

Ordinance No. 123639

Council Bill No. 117201

AN ORDINANCE relating to the City Light Department, accepting various easements granted to the City in 2010 for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Bruce C. Harrell
Councilmember

Committee Action:

6/15/2011 Passed BH, RC

CF No. _____

| | | |
|------------------------------|--|---------------|
| Date Introduced: | <u>6-13-11</u> | |
| Date 1st Referred: | To: (committee) | |
| Date Re - Referred: | To: (committee) <u>Energy Technology</u> | |
| Date Re - Referred: | To: (committee) <u>Civil Rights</u> | |
| Date of Final Passage: | Full Council Vote: | |
| <u>6/20/11</u> | <u>8-0</u> | |
| Date Presented to Mayor: | Date Approved: | |
| <u>6/21/11</u> | <u>6-23-11</u> | |
| Date Returned to City Clerk: | Date Published: | T.O. <u>✓</u> |
| <u>6-23-11</u> | | F.T. _____ |
| Date Vetoed by Mayor: | Date Veto Published: | |
| | | |
| Date Passed Over Veto: | Veto Sustained: | |
| | | |

6/20/11 Full Council PASSED 8-0 (excused: O'Brien)

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

ORDINANCE 123639

1
2 AN ORDINANCE relating to the City Light Department, accepting various easements granted to
3 the City in 2010 for overhead and underground electrical rights in King County,
4 Washington; placing said easements under the jurisdiction of the City Light Department;
and ratifying and confirming certain prior acts.

5 WHEREAS, the City Light Department's 2007 "Requirements for Electric Service Connections"
6 states that owners of real property who request electrical service must grant to, or obtain
7 for, the City an easement in gross whenever City Light service equipment must be located
either on the property being served or the property of another; and

8 WHEREAS, the Department of Planning and Development requires that applications for short
9 plats, lot boundary adjustments, and unit lot subdivisions be reviewed by other City
10 departments as a condition of its approval of such property divisions; and

11 WHEREAS, it is the intention of both the Department of Planning and Development and the City
12 Light Department that each lot created by such property divisions must have adequate
access for utilities including electrical service; and

13 WHEREAS, after review by the City Light Department, the Department of Planning and
14 Development places City Light easements in gross on final approved short plats, lot
15 boundary adjustments, and unit lot subdivisions when necessary to ensure adequate
access; and

16 WHEREAS, the Seattle City Charter, Article IV, Legislative Department, Section 14, Powers by
17 Ordinance: Fourth, Acquisition and Disposal of Property requires that all acquisition and
18 disposal of real property interests shall be by ordinance;

19 NOW, THEREFORE,

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

21 Section 1. The City of Seattle hereby accepts the easements for overhead and
22 underground electrical distribution rights upon, under, over and across the real property in King
23 County, Washington, as more particularly described in the short plats, lot boundary adjustments,
24 and unit lot subdivisions granted by the following persons or entities in 2010 and identified as
25 follows:
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27
28



1
2 THIRTY-SIXTH AVENUE, LLC, a limited liability company, dated January 24, 2010,
3 P.M. #240415-2-014B, K.C. Recording #2010031690005;

4
5 ERIC F. HIPOLITO and MARIA MAY C. HIPOLITO, husband and wife, dated February
6 5, 2010, P.M. #240421-2-025, K.C. Recording #20100316900004;

7
8 THIRTY-SIXTH AVENUE, LLC, a limited liability company, dated March 5, 2010,
9 P.M. #240415-2-014, K.C. Recording #20100323900012;

10
11 SEATTLE CITY HOMES, LLC, a limited liability company, dated March 18, 2010, P.M.
12 #240324-1-022E, K.C. Recording #20100325900003;

13
14 CITY BANK, a Washington corporation, dated February 23, 2010, P.M. #260428-1-066,
15 K.C. Recording #20100325900002;

16
17 CITY BANK, a Washington corporation, dated February 23, 2010, P.M. #260428-1-067,
18 K.C. Recording #20100325900001;

19
20 ALCHEMY VENTURES, LLC, a limited liability company, dated March 8, 2010, P.M.
21 #250430-1-012, K.C. Recording #20100407900003;

22
23 ELINA GALUSTYAN, dated March 12, 2010, P.M. #240404-2-012C, K.C. Recording
24 #20100406900005;



