

Ordinance No. 123855

Council Bill No. 117433

AN ORDINANCE relating to the City Light Department, accepting various easements granted to The City of Seattle 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.

CF No. \_\_\_\_\_

Date Introduced:	<u>3-26-12</u>	
Date 1st Referred:	To: (committee) <u>Energy + Env. commit</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>8-0</u>	
Date Presented to Mayor:	Date Approved: <u>4-10-12</u>	
Date Returned to City Clerk:	Date Published:	T.O. _____ F.T. _____
<u>4-11-12</u>		
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle - Legislative Department  
Council Bill/Ordinance sponsored by: \_\_\_\_\_

Councilmember

### Committee Action:

3/27/12 committee moves to NO, TB, SC  
PASS

4/2/12 Full Council Passed 8-0 (excused: Rasmussen)

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_  
(initial/date)

*Law Department*

Law Dept. Review

OMP  
Review

City Clerk  
Review

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Indexed



**ORDINANCE** 123855

AN ORDINANCE relating to the City Light Department, accepting various easements granted to The City of Seattle 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.

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

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

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

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

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

Section 1. The City of Seattle hereby accepts the easements for overhead and underground electrical distribution rights upon, under, over and across the real property in King County, Washington, as more particularly described in the short plats, lot boundary adjustments, and unit lot subdivisions granted by the following persons or entities in 2011 and identified as follows:

JOAN B. WALZ, dated October 6, 2010, P.M. #250323-2-012, K.C. Recording #20110106900015;

SPECIALIZED HOMES, LLC, a limited liability company, dated November 17, 2010, P.M. #240415-3-008, K.C. Recording #20110106900014;



1  
2 DAYTIME LEISURE, LLC, a limited liability company, dated December 20, 2010,  
3 P.M. #250428-3-049, K.C. Recording #20110104900001;

4 BENJAMIN CUSTOM HOMES, LLC, a limited liability company, dated December 27,  
5 2010, P.M. #240422-2-031, K.C. Recording #20110105900002;

6 SQUARE TWO, LLC, a limited liability company, dated December 29, 2010,  
7 P.M. #240404-4-058, K.C. Recording #20110112900002;

8 HABITAT FOR HUMANITY OF SEATTLE, dated October 22, 2010,  
9 P.M. #240416-4-022, K.C. Recording #20110112900003;

10 TAN NGUYEN, dated January 3, 2011, P.M. #240428-4-013,  
11 K.C. Recording #20110121900003;

12 14<sup>TH</sup> AVE SOUTH 2,4,6, LLC, a limited liability company, dated January 10, 2011,  
13 P.M. #240417-4-011, K.C. Recording #20110128900004;

14 BEACON HILL 1,3,5, LLC, a limited liability company, dated December 27, 2010,  
15 P.M. #250417-4-012, K.C. Recording #20110128900003;

16 BLUE PRINT CAPITAL, LLC, a limited liability company, dated January 13, 2011,  
17 P.M. # 240323-1-024, K.C. Recording #20110209900012;

18 MLJ, LLC, a limited liability company, dated December 28, 2010, P.M. #260431-2-033,  
19 K.C. Recording #20110203900004;

20 RIO L. CIOTTA, ROBERT CIOTTA and AGNES CIOTTA, husband and wife, dated  
21 January 20, 2011, P.M. #240405-4-011, K.C. Recording #20110208900006;

22 SHARIFAH SABAH and LINA BAHARAIN, dated January 25, 2011,  
23 P.M. #250408-1-020, K.C. Recording #20110216900005;



1 ROOSEVELT 6321, LLC, a limited liability company, dated January 26, 2010,  
2 P.M. #250408-1-021, K.C. Recording #20110214900004;

3 HO MING WOO, dated April 13, 2010, P.M. #240431-3-012,  
4 K.C. Recording #20100505900003;

5 BRADLEY KHOURI, dated February 11, 2011, P.M. #250433-2-037,  
6 K.C. Recording #20110222900004;

7 WHIDBEY ISLAND BANK, dated February 18, 2011, P.M. #250407-4-013,  
8 K.C. Recording #20110304900001;

9 SOUND EQUITIES INCORPORATED, dated February 11, 2011, P.M. #251311-1-054,  
10 K.C. Recording #20110224900003;

11 LISA LONG, dated March 3, 2011, P.M. #250428-3-020C, K.C. Recording  
12 #20110310900011;

13 RONG YING WU, dated March 3, 2011, P.M. #240408-1-033, K.C. Recording  
14 #20110307900004;

15 ADMIRAL JUNCTION, LLC, a limited liability company, dated March 3, 2011,  
16 P.M. #240311-1-017, K.C. Recording #20110315900006;

