

Ordinance No. 123849

Council Bill No. 117421

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to transfer sewer infrastructure to King County; and to relinquish portions of two sewer main easements in King County Parcel No. 2824049007, known as 7777 Perimeter Road South, King County International Airport, Seattle; and to declare portions of the easements and associated sewer infrastructure in the above property surplus to the City of Seattle's needs.

Related Legislation File:

Date Introduced and Referred: 3.5.12	To: (committee): Libraries Util. & Center
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: March 26, 2012	Date Presented to Mayor: March 27, 2012
Date Signed by Mayor: 3.30.12	Date Returned to City Clerk: 4.2.12
Published by Title Only X	Date Vetoed by Mayor:
Published in Full Text	
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: John Golden

Committee Action:

Date	Recommendation	Vote
3/20/12	Dopass	JL, SB

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

Full Council Action:

Date	Decision	Vote
March 26, 2012	Passed	8-0 (excused: Rasmussen)

LAW DEPARTMENT

ORDINANCE 123849

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to transfer sewer infrastructure to King County; and to relinquish portions of two sewer main easements in King County Parcel No. 2824049007, known as 7777 Perimeter Road South, King County International Airport, Seattle; and to declare portions of the easements and associated sewer infrastructure in the above property surplus to the City of Seattle's needs.

WHEREAS, at no cost to the City, King County installed sewer mains within King County International Airport; and

WHEREAS, for a nominal charge, King County transferred ownership of sewer mains in this area to the City as authorized by City of Seattle Ordinance 87482, approved August 26, 1958, and King County Resolution 18615, executed June 23, 1958; and

WHEREAS, King County granted the City sewer easements for the transferred sewer mains and for additional sewer mains that connected the transferred sewer mains to the City sewer system, said easements recorded as King County Auditor Nos. 5120969 and 5212110 and accepted by City of Seattle Ordinance 87482 and 89652; and

WHEREAS, the City built new sewer mains in 1967 in Airport Way South to serve this area and plugged and abandoned in place approximately 140 feet of the King County-installed sewer main in Easement 5212110; and

WHEREAS, as a result of the 1967 construction the remaining sewer main serves only one property owner and has become a private sewer main; and

WHEREAS, a portion of the property over the private sewer main is being redeveloped by Quad 7 Development, LLC, Lessee, requiring both the transfer of ownership of approximately 910 feet of the King County-installed sewer main to King County and the partial relinquishment of Easements 5120969 and 5212110; and

WHEREAS, portions of these sewer easements and associated sewer infrastructure have become surplus to the City's needs; NOW, THEREFORE,



BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to the provisions of RCW 35.94.040, and after public hearing, portions of the sewer easement rights and sewer main in King County Parcel No. 2824049007, as accepted by Ordinances 87482 and 89652 and as described in Attachments 1 through 4 attached hereto, are hereby found and declared to be no longer required for municipal utility purposes and surplus to the City of Seattle's utility needs.


Section 2. The Director of Seattle Public Utilities, or his designee, is hereby authorized to execute for and on behalf of the City of Seattle the Partial Relinquishment of Easements, substantially in the form of Attachments 1 and 2 and depicted in Attachment 3 attached hereto.

Section 3. The Director of Seattle Public Utilities, or his designee, is hereby authorized to execute for and on behalf of the City of Seattle a Bill Of Sale and Transfer of Personal Property, substantially in the form of Attachment 4 attached hereto.

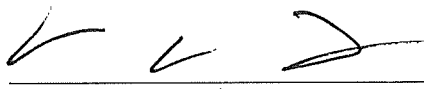


Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.


Passed by the City Council the 26th day of March, 2012, and signed by me in open session in authentication of its passage this 26th day of March, 2012.


President _____ of the City Council

Approved by me this 30th day of March, 2012.


Michael McGinn, Mayor

Filed by me this 2nd day of April, 2012.


Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1 – Partial Relinquishment of Easement 5120969
Attachment 2 – Partial Relinquishment of Easement 5212110
Attachment 3 – Partial Relinquishments of Easements at King County International Airport
Attachment 4 – Bill of Sale and Transfer of Personal Property



Attachment 1

Recording Requested By And
When Recorded Mail To:

Seattle Public Utilities
Facilities and Real Property Services
PO Box 34018
Seattle WA 98124-4018

PARTIAL RELINQUISHMENT OF EASEMENT

Reference #s of Documents Released or Assigned:.....Pt of AF #5120969
Grantor:.....City of Seattle
Grantee:.....King County
Legal Description (abbreviated):.....Pt of SE ¼ Sec 28, T 24 N, R 4 E, WM
Assessor's Tax Parcel ID#:.....Pt of 282404-9007

RW 2008-17-001

On this _____ day of _____, 2012, **THE CITY OF SEATTLE**, a municipal corporation of the State of Washington, ("Grantor"), for and in consideration of mutual and offsetting benefits, receipt of which is hereby acknowledged, does hereby relinquish to **KING COUNTY**, a political subdivision of the State of Washington ("Grantee"), its successors and assigns, all right, title and interest in the portion of that certain drainage easement dated June 23, 1958, recorded under King County Auditor's Number 5120969 and described as follows and as shown below on Page 4 of 4:

That portion of the following described easement within the Samuel Maples Donation Claim No 49 and the Henry Van Asselt Donation Claim No 50 lying within the Southwest Quarter of the Southeast Quarter of Section 28, Township 24 North, Range 4 East, W.M.