1 PETE GRANGER, INC, dated March 24, 2010, P.M. #240415-3-007, K.C. Recording
2 #20100406900004;

3
4 CHRIS PICKERING, dated February 10, 2010, P.M. #240323-4-018, K.C. Recording
5 #20100430900001;

6
7 SITE DOUBLE 02, LLC, a limited liability company, dated March 1, 2010, P.M.
8 #250420-2-019, K.C. Recording #20100413900007;

9
10 MEHARRY HABTE, GEBREHIWET HAILE, HIDAT NEGUSE, dated April 23, 2010,
11 P.M. # 240427-2-039, K.C. Recording #20100505900002;

12
13 DAVID A. EBEL, dated April 21, 2010, P.M. #260431-2-034, K.C. Recording
14 #20100507900002;

15
16 COBB CONSTRUCTION, Inc, a Washington Corporation, dated April 13, 2010, P.M.
17 #250312-3-032, K.C. Recording #20100503900001;

18
19 EDGE QUEEN ANNE, LLC, a limited liability company, dated April 29, 2010, P.M.
20 #250324-3-038, K.C. Recording #20100504900036;

21
22 TWENTY FIFTH AVENUE, LLC, a limited liability company, dated January 26, 2010,
23 P.M. #240404-4-056, K.C. Recording #20100505900004;



1 DIG-MFSA INVESTMENT GROUP, LLC, a limited liability company, dated April 13,
2 2010, P.M. #240431-3-012, K.C. Recording #20100505900003;

3
4 BUILD SOUND, LLC, a limited liability company, dated April 26, 2010, P.M. #240404
5 2-042, K.C. Recording #20100507900003;

6
7 EIGER DEVELOPMENT, LLC, a limited liability company, dated January 12, 2010,
8 P.M. #250315-1-007, K.C. Recording #20100201900009;

9
10 CONOR/ROBERTS HOMES, Inc, a Washington Corporation, dated March 31, 2010,
11 P.M. #240404-1-033, K.C. Recording #20100512900008;

12
13 3813 ANGELINE, LLC, a limited liability company, dated April 30, 2010, P.M.
14 #240422-2-029B, K.C. Recording #20100511900003;

15
16 3813 ANGELINE, LLC, a limited liability company, dated April 30, 2010,
17 P.M. #240422-2-029, K.C. Recording #20100512900001;

18
19 FOSTER PENNER, LLC, a limited liability company, dated April 12, 2010,
20 P.M. #240408-1-031, K.C. Recording #20100511900004;

21
22 JOHN SMALL, dated April 26, 2010, P.M. #240426-2-032B, K.C. Recording
23 #20100506900004;



1 KNOLL DEVELOPMENT, LLC, a limited liability company, dated June 3, 2010, P.M.
2 #240323-3-015B, K.C. Recording #20100616900004;

3
4 HABERZETLE HOMES, LLC, a limited liability company, dated March 19, 2010,
5 P.M. #250428-4-059, K.C. Recording #20100623900003;

6
7 LOREN LANDERHOLM, dated May 18, 2010, P.M. #250311-1-062, K.C. Recording
8 #20100624900004;

9
10 SHILSHOLE DEVELOPMENT, LLC, a limited liability company, dated
11 January 6, 2010, P.M. #250313-4-044B, K.C. Recording #20100630900001;

12
13 44th BC&G LLC, a limited liability company, dated June 10, 2010, P.M. #240311-3-016,
14 K.C. Recording #20100624900002;

15
16 QUEEN ANNE TOWNHOMES, LLC, a limited liability company, dated June 15, 2010,
17 P.M. #250419-3-023C, K.C. Recording #20100708900008;

18
19 VANWEST HOMES, dated June 8, 2010, P.M. #240325-2-023, K.C. Recording
20 #20100630900007;

21
22 DICK & JILL MCCORMICK, dated June 18, 2010, P.M. #250429-4-038B, K.C.
23 Recording #20100714900004;



1 MATTHEW DARBOUS, dated June 14, 2010, P.M. #250301-3-022, K.C. Recording
2 #20100713900005;

3
4 CW, LLC, a limited liability company, dated May 19, 2010, P.M. #250324-3-039,
5 K.C. Recording #20100719900005;

