

Ordinance No. 12428

Council Bill No. 117883

AN ORDINANCE vacating the south 240 feet of the alley adjacent to Lots 4-11 in Block 33, D.T. Denny's Home Addition to the City of Seattle, on the petition of the Burkheimer Family Limited Liability Company, a Washington limited liability company; and accepting a Property Use and Development Agreement as reflected in Clerk File 309868.

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Tom Roemer
Councilmember

Committee Action:

9-10-13 PASS TRJ&BH
3-0

CF No. _____

Date Introduced: <u>8/12/13</u>	<u>Transportation</u>	
Date 1st Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>9/10/13</u>	Full Council Vote: <u>9-0</u>	
Date Presented to Mayor: <u>9/20/13</u>	Date Approved: <u>9.25.13</u>	
Date Returned to City Clerk: <u>9.26.13</u>	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

Full Council: Sept. 10, 2013 Passed 9-0

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

Law Department

Law Dept. Review OMP Review City Clerk Review Electronic Copy Loaded Indexed

CITY OF SEATTLE
ORDINANCE 124278
COUNCIL BILL 117883

1
2
3
4 AN ORDINANCE vacating the south 240 feet of the alley adjacent to Lots 4-11 in Block 33,
5 D.T. Denny's Home Addition to the City of Seattle, on the petition of the Burkheimer
6 Family Limited Liability Company, a Washington limited liability company; and
7 accepting a Property Use and Development Agreement as reflected in Clerk File 309868.

8 WHEREAS, Burkheimer Family Limited Liability Company (Petitioner) filed a petition to
9 vacate the south 240 feet of the alley adjacent to Lots 4-11 in Block 33, D.T. Denny's
10 Home Addition to the City of Seattle; and

11 WHEREAS, following a September 14, 2010 public hearing on the petition, the Seattle City
12 Council (City Council) conditionally granted the petition subject to conditions that have
13 now been met; and

14 WHEREAS, after the petition was filed, the development property was sold by the Petitioner to
15 100 Republican LLC, who in turn sold the property to Essex Queen Anne, LLC, the
16 developer and current property owner (Developer); and

17 WHEREAS, a Property Use and Development Agreement recorded with the King County
18 Recorder's Office commits the Developer and their successors to fulfill ongoing public-
19 benefit obligations required as a result of the street vacation; and

20 WHEREAS, to appropriately compensate the City of Seattle for the vacated property, the
21 Developer conveyed to the City a deed for alley purposes recorded under King County
22 Recording Number 20110407000348 that permits the portion of the alley remaining after
23 the vacation to connect to a public street; and

24 WHEREAS, the Deed for Alley Purposes was subsequently accepted by Ordinance 124141 that
25 was passed on March 18, 2013; and

26 WHEREAS, consistent with Section 35.79.030 RCW and Seattle Municipal Code (SMC)
27 Chapter 15.62, the Developer compensated the City for the full appraised value of the
28 property by granting to the City the deed for alley purposes as allowed by SMC
15.62.090 B;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:



Section 1. The real property described below is vacated:

The portion of the alley adjacent to Lots 4-11, Block 33, D. T. Denny's Home Addition to the City of Seattle, Volume 3 of Plats, page 115, King County, Washington.

Section 2. The Property Use and Development Agreement, King County Recording Number 20130425000988, attached as Attachment A, is accepted.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

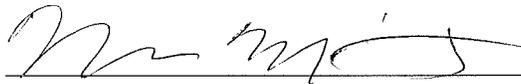


1 Passed by the City Council the 16th day of September, 2013, and
2 signed by me in open session in authentication of its passage this
3 16th day of September, 2013.

4
5 

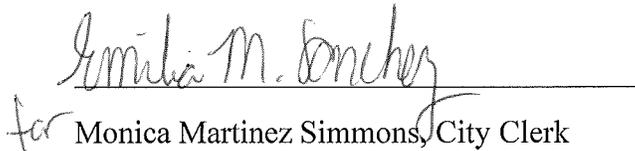
6 President _____ of the City Council

7
8 Approved by me this 25th day of September 2013.

9
10 

11 Michael McGinn, Mayor

12
13 Filed by me this 26th day of September, 2013.

