Ordinance No. 123673

Council Bill No. 117239

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to convey a strip of tide lands associated with Waterfront Park to Pier 57 Corporation, a Washington Corporation, to complete a lot boundary adjustment consistent with a 1989 Settlement Agreement; superseding the requirements of Ordinance 118477, which adopted Initiative 42, for the purposes of this ordinance; and ratifying and confirming certain prior acts.

Related Legislation File:

Date Introduced and Referred: 7.25.11	To: (committee): Parks + Sea Center
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 8.8.11	Date Presented to Mayor: 8.9.11
Date Signed by Mayor: August 17, 2011	Date Returned to City Clerk: August 18, 2011
Published by Title Only ✓ Published in Full Text	Date Vetoed by Mayor:
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: SgBagshaw

Committee Action:

Date	Recommendation	Vote
8/4/11	PASS	3-0 SB, TR, BH

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

Full Council Action:

Date	Decision	Vote
8.8.11	Passed	9-0

Law Department

ORDINANCE 123673

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to convey a strip of tide lands associated with Waterfront Park to Pier 57 Corporation, a Washington Corporation, to complete a lot boundary adjustment consistent with a 1989 Settlement Agreement; superseding the requirements of Ordinance 118477, which adopted Initiative 42, for the purposes of this ordinance; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 114390 ratified and confirmed a Settlement Agreement, dated February 8, 1989, between the City of Seattle ("City") and Bay Development Company ("Bay") and Hal E. Griffith, Jr. ("Griffith") ("Settlement Agreement"); and

WHEREAS, the Settlement Agreement provided for the transfer of Pier 57 from the City to Bay and Griffith and the transfer of Piers 62 and 63 to the City; and

WHEREAS, the transfers were completed; and

WHEREAS, the City is the owner of Pier 58; and

WHEREAS, in Section 3.i. of the Settlement Agreement the parties agreed to execute an easement agreement for maintenance, access, and support of Piers 57 and 58 and to cooperate in completing a lot boundary adjustment to conform the property lines to the physical boundaries of Piers 57 and 58; and

WHEREAS, the City and the successors to Bay and Griffith's interests entered into an Easement and Operating Agreement, dated May 15, 1989 and recorded under King County recording number 198905151042 ("Easement Agreement"), pursuant to the Settlement Agreement; and

WHEREAS, in Section 9 of the Easement Agreement the parties agreed to apply for a lot boundary adjustment; and

WHEREAS, the City and Pier 57 Corporation (the successor owner of Pier 57) made application to the Seattle Department of Planning and Development ("DPD") for a lot boundary adjustment as provided in the Settlement Agreement and the Easement Agreement; and

WHEREAS, DPD approved the lot boundary adjustment, which was recorded under King County recording number 20110114900004; and

WHEREAS, to complete the lot boundary adjustment and to satisfy the terms of the Settlement Agreement the City must transfer a strip of tide land to Pier 57 Corporation; and

WHEREAS, the requirements and agreements contained in the Settlement Agreement predate the passage of Ordinance 118477, which adopted Initiative 42; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Superintendent of Parks and Recreation is authorized, on behalf of the City of Seattle, to sign and deliver a quitclaim deed, in substantially the form attached hereto as Attachment 1, to convey to Pier 57 Corporation the real property described in Attachment 1 to complete the lot boundary adjustment recorded under King County Recording Number 20110114900004 ("Lot Boundary Adjustment") to satisfy the terms of the Settlement Agreement ratified and confirmed by Ordinance 114390.

Section 2. The requirements of Ordinance 118477, which adopted Initiative 42, are hereby superseded for the purposes of this ordinance.

Section 3. Any acts made consistent with the authority and prior to the effective date of this ordinance, including, without limitation, the recording of the Lot Boundary Adjustment, are 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.

Passed by the City Council the 8th day of August, 2011, and signed by me in open session in authentication of its passage this 8th day of August, 2011.

President _____ of the City Council

Approved by me this 17th day of August, 2011.

Michael McGinn, Mayor

Filed by me this 18th day of August, 2011.

Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1: Quitclaim Deed

ATTACHMENT 1

AFTER RECORDING, MAIL TO:
Pier 57 Corporation
Attn: Hal Griffith
1301 Alaskan Way
Seattle, WA 98101

Document Title(s): QUITCLAIM DEED

Reference number of related documents: Consent and Operating Agreement dated May 15, 1989 and recorded under Record Number 198905151042, records of King County, Washington; and Lot Boundary Adjustment Number 3011647 recorded under Recorder's Number 20110114900004, Records of King County, Washington

Grantor(s): City of Seattle, a Washington municipal corporation

Grantee(s): Pier 57 Corporation, a Washington corporation

Abbreviated Legal Description: a portion of Seattle Tide Lands Pcl 01-376

Assessor's Property Tax Parcel Account Number: portion of 7666202430

QUITCLAIM DEED

The Grantor, the City of Seattle, a Washington municipal corporation, for and in consideration of adjustment of boundary line pursuant to City of Seattle Lot Boundary Adjustment recorded January 13, 2011, under King County Recording Number 20110114900004, conveys and quitclaims to Pier 57 Corporation, a Washington corporation ("Grantee"), the following described real property ("Property"), situated in the County of King, State of Washington,

> That portion of Lot 10, Block 176 of the Supplemental Plat of Seattle Tide Lands, in King County, Washington, as shown on the official maps on file in the office of the Commissioner of Public Lands at Olympia, Washington, described as follows:
>
> Beginning at a point on the Inner Harbor Line 470.60 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8[1]" on Replat of Seattle Tide Lands; thence continuing South 25°21'48" East along the Inner Harbor Line 14.02 feet; thence South 89°35'45" East 32.74 feet; thence South 30°52'46" East 6.27 feet; thence South 89°02'26" East 96.82 feet to the westerly margin of Alaskan Way (formerly Railroad

COUNCIL CLERK

Avenue); thence North 31°45'54" West 22.76 feet; thence North 89°45'02" West 126.79 feet to the TPOB.