6
7 REFINO HOMES OF WASHINGTON, LLC, a limited liability company, dated June 25,
8 2010, P.M. #250312-1-010, K.C. Recording #20100728900006;

9
10 2040 FRANKLIN AVENUE EAST, LLC, a limited liability company, dated
11 July 19, 2010, P.M. #260427-2-018, K.C. Recording #20100726900003;

12
13 REAL PROPERTY DEVELOPMENT CO., LLC, a limited liability company,
14 dated July 19, 2010, P.M. #250313-3-026, K.C. Recording #20100726900004;

15
16 JONES ISLAND TRADING CO., LLC, a limited liability company, and CINDY
17 GWINN-MAGEE, dated June 18, 2010, P.M. #240315-2-015, K.C. Recording
18 #20100804900004;

19
20 SHAO CHEN, dated June 2, 2010, P.M. #240416-2-001B, K.C. Recording
21 #20100805900004;

22
23 HARRIS PARK PARTNERS, LLC, a limited liability company, dated July 2, 2010,
24 P.M. #250428-4-026, K. C. Recording #20100812900006;



1 29th AVE SOUTH, LLC, a limited liability company, dated August 11, 2010,
2 P.M. #240404-4-041, K.C. Recording #20100818900006;

3
4 DICK & JILL MCCORMICK, dated July 31, 2010, P.M. #250429-4-038, K.C. Recording
5 #20100818900005;

6
7 CLASSIC CITY HOMES, INC., a Washington Corporation, dated August 4, 2010,
8 P.M. #250417-2-010B, K.C. Recording #20100818900004;

9
10 CURTIS GAYDEN, dated November 18, 2009, P.M. #240427-4-029,
11 K.C. Recording #2010122900001;

12
13 CITY BANK, a Washington corporation, dated December 4, 2009, P.M. #250311-2-053,
14 K.C. Recording #20100111900005;

15
16 BUILD URBAN, LLC, a limited liability company, dated December 16, 2009, P.M.
17 #250406-1-022, K.C. Recording #20100111900004;

18
19 WNR BUILDER GROUP, LLC, a limited liability company, dated December 9, 2009,
20 P.M. #240429-3-021, K.C. Recording #20100114900001;

21
22 FUSION DEVELOPMENT, LLC, a limited liability company, dated December 30, 2009,
23 P.M. #240310-3-017, K.C. Recording #20100114900006;



1 QUOC DANG, dated January 6, 2010, P.M. #240404-3-028, K.C. Recording

2 #20100113900002;

3
4 GALEN WILSON, dated December 7, 2009, P.M. #250311-1-056, K.C. Recording

5 #20100125900001;

6
7 LUMEN DEVELOPMENT, LLC, a limited liability company, dated December 18, 2009,
8 P.M. #240324-4-021, K.C. Recording #20100122900014;

9
10 LUMEN II, LLC, a limited liability company, dated December 18, 2009,
11 P.M. #240324-4-021, K.C. Recording #201001229000015;

12
13 MURRAY KAHN, dated January 13, 2010, P.M. #250419-3-029, K.C. Recording
14 #20100125900002;

15
16 BEVENS, CAYCE and GAIN, LLC, a limited liability company, dated January 7, 2010,
17 P.M. #240310-3-019B, K.C. Recording #20100129900005;

18
19 ANNE VAN DYNE, dated December 14, 2009, P.M. #250314-4-039B, K.C. Recording
20 #20100120900003;

21
22 61st BC&G, LLC, a limited liability company, dated January 7, 2010,
23 P.M. #240310-3-019, K.C. Recording #20100201900001;



1 FUSION DEVELOPMENT, LLC, a limited liability company, dated December 23,
2 2009, P.M. #240310-3-016, K.C. Recording #20100205900008;

3
4 IGOR PANICOV, dated January 7, 2010, P.M. #250418-2-051, K.C. Recording
5 #20100201900010;

6
7 CHRIS PICKERING, dated December 3, 2009, P.M. #250420-3-020, K.C. Recording
8 #20100208900011;

9
10 REAL PROPERTY DEVELOPMENT COMPANY, LLC, a limited liability company,
11 dated December 23, 2009, P.M. #260427-2-016, K.C. Recording #20100218001047;