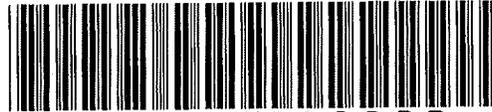
14
15 
16 for Monica Martinez Simmons, City Clerk

17 (Seal)

18
19 Attachment:

20 Attachment A: Property Use and Development Agreement
21
22
23
24
25
26
27
28





20130425000988

MCCULLOUGH HIL AG-RER 81.00
PAGE-001 OF 010
04/25/2013 13:31
KING COUNTY, WA

AFTER RECORDING RETURN DOCUMENT TO:
Courtney A. Kaylor
McCullough Hill Leary, PS
701 Fifth Avenue, Suite 7220
Seattle, WA 98104

PROPERTY USE AND DEVELOPMENT AGREEMENT

Grantors:	1) <u>ESSEX QUEEN ANNE, LLC, a</u>	2) _____
	<u>Washington Limited Liability Company</u>	
	<input type="checkbox"/> Additional on page _____	
Grantee:	1) <u>The City of Seattle</u>	2) _____
	<input type="checkbox"/> Additional on page _____	
Legal Description (abbreviated):	<u>Lots 3-11, Block 33, D.T. Denny's Home Addition to the City of Seattle, King County, WA</u>	
	<input type="checkbox"/> Additional on : <u>EXHIBIT A</u>	
Assessor's Tax Parcel ID #:	<u>198820-0190; 198820-0225</u>	
Reference Nos. of Documents Released or Assigned:	<u>N/A</u>	

THIS PROPERTY USE AND DEVELOPMENT AGREEMENT ("AGREEMENT") is executed this 22 day of April, 2013, in favor of the CITY OF SEATTLE, a municipal corporation of the State of Washington (the "City") by ESSEX QUEEN ANNE, LLC, a Washington limited liability company, owner of the within described property (the "Owner").

RECITALS

WHEREAS, the Owner is vested in fee simple title and has a substantial beneficial interest in the real property located in King County, Washington, described as follows (the "Property"):

Lots 3 through 11, Block 33, D.T. Denny's Home Addition to the City of Seattle, according to the plat thereof recorded in Volume 3 of Plats, Page 115, in King County, Washington.

and



WHEREAS, the Owner has developed the Property with a new mixed-use building (the "Development"); and

WHEREAS, in connection with the Development, a petition was filed in 2009 (Clerk File No. 309868) pursuant to RCW Ch. 35.79 and Seattle Municipal Code Chapter 15.62 by the Owner's predecessor in interest to vacate a portion of the alley in Block 33, D.T. Denny's Home Addition to the City of Seattle; and

WHEREAS, the Seattle City Council granted preliminary approval of the vacation subject to conditions, including the condition that a pedestrian plaza of approximately 2,080 square feet ("Plaza Area") that is depicted on Exhibit A and legally described on Exhibit B, shall be developed at the corner of Warren Avenue North and Republican Street; and

WHEREAS, the Owner now seeks final vacation of a portion of the alley in Block 33, D.T. Denny's Home Addition to the City of Seattle;

NOW, THEREFORE, the Owner covenants, bargains, and agrees on behalf of itself, its successors, and assigns as follows:

Section 1. The Plaza Area shall not be developed with buildings at grade level, and shall be developed with a plaza including features designed to welcome and engage the public that may include art, special paving treatment, street furniture or seat walls, way finding signage, or pedestrian level lighting. The Plaza Area shall be open to the public to pass through or use during daylight hours regardless of whether the public's use is associated with the Development. Public use of the Plaza Area is, however, subject to the conditions contained in this Agreement.

The Owner shall provide signage in the Plaza Area that is visible to the public and indicates the Plaza Area is open for public use subject to the terms of this Agreement.

The Plaza Area does not include: below-grade or subsurface areas, areas that are occupied by the subsurface parking garage for the Development, or portions of structures that may extend over the ground surface of the Plaza Area; provided the portions of structures located over the Plaza Area do not restrict the public's use of the Plaza Area.

The Owner reserves the right to use the Plaza Area for any purposes not inconsistent with the terms of this Agreement. The areas identified as "Restricted Public Use Areas" on Exhibit A may be dedicated from time to time by the Owner, through leases or other written instrument to building tenants, as areas for outdoor



seating for eating or drinking establishments located in the Development. In such cases, access to these areas shall be limited to use by patrons of the eating or drinking establishments.