17 CLIFFORD LOW and HENRY LOW, dated January 26, 2011, P.M. #260432-3-033,  
18 K.C. Recording #20110329900003;

19 EJ DALTON, LLC, a limited liability company, dated March 23, 2010,  
20 P.M. #250433-4-009, K.C. Recording #20110405900007;

21 EJ DALTON, LLC, a limited liability company, dated March 31, 2011,  
22 P.M. #240313-3-033, K.C. Recording #20110405900009;



1 BUILD URBAN, LLC, a limited liability company, dated April 6, 2011,  
2 P.M. #250433-4-007, K.C. Recording #20110419900008;

3 PRESCOTT HOMES, INC, dated March 24, 2011, P.M. #260432-4-022,  
4 K.C. Recording #20110504900002;

5 KNOLL DEVELOPMENT, LLC, a limited liability company, dated April 14, 2011,  
6 P.M. #240323-3-018, K.C. Recording #20110517900002;

7 KNOLL DEVELOPMENT, LLC, a limited liability company, dated May 12, 2011,  
8 P.M. #240321-1-025, K.C. Recording #20110518900016;

9 DORSAL HOLDINGS, LLC, a limited liability company, dated January 4, 2011,  
10 P.M. #260421-1-032, K.C. Recording #20110127900001;

11 BITTER LAKE, LLC, a limited liability company, dated April 26, 2011,  
12 P.M. #250323-1-016, K.C. Recording #20110601900001;

13 MAC JOLLY RENTALS, LLC, a limited liability company, dated May 13, 2011,  
14 P.M. #250312-1-011, K.C. Recording #20110601900013;

15 EJ DALTON, LLC, a limited liability company, dated May 13, 2011,  
16 P.M. #260336-3-023, K.C. Recording #20110601900002;

17 CP GRANGER CONSTRUCTION, dated May 11, 2011, P.M. #240315-4-017,  
18 K.C. Recording #20110615900002;

19 MORGAN JUNCTION, LLC, a limited liability company, dated June 7, 2011,  
20 P.M. #240323-3-019, K.C. Recording #20110617900004;

21 GREATWOOD HOMES, INC, dated May 23, 2011, P.M. #250311-1-066,  
22 K.C. Recording #20110630900008;



1 STERLING SAVINGS BANK, dated July 6, 2011, P.M. #260421-1-031B,  
2 K.C. Recording #20110714900002;

3 KAI CHONG and YINGXIA W. CHONG, dated June 28, 2011, P.M. #250313-4-051,  
4 K.C. Recording #20110719900002;

5 JAMES DeMENEZES, dated July 9, 2011, P.M. #250433-1-035,  
6 K. C. Recording #20110721900006;

7 RIGHT FOOT DEVELOPMENT, LLC, a limited liability company, dated June 24, 2011,  
8 P.M. #250419-3-030, K.C. Recording #20110721900007;

9 SOLEIL EQUITY FUND, LLC, a limited liability company, dated July 5, 2011,  
10 P.M. #240323-4-027, K.C. Recording #20110721900005;

11 SLOAN RITCHIE, dated July 22, 2011, P.M. #250428-4-062,  
12 K.C. Recording #20110725900012;

13 DOLPHIN PROPERTIES, LLC, a limited liability company, dated May 19, 2011,  
14 P.M. #250312-4-076, K.C. Recording #20110801900003;

15 CHRIS PICKERING, dated June 14, 2011, P.M. #250324-1-012,  
16 K.C. Recording #20110816900003;

17 AARON I. BUXBAUM, dated August 12, 2011, P.M. #250310-1-015,  
18 K.C. Recording #20110829900006;

19 FRANKLIN HOMES, LLC, a limited liability company, dated August 12, 2011,  
20 P.M. #250310-1-015, K.C. Recording #20110829900006;

21 BENJAMIN CUSTOM HOMES, LLC, a limited liability company, dated August 15,  
22 2011, P.M. #240404-4-099, K.C. Recording #20110824900002;