SUBJECT TO covenants, conditions, restrictions and easements described or referenced in said Lot Boundary Adjustment.

Grantee accepts the foregoing described Property in "AS-IS" CONDITION WITH ALL FAULTS, AND WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, EXPRESS OR IMPLIED, AS TO ITS CONDITION, ENVIRONMENTAL OR OTHERWISE, OR ITS SUITABILITY OR SUFFICIENCY FOR THE GRANTEE'S INTENDED USES AND PURPOSES. Grantee acknowledges that adverse environmental conditions may exist on the Property and hereby releases, covenants not to sue, and shall indemnify, defend, and hold Grantor and its past, present and future officials, employees, and agents, harmless from and against any and all past, current or future claims, demands, penalties, fees, damages, losses, expenses and liabilities (including but not limited to fees, costs, and requirements of regulatory agencies, attorneys, contractors and consultants), known or unknown, arising out of, or in any way connected with, the condition (including but not limited to the environmental condition) or use of the Property. The foregoing agreements, acknowledgements, covenants, releases and indemnities are intended to, and shall, run with the land and are binding upon Grantee's heirs, successors and assigns.

Dated this ___day of _____, 2011

THE CITY OF SEATTLE, a Washington municipal corporation

By: _____
Christopher Williams
Acting Superintendent of Parks and Recreation

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this ____ day of _____, 2011 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the _____Superintendent of Parks and Recreation of The City of Seattle, a Washington municipal corporation, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said

COUNCIL CLERK

instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.

_____

_____
(TYPE OR PRINT NAME)
[SEAL] Notary Public in and for the State
of Washington, residing at _____.
My Commission expires on _____.

_____
ACCEPTANCE:

Pier 57 Corporation, the Grantee herein, agrees to and accepts all terms and conditions contained in this Deed and approves the form of this Deed.

Date:_____

GRANTEE

Pier 57 Corporation, a Washington corporation

By:_____

_____
Print Name

_____
Title

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this ____ day of _____, 2011 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the _____of Pier 57 Corporation, the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and

COUNCIL CLERK

purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.

_____

_____
(TYPE OR PRINT NAME)
[SEAL] Notary Public in and for the State
of Washington, residing at _____.
My Commission expires on _____.

COUNCIL CLERK

Form revised: December 14, 2010

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Terry Dunning/ 684-4860	Amy Williams/233-2651

Legislation Title: AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to convey a strip of tide lands associated with Waterfront Park to Pier 57 Corporation, a Washington Corporation, to complete a lot boundary adjustment consistent with a 1989 Settlement Agreement; superseding the requirements of Ordinance 118477, which adopted Initiative 42, for the purposes of this ordinance; and ratifying and confirming certain prior acts.

Summary of the Legislation: This legislation authorizes the conveyance of a strip of tide lands containing approximately 2,198 square feet underlying the southeasterly edge of Pier 58 to the owners of the adjacent Pier 57. The deed conveying the property will be subject to easements preserving public access and access for City maintenance of the adjacent portions of Waterfront Park. This legislation does not have any budget impacts and will not create any additional operating or maintenance costs for the City.

Background: In 1989, the City passed Ordinance 114390 ratifying and confirming an agreement settling the City's condemnation action to acquire Piers 62 and 63. One component of the agreement was the City's exchange of Pier 57 for Piers 62 and 63. The Settlement Agreement required the parties to prepare a Lot Boundary Adjustment to make the property ownership boundary between Piers 57 and 58 consistent with the physical boundaries of the piers. The requirements and agreements contained in the Settlement Agreement predate the passage of Ordinance 118477, which adopted Initiative 42.

The City and Pier 57 Corporation have prepared and recorded a Lot Boundary Adjustment which defines the boundary between Piers 57 and 58 to be consistent with the physical boundaries of the piers. To complete Lot Boundary Adjustment, the parties convey by deed the properties that are subject to the adjustment. In this case, the City must convey a strip of tide lands which requires an ordinance authorizing the Superintendent of Parks and Recreation to execute and deliver the deed.

Please check one of the following:

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

Attachments:
Attachment A: Recorded Lot Boundary Adjustment

COUNCIL CLERK

Terrance Dunning
DPR Waterfront Park LBA
March 24, 2011
Version #1

277/217

LOT BOUNDARY ADJUSTMENT NUMBER 3011647

GRANTOR (Owners): Parcels A/X. Hal Griffith
Parcels B/Y. City of Seattle

GRANTEE: CITY OF SEATTLE
KING COUNTY, WASHINGTON

3-12 176 Seattle Tidelands
LOTS BLOCK SUBDIVISION VOL. PG.