Section 2. The Plaza Area currently has and shall continue to include the following public amenities: (a) private art; (b) landscaped planters; (c) concrete seatwalls, (d) pedestrian level lighting and (e) special paving. The Owner shall keep all amenities in good repair at all times. Amenities initially installed include: (a) one private art piece by Austin J. Smith; (b) two landscaped planters with a total area of approximately 200 square feet; (c) two concrete seatwalls, each approximately 14 feet 6 inches in length; (d) concrete pedestal pavers; (e) pedestrian-level lighting including LED lighting beneath the seatwall bench and uplighting of the art piece.

After initially installing these amenities, the amount or types of amenities may be modified by the Owner after receiving the written consent of the Director of the Department of Transportation; provided, the quality of the amenities shall not be diminished and the modified amenities shall be designed to continue to activate the Plaza Area with public uses and pedestrian activity.

Section 3. The Owner shall have the right to temporarily close or obstruct the Plaza Area for: (1) construction; (2) maintenance and repair; (3) temporary use for private functions directly related to the Development or the Owners; (4) the maintenance of security for the Development or persons using the Development; or (5) other circumstances beyond the Owner's control.

Section 4. The Owner may adopt reasonable rules and regulations regarding the use of and access to the Plaza Area as are necessary to ensure the security of the users of the Plaza Area and the Development. The rules and regulations shall be consistent with the terms of this Agreement and shall be posted in several visible locations in the Plaza Area.

Section 5. The Owner and the City through its Parks Department, Department of Neighborhoods, or other City department, may coordinate programming of community and public events or other public functions in the Plaza Area. Any such events shall be coordinated between the City and Owner not less than six months in advance.

Section 6. This Agreement shall be recorded in the records of King County. The Agreement shall be covenants that attach to and run with the Property; and shall be binding upon the Owner, its heirs, successors, and assigns.



Section 7. This Agreement may be amended or modified by agreement between the Owner and the City; provided an amended agreement shall be approved by the legislative authority of the City by ordinance. Nothing in the Agreement shall be construed as a surrender of the City's governmental or police powers.

Section 8. This Agreement is made for the benefit of the City and the public, and the City may institute and prosecute any proceeding at law or in equity to enforce this Agreement.

Section 9. Upon the effective date of the vacation ordinance, the Owner shall provide and thereafter maintain in full force and effect, commercial general liability insurance providing for a limit of not less than \$1,000,000 per occurrence for all damages arising out of bodily injuries or death. The insurance policies obtained shall be approved as to form by the City Risk Manager, and shall name the City as an additional insured.

Section 10. The Owner shall indemnify, hold harmless, and defend the City and its officers, agents and employees; from any and all claims, losses, liabilities, liens, costs, or expenses including attorney's fees, resulting from or arising out of public use of the Plaza Area. If any claim covered by this paragraph is asserted against the City, the Owner, upon notice from the City, shall defend the City at its sole cost and expense, and shall pay any final judgment rendered upon such claim.

Section 11. The Owner reserves the right to use the Plaza Area for any purpose that does not interfere with the public's use of the Plaza Area, including but not limited to the right to use the Plaza Area as described in this Agreement and the right to grant easements within the Plaza Area; provided the easements are consistent with the public's use of the Plaza Area.

Section 12. Notwithstanding the covenants contained in this Agreement, nothing in this Agreement shall constitute a public dedication of any portion of the Property.

Section 13. In the event any covenant or condition or any portion of this Agreement is judicially determined to be invalid or void, the invalidity or voidness shall in no way affect any other covenant, condition, or restriction contained in this Agreement.



Dated this 22 day of April, 2013.

