upon payment of just compensation therefore, and to accept a deed for
17 the Property by attaching to the deed the Superintendent's written acceptance thereof, and
18 recording the same. The Property shall be accepted for open space, park, and recreation
19 purposes, and placed under the jurisdiction of the Seattle Department of Parks and Recreation.
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21 Section 3. The Seattle City Attorney is authorized to commence and prosecute
22 proceedings in the manner provided by law to condemn, take, damage, and appropriate the
23 Property in fee simple, after just compensation has been made or paid into court for the owners
24 thereof, in the manner provided by law; and to stipulate for the purposes of minimizing
25 damages.
26



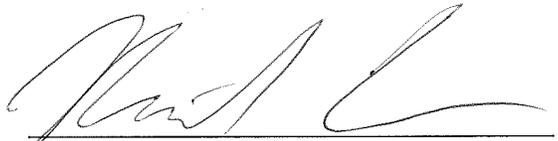
1 Section 4. The entire cost of the acquisition provided for above shall be paid from the
2 2008 Parks and Green Spaces Levy fund or from such general fund of the City of Seattle as may
3 be provided by law.

4 Section 5. Any act consistent with the authority of this ordinance that is taken after its
5 passage but prior to its effective date is hereby ratified and confirmed.
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1 Section 6. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

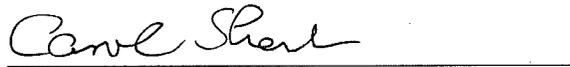
4 Passed by the City Council the 29th day of March, 2010, and
5 signed by me in open session in authentication of its passage this
6 29th day of March, 2010.

8 
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10 President _____ of the City Council

11 Approved by me this 9th day of April, 2010

12
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14 
15 Michael McGinn, Mayor

16 Filed by me this 8th day of April, 2010.

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19 
20 City Clerk

21 (Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Parks and Recreation	Donald Harris/684-8018	Jennifer Devore/615-1328

Legislation Title:

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property located at the northeast corner of Federal Avenue East and East Republican Street, otherwise known as Parcels A and B of Seattle Lot Boundary Adjustment No. 3006437; authorizing acceptance of the deed for open space, park, and recreation purposes; and authorizing acquisition by condemnation.

Summary and background of the Legislation:

On November 4, 2008, Seattle voters approved a six-year property tax levy, the 2008 Parks and Green Spaces Levy (Levy), for the purpose of improving and expanding the City's parks and green spaces. This proposed legislation authorizes the Department of Parks and Recreation (DPR) to acquire real property located at the northeast corner of Federal Avenue East and East Republican Street by negotiation or condemnation. The legislation allows for the acceptance and transfer of the deed to the subject property for open space, park, and recreation purposes.

The acquisition will help meet the City's goal of providing parks within walking distance for residents in urban villages. The purchase and development of this site will provide a new neighborhood park that meets the criteria to address open space needs established in Seattle's Park and Recreation Comprehensive Plan and Seattle's Parks and Recreation Plan 2000.

Some time ago staff presented an initial offer to the property owners, but they declined the offer. A new appraisal has been completed reflecting improved market conditions and will be presented to the owners soon. While we hope to reach a negotiated agreement, it may become necessary to acquire the property through condemnation, and this legislation provides this authority.

Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Capitol Hill Urban Center Village Acquisition	K730055	NE corner of Federal Avenue East and East Republican Street	April 2009	June 2010

- *Please check any of the following that apply:*

_____ **This legislation creates, funds, or anticipates a new CIP Project.** *(Please note whether the current CIP is being amended through this ordinance, or provide the Ordinance or Council Bill number of the separate legislation that has amended/is amending the CIP.)*

_____ **This legislation does not have any financial implications.** *(Stop here and delete the*



remainder of this document prior to saving and printing.)

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

Appropriations:

Fund Name and Number	Department	Budget Control Level*	Existing 2009 Appropriation	New 2010 Appropriation (if any)	2011 Anticipated Appropriation
TOTAL					

Notes: Costs for this acquisition will be appropriated from the 2008 Parks Levy Fund (33860) via future legislation.

Spending Plan and Future Appropriations for Capital Projects:

Spending Plan and Budget	2010	2011	2012	2013	2014	2015	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations							

Notes: Costs for this acquisition will be appropriated from the 2008 Parks Levy Fund (33860) via future legislation.

Funding source:

Funding Source (Fund Name and Number, if applicable)	2010	2011	2012	2013	2014	2015	Total
TOTAL							

Notes: Costs for this acquisition will be appropriated from the 2008 Parks Levy Fund (33860) via future legislation.

Bond Financing Required: N/A

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



Uses and Sources for Operation and Maintenance Costs for the Project:

O&M	2010	2011	2012	2013	2014	2015	Total
Uses							
Start Up							
On-going	\$3,093	\$6,310	\$6,436	\$6,565	\$6,696	\$6,830	\$35,930
Sources (itemize)							
Parks & Recreation Fund (10200)	\$3,093	\$6,310	\$6,436	\$6,565	\$6,696	\$6,830	\$35,930
Total	\$3,093	\$6,310	\$6,436	\$6,565	\$6,696	\$6,830	\$35,930

Notes: Maintenance of the undeveloped site assumes acquisition as early as June 2010 and includes general maintenance, installation, and repair of regulatory signs (no dumping) and graffiti removal, repair of small equipment, and legally required testing of water lines. Site will be developed at a later time, and will need new operation and maintenance costs developed at that time. The 2010 funding is included in the appropriations for the 2010 Adopted Budget.