12
13 DOROTHY LOPEZ, dated October 31, 2009, P.M. #240404-2-037, K.C. Recording
14 #20100209900004;

15
16 TASK CONSTRUCTION, INC., dated February 19, 2010, P.M. #260325-4-013, K.C.
17 Recording #20100222900006;

18
19 JIM BARGER and KAREN BARGER, dated January 27, 2010, P.M. #240404-4-053,
20 K.C. Recording #20100224900007;

21
22 JIM BARGER and KAREN BARGER, dated January 27, 2010, P.M. #240404-4-054,
23 K.C. Recording #20100224900008;

24
25 KEITH M. FLEMING and JANINE M. FLEMING, dated February 9, 2010,
26



1 P.M. #240325-3-005, K.C. Recording #20100303900008;

2
3 ERIC FRANK, dated February 18, 2010, P.M. #250428-3-047, K.C. Recording
4 #20100303900004;

5
6 GIRMA and MARGARET MEKURIA, dated February 5, 2010, P.M. #250428-4-060,
7 K.C. Recording #20100303900005;

8
9 SITE 007, LLC, a limited liability company, dated October 14 2010, P.M. #240336-1-
10 008B, K.C. Recording #20101027900004;

11
12 29TH AVENUE PROPERTIES, LLC, a limited liability company, dated October 12, 2010,
13 P.M. # 240404-4-057, K.C. Recording #20101027900003;

14
15 REAL PROPERTY DEVELOPMENT CO., LLC, a limited liability company, dated July
16 19, 2010, P.M. #250313-3-026, K.C. Recording #20100726900004;

17
18 DC GRANGER CONSTRUCTION, dated October 27, 2010, P.M. #250406-1-023, K.C.
19 Recording #20101206900008;

20
21 KNOLL DEVELOPMENT, LLC, a limited liability company, dated November 16, 2010,
22 P.M. #250311-1-065, K.C. Recording #20101208900004;

23
24 SEATTLE HOUSING AUTHORITY, dated December 9, 2010, P.M. #240416-4-024,
25 K.C. Recording #20101221900009;



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14th AVE SOUTH, LLC, a limited liability company, dated December 16, 2010, P.M.
#240408-1-032, K.C. Recording #20101230900004;

BENJAMIN CUSTOM HOMES, LLC, a limited liability company, dated November 24,
2010, P.M. #240409-1-016B, K.C. Recording #20101221900007;

Section 2. The real property rights conveyed by these easements shall be placed under the
jurisdiction of the City Light Department.

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

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



1 Passed by the City Council the 20th day of June, 2011, and signed by
2 me in open session in authentication of its passage this
3 20th day of June, 2011.

4 

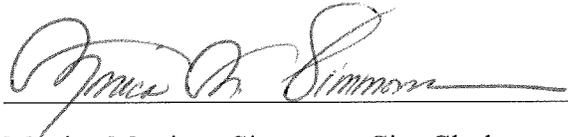
5
6 President _____ of the City Council

7
8 Approved by me this 23rd day of June, 2011.

9
10 

11 Michael McGinn, Mayor

12
13 Filed by me this 23rd day of June, 2011.

14
15 

16 Monica Martinez Simmons, City Clerk

17 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

| Department: | Contact Person/Phone: | CBO Analyst/Phone: |
|--------------------|---|---------------------------|
| Seattle City Light | Dave Barber 684-0400 Sue Putnam 684-8275 | Calvin Chow 684-4652 |

Legislation Title:

AN ORDINANCE relating to the City Light Department, accepting various easements granted to the City in 2010 for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

Summary of the Legislation:

This legislation accepts easements for overhead and underground electrical distribution rights in King County, Washington granted to the City as a result of short subdivision, lot boundary adjustment, and unit lot subdivision approvals by the Department of Planning and Development.

Background:

As part of its short plat, lot boundary adjustment, and unit lot subdivision (“property divisions”) approval process, the Department of Planning and Development (DPD) requires reviews of all applications for such property divisions by other City departments. If City Light requires an easement be placed upon the property division to ensure adequate access to serve any lot or lots created by such property division, an easement in gross is placed upon the property division as a condition of its final approval by DPD. The property owner signs the property division as grantor, it is approved by DPD, and then it is recorded with the King County Recorder’s Office.