CONTACT PERSON:
Terry Dunning
Dept. of Parks & Recreation
800 Maynard Ave. South 4th Floor
Seattle, WA 98134-1336
(206) 684-4860
TerryDunning@Seattle.gov

FOR COMPLETE EXISTING LEGAL DESCRIPTIONS, SEE PAGE 1 OF 4
PROPOSED LEGAL DESCRIPTIONS, SEE PAGE 2 OF 4
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT #: SEE LEGALS
REFERENCE NUMBERS FOR RELATED PROJECTS:

DECLARATION:
We the undersigned owner(s) in fee simple [and contract purchaser(s)] of the land herein described do hereby make a lot boundary adjustment thereof pursuant to RCW 58.17.040(6) and declare this lot boundary adjustment to be the graphic representation of same, and that said lot boundary adjustment is made with the free consent and in accordance with the desire of the owner(s).
In Witness whereof we have set our hands and seals.

NAME Hal Griffith NAME Christopher Williams

STATE OF WASHINGTON.)
)ss.
County of . . . . .)

On this day personally appeared before me Christopher Williams to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that signed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 1st day of December 2010

EDWARD H MELLINGER
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
OCTOBER 7, 2011

Edward H. Mellinger
PRINT NAME: Edward Mellinger
NOTARY PUBLIC in and for the State of Washington, residing at King County
Commission Expires

On this day personally appeared before me Kyle Griffith to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that signed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 1st day of December 2010

EDWARD H MELLINGER
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
OCTOBER 7, 2011

Edward H. Mellinger
PRINT NAME: Edward Mellinger
NOTARY PUBLIC in and for the State of Washington, residing at King County
Commission Expires 10/7/11

APPROVAL
CITY OF SEATTLE
DEPARTMENT OF PLANNING and DEVELOPMENT
DIANE SUGIMURA, DIRECTOR
Examined and approved this 29th day of December 2010
By: for Director, Land Use Division
(Note: Approval of this lot boundary adjustment by the Director of the Department of Planning and Development under Chapter 23.28 of the Seattle Municipal Code, as amended is not to be construed as satisfaction of any other applicable legislation or regulations.)

KING COUNTY DEPARTMENT OF ASSESSMENTS
Examined and approved this 13th day of January 2011
Lloyd Hara, Assessor — Deputy Assessor

Existing Parcel A Description

Parcel ID#7666202435
Owner: Hal Griffith
Site Address: 1301 Alaskan Way
Seattle, WA 98101
Zoning: C-Commercial

PIER 57 LEGAL DESCRIPTION

That portion of Lot 10 and all of Lots 11 and 12, Block 176 of the Supplemental Plat of Seattle Tide Lands, in King County, Washington, as shown on the official maps on file in the office of the Commissioner of Public Lands at Olympia, Washington, described as follows:

Beginning at a point 484.626 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8" on Replat of Seattle Tide Lands;
Thence South 25°21'48" East along Inner Harbor Line 160.621 feet; thence due East 149.110 feet to the Westerly Margin of Alaskan Way (formerly Railroad Avenue); thence North 31°45'10" West 162.179 feet; thence North 89°02'26" West 96.620 feet; thence North 30°52'46" West 6.274 feet; thence North 89°35'45" West 32.740 feet to the TPOB.
EXCEPT that portion thereof lying within University Street.

TOGETHER WITH that portion of the vacated Northerly 20 feet in width of University Street (as vacated by Ordinance Number 4907) adjoining Lot 12, Block 176 of the Supplemental Plat of Seattle Tide Lands and lying between the Westerly line of Alaskan Way (formerly Railroad Avenue, as platted 180 feet in width in said Supplemental Plat) and the Inner Harbor Line.

Containing 19458 sf

ALSO all right, title, and interest of lessees in harbor area leases from the State of Washington for the areas abutting the above described property; lying between the westerly prolongation of the northerly and southerly lines of the above described parcel.
LEASE AREA SUBJECT to an easement to the City of Seattle for public recreation, pedestrian use, open space and public viewing and for maintenance of a ramp as described and recorded in Recorder No. 198905151042, records of King County, Washington, described as follows:
That area lying between Elevation 3.00' and Elevation 31.00, City of Seattle Vertical Datum and Beginning at a point 484.626 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8" on Replat of Seattle Tide Lands, in King County Washington, thence North 89°35'45" West a distance of 68.10 feet to the True Point of Beginning;
Thence South 0°38'00" West 35.59 feet,
Thence North 89°22'00" West 13.40 feet,
Thence North 0°38'00" East 31.70 feet,
Thence South 58°19'06" West 11.76 feet,
Thence North 31°40'54" West 11.90 feet,
Thence South 89°35'45" East 29.70 feet to the TPOB.

ALSO subject to Easement and Operating Agreement dated May 15th, 1989, and recorded under Record Number 198905151042, records of King County, Washington.

Parcel X Description

Parcel ID#7666620-2433
Parcel ID#7666620-2435

PIER 57 LEGAL DESCRIPTION PROPOSED

That portion of Lot 10 and all of Lots 11 and 12, Block 176 of the Supplemental Plat of Seattle Tide Lands, in King County, Washington, as shown on the official maps on file in the office of the Commissioner of Public Lands at Olympia, Washington, described as follows:

Beginning at a point 470.604 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8" on Replat of Seattle Tide Lands;
Thence South 25°21'48" East along Inner Harbor Line 174.64 feet; thence due East 149.35 feet to the westerly margin of Alaskan Way (formerly Railroad Avenue); thence North 31°45'54" West 184.96 feet; thence North 89°45'02" West 126.79 feet to the point of beginning.

TOGETHER WITH that portion of the vacated Northerly 20 feet in width of University Street (as vacated by Ordinance Number 4907) adjoining Lot 12, Block 176 of the Supplemental Plat of Seattle Tide Lands and lying between the Westerly line of Alaskan Way (formerly Railroad Avenue, as platted 180 feet in width in said Supplemental Plat) and the Inner Harbor Line.