Periodic Major Maintenance costs for the project: N/A

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	N/A	N/A	N/A

Funding sources for replacement of project: As real property, this acquisition will not be subject to replacement.

Total Regular Positions Created, Modified, Or Abrogated Through This Legislation, Including FTE Impact: N/A

Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2010 Positions	2010 FTE	2011 Positions **	2011 FTE **
TOTAL	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Notes:

- **Do positions sunset in the future?** N/A
- **What is the financial cost of not implementing the legislation?** If this property is not acquired, there will be a delay in achieving one of the goals of the Neighborhood Parks Acquisitions category of the 2008 Parks Levy Ordinance, which is acquiring property and expanding open space in the First Hill neighborhood. This delay and further staff costs to meet this goal with another property would consume additional resources from the 2008 Parks Levy

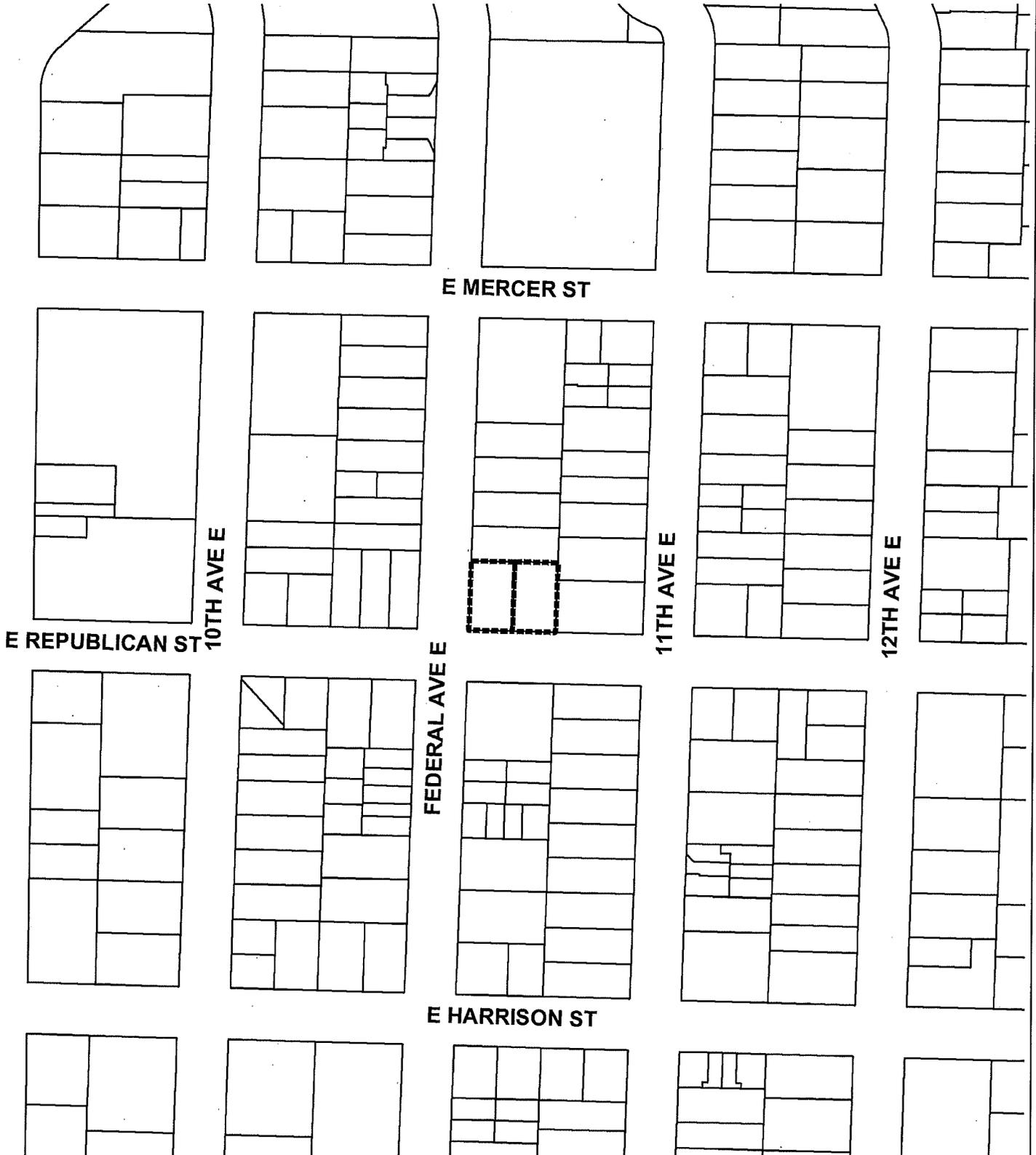


Fund. Additionally, the target site would likely be redeveloped with 12-16 townhomes, thereby eliminating its possibility for development as a neighborhood park.