A sewer easement 10 feet in width over portion of L. M. Collins' Donation Claim, of Samuel Maple's Donation Claim, and of Henry Van Asselt's Donation Claim, and of the Filled Riverbed of the Duwamish River, the center-line of which is described as follows: Beginning at the intersection of the center-line of Hardy Street and the center-line of Airport Way; thence southeasterly along the center-line of Airport Way 1189 feet; thence south 19° 10' 21" west to the northwesterly line of Boeing Field as established by King County Superior Court Cause No. 210213; thence continuing

Page 1 of 4

SPU KC Airport Easements ORD ATT 1



south 19° 10' 21" west to a point 129.07 feet (measured along said bearing) from the center-line of Airport Way;
thence south 38° 40' 01" east 326.44 feet; thence south 38° 43' 38" east 1315.35 feet;
thence south 38° 47' 30" east 300.15 feet; thence south 38° 39' 30" east 350.77 feet;
thence south 38° 44' 52" east 694.90 feet; thence south 6° 36' 16" west 88.33 feet;
thence south 38° 51' 44" east 290.01 feet; thence south 38° 46' 36" east 269.82 feet;
thence south 37° 08' 50" east 524.00 feet; thence south 26° 01' 34" east 46.00 feet to the TRUE POINT OF BEGINNING of that portion of easement to be relinquished;
thence south 26° 01' 34" east 26.47 feet to the Southerly line of the Samuel Maples Donation Claim No 49 also being the northerly line of Henry Van Asselt Donation Claim No 50; thence south 26° 01' 34" east 219.73 feet; thence south 48° 29' 16" east 118.41 feet; thence south 24° 00' 53" east 287.43 feet; thence south 31° 45' 11" east 276.33 feet to the terminus of said easement relinquishment; except any portion thereof that may lie within that certain parcel of land deeded by King County to the United States of America under Auditor's File No. 3159030.

IN WITNESS THEREOF, Grantor executes this document through its Director of Seattle Public Utilities as authorized by Ordinance _____, this ____ day of _____, 2012.

THE CITY OF SEATTLE

By: _____
Ray Hoffman, Seattle Public Utilities

STATE OF _____)
)ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that Ray Hoffman is the person who appeared before me, and signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Director of Seattle Public Utilities, of The City of Seattle, a municipal corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above first written.

NAME

Page 2 of 4

SPU KC Airport Easements ORD ATT 1



Free Carpenter
SPU KC Airport Easements ORD ATT 1
November 17, 2011
Version #3

((SEAL))

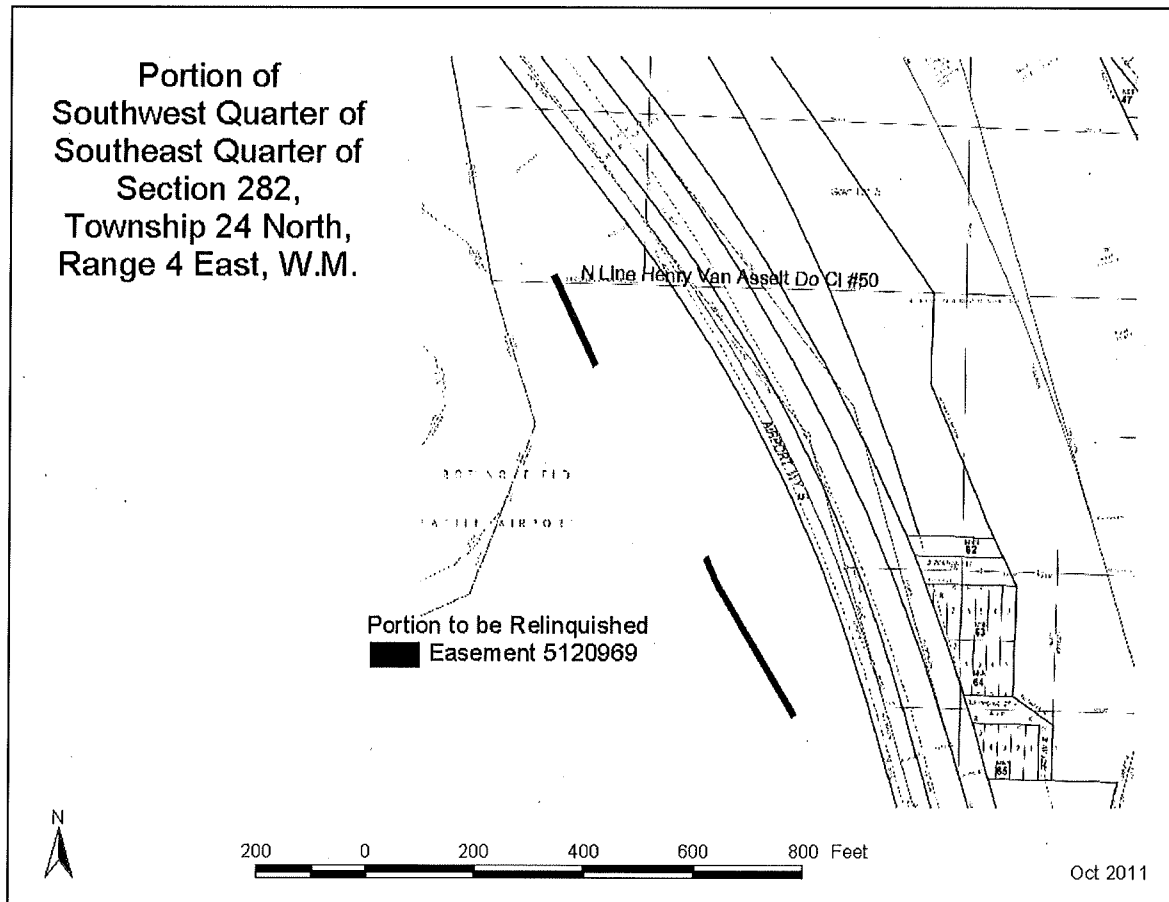
(Print) _____
NOTARY PUBLIC in and for the State of

Residing at _____.