1 MARTHA ROSE CONSTRUCTION, dated August 29, 2011, P.M. #250313-3-029,  
2 K.C. Recording #20110902900002;

3 YAKIMA TOWNHOMES, LLC, a limited liability company, dated September 1, 2011,  
4 P.M. #240404-4-050, K.C. Recording #20110912900002;

5 PETE GRANGER, INC., ALL DAY CONSTRUCTION, LLC, a limited liability  
6 company, dated August 25, 2011, P.M. #250433-2-039, K.C. Recording #20110921900004;

7 KODIAK DEVELOPMENT, LLC, a limited liability company, dated September 12,  
8 2011, P.M. #260421-4-055, K.C. Recording #20110922900005;

9 MALDEN 8, LLC, a limited liability company, dated September 15, 2011,  
10 P.M. #250429-4-039, K.C. Recording #20110928900022;

11 FREMONT SIX, LLC, a limited liability company, dated September 15, 2011,  
12 P.M. #250418-2-052, K.C. Recording #20111006900007;

13 FREMONT SIX, LLC, a limited liability company, dated September 15, 2011,  
14 P.M. #250418-2-054, K.C. Recording #20111006900008;

15 SOUTH WASHINGTON, LLC, a limited liability company, dated September 14, 2011,  
16 P.M. #240404-2-043, K.C. Recording #20111004900005;

17 VISTRA, INC., dated September 14, 2011, P.M. #250418-3-058,  
18 K.C. Recording #20111006900005;

19 VITALIY Y. AFICHUK and LYUDMILA AFICHUK, dated August 18, 2011,  
20 P.M. #240325-2-028, K.C. Recording #20110927900002;

21 HABERZETLE HOMES, LLC, a limited liability company, dated July 19, 2011,  
22 P.M. #250311-1-067, K.C. Recording #20111017900001;



PATRICIA BOGUCKI, dated August 18, 2011, P.M. #260430-3-023,  
K.C. Recording #20111017900002;

BRIARBOX, LLC, a limited liability company and BRIARBOX II, LLC, a limited  
liability company, dated September 29, 2011, P.M. #250419-3-009, K.C. Recording  
#20111019900002;

LOKE PROPERTIES, LLC, a limited liability company, dated October 6, 2011,  
P.M. #250433-3-048, K.C. Recording #20111102900010;

DC GRANGER, INC, dated December 23, 2009, P.M. #250410-3-022,  
K.C. Recording #20111103900001;

JONATHAN COOMBES, dated October 25, 2011, P.M. #260431-4-098,  
K.C. Recording #20111108900009;

PEREGINE CAPITAL PARTNERS, LLC, a limited liability company, dated  
October 11, 2011, P.M. #240310-3-020, K.C. Recording #20111108900012;

SOLEIL, LLC, a limited liability company, dated September 28, 2011,  
P.M. #240310-3-021, K.C. Recording #20111108900010;

BUILD URBAN, LLC, a limited liability company, dated October 11, 2011,  
P.M. #250428-4-063, K.C. Recording #20111109900005;

METROSTRUCTURE CORP., dated October 24, 2011, P.M. #250434-2-019,  
K.C. Recording #20111118900001;

PLUMA HOMES, LLC, a limited liability company, dated November 14, 2011,  
P.M. #250407-3-023, K.C. Recording #20111116900005;

PLUMA HOMES, LLC, a limited liability company, dated November 14, 2011,  
P.M. #250324-2-017, K.C. Recording #20111117900003;





1 KOHARY CONSTRUCTION, INC., dated November 14, 2011, P.M. #250312-2-037,  
2 K.C. Recording #20111219900001;

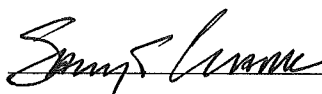
3 KOHARY CONSTRUCTION, INC., dated November 14, 2011, P.M. #250418-2-053,  
4 K.C. Recording #20111215900007;

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

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

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

12 Passed by the City Council the 2nd day of April, 2012, and  
13 signed by me in open session in authentication of its passage this  
14 2nd day of April, 2012.

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16  
17 

18 President Clark of the City Council

19  
20 Approved by me this 10th day of April, 2012.

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22 

23 Michael McGinn, Mayor



Filed by me this 11<sup>th</sup> day of April, 2012.