- **Does this legislation affect any departments besides the originating department?** No
- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** The Department could try to find another opportunity like this in the same area, but to do so would require spending additional resources and would delay the goal for park acquisition and development in this underserved area as mentioned in the 2008 Parks Levy. City Council approval is required for authorization to acquire and accept a deed for real property or to acquire by condemnation.
- **Is the legislation subject to public hearing requirements?** No. However, RCW 8.25.290 requires public notice of the Council Bill after its passage by the City Council Parks and Seattle Center Committee and before it is approved by the full Council. DPR staff will coordinate the required public notice.
- **Other Issues:** None
- **List attachments to the fiscal note below:**
Attachment A: Proposed Park Site at Federal and Republican (map)



Attachment A

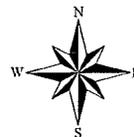
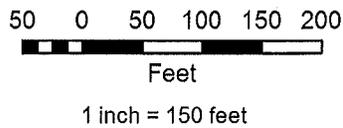


Capitol Hill Urban Center Village - Proposed Acquisition



Legend

-  Proposed Acquisition
-  Parcel Boundary



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No warranties of any sort, including accuracy, fitness or merchantability accompany this product.

Map date: January 11, 2010





City of Seattle

Michael McGinn, Mayor

Office of the Mayor

March 2, 2010

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

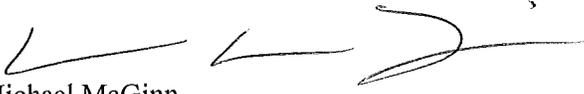
Dear Council President Conlin:

I am transmitting the attached proposed Council Bill that authorizes the acquisition of vacant property located at the northeast corner of Federal Avenue East and East Republican Street. The Capitol Hill Urban Center Village was identified in the 2008 Parks and Green Spaces Levy (2008 Parks Levy) as an area being deficient relative to the City's comprehensive plan goals, and a candidate for a neighborhood park acquisition with 2008 Parks Levy funding. The property identified in this legislation is well-suited for development as a park and will serve an area that currently needs additional open space as identified by the 2006 Open Space Gap Report Update.

Some time ago Department of Parks and Recreation staff presented an initial offer to the property owners based on an appraisal of the property at that time, but they declined the offer. A new appraisal has been completed reflecting improved market conditions and will be presented to the owners soon. While we hope to reach a negotiated agreement, it may become necessary to acquire the property through condemnation, and this legislation provides that authority.

The property acquisition authorized by this legislation will help meet the City's goal of providing parks within walking distance for residents in our urban villages, and will serve the needs of families on Capitol Hill for many years to come. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

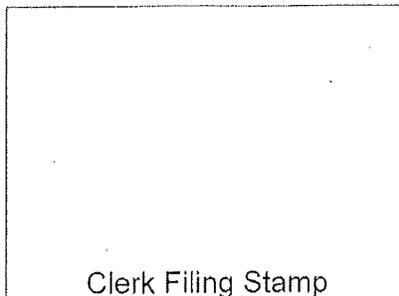
Sincerely,


Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



**EXHIBIT A
POL-D-611**



Clerk Filing Stamp

**CERTIFICATE OF MAILING AND PUBLICATION OF NOTICE FOR
Council Bill 116819**

I, Lise Ward, Senior Real Property Agent, hereby certify as follows:

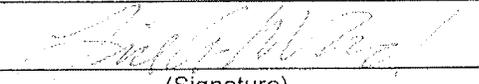
(Check all that apply below.)

- X 1. On the 9th day of March, 2010, I mailed via US Postal Service Certified Mail a
 notice of condemnation or
 other _____,
a true and correct representative copy of which is attached and designated as
Attachment A, to those persons whose names and addresses appear on the
attached list as Attachment B.
- X 2. For condemnation legislation: The notice designated in Attachment A constitutes
adequate notice to property owners, pursuant to RCW 8.12 and 8.25, that the
City may take final action to authorize condemnation of the subject property.
- X 3. The notice designated in Attachment A was published in the Seattle Times on
March 21, 2010 and March 28, 2010 and the Daily Journal of Commerce on
March 19, 2010 and March 26, 2010.
- X 4. This Certificate of Mailing and Publication and complete Attachments A and B
are hereby filed with the City Clerk of the City of Seattle.

Dated this 30th day of March, 2010.

The City of Seattle, Washington

Lise A. Ward


(Signature)

Senior Real Property Agent

Dept. of Parks and Recreation

(206) 733-9106





City of Seattle
Parks and Recreation

BY CERTIFIED MAIL

March 9, 2010

Mr. David Sharp
FedRep Investors LLC
3408 East Marion Street
Seattle, WA 98122

Mr. David Sharp
FedRep Investors LLC
327 32nd Avenue
Seattle, WA 98122

Re:

Notice of Seattle City Council Final Action to Adopt an Ordinance Authorizing Condemnation (Eminent Domain) of real property located at the northeast corner of Federal Avenue East & East Republican Street in the City of Seattle, Washington (King County Tax Parcels No. 685270-0325 and 685270-0330)

Dear Property Owner:

The purpose of this Notice is to inform you that the City of Seattle City Council is expected to vote to approve an ordinance authorizing the acquisition of your real property rights located at the northeast corner of Federal Avenue East and East Republican Street in the City of Seattle, Washington (King County of Tax Parcel Nos. 685270-0325 and 685270-0330). A copy of the proposed ordinance and a map depicting the project location are enclosed for your information.

This ordinance if adopted will contain authorization for the City to use condemnation to acquire your property as part of the Seattle Parks & Green Spaces Levy Acquisition Project.

You are identified by the tax rolls of King County as the owner of property affected by this legislation. The City is required by RCW 8.25.290 to provide each property owner affected by the ordinance with formal written notice before the City takes final action authorizing condemnation of property. The time, date, and place of the final action to approve the ordinance are described below.

