

Ordinance No. 123888

Council Bill No. 117459

AN ORDINANCE relating to the permission granted to the 2020 Fifth Avenue, LLC by Ordinance 123794 to construct, maintain, and operate a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street, by amending Section 1 to revise the legal description of the adjacent property; and ratify and confirm certain prior acts.

Related Legislation File:

Date Introduced and Referred: 4.30.12	To: (committee): Transportation
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 05-14-2012	Date Presented to Mayor: 05-15-2012
Date Signed by Mayor: 5.16.12	Date Returned to City Clerk: 5.17.12
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text <input type="checkbox"/>	
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: *Tom Rasmussen*

Committee Action:

Date	Recommendation	Vote
5-8-12	PASS	TRJ6 2-0

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

Full Council Action:

Date	Decision	Vote
May 14, 2012	Passed	8-0 (excused: Godden)

Law Department

CITY OF SEATTLE

ORDINANCE 123888

COUNCIL BILL 117459

AN ORDINANCE relating to the permission granted to the 2020 Fifth Avenue, LLC by Ordinance 123794 to construct, maintain, and operate a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street, by amending Section 1 to revise the legal description of the adjacent property; and ratify and confirm certain prior acts.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 1 of Ordinance 123794 that granted permission to 2020 Fifth Avenue, LLC to construct, maintain, and operate a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street, is amended to read as follows:

1. Permission. Subject to the terms and conditions of this ordinance, the City of Seattle (City) grants permission (also referred to in this ordinance as a permit) to 2020 Fifth Avenue LLC, and its successors and assigns as approved by the Director of the Seattle Department of Transportation (Director) according to Section 14 of this ordinance (the party named above and each approved successor and assign is referred to as Permittee), to construct, maintain, and operate a pedestrian skybridge (skybridge) in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street, adjacent in whole or in part to the property legally described as:

Lots ((~~7, 8, 9, and 10 (less portion for street))~~) 4 and 5, Block 15, of Addition to town of Seattle, as laid off by Heirs of Sarah A. Bell (Deceased), commonly known as Heirs of Sarah A. Bell's Second Addition to the City of Seattle, according to plat recorded in Volume I of plats, page 103, records of King County, Washington((-)) ;



1 except the southwesterly 12 feet of lots 4 and 5 condemned under King County
2 Superior Court Cause No. 52280 as provided for in City of Seattle Ordinance 13776.

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4 Section 2. **Ratify and confirm.** Any act taken by the City or the Permittee under the
5 authority of and in compliance with the conditions of this ordinance but prior to the effective
6 date of the ordinance is ratified and confirmed.

7
8 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
9 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
10 shall take effect as provided by Seattle Municipal Code Section 1.04.020.
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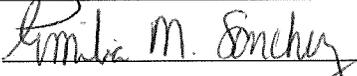
1 Passed by the City Council the 14th day of May, 2012, and
2 signed by me in open session in authentication of its passage this
3 14th day of May, 2012.

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5 
6 President _____ of the City Council

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9 Approved by me this 16th day of May, 2012.

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11 
12 Michael McGinn, Mayor

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14 Filed by me this 17th day of May, 2012.

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16 for Monica Martinez Simmons, City Clerk

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Department of Transportation	Angela Steel/684-5967	Rebecca Guerra/684-5339

Legislation Title:

AN ORDINANCE relating to the permission granted to the 2020 Fifth Avenue, LLC by Ordinance 123794 to construct, maintain, and operate a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street, by amending Section 1 to revise the legal description of the adjacent property; and ratify and confirm certain prior acts.

Summary of the Legislation:

The legislation amends the legal description in Section 1 of Ordinance 123794 that granted permission to 2020 Fifth Avenue, LLC, to construct, maintain, and operate a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street. An area map is attached for reference.

Background:

By Resolution 31319, the City granted conceptual approval of the new pedestrian skybridge and public benefit installations to Hammer Company and Clise, Inc.

On October 13, 2011, the western adjoining property was transferred from Hammer Company and Clise, Inc. to 2020 Fifth Avenue, LLC. The permittee name on the pending ordinance was amended and legal description of the adjoining property being served by the skybridge is also being amended by this ordinance.

By Ordinance 123794, the City granted permission to 2020 Fifth Avenue, LLC to construct, maintain, and operate a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street, for a ten-year term, renewable for two successive ten-year terms.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.