Containing 21726 sf

SUBJECT TO an easement providing non-vehicular public ingress and egress and providing vehicular Seattle Parks maintenance ingress and egress over and upon an existing ramp and decking within the following described area;
That portion of Block 176 of the Supplemental Plat of Seattle Tide Lands, in King County, Washington, as shown on the official maps on file in the office of the Commissioner of Public Lands at Olympia, Washington, described as follows:
Beginning at a point 470.604 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8" on Replat of Seattle Tide Lands;
Thence South 25°21'48" East along Inner Harbor Line 14.02 feet; thence South 89°35'45" East 32.74 feet; thence South 30°52'46" East 6.27 feet; thence South 89°02'26" East 96.82 feet to the westerly margin of Alaskan Way (formerly Railroad Avenue, as platted 180 feet in width in said Supplemental Plat); thence North 31°45'54" West 22.76 feet; thence North 89°45'02" West 126.79 feet to the Point of Beginning.

ALSO all right, title, and interest of lessees in harbor area leases from the State of Washington for the areas abutting the above described property.
ALSO subject to Easement and Operating Agreement dated May 15th, 1989, and recorded under Record Number 198905151042, records of King County, Washington.

Terrance Dunning
DPR Waterfront Park LBA
March 24, 2011
Version # 1

NOTE:
Pursuant to DPD requirements, all future building permit applications relating to the parcels established herein, must be accompanied by a copy of this LBA.

SURVEYOR'S CERTIFICATE

This map correctly represents a survey by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of Seattle Park Dept. Property Management.

James A. Stone
Certificate No. 33137

20110114900004
DEPT OF CONSTR LAND 148.00
PAGE-001 OF 005
01/14/2011 08:44
KING COUNTY, WA

in book 222 of Survey's, at page 217-221
at the request of James A. Stone

Mgr. Supt. of Records

SEATTLE PARKS AND RECREATION

FACILITY TITLE
WATERFRONT PARK
PIER 57

DATE: 1 Aug 2010
DRAWN: JAStone
SCALE: as noted
SHEET 1 OF 5
W½ SE¼ 31-25-4

ATT A to DPR Waterfront Park LBA FISC

LOT BOUNDARY ADJUSTMENT NUMBER 3011647

GRANTOR (Owners): Parcels A/X, Hal Griffith
Parcels: B/Y, City of Seattle

GRANTEE: CITY OF SEATTLE
KING COUNTY, WASHINGTON

3-12	176	Seattle Tidelands		
LOTS	BLOCK	SUBDIVISION	VOL.	PG.

CONTACT PERSON:
Terry Dunning
Dept. of Parks & Recreation
800 Maynard Ave. South 4th Floor
Seattle, WA 98134-1336
(206) 684-4860
TerryDunning@Seattle.gov

LEGEND

- Park Property Line
- Lot Line
- Street Centerline
- Harbor Line Inner
- Harbor Line Outer
- Existing Plat Lines
- Proposed Property Lines
- Easements

MIC
Fnd: TK/LD
Set 1"BP

NOTES

1. Methods: Field Traverse
2. Instrument: Wild TC1203, 3" theodolite with 1" least count (display) EDM rated 2mm + 2ppm, compared semi annually at Sand Point NGS calibrated baseline.
3. Survey met standards as set forth in WAC 332-130-090.
4. References:
   - Park FB #: 368 & 383 Series
   - 1/4 Sec Map SE¼ 31-25-4
   - Plats: Seattle Tidelands
   - Central Waterfront Park Vault
     - Plan 864-3, 1972 Engineering
     - Dept Property Map (no longer filed under Plan 864-3).

Existing Parcel B Description

Parcel ID#766820-2430
Owner: City of Seattle-Prmrp
Site Address: 1423 Alaskan Way

Seattle, WA 98101
Zoning: C-Commercial

WATERFRONT PARK LEGAL DESCRIPTION

That portion of Lots 3 and 10, and all of Lots 4, 5, 6, 7, 8, and 9 Block 176 of the Supplemental Plat of Seattle Tide Lands, in King County, Washington, as shown on the official maps on file in the office of the Commissioner of Public Lands at Olympia, Washington, described as follows:

Beginning at a point 128.307 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8" on Replat of Seattle Tide Lands; Thence South 25°21'48" East along Inner Harbor Line 356.319 feet; thence South 89°35'45" East 32.740 feet; thence South 30°52'46" East 6.274 feet; thence South 89°02'26" East 96.620 feet to the Westerly margin of Alaskan Way (formerly Railroad Avenue, as platted 180 feet in width in said Supplemental Plat); thence North 31°45'10" West along said Westerly margin 172.589 feet to a point of curvature; thence NW'ly along a curve concave to the southwest having a radial bearing of South 58°14'59" West, a radius of 1399.975 feet and a central angle of 9°17'09" an arc distance of 226.889 feet to a point East of the point of beginning; thence West 59.882 feet to the point of beginning.