Lise A. Ward, Senior Real Property Agent
Parks and Recreation
800 Maynard Avenue South
Third Floor
Seattle, WA 98134

Tel (206) 733-9106
Fax (206) 233-7038
TDD (206) 233-7061
lise.ward@seattle.gov



Mr. David Sharp

March 9, 2010

Page Two

The City will take public comment and discuss the ordinance at the Seattle City Council Parks and Seattle Center Committee as a regular part of the committee meeting beginning at 9:30 a.m. on Thursday, March 18, 2010, in City Council Chambers, located at 600 4th Avenue, 2nd Floor, Seattle, WA. The Council's chambers and offices are physically accessible; and print and communications accesses are provided on request. Call 206-684-8888 (TDD: 206-233-0025) for further information.

If you attend the meeting, you will have the opportunity to express your views on the ordinance during the public comment period. Public comments are received by the committee at the start of the meeting and are generally limited to a total of 10 minutes of comments for each agenda item. You may also submit comments in writing to Committee Chair Sally Bagshaw at sally.bagshaw@seattle.gov or mail to Sally Bagshaw; Seattle City Council, 600 4th Avenue; Seattle, WA 98104.

If you have questions about the committee meeting format, the agenda for the meeting, or the public comment section, please contact Philip Roewe of Councilmember Bagshaw's office at (206) 684-8801, or visit the Parks and Seattle Center Committee's website at the following address: http://www.seattle.gov/council/com_assign.htm#parks If the Committee approves the ordinance, it will be forwarded to the full City Council for final action.

Final Action

The ordinance authorizing condemnation of your property will be presented for final action (adoption) to the Seattle City Council on Monday, March 29, 2:00 p.m., in the City Council Chambers, located at 600 4th Avenue, 2nd Floor, Seattle, WA. After approval of the ordinance the City of Seattle will be authorized to acquire your property for the Parks & Green Spaces Levy Acquisition Project through negotiation or may use its powers of eminent domain to condemn your property.

Please contact the undersigned with any questions.

Thank you.


Lise A. Ward
Senior Real Property Agent

Enclosure

Cc: Councilmember Sally Bagshaw
Phillip Roewe



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ORDINANCE _____

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WHEREAS, the Parks and Green Spaces Levy Citizens' Advisory Committee, after being duly appointed and after spending many hours in open meetings and receiving public testimony and deliberating on the levy, voted by a strong majority to recommend that the City Council place a \$145.5 million six-year levy proposal for park purposes before the voters of Seattle; and

WHEREAS, in response to this recommendation, the City Council passed Ordinance 122749, placing Proposition 2, the 2008 Parks and Green Spaces Levy before the voters of Seattle; and

WHEREAS, the 2008 Parks and Green Spaces Levy was approved by Seattle voters on November 4, 2008; and

WHEREAS, Ordinance 122749 identifies the Capitol Hill Urban Center Village for a potential neighborhood park acquisition; and

WHEREAS, the Department of Parks and Recreation considers the Capitol Hill Urban Center Village as significantly underserved with quality open space and is, therefore, a priority for additional development of parks and open space; and

WHEREAS, a vacant site at the northeast corner of Federal Avenue East and East Republican Street is well-suited for open space, park and recreation uses; and

WHEREAS, the City has determined that the property at the northeast corner of Federal Avenue East and East Republican Street will provide a new neighborhood park that meets the criteria to address open space needs established in Seattle's Park and Recreation Comprehensive Plan, Seattle's Parks and Recreation Plan 2000, and Seattle's 2006 Open



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3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the ____ day of _____, 2010, and
5 signed by me in open session in authentication of its passage this
6 ____ day of _____, 2010.
7

8
9
10 _____
11 President _____ of the City Council

12 Approved by me this ____ day of _____, 2010

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14 _____
15 Michael McGinn, Mayor

16 Filed by me this ____ day of _____, 2010.

17
18 _____
19 City Clerk

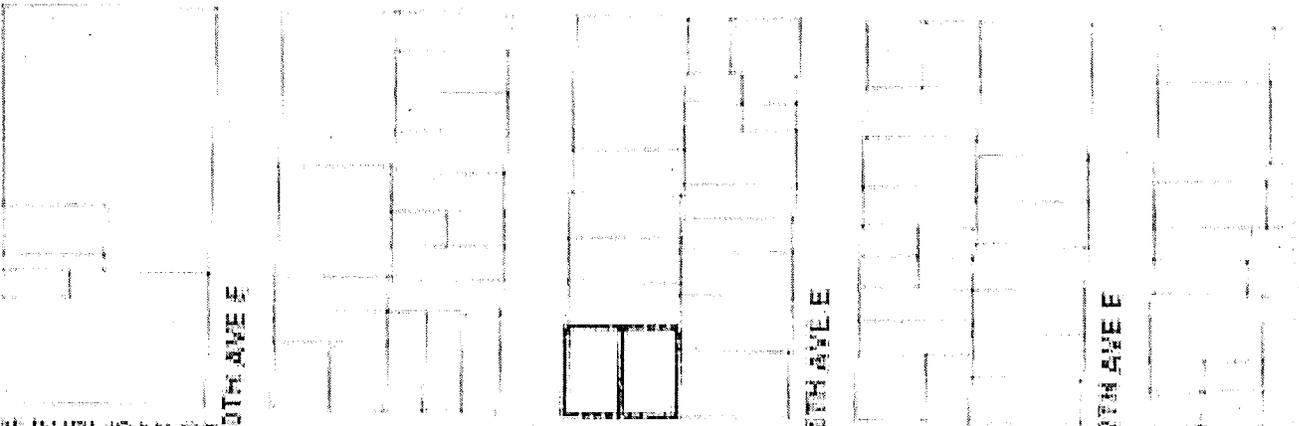
20 (Seal)