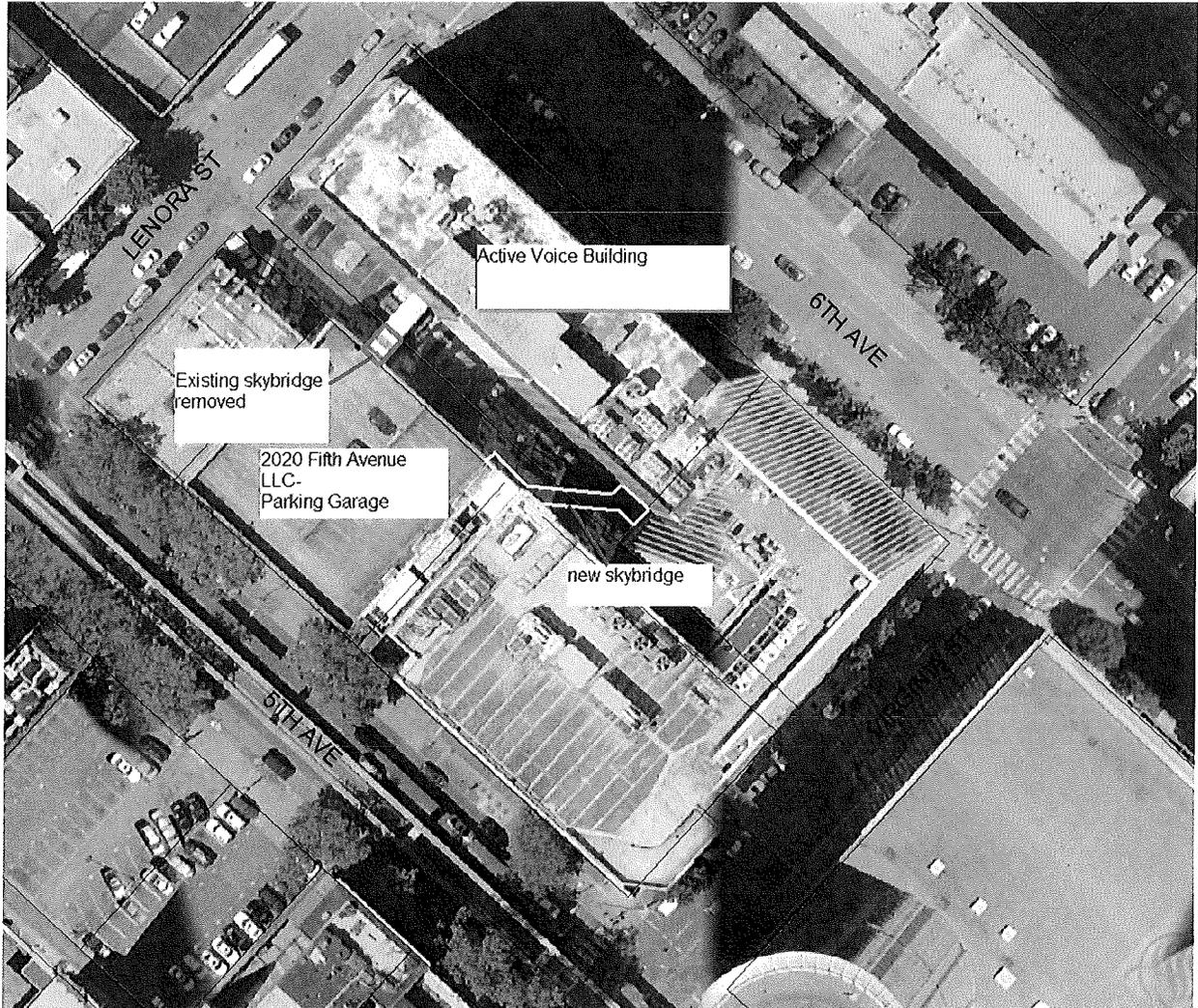
Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No
- b) **What is the financial cost of not implementing the legislation?**
None
- 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
- 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, an area map is attached for reference.
- h) **Other Issues:** N/A

List attachments to the fiscal note below:

Attachment A – 2020 Fifth Avenue LLC Skybridge Area Map

Attachment A – 2020 Fifth Avenue LLC Skybridge Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.





City of Seattle
Office of the Mayor

April 17, 2012

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

Dear Council President Clark:

I am pleased to transmit the attached Council Bill that will amend the legal description of Section 1 of Ordinance 123794 that granted permission to 2020 Fifth Avenue, LLC to construct, operate, and maintain a pedestrian skybridge in the mid-block portion of the alley between 5th Avenue and 6th Avenue, south of Lenora Street (also known as Jazz Alley).

In October 2011, the western adjoining property was transferred from Hammer Company and Clise, Inc. to 2020 Fifth Avenue, LLC. The legal description of the adjoining property being served by the skybridge is now being amended by this ordinance.

Thank you for your consideration of this legislation. Should you have questions, please contact Angela Steel at 684-5967.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael McGinn".

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

284669
CITY OF SEATTLE, CLERKS OFFICE

No. 123884,885,886,887,888

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.

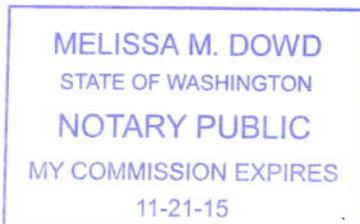
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCE

was published on

05/30/12

The amount of the fee charged for the foregoing publication is the sum of \$ 167.40, which amount has been paid in full.



[Handwritten Signature]

Subscribed and sworn to before me on

05/30/12

[Handwritten Signature]

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