Containing 33078 sf

ALSO all right, title, and interest of lessees in harbor area leases from the State of Washington for the areas abutting the above described property; lying between the westerly prolongation of the northerly and southerly lines of the above described parcel.
ALSO rights conveyed by an easement to the City of Seattle for public recreation, pedestrian use, open space and public viewing and for maintenance of a ramp as described and recorded in Record No. 198905151042, records of King County, Washington, described as follows;
That area lying between Elevation 5.00' and Elevation 31.00, City of Seattle Vertical Datum and Beginning at a point 484.626 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8" on Replat of Seattle Tide Lands, in King County Washington, thence North 89°35'45" West a distance of 68.10 feet to the True Point of Beginning;
Thence South 0°38'00" West 35.59 feet,
Thence North 89°22'00" West 13.40 feet,
Thence North 0°38'00" East 31.70 feet,
Thence South 58°19'06" West 11.76 feet,
Thence North 31°40'54" West 11.90 feet,
Thence South 89°35'45" East 29.70 feet to the TPOB
ALSO subject to Easement and Operating Agreement dated May 15th, 1989, and recorded under Record Number 198905151042, records of King County, Washington.

Proposed Parcel Y Description

Parcel ID#766820-2420
Parcel ID#766820-2422
Parcel ID#766820-2427
Parcel ID#766820-2430
Parcel ID#766820-2367
Parcel ID#766820-2368

WATERFRONT PARK LEGAL DESCRIPTION PROPOSED

That portion of Lots 3 and 10, and all of Lots 4, 5, 6, 7, 8, and 9 Block 176 of the Supplemental Plat of Seattle Tide Lands, in King County, Washington, as shown on the official maps on file in the office of the Commissioner of Public Lands at Olympia, Washington, described as follows:

Beginning at a point 128.31 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8" on Replat of Seattle Tide Lands; Thence South 25°21'48" East along Inner Harbor Line 342.30 feet; thence South 89°45'02" East 126.79 feet to the Westerly margin of Alaskan Way (formerly Railroad Avenue, as platted 180 feet in width in said Supplemental Plat); thence North 31°45'54" West along said Westerly margin 149.83 feet to a point of curvature; thence northwesterly along a curve concave to the southwest having a radial bearing of South 58°14'06" West, a radius of 1399.975 feet and a central angle of 9°17'21" an arc distance of 226.97 feet to a point East of the point of beginning; thence West 59.96 feet to the point of beginning.

Containing 30927 sf

TOGETHER WITH an easement providing non-vehicular public ingress and egress and providing vehicular Seattle Parks maintenance ingress and egress over and upon an existing ramp and decking within the following described area:
That portion of Block 176 of the Supplemental Plat of Seattle Tide Lands, in King County, Washington, as shown on the official maps on file in the office of the Commissioner of Public Lands at Olympia, Washington, described as follows:
Beginning at a point 470.60 feet South 25°21'48" East from a point on said Tide Land Plat marked "Point 8" on Replat of Seattle Tide Lands; Thence South 25°21'48" East along Inner Harbor Line 14.02 feet; thence South 89°35'45" East 32.74 feet; thence South 30°52'46" East 6.27 feet; thence South 89°02'26" East 96.82 feet to the westerly margin of Alaskan Way (formerly Railroad Avenue, as platted 180 feet in width in said Supplemental Plat); thence North 31°45'54" West 22.77 feet; thence North 89°45'02" West 126.79 feet to the Point of Beginning.

ALSO all right, title, and interest of lessees in harbor area leases from the State of Washington for the areas abutting the above described property.

ALSO subject to Easement and Operating Agreement dated May 15th, 1989, and recorded under Record Number 198905151042, records of King County, Washington.

SURVEYOR'S CERTIFICATE

This map correctly represents a survey by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of Seattle Park Dept. Property Management