Attachment #



E MERCEN ST



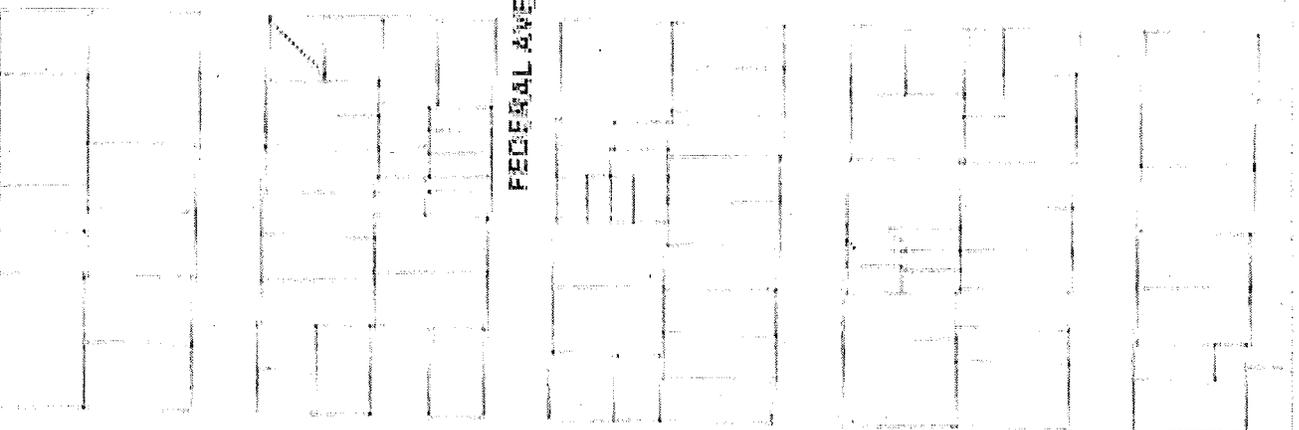
E REPUBLICAN ST

10TH AVE E

FEDERAL AVE E

11TH AVE E

12TH AVE E



E HARRISON ST

Capitol Hill Urban Center Village - Proposed Acquisition



City of Denver
Department of Public Works

Legend



Scale: 1" = 100'



petitioner has started an
the above court request
your marriage or domest-
ership be dissolved.
petition also requests
grant the following:
Dispose of property and
s.

must respond to this
by serving a copy of
iten response on the par-
ing this summons and a
original with the clerk of
If you do not serve your
response within 60 days
a date of the first publica-
tion of this summons, on or
28th day of March, 2010,
you may enter an order of
against you, and the court
that further notice to you,
decreed and approved or pro-
ther relief requested in
mons. In the case of a dis-
t, the court will not enter
decree until at least 60
ter service and filing. If
y a notice of appearance
undersigned person, you
jiled to notice before an
default or a decree may
red.

our written response to
mons and petition must
form WFF DR 01.0300,
as to Petition (Marriages),
ation about how to get this
ay be obtained by con-
the clerk of the court, by
ing the Administrative
of the Courts at (360) 705-
7 from the Internet at the
gton State Courts home-
http://www.courts.wa.gov/

you wish to seek the advice
torney in this matter, you
do so promptly so that your
response, if any, may be
on time.
ne method of serving a copy
response on the petitioner
nd it certified mail with
receipt requested.

s summons is issued pursu-
RCW 4.25.100 and Superior
Court Rule 4.1 of the State of
gton.
ed: March 22, 2010.
MELANIE C. GRIFFIN,
ney for Petitioner, WSBA
151.

2 original of your response
the Clerk of the Court at
County Courthouse, 516 3rd
ce, Room E009, Seattle, WA

va a copy of your response
Petitioner's Lawyer,
ANIE C. GRIFFIN, Attorney
Carillon Point, Bldg. 500 4th
Ridgeland, WA 98033.

to first publication in
Seattle Daily Journal of
nerce, March 26, 2010.
4/30(252500)

**SUMMONS BY
PUBLICATION**
Superior Court No.
09-2-35613-1 SEA

THE SUPERIOR COURT OF
the State of Washington in and
for the County of King
elle Arts Condominium
ociation, Plaintiff, v. Sung
Kang and Mi Yeol Kim,
band and wife, and their mar-
rial community, et al.,
Defendants. No. 09-2-35613-1
- Summons by Publication.
(Days)

he State of Washington, to:
z The Kang and Mi Yeol Kim,
and and wife, and their mar-
ricommunity, Defendants.

ou are hereby summoned to
ar within sixty days after
date of the first publication of
summons, to wit: within sixty
days after the 26th day of March,
2010, and defend the above enti-
tled action in the above entitled
ct, and answer the complaint
to plaintiff and serve a copy of
r answer upon the undersigned
rney for plaintiff at his (or
r) office below stated; and in
of your failure to do so, judg-
ent will be rendered against you
rding to the demand of the plai-
ntiff, which has been filed
the clerk of said court. The
et of this action being to collect
aid assessments and foreclose
for the same. This concerns
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ion obtained or provided will be
d for that purpose. The attor-
ney acting as a debt collector:
SUNDBERG & PODY LAW
FIRM, PLLC. KRIS J.
NDBERG, WSBA #14549,
AN H. POJY, WSBA #27585,
TRICK M. McDONALD, WSBA
3615, PATRICIA ARMY, WSBA
7418, GAILIN R. FINLEY,
3BA #40715, Attorneys for
nitioner. 3025 - 80th Avenue
nuite #3025 - P.O. Box 1577, Mercer
and, WA 98040, 206-230-0212.