My appointment expires _____.



Portion of Easement 5120969 Relinquished by this Document



Pree Carpenter
SPU KC Airport Easements ORD ATT 2
November 17, 2011
Version #2

Attachment 2

Recording Requested By And
When Recorded Mail To:

Seattle Public Utilities
Facilities and Real Property Services
PO Box 34018
Seattle WA 98124-4018

PARTIAL RELINQUISHMENT OF EASEMENT

Reference #s of Documents Released or Assigned:.....Pt of AF #5212110
Grantor:.....City of Seattle
Grantee:.....King County
Legal Description (abbreviated):.....Pt of SE ¼ Sec 28, T 24 N, R 4 E, WM
Assessor's Tax Parcel ID#:.....Pt of 282404-9007

RW 2008-17-002

On this ____ day of _____, 2012, **THE CITY OF SEATTLE**, a municipal corporation of the State of Washington, ("Grantor"), for and in consideration of mutual and offsetting benefits, receipt of which is hereby acknowledged, does hereby relinquish to **KING COUNTY**, a political subdivision of the State of Washington ("Grantee"), its successors and assigns, all right, title and interest in the portion of that certain drainage easement dated September 6, 1960, recorded under King County Auditor's Number 5212110 and described as follows:

A 10-foot easement for sewer purposes over a portion of Henry Van Asselt Donation Claim No. 50 in Section 28, Township 24 North, Range 4 East, W.M., being 5 feet on each side of a center line described as follows: Beginning at the intersection of the southwesterly line of Airport Way and the south line of said section; thence north 17° 29' 38" west along said southwesterly line 291.35 feet to the true point of beginning; thence south 83° 51' 57" west 147.35 feet.

Page 1 of 4

SPU KC Airport Easements ORD ATT 2



IN WITNESS THEREOF, Grantor executes this document through its Director of Seattle Public Utilities, or his designee, as authorized by Ordinance _____, this ____ day of _____, 2012.

THE CITY OF SEATTLE

By: _____

Ray Hoffman, Seattle Public Utilities

STATE OF _____)
COUNTY OF _____)ss.

I certify that I know or have satisfactory evidence that Ray Hoffman is the person who appeared before me, and signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the Director of Seattle Public Utilities, of The City of Seattle, a municipal corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above first written.

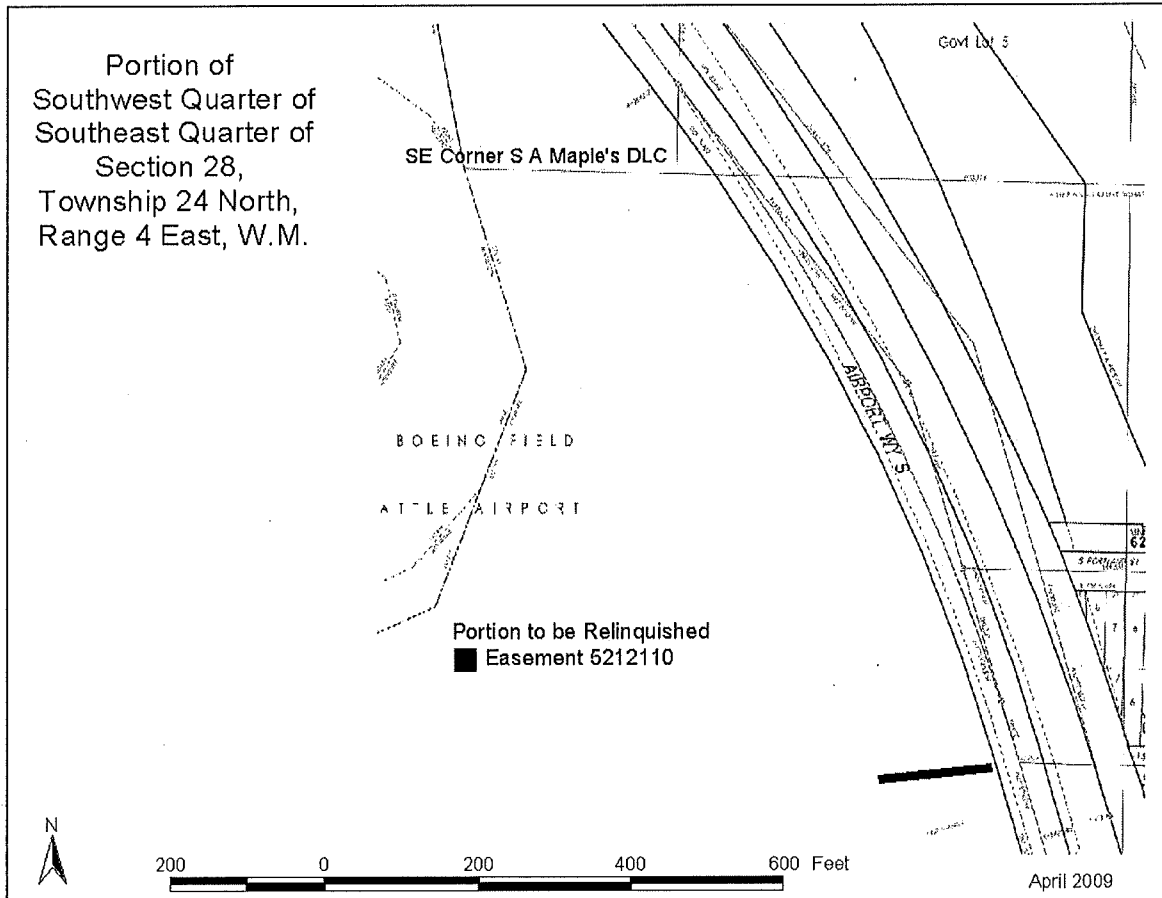
NAME
(Print) _____
NOTARY PUBLIC in and for the State of _____