The Seattle City Charter states that all purchases and sales of real property shall be accepted by ordinance. Easements obtained by the City in short plats, lot boundary adjustments, and unit lot subdivisions have not previously been accepted by ordinance. The City Law Department recommends that such easements be accepted by ordinance in the future, beginning with this legislation accepting all such easements obtained in 2010.

Please check one of the following:

X **This legislation does not have any financial implications.**





City of Seattle
Office of the Mayor

May 24, 2011

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 authorizes the acceptance of various easements granted to the City, for City Light's electrical facilities, resulting from the Department of Planning and Development's approval of short subdivisions, lot boundary adjustments, and unit lot subdivisions during 2010.

The Department of Planning and Development works closely with other City departments during its review of short subdivision, lot boundary adjustment, and unit lot subdivision applications. Seattle City Light reviews those applications to ensure that any lots created by such property divisions have adequate access for electrical service. When necessary, City Light will request that the Department of Planning and Development place an electrical easement on the plat as a condition of its approval.

This legislation accepts all of the electrical easements approved by the Department of Planning and Development as a result of these land use permitting actions during 2010. Thank you for your consideration of this legislation. Should you have questions, please contact Dave Barber at 684-0400.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov



STATE OF WASHINGTON – KING COUNTY

--SS.

273351
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:123632,33,35-123641

was published on

07/05/11

The amount of the fee charged for the foregoing publication is the sum of \$ 136.50, which amount has been paid in full.



Affidavit of Publication



Subscribed and sworn to before me on
07/05/11 

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on June 20, 2011, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 123632

AN ORDINANCE relating to the City's traffic code; amending various sections and subsections in Title 11 of the Seattle Municipal Code to conform with changes in state law.

ORDINANCE NO. 123633

AN ORDINANCE relating to the City's criminal code; amending and adding various sections and subsections in Chapter 3.33, Chapter 9.25, Title 12A, Chapter 21.36, Chapter 25.08, and Chapter 25.11 of the Seattle Municipal Code to conform with changes in state law.

ORDINANCE NO. 123635

AN ORDINANCE amending the 2011 Adopted Budget, including the 2011-2016 Capital Improvement Program (CIP); changing appropriations to various budget control levels in the 2011 Adopted Budget for the Seattle Department of Transportation and revising project allocations for certain projects in the 2011-2016 Capital Improvement Program.

ORDINANCE NO. 123636

AN ORDINANCE relating to the Spokane Street Viaduct project; declaring certain real property rights surplus to utility needs; authorizing the transfer of jurisdiction of said real property rights located in Blocks 302 and 271, Seattle Tide Lands from the City Light Department, placing it under the jurisdiction of the Seattle Department of Transportation and designating the property for street purposes; authorizing the Director of the Department of Transportation and the Superintendent of the City Light Department to execute and record a Termination of Possession and Use Agreement; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123637

AN ORDINANCE authorizing the sale of City property, in Block 72 of D.T. Denny's Home Addition to the City of Seattle, to the Washington State Department of Transportation for transportation purposes and the temporary lease back of the site located at 401 Aurora Avenue North; authorizing the Director of Transportation to execute, deliver and administer the agreement, deed, lease and related documents; authorizing other actions related to the use and disposition of the property; and ratifying and confirming prior acts.

ORDINANCE NO. 123638

AN ORDINANCE relating to the City Light Department, accepting various easements for overhead and underground electrical rights in King County, Washington, plac-

ing said easements under the jurisdiction of the City Light Department, and ratifying and confirming certain prior acts.

ORDINANCE NO. 123639

AN ORDINANCE relating to the City Light Department, accepting various easements granted to the City in 2010 for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123640

AN ORDINANCE relating to cable television; designating Seattle Community College District VI as the Designated Access Manager for public access television; authorizing the Chief Technology Officer to enter into a contract with Seattle Community College District VI for the provision, management and operation of public access television services; authorizing the Chief Technology Officer to remove Seattle Community College District VI as Designated Access Manager and to terminate or amend the terms of the contract; increasing appropriations in connection thereto; authorizing the Chief Technology Officer to terminate the designation of Seattle Community Access Network as the Designated Access Manager; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

ORDINANCE NO. 123641

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

Publication ordered by the City Clerk

Date of publication in the Seattle Daily Journal of Commerce, July 5, 2011.

7/5(273351)