Date of first publication in
Seattle Daily Journal of
Commerce, March 26, 2010.
4/30(252487)

**NOTICE OF
VARIANCE APPLICATION**
DOSH gives notice that an
application was received from
University of Washington, Con-
struction, Inc., Mukilteo, WA 98275
tractors, in and from (WAC) 206-
869-20045, which states:

WAC 206-869-20045 working
from the platform:
Make sure boom and platform
load limits specified by the
manufacturer aren't exceeded.
Make sure person stand firmly
on the floor of the platform and
don't sit or climb on the edge
of the platform or use guard
rails, planks, ladders, or any
other devices to gain additional
height or reach. Prohibit wear-
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from the platform. Make sure
all persons on the platform
wear a full body harness with a
lanyard attached to either:
The manufacturer's recommended
attachment point or the boom
or platform if the manufacturer
doesn't specify an attachment

case of your failure to do so, judg-
ment will be rendered against you
according to the demand of the
complaint, which has been filed
with the clerk of said court.
Plaintiff's claim is stated in
the written complaint and is for
the purpose to enforce and fore-
close a duly executed and record-
ed water and sewer lien upon real
property located in King County,
Washington, described as fol-
lows:
LOT 15, Steel Lake Village No.
2, according to the Plat thereof
located in Volume 78 of Plats
a Pages 29 and 40, records in
King County Auditor.
Situations in the City of Federal
Way, County of King, State of
Washington.
Tax Parcel No. 798490-0150
Respectfully submitted this
25th day of March, 2010.
LYBECK MURPHY, LLP.
By: ERIC A. NORMAN,
(WSBA #37814), ELIZABETH
A. COOPER (WSBA #26065),
Attorneys for Plaintiff Investment
Services, Inc., Lybeck Murphy,
7625 SE 24th St., Ste. 500, Mercer
Island, WA 98040, 206-230-
4250/phone 206-230-7791/fax.
Date of first publication in
the Seattle Daily Journal of
Commerce, March 26, 2010.
4/30(252504)

**SUMMONS
Superior Court No.
10-2-09450-1 KNT**

Commerce, March 26, 2010.
3/26(252470)

**NOTICE OF
VARIANCE APPLICATION**
DOSH gives notice that an
application was received from
Financial Pacific Leasing, Federal
Way, WA 98011 for a variance
from (WAC) 296-800-1302(D),
which states:

WAC 296-800-1302D
Establish and conduct safe-
ty committees. You must:
If you employ 11 or more people
on the same shift at the same
location. Then you must estab-
lish a safety committee at the
same location.
(1) Make sure your commit-
tee has employee-elected and
employer-selected members.
The number of employee-
elected members must equal or
exceed the number of employ-
er-selected members. Employees
selected by the employees
bargaining representative or
union, qualify as employee-
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elected members must be a
maximum of one year. (There
is no limit to the number of
terms a representative can
serve.) If there is an employ-
elected member vacancy, a new
member must be elected prior
to the next scheduled meet-
ing of an elected chairperson.
Determines how often, when,
and where, the safety commit-
tee will meet.

If an affected employee of
the applicant/employer, or that
employee's representative, wishes
to comment on the granting or
denying of this variance applica-
tion, that person must request
a hearing. The request shall be
made within 21 calendar days of
this published notice. The request
shall be written, shall indicate
reason(s) for the request and
shall be addressed to: Michael
A. Silverstein, M.D. Assistant
Director, Division of Occupational
Safety and Health, Post Office
Box 44025, Olympia, Washington
98504-4625.

Within 10 working days of
receipt of the request, the Division
of Occupational Safety and Health
shall give a minimum of 21-calen-
dar days written notice of the date,
time, and location of the hearing.
The assigned hearing officer may
conduct pre-hearing conference
to discuss the information that is
to be presented by those affected
by the variance. All interested
persons will be advised of the final
decision.

Date of publication in the
Seattle Daily Journal of
Commerce, March 26, 2010.
3/26(252477)

**SUMMONS BY
PUBLICATION**
Superior Court No.
10-2-10515-8 SEA

IN THE SUPERIOR COURT
for the State of Washington in and
for the County of King
Gregory G. Brackett, Daniel
J. Gering, Robert and James P.
Stapleton, Plaintiffs, vs. JP
Morgan Chase & Co. and John
Doss 1-10, Defendants. No. 10-
2-10515-8 SEA. Summons by
Publication. (60 Days.)

The State of Washington to the
Defendants John Doss 1-10:
You are hereby summoned to
appear within sixty (60) days
after the date of the first publica-
tion of this summons, to wit: sixty
days after the 26th day of March,
2010, and defend the above enti-
tled action in the above entitled
court, and answer the complaint
of Plaintiffs and serve a copy of
your answer upon the undersigned
attorney for Plaintiffs, at their
office below stated; and in case of
your failure to do so, judgment
will be rendered against you ac-
cording to the demand of the Com-
plaint to Quiet Title, which has been
filed with the clerk of said court.