Residing at _____
My appointment expires _____.

((SEAL))



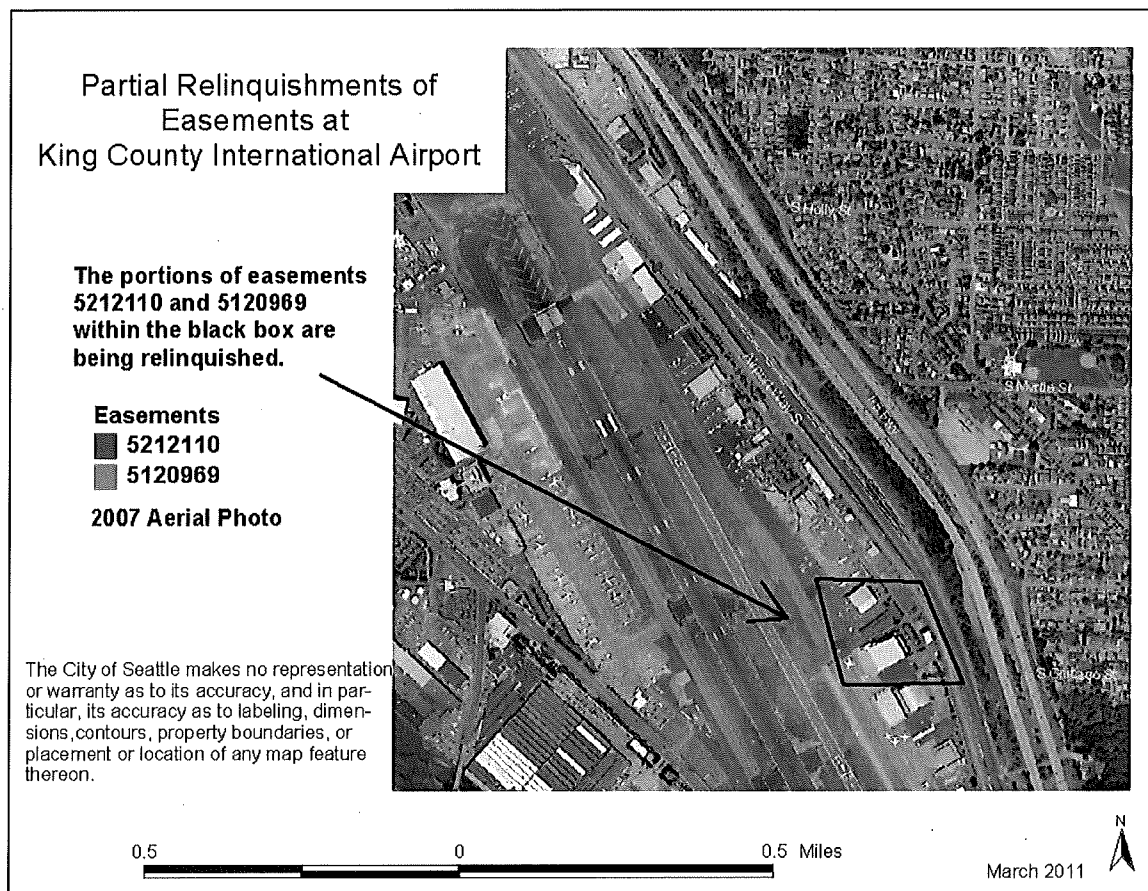
Portion of Easement 5212110 Relinquished by this Document



Attachment 3

Partial Relinquishments of Easements at King County International Airport

This map shows the entire easements with the portions to be relinquished.



Attachment 4

BILL OF SALE AND TRANSFER OF PERSONAL PROPERTY

THE CITY OF SEATTLE, a Washington municipal corporation, acting by and through Seattle Public Utilities ("City"),

for and in partial consideration of good and valuable consideration hereby sells, assigns, quitclaims, transfers, conveys and delivers to King County, without warranty or recourse, all of the City's right, title and interest in and to the following described personal property:

All of the eight-inch diameter sanitary sewer facility identified in the attached Exhibit A.

The transfers and conveyances referenced herein are without warranty as to title and ownership of the Facilities. Seller disclaims all implied warranties of any kind whatsoever, including without limitation implied warranties of condition, merchantability or fitness for a particular purpose. The Facilities are being transferred in "as is" condition and where presently located.

Dated this _____ day of _____, 2012.

Seller: THE CITY OF SEATTLE

By: _____
Ray Hoffman, Director
Seattle Public Utilities

STATE OF _____)
COUNTY OF _____)ss.

I certify that I know or have satisfactory evidence that Ray Hoffman is the person who appeared before me, and signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Director of Seattle Public Utilities, of The City of Seattle, a municipal corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above first written.