James A. Stone
Certificate No. 33137

EXPIRES 11/05/12

RECORDER'S CERTIFICATE

20110114900004
DEPT OF CONSTR BLDG 148.00
PAGE-002 OF 003
01/14/2011 09:44
KING COUNTY, WA

SEATTLE PARKS AND RECREATION

FACILITY TITLE
WATERFRONT PARK

ADDITIONAL LEGAL DESCRIPTIONS

DATE 3 Aug 2010
DRAWN JAStone
SCALE as noted
SHEET 2 OF 5
W½ SE¼ 31-25-4

City of Seattle Council Bill Documents

Terrance Dunning
DPR Waterfront Park LBA
March 24, 2011
Version # 1

277/219

LOT BOUNDARY ADJUSTMENT NUMBER 3011647

GRANTOR (Owners): Parcels A/X: Hal Griffith
Parcels B/Y: City of Seattle

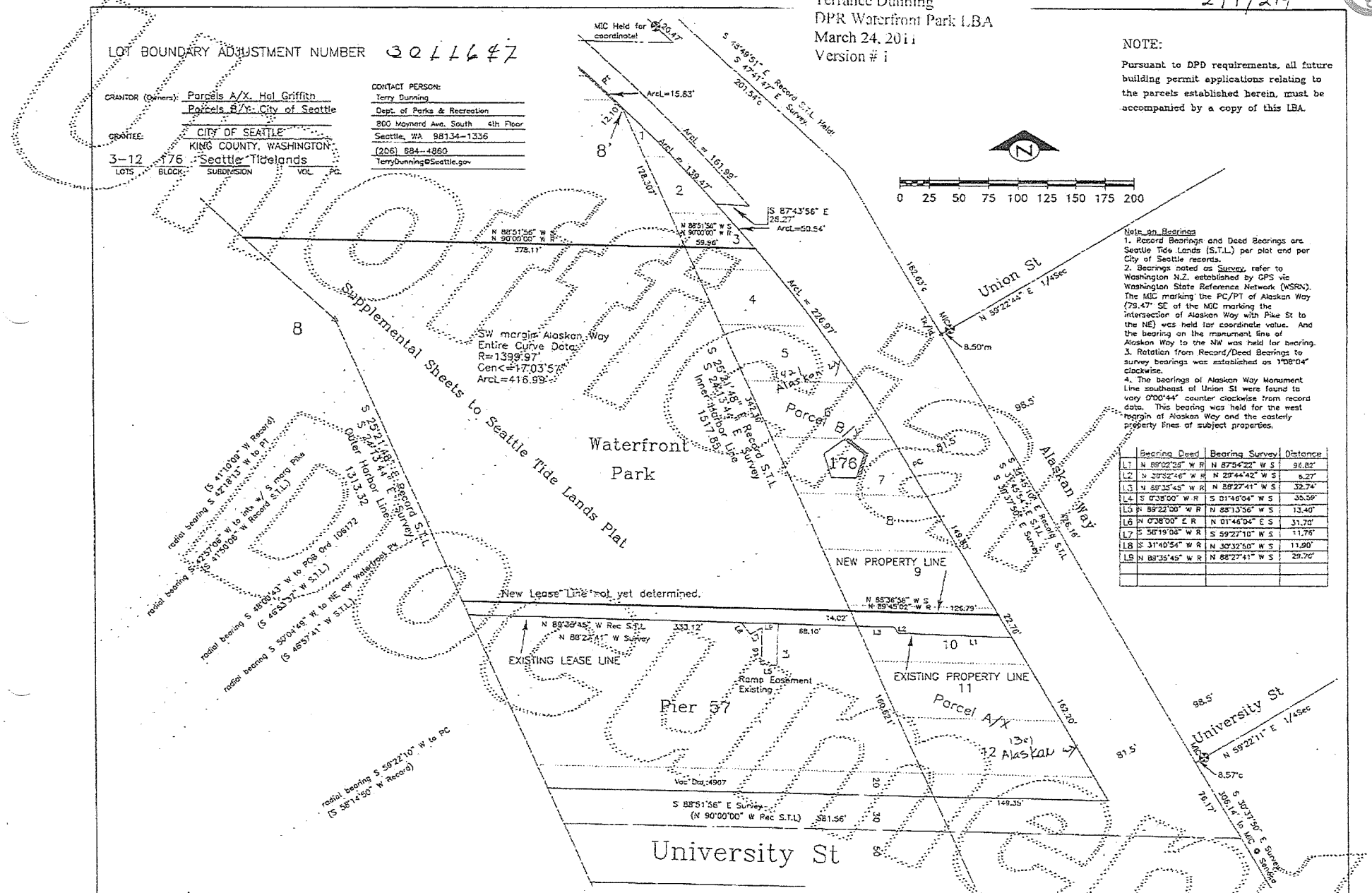
GRANTEE: CITY OF SEATTLE
KING COUNTY, WASHINGTON

LOTS	BLOCK	SUBDIVISION	VOL	PG
3-12	176	Seattle Tidelands		

CONTACT PERSON:
Terry Dunning
Dept. of Parks & Recreation
800 Maynard Ave. South 4th Floor
Seattle, WA 98134-1336
(206) 684-4860
TerryDunning@Seattle.gov

NOTE:

Pursuant to DPD requirements, all future building permit applications relating to the parcels established herein, must be accompanied by a copy of this LBA.



Note on Bearings
1. Record Bearings and Deed Bearings are Seattle Tide Lands (S.T.L.) per plat and per City of Seattle records.
2. Bearings noted as Survey, refer to Washington N.Z. established by GPS via Washington State Reference Network (WSRN). The MIC marking the PC/PT of Alaskan Way (79.47' SE of the MIC marking the intersection of Alaskan Way with Pike St to the NE) was held for coordinate value. And the bearing on the monument line of Alaskan Way to the NW was held for bearing.
3. Rotation from Record/Deed Bearings to survey bearings was established as 1°08'04" clockwise.
4. The bearings of Alaskan Way Monument Line southeast of Union St were found to vary 0°00'44" counter clockwise from record data. This bearing was held for the west margin of Alaskan Way and the easterly property lines of subject properties.

	Bearing Deed	Bearing Survey	Distance
L1	N 89°02'28" W R	N 87°54'22" W S	98.82'
L2	N 28°32'46" W R	N 29°44'42" W S	6.27'
L3	N 89°35'45" W R	N 88°27'41" W S	32.74'
L4	S 0°38'00" W R	S 01°46'04" W S	35.59'
L5	N 89°22'00" W R	N 88°13'36" W S	13.40'
L6	N 0°38'00" E R	N 01°46'04" E S	31.70'
L7	S 58°19'08" W R	S 59°27'10" W S	11.76'
L8	S 31°40'54" W R	N 30°32'50" W S	11.90'
L9	N 88°35'45" W R	N 88°27'41" W S	29.70'

SURVEYOR'S CERTIFICATE
This map correctly represents a survey by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of
Seattle Park Dept. Property Management
James A. Stone
Certificate No. 33137

RECORDER'S CERTIFICATE
20110114900004
DEPT OF CONSTR SLDM 145.00
PAGE-003 OF 005
01/14/2011 08:44
KING COUNTY, WA
Supt. of Records

SEATTLE PARKS AND RECREATION

FACILITY TITLE
WATERFRONT PARK
Subject Property

DATE 5 Aug 2010
DRAWN JAStone
SCALE 1" = 50'
SHEET 3 OF 5
W½ SE¼ 31-25-4

ATT A to DPR Waterfront Park LBA FISC

Terrance Dunning
DPR Waterfront Park LBA
March 24, 2011
Version # 1

277/220

NOTE:
Pursuant to DPD requirements, all future building permit applications relating to the parcels established herein, must be accompanied by a copy of this LBA.