The object of the action brought
against you in any right or inter-
est you may claim in the real prop-
erty and improvements located in
the City of Bellevue at 17707 S.E.
60th Street, Bellevue, Washington
98006, King County Tax Parcel
No. 242405-9049, legally described as
follows, and in which Plaintiffs
seek to quiet title:
That portion of the North half
of the North half of the
East half of the West half of the
Southeast quarter of the
Southeast quarter of Section
24, Township 24 North, Range
5 East, W.M. 10, in King County,
Washington, except the West
15 feet thereof, except county
road, and except the East 155
feet thereof.

Dated this 25th day of March,
2010.
SCHLEIFRIN, OLSON
SCHELEMLIN & HOPKINS,
P.L.L.C. By: GARTH A.
SCHELEMLIN, WSBA No.
13637, MICHAEL W. BARCOCK,
WSBA No. 12573, Attorneys for
Plaintiffs, 1601 Fifth Avenue,
Suite 2500, Seattle, WA 98101.
(206) 448-8100.

Date of first publication in
the Seattle Daily Journal of
Commerce, March 26, 2010.
4/30(252487)

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tractors, in and from (WAC) 206-
869-20045, which states:

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Make sure boom and platform
load limits specified by the
manufacturer aren't exceeded.
Make sure person stand firmly
on the floor of the platform and
don't sit or climb on the edge
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The manufacturer's recommended
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FIRM, PLLC. KRIS J.
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AN H. POJY, WSBA #27585,
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and, WA 98040, 206-230-0212.

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Date of first publication in
Seattle Daily Journal of
Commerce, March 26, 2010.
4/30(252487)

**SUMMONS
Superior Court No.
10-2-09450-1 KNT**

Commerce, March 26, 2010.
3/26(252470)

**NOTICE OF
VARIANCE APPLICATION**
DOSH gives notice that an
application was received from
Financial Pacific Leasing, Federal
Way, WA 98011 for a variance
from (WAC) 296-800-1302(D),
which states:

WAC 296-800-1302D
Establish and conduct safe-
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If you employ 11 or more people
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location. Then you must estab-
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same location.
(1) Make sure your commit-
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employer-selected members.
The number of employee-
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exceed the number of employ-
er-selected members. Employees
selected by the employees
bargaining representative or
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elected. The term of employ-
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maximum of one year. (There
is no limit to the number of
terms a representative can
serve.) If there is an employ-
elected member vacancy, a new
member must be elected prior
to the next scheduled meet-
ing of an elected chairperson.
Determines how often, when,
and where, the safety commit-
tee will meet.

If an affected employee of
the applicant/employer, or that
employee's representative, wishes
to comment on the granting or
denying of this variance applica-
tion, that person must request
a hearing. The request shall be
made within 21 calendar days of
this published notice. The request
shall be written, shall indicate
reason(s) for the request and
shall be addressed to: Michael
A. Silverstein, M.D. Assistant
Director, Division of Occupational
Safety and Health, Post Office
Box 44025, Olympia, Washington
98504-4625.

Within 10 working days of
receipt of the request, the Division
of Occupational Safety and Health
shall give a minimum of 21-calen-
dar days written notice of the date,
time, and location of the hearing.
The assigned hearing officer may
conduct pre-hearing conference
to discuss the information that is
to be presented by those affected
by the variance. All interested
persons will be advised of the final
decision.

Date of publication in the
Seattle Daily Journal of
Commerce, March 26, 2010.
3/26(252477)

**SUMMONS BY
PUBLICATION**
Superior Court No.
10-2-10515-8 SEA

IN THE SUPERIOR COURT
for the State of Washington in and
for the County of King
Gregory G. Brackett, Daniel
J. Gering, Robert and James P.
Stapleton, Plaintiffs, vs. JP
Morgan Chase & Co. and John
Doss 1-10, Defendants. No. 10-
2-10515-8 SEA. Summons by
Publication. (60 Days.)

The State of Washington to the
Defendants John Doss 1-10:
You are hereby summoned to
appear within sixty (60) days
after the date of the first publica-
tion of this summons, to wit: sixty
days after the 26th day of March,
2010, and defend the above enti-
tled action in the above entitled
court, and answer the complaint
of Plaintiffs and serve a copy of
your answer upon the undersigned
attorney for Plaintiffs, at their
office below stated; and in case of
your failure to do so, judgment
will be rendered against you ac-
cording to the demand of the Com-
plaint to Quiet Title, which has been
filed with the clerk of said court.

The object of the action brought
against you in any right or inter-
est you may claim in the real prop-
erty and improvements located in
the City of Bellevue at 17707 S.E.
60th Street, Bellevue, Washington
98006, King County Tax Parcel
No. 242405-9049, legally described as
follows, and in which Plaintiffs
seek to quiet title:
That portion of the North half
of the North half of the
East half of the West half of the
Southeast quarter of the
Southeast quarter of Section
24, Township 24 North, Range
5 East, W.M. 10, in King County,
Washington, except the West
15 feet thereof, except county
road, and except the East 155
feet thereof.

Dated this 25th day of March,
2010.
SCHLEIFRIN, OLSON
SCHELEMLIN & HOPKINS,
P.L.L.C. By: GARTH A.
SCHELEMLIN, WSBA No.
13637, MICHAEL W. BARCOCK,
WSBA No. 12573, Attorneys for
Plaintiffs, 1601 Fifth Avenue,
Suite 2500, Seattle, WA 98101.
(206) 448-8100.