Pree Carpenter
SPU KC Airport Easements ORD ATT 4
November 17, 2011
Version #2

NAME
(Print) _____
NOTARY PUBLIC in and for the State of _____

Residing at _____
My appointment expires _____

((SEAL))



Exhibit A

That portion of eight (8) inch concrete sewer line as constructed, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, Township 24 N, Range 4 East as described and illustrated below:

Beginning at WW Pump Station 045, running southwesterly 134.03 feet, more or less, to maintenance hole labeled 072-025;

Thence running southeasterly 241.25 feet, more or less, to maintenance hole labeled 072-026;

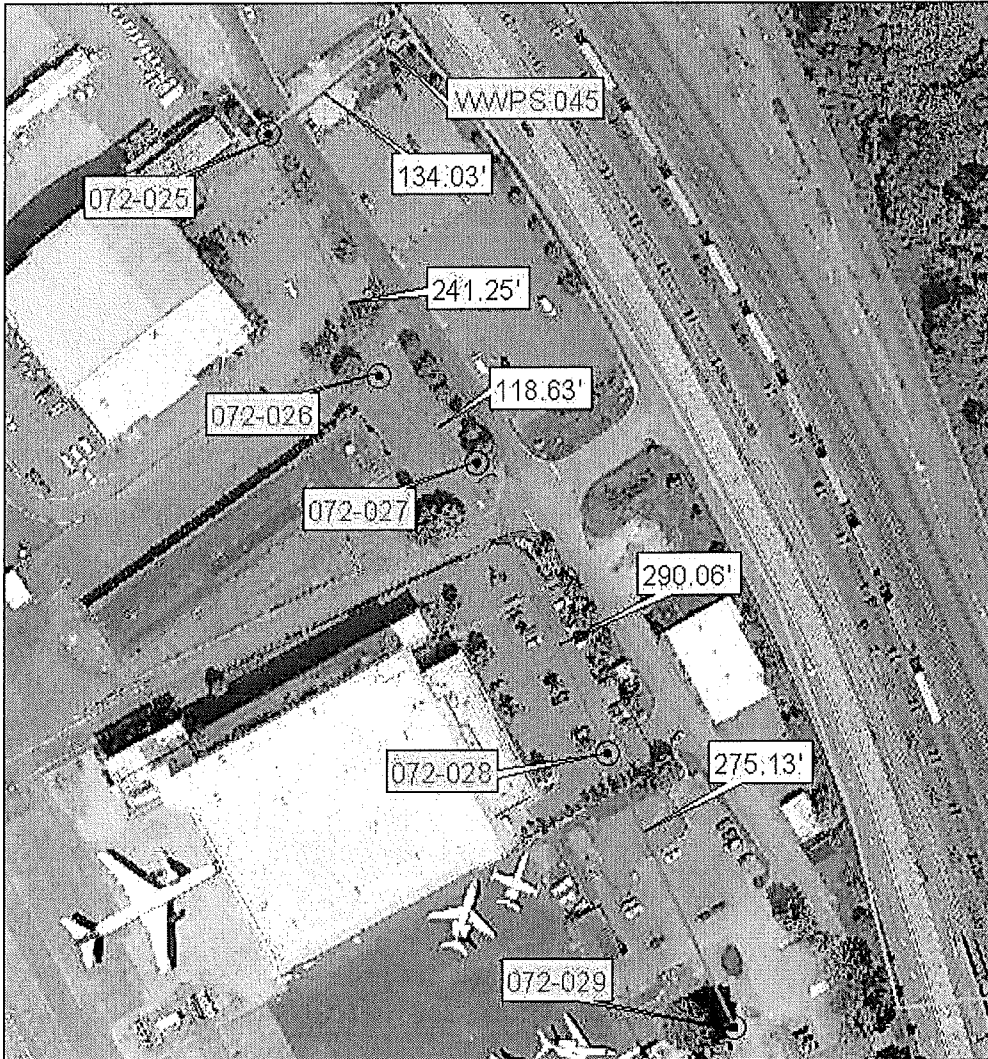
Thence running southeasterly 118.63 feet, more or less, to maintenance hole labeled 072-027;

Thence running southeasterly 290.06 feet, more or less, to maintenance hole labeled 072-028;

Thence running southeasterly 275.13 feet, more or less, to maintenance hole labeled 072-029; and the end of this description.



(Pump station and maintenance holes labeled with City of Seattle labels.)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Public Utilities	Pree Carpenter/386-9754	Karen Grove/684-5805

Legislation Title:

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to transfer sewer infrastructure to King County; and to relinquish portions of two sewer main easements in King County Parcel No. 2824049007, known as 7777 Perimeter Road South, King County International Airport, Seattle; and to declare portions of the easements and associated sewer infrastructure in the above property surplus to the City of Seattle's needs.

Summary of the Legislation:

This ordinance relinquishes portions of two sewer easements and surpluses portions of sewer mains to King County.

Background:

King County constructed and transferred to the City of Seattle approximately 910 feet of sewer line ("Subject Line") as part of a larger sewer project. King County granted the City easements for a portion of the Subject Line (approximately 635 feet). The Subject Line is along the eastern edge of King County International Airport.

In 1960 the southern end of the Subject Line was connected to a sewer main that connected to a sewer system east of Airport Way South. The 1960 easement granted by King County included this sewer. In 1967 the City of Seattle built a new sewer main in Airport Way South that paralleled the Subject Line. It is connected to the Subject Line at its north end. The southern connection of the Subject Line (approximately 140 feet of sewer main) built in 1960 was abandoned. The easement for the abandoned line was not relinquished at that time.