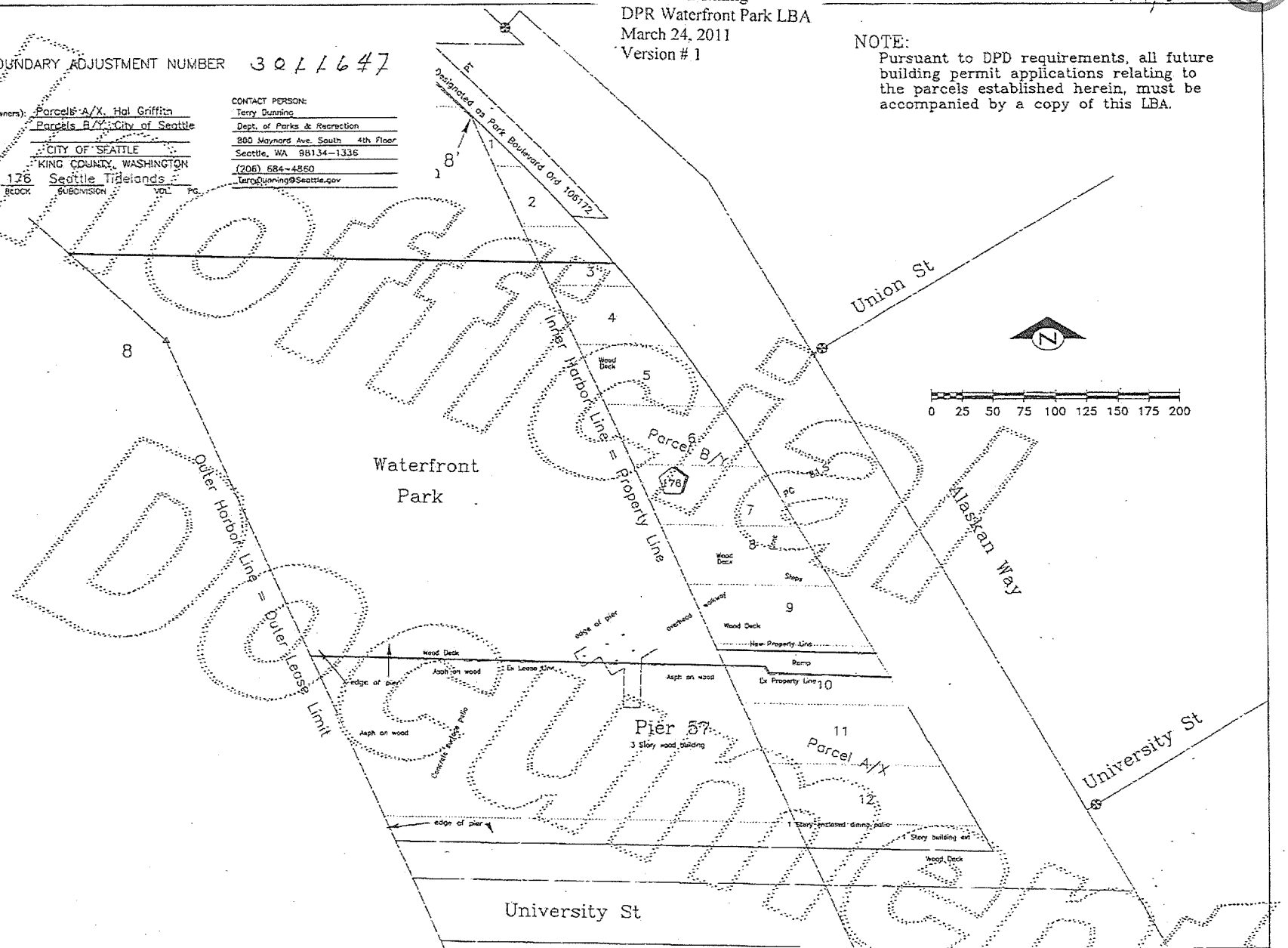
LOT BOUNDARY ADJUSTMENT NUMBER 3011647

GRANTOR (Owners): Parcels A/X, Hal Griffith
Parcels B/Y: City of Seattle

GRANTEE: CITY OF SEATTLE
KING COUNTY, WASHINGTON

LOTS	BLOCK	SUBDIVISION	VOL	PG
3-12	126	Seattle Tidelands		

CONTACT PERSON:
Terry Dunning
Dept. of Parks & Recreation
800 Maynard Ave. South 4th Floor
Seattle, WA 98134-1336
(206) 684-4860
Terry.Dunning@Seattle.gov



SURVEYOR'S CERTIFICATE
This map correctly represents a survey by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of
Seattle Park Dept. Property Management
James A. Stone
Certificate No. 33137

RECORDER'S CERTIFICATE
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DEPT OF CONSTR BLDG 148.00
PAGE-004 OF 005
01/14/2011 03:44
KING COUNTY, WA
Supt. of Records