Date of first publication in
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4/30(252487)

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tractors, in and from (WAC) 206-
869-20045, which states:

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load limits specified by the
manufacturer aren't exceeded.
Make sure person stand firmly
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The manufacturer's recommended
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4/30(252487)

**SUMMONS
Superior Court No.
10-2-09450-1 KNT**

Commerce, March 26, 2010.
3/26(252470)

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Determines how often, when,
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Director, Division of Occupational
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Date of publication in the
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Superior Court No.
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IN THE SUPERIOR COURT
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Gregory G. Brackett, Daniel
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The object of the action brought
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3BA #40715, Attorneys for
nitioner. 3025 - 80th Avenue
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Date of first publication in
Seattle Daily Journal of
Commerce, March 26, 2010.
4/30(252487)

SUMMON

STATE OF WASHINGTON – KING COUNTY

--SS.

253528
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.

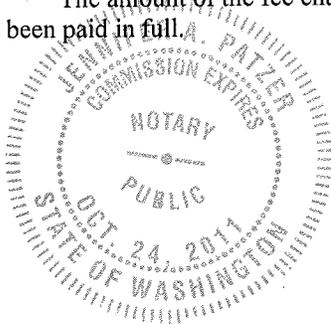
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123270 ORDINANCE

was published on

04/21/10

The amount of the fee charged for the foregoing publication is the sum of \$ 177.45, which amount has been paid in full.



[Handwritten signature]

Subscribed and sworn to before me on

04/21/10

[Handwritten signature]

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

ORDINANCE 123270

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property located at the northeast corner of Federal Avenue East and East Republican Street, otherwise known as Parcels A and B of Seattle Lot Boundary Adjustment No. 3006437; authorizing acceptance and recording of deeds for open space, park, and recreation purposes; and authorizing acquisition by condemnation.

WHEREAS, Resolution 31055 created the Parks and Green Spaces Levy Citizens' Advisory Committee to ensure citizen participation in the development of a potential package of parks, open space, boulevards, trails, green infrastructure, and recreation projects and a proposed set of options to fund the package; and

WHEREAS, the Parks and Green Spaces Levy Citizens' Advisory Committee, after being duly appointed and after spending many hours in open meetings and receiving public testimony and deliberating on the levy, voted by a strong majority to recommend that the City Council place a \$145.5 million six-year levy proposal for park purposes before the voters of Seattle; and

WHEREAS, in response to this recommendation, the City Council passed Ordinance 122749, placing Proposition 2, the 2008 Parks and Green Spaces Levy before the voters of Seattle; and

WHEREAS, the 2008 Parks and Green Spaces Levy was approved by Seattle voters on November 4, 2008; and

WHEREAS, Ordinance 122749 identifies the Capitol Hill Urban Center Village for a potential neighborhood park acquisition; and

WHEREAS, the Department of Parks and Recreation considers the Capitol Hill Urban Center Village as significantly underserved with quality open space and is, therefore, a priority for additional development of parks and open space; and

WHEREAS, a vacant site at the northeast corner of Federal Avenue East and East Republican Street is well-suited for open space, park and recreation uses; and

WHEREAS, the City has determined that the property at the northeast corner of Federal Avenue East and East Republican Street will provide a new neighborhood park that meets the criteria to address open space needs established in Seattle's Park and Recreation Comprehensive Plan, Seattle's Parks and Recreation Plan 2000, and Seattle's 2006 Open Space Gap Report Update and that it is in the public's best interest to acquire the same for open space, park, and recreation purposes; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public convenience and necessity require that the following described real property, situated in the City of Seattle, County of King, State of Washington, and commonly known as the northeast corner of Federal Avenue East and East Republican Street ("Property"), together with all rights, privileges and other property pertaining thereto, be acquired for open space, park, and recreation purposes:

Parcels A and B City of Seattle Lot Boundary Adjustment No. 3006437 recorded under recording number 2007091190005 also described of record as: Lots 7 and 8, Block 23, Supplemental Plat of Lincoln Pontius Addition to the City of Seattle, according to the plat thereof recorded in Volume 91 of Plats, page 52, in King County, Washington.

Section 2. The Superintendent of Parks and Recreation ("Superintendent"), or his or her designee, is authorized, on behalf of the City of Seattle, to negotiate and enter into agreements to acquire the Property upon payment of just compensation therefore, and to accept a deed for the Property by attaching to the deed the Superintendent's written acceptance thereof, and recording the same. The Property shall be accepted for open space, park, and recreation purposes, and placed under the jurisdiction of the Seattle Department of Parks and Recreation.

Section 3. The Seattle City Attorney is authorized to commence and prosecute proceedings in the manner provided by law to condemn, take, damage, and appropriate the Property in fee simple, after just compensation has been made or paid into court for the owners thereof, in the manner provided by law; and to stipulate for the purposes of minimizing damages.

Section 4. The entire cost of the acquisition provided for above shall be paid from the 2008 Parks and Green Spaces Levy fund or from such general fund of the City of Seattle as may be provided by law.

Section 5. Any act consistent with the authority of this ordinance that is taken after its passage but prior to its effective date is hereby ratified and confirmed.

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

Passed by the City Council the 29th day of March, 2010, and signed by me in open session in authentication of its passage this 29th day of March, 2010.

Richard Conlin

President of the City Council

Approved by me this 8th day of April, 2010

Michael McGinn, Mayor

Filed by me this 8th day of April, 2010.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily Journal of Commerce, April 21, 2010.

4/21(253528)