In 2008 a real estate development management company contacted Seattle Public Utilities about relinquishing portions of our easements so that they could construct hangar buildings. The Subject Line now serves one property owner (King County) and has become a private sewer. The 70-year old sewer mains have no intrinsic value to the utility. Attachment 1 shows which sewer lines and easement portions would be declared surplus or relinquished as part of the proposed legislation.

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

Other Implications:



- a) **Does the legislation have indirect financial implications, or long-term implications?**
Relinquishing the easements and selling the infrastructure protects the City from liability should the infrastructure fail.
- b) **What is the financial cost of not implementing the legislation?**
Unknown future liability. King County already maintains this infrastructure.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
None. Relinquishing the easements requires an ordinance.
- e) **Is a public hearing required for this legislation?**
Yes. The required public hearing will occur when the Council considers this ordinance.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
Yes. A map is attached.
- h) **Other Issues:**
None.

List attachments to the fiscal note below:

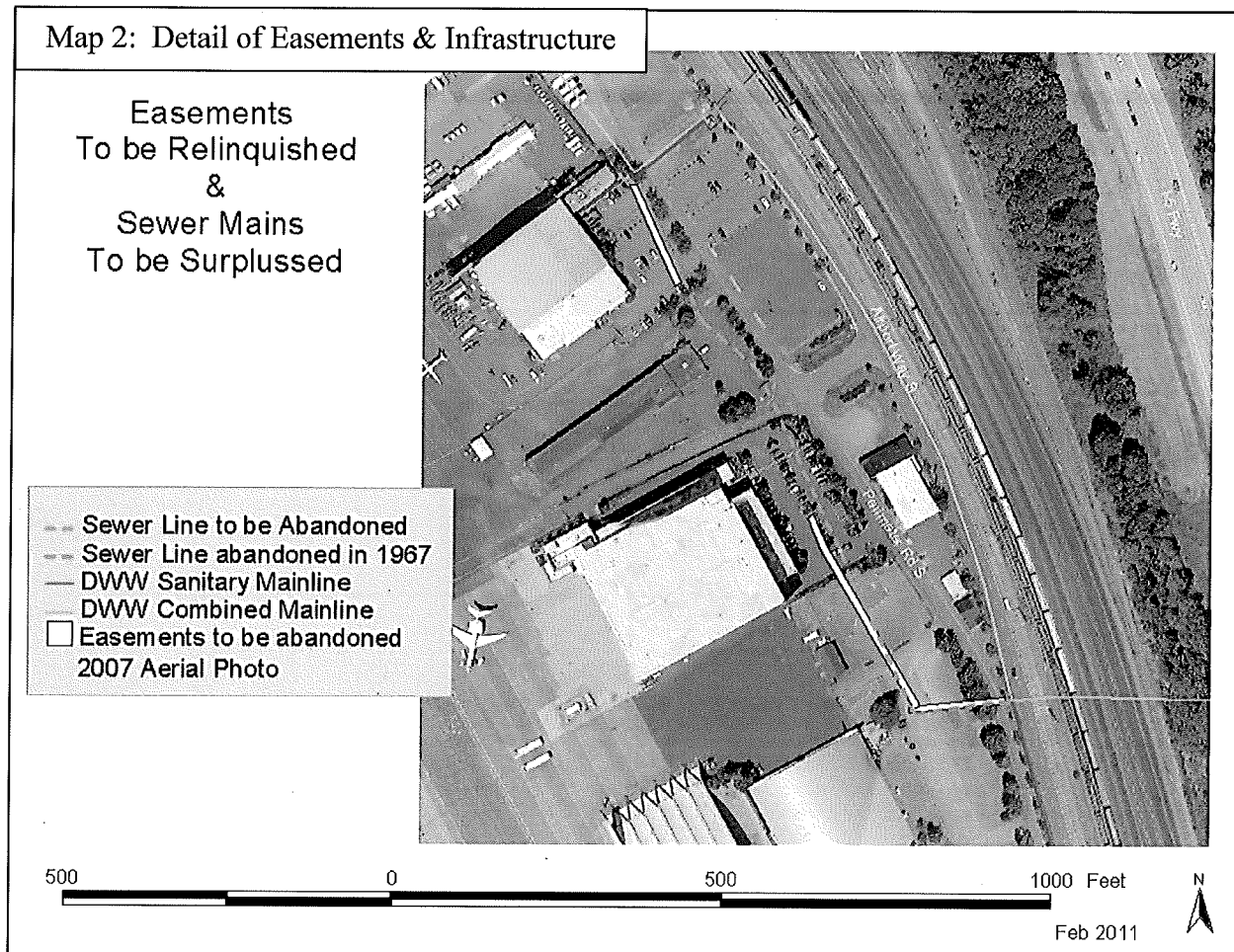
Exhibit A – Site location and Detail of Easements & Infrastructure Maps

Exhibit A

(These maps are intended for illustrative or informational purposes only and are not intended to modify anything in the legislation.)



SPU KC Easements ORD Fiscal Note Exhibit A





City of Seattle
Office of the Mayor

February 21, 2012

Honorable Sally Clark
President
Seattle City Council
City Hall, 2nd Floor


Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that would relinquish portions of two sewer easements and declare the sewer mains associated with them surplus to the City's needs. These mains serve only one customer, King County International Airport, and are no longer needed for public use. In addition, relinquishing these unneeded portions of pipe would clear the way for a private construction project within King County International Airport.