SEATTLE PARKS AND RECREATION

FACILITY TITLE
WATERFRONT PARK
Existing Conditions

DATE	Aug 2010
DRAWN	JAStone
SCALE	1" = 50'
SHEET	4 OF 5
W½ SE¼ 31-25-4	

ATT A to DPR Waterfront Park LBA FISC

277/221

Terrance Dunning
DPR Waterfront Park LBA
March 24, 2011
Version # 1

LOT BOUNDARY ADJUSTMENT NUMBER 3011647

GRANTOR (Owners): Parcels A/X, Ho Griffith
Parcels B/Y, City of Seattle

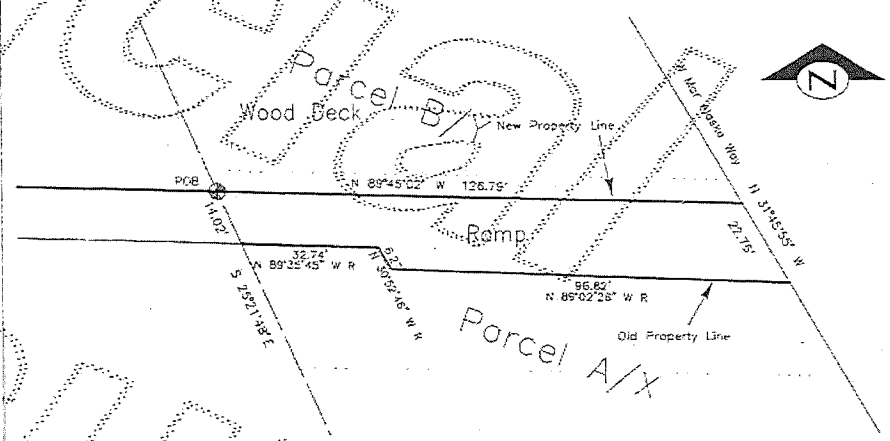
GRANTEE: CITY OF SEATTLE
KING COUNTY, WASHINGTON

3-12 LOTS | 176 BLOCK | Seattle Tidelands SUBDIVISION | VOL. | PG.

CONTACT PERSON:
Terry Dunning
Dept. of Parks & Recreation
800 Maynard Ave. South 4th Floor
Seattle, WA 98134-1336
(206) 684-4850
TerryDunning@Seattle.gov

Easement for non vehicular public ingress and egress and providing vehicular Seattle Parks maintenance ingress and egress

SCALE 1" = 20'



NOTE:
Pursuant to DPD requirements, all future building permit applications relating to the parcels established herein, must be accompanied by a copy of this LBA.

SURVEYOR'S CERTIFICATE
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Seattle Park Dept. Property Management
James A. Stone
Certificate No. 33137

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DEPT OF CONSTR BLMN 143.00
PAGE-005 OF 005
01/14/2011 09:44
KING COUNTY, WA
Mgr. Supt. of Records

SEATTLE PARKS AND RECREATION

FACILITY TITLE
Waterfront Park/ Pier 57
Easement Diagram

DATE 2 Aug 2010
DRAWN JAStone
SCALE as noted
SHEET 5 OF 5
W½ SE¼ 31-25-4

ATT A to DPR Waterfront Park LBA FISC

Unofficial Document

City of Seattle
Office of the Mayor

June 21, 2011

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

Dear Council President Conlin:

I am transmitting the attached Council Bill that grants authority to the Superintendent of Parks and Recreation to convey by quitclaim deed a portion of Waterfront Park (Pier 58) to the owners of the adjacent Pier 57. The proposed conveyance retains public and maintenance access for the City.

In 1989, the City exchanged Pier 57 for Piers 62 and 63 pursuant to the terms of a Settlement Agreement approved by Ordinance 114390. The Settlement Agreement called for a lot boundary adjustment (LBA) so that the property ownership would be consistent with the physical boundaries of Piers 57 (owned by Pier 57 Corporation) and 58 (owned by the City). Completion of the LBA requires a transfer of 2,198 square feet of tide land from the City to Pier 57 Corporation, consistent with the Settlement Agreement. The Council Bill authorizes the transfer by quitclaim deed.

The conveyance authorized in the attached Council Bill will complete the Settlement Agreement. If you have any questions regarding this legislation, please call Terry Dunning at 684-4860.

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.

275835 No. TITLE ONLY

CITY OF SEATTLE,CLERKS OFFICE

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:123673-677,123685

was published on

09/01/11

The amount of the fee charged for the foregoing publication is the sum of $ 81.90, which amount has been paid in full.

Subscribed and sworn to before me on

09/01/11

Notary public for the State of Washington,
residing in Seattle

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCT. 24, 2011
STATE OF WASHINGTON

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on August 8, 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. 123673

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to convey a strip of tide lands associated with Waterfront Park to Pier 57 Corporation, a Washington Corporation, to complete a lot boundary adjustment consistent with a 1989 Settlement Agreement; superseding the requirements of Ordinance 118477, which adopted Initiative 42, for the purposes of this ordinance; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123674

AN ORDINANCE relating to the City Light Department; completion of the Voluntary Green Power Program, and amending Seattle Municipal Code chapter 21.49.

ORDINANCE NO. 123675

AN ORDINANCE relating to the City Light Department; amending the Community Solar Program established in Seattle Municipal Code 21.49.087.

ORDINANCE NO. 123676

AN ORDINANCE relating to the City Light Department; authorizing the execution of a confirmation agreement with Roseburg LFG Energy, LLC for the purchase of environmental attributes in the form of renewable energy certificates that are necessary or convenient for meeting the requirements of the Washington State Energy Independence Act; and further authorizing the execution of other necessary and convenient agreements for the receipt, tracking, transferring, management, and sale of the environmental attributes.

ORDINANCE NO. 123677

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

ORDINANCE NO. 123685

AN ORDINANCE authorizing the Superintendent of Parks and Recreation to execute an Amended and Restated Lease between the City of Seattle and Building 11 Investors LLC for the renovation and use of Building 11 at Warren G. Magnuson Park.

Publication ordered by the City Clerk

Date of publication in the Seattle Daily Journal of Commerce, September 1, 2011.

9/1(275835)