Monica Martinez Simmons, City Clerk

(Seal)



### **FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle City Light	Lynn Best / 386-4586	Calvin Chow / 684-4652

#### **Legislation Title:**

AN ORDINANCE relating to the City Light Department, accepting various easements granted to The City of Seattle 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 all of the easements granted to The City of Seattle for overhead and underground electrical distribution rights, as part of the Department of Planning and Development (DPD) land use permitting process, during 2011, places these easements under the jurisdiction of Seattle City Light, and ratifies and confirms certain prior acts.

#### **Background:**

As part of the approval process for short plats, lot boundary adjustments, and unit lot subdivisions, DPD obtains reviews of these land use permitting applications by other City departments. If City Light requires an easement to ensure adequate access to provide electrical service to any lot or lots created by such property division, an easement in gross is placed upon the property division as a condition of final plat approval by DPD. The property owner signs the plat as grantor. The plat is approved by DPD, and then recorded with the King County Recorder's Office.

The Seattle City Charter requires that all acquisitions and dispositions of property interests, including easements, must be approved by ordinance. This legislation will accept all of the easements for electrical service rights obtained by the City in short plats, lot boundary adjustments, and unit lot subdivisions, during 2011.

  X   This legislation does not have any financial implications.

#### **Other Implications:**

a) Does the legislation have indirect financial implications, or long-term implications?

No

**b) What is the financial cost of not implementing the legislation?**

No direct costs. The legislative acceptance of real property interests perfects the City's title against potential legal challenges, a liability issue.

**c) Does this legislation affect any departments besides the originating department?**

Yes, DPD approves the short plats, lot boundary adjustments, and unit lot subdivisions which incorporate the electrical service easements being accepted.

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

None.

**e) Is a public hearing required for this legislation?**

No.

**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, plat maps of the permitted properties are recorded as indicated in the legislation. It would not be cost effective to provide these maps as attachments to a Fiscal Note.

**h) Other Issues:**

None.

**List attachments to the fiscal note below:**

None.



**City of Seattle**  
Office of the Mayor

March 13, 2012

Honorable Sally J. Clark  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that accepts various easements granted to the City of Seattle for electrical distribution rights, resulting from the Department of Planning and Development's (DPD's) approval of certain land use permitting actions during 2011. This ordinance will ensure that Seattle City Light has adequate access to provide needed electrical service.

As part of the approval process for short plats, lot boundary adjustments, and unit lot subdivisions, DPD reviews the applications with other City departments. City Light requires an easement to ensure adequate access for electrical service to any lot created by such property division. The easement is indicated on the face of the plat, approved by DPD, and recorded.

This Council Bill is necessary to comply with provisions of the Seattle City Charter, Article IV, which requires legislative approval for the acquisition or disposition of any property. Thank you for your consideration of this legislation. Should you have questions, please contact Lynn Best at 386-4586.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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

Tel (206) 684-4000  
Fax (206) 684-5360  
TDD (206) 615-0476  
[mike.mcginns@seattle.gov](mailto:mike.mcginns@seattle.gov)





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STATE OF WASHINGTON – KING COUNTY

--SS.

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283528  
CITY OF SEATTLE, CLERKS OFFICE

No. 123852,853,854,855,856

**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 12<sup>th</sup> 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 ORDINANCE

was published on

04/26/12


The amount of the fee charged for the foregoing publication is the sum of \$ 69.75, which amount has been paid in full.



Affidavit of Publication

  
Subscribed and sworn to before me on

04/26/12

  
Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle Title Only Ordinance

The full text of the following legislation, passed by the City Council on April 2, 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. 123852

AN ORDINANCE relating to land use and zoning, amending the Official Land Use Map at page pages 131 and 132 to rezone land in the North Beacon Hill Residential Urban Village and to expand the boundaries of the North Beacon Hill Station Area Overlay District.

#### ORDINANCE NO. 123853

AN ORDINANCE relating to land use and zoning, amending Chapter 23.32 of the Seattle Municipal Code at pages 159, 173, and 174 of the Official Land Use Map to rezone land in the Othello Residential Urban Village.

#### ORDINANCE NO. 123854

AN ORDINANCE amending the Seattle Comprehensive Plan to incorporate changes proposed as part of the 2011-2012 Comprehensive Plan annual amendment process.

#### ORDINANCE NO. 123855

AN ORDINANCE relating to the City Light Department, accepting various easements granted to The City of Seattle 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. 123856

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 26, 2012.

4/26(283528)