The easements were acquired in 1958 and 1960. Since then, the sewer pipe in a segment of the easement acquired in 1958 has essentially become a side sewer, and the sewer pipe in a portion of the easement acquired in 1960 has been abandoned. King County's lessee at this location wants to redevelop a hangar site on behalf of Galvin Flying Services. The easements at the redevelopment site are a hindrance for this private construction project.

Relinquishing the irrelevant portions of these two easements will remove a barrier from a needed construction project. Thank you for your consideration of this legislation. Should you have questions, please contact Pree Carpenter at 386-9754.

Sincerely,



Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council





City of Seattle

Michael Patrick McGinn, Mayor

Seattle Public Utilities

Ray Hoffman, Director

May 17, 2012

TO: City Clerk's Office *R*
FROM: Pree Carpenter, Sr Real Prop Agent, Seattle Public Utilities
SUBJECT: Bill of Sale

Please file the attached bill of sale with Ordinance 123849.

Thank you.

FILED
CITY CLERK
12 MAY 21 AM 9:37

BILL OF SALE AND TRANSFER OF PERSONAL PROPERTY

THE CITY OF SEATTLE, a Washington municipal corporation, acting by and through Seattle Public Utilities ("City"),

for and in partial consideration of good and valuable consideration hereby sells, assigns, quitclaims, transfers, conveys and delivers to King County, without warranty or recourse, all of the City's right, title and interest in and to the following described personal property:

All of the eight-inch diameter sanitary sewer facility with necessary appurtenances identified in the attached Exhibit A.

The transfers and conveyances referenced herein are without warranty as to title and ownership of the Facilities. Seller disclaims all implied warranties of any kind whatsoever, including without limitation implied warranties of condition, merchantability or fitness for a particular purpose. The Facilities are being transferred in "as is" condition and where presently located.

Dated this 15th day of MAY, 2012.

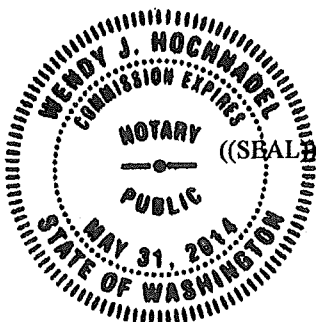
Seller: THE CITY OF SEATTLE

By: Ray Hoffman
Ray Hoffman, Director
Seattle Public Utilities

STATE OF WASHINGTON)
COUNTY OF KING) ss.

I certify that I know or have satisfactory evidence that Ray Hoffman is the person who appeared before me, and signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Director of Seattle Public Utilities, of The City of Seattle, a municipal corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above first written.



Wendy J. Hochmadel
NAME
(Print) Wendy J. Hochmadel
NOTARY PUBLIC in and for the State of
Washington
Residing at Lynnwood
My appointment expires 5/31/14

Exhibit A

That portion of eight (8) inch concrete sewer line as constructed with necessary appurtenances, in the SW ¼ of the SE ¼ of Section 28, Township 24 N, Range 4 East as described and illustrated below:

Beginning at WW Pump Station 045, running southwesterly 134.03 feet, more or less, to maintenance hole labeled 072-025;

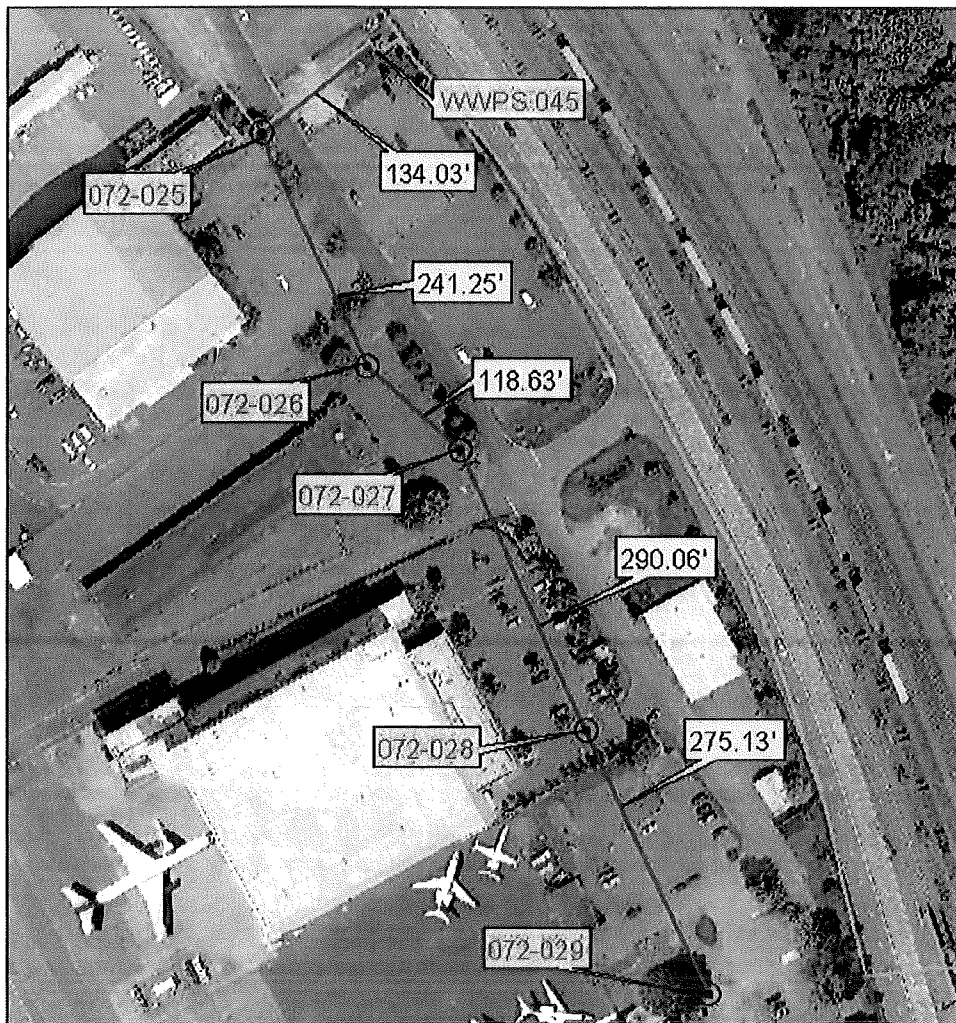
Thence running southeasterly 241.25 feet, more or less, to maintenance hole labeled 072-026;

Thence running southeasterly 118.63 feet, more or less, to maintenance hole labeled 072-027;

Thence running southeasterly 290.06 feet, more or less, to maintenance hole labeled 072-028;

Thence running southeasterly 275.13 feet, more or less, to maintenance hole labeled 072-029; and the end of this description.

(Pump station and maintenance holes labeled with City of Seattle labels.)



STATE OF WASHINGTON – KING COUNTY

--SS.

282987

CITY OF SEATTLE, CLERKS OFFICE

No. 123845,846,847,848

849,850

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: TITLE ONLY ORDINANCES

was published on

04/11/12

Thelma Bond

Subscribed and sworn to before me on

05/17/201

Jennifer Patzer

Notary public for the State of Washington,
residing in Seattle



State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on March 26, 2012, 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. 123845

AN ORDINANCE relating to historic preservation, imposing controls upon the John B. Allen School, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ORDINANCE NO. 123846

AN ORDINANCE relating to historic preservation, imposing controls upon the Bloss House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ORDINANCE NO. 123847

AN ORDINANCE relating to historic preservation, imposing controls upon the Villa Costella, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ORDINANCE NO. 123848

AN ORDINANCE relating to historic preservation, imposing controls and granting incentives upon the Chamber of Commerce Building, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

ORDINANCE NO. 123849

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to transfer sewer infrastructure to King County; and to relinquish portions of two sewer main easements in King County Parcel No. 2824049007, known as 7777 Perimeter Road South, King County International Airport, Seattle; and to declare portions of the easements and associated sewer infrastructure in the above property surplus to the City of Seattle's needs.

ORDINANCE NO. 123850

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

Date of publication in the Seattle Daily Journal of Commerce, April 11, 2012.

4/11(282987)

FILED
CITY OF SEATTLE
2013 JAN -2 PM 12: 52
CITY CLERK

BILL OF SALE AND TRANSFER OF PERSONAL PROPERTY

THE CITY OF SEATTLE, a Washington municipal corporation, acting by and through Seattle Public Utilities ("City"),

for and in partial consideration of good and valuable consideration hereby sells, assigns, quitclaims, transfers, conveys and delivers to King County, without warranty or recourse, all of the City's right, title and interest in and to the following described personal property:

All of the eight-inch diameter sanitary sewer facility with necessary appurtenances identified in the attached Exhibit A.

The transfers and conveyances referenced herein are without warranty as to title and ownership of the Facilities. Seller disclaims all implied warranties of any kind whatsoever, including without limitation implied warranties of condition, merchantability or fitness for a particular purpose. The Facilities are being transferred in "as is" condition and where presently located.

Dated this 15th day of MAY, 2012.

Seller: THE CITY OF SEATTLE

By:

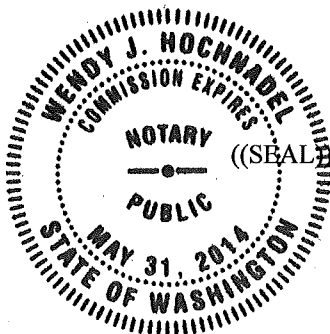


Ray Hoffman, Director
Seattle Public Utilities

STATE OF WASHINGTON)
COUNTY OF KING)ss.

I certify that I know or have satisfactory evidence that Ray Hoffman is the person who appeared before me, and signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Director of Seattle Public Utilities, of The City of Seattle, a municipal corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above first written.



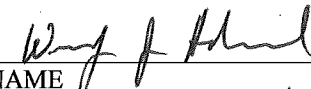

NAME _____
(Print) Wendy J. Hochmadel
NOTARY PUBLIC in and for the State of
Washington
Residing at Lynnwood
My appointment expires 5/31/14

Exhibit A

That portion of eight (8) inch concrete sewer line as constructed with necessary appurtenances, in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, Township 24 N, Range 4 East as described and illustrated below:

Beginning at WW Pump Station 045, running southwesterly 134.03 feet, more or less, to maintenance hole labeled 072-025;

Thence running southeasterly 241.25 feet, more or less, to maintenance hole labeled 072-026;

Thence running southeasterly 118.63 feet, more or less, to maintenance hole labeled 072-027;

Thence running southeasterly 290.06 feet, more or less, to maintenance hole labeled 072-028;

Thence running southeasterly 275.13 feet, more or less, to maintenance hole labeled 072-029; and the end of this description.

(Pump station and maintenance holes labeled with City of Seattle labels.)