ESSEX QUEEN ANNE, LLC,
a Washington limited liability company

By: Essex Portfolio, L.P.,
a California limited partnership,
Its Member

By: Essex Property Trust, Inc.,
a Maryland corporation,
Its General Partner

By: [Signature]
Print name: John [unclear]
Title: SDP

STATE OF California
COUNTY OF Santa Clara) ss See Attached

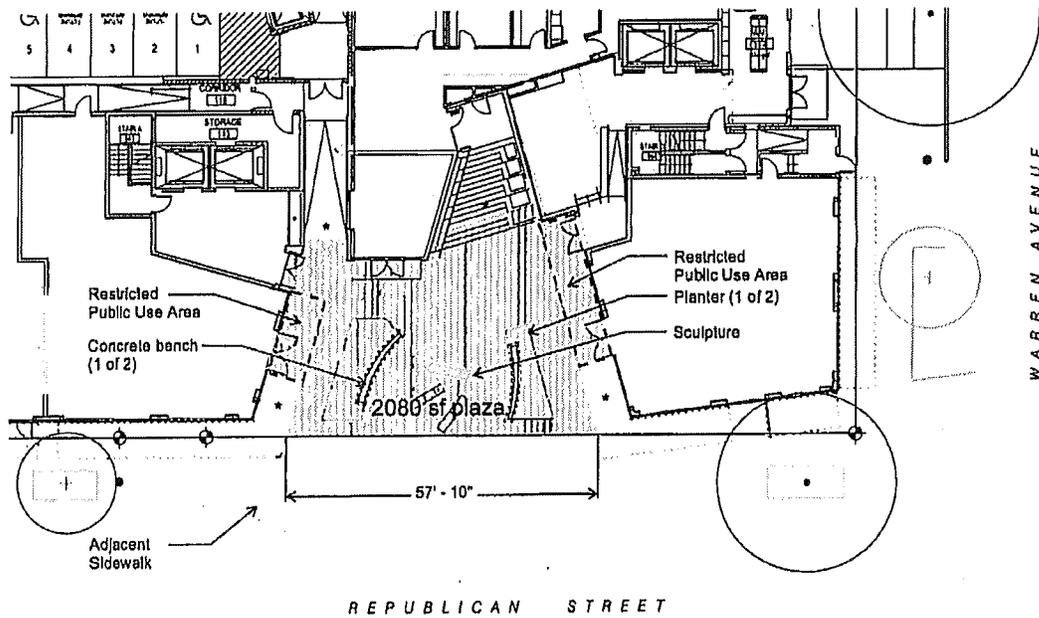
I certify that I know or have satisfactory evidence that
[Signature] is the person who appeared before me, and said
person acknowledged that (s)he signed this instrument, on oath stated that (s)he was
authorized to execute the instrument and acknowledged it as the
[Signature] of Essex Property Trust, Inc., a Maryland
corporation, as General Partner of Essex Portfolio, L.P., a California limited
partnership, as Member of ESSEX QUEEN ANNE, LLC, a Washington limited liability
company, to be the free and voluntary act of such party for the uses and purposes
mentioned in the instrument.

DATED: _____, 2013.

Notary Public in and for the State of _____
residing at _____
Print name: _____
Commission expires: _____



EXHIBIT A
Drawing of Plaza Area



* Indicates area adjacent to plaza that is for use of building owner only.

R

1" = 30' - 0"
2/28/2013



EXHIBIT B

Legal Description of Plaza Area

SEE NEXT PAGE



Plaza Easement Legal Description

Commencing at the southeast corner of Lot 7, Block 33, D.T. Denny's Home Addition to the City of Seattle, according to the Plat thereof, recorded in Volume 3 of Plats, Page 115, Records of King County, Washington; thence N88°32'43"W along the south line of said Lot 7, said line also being the north margin of Republican Street, a distance of 47.56 feet to the True Point of Beginning;

thence continuing along said north margin N88°32'43"W a distance of 57.83 feet;

thence N17°33'05"E a distance of 10.53 feet;

thence N72°25'27"W a distance of 6.52 feet;

thence N 17°34'33"E a distance of 15.44 feet;

thence N72°25'27"W a distance of 2.42 feet;

thence N17°34'33"E a distance of 6.60 feet;

thence S72°28'18"E a distance of 2.10 feet;

thence N17°31'42"E a distance of 1.83 feet;

thence N01°27'17"E a distance of 1.04 feet;

thence S88°32'43"E a distance of 7.67 feet;

thence S01°27'17"W a distance of 3.92 feet;

thence S88°32'43"E a distance of 14.97 feet;

thence N17°31'42"E a distance of 5.06 feet;

thence N75°23'25"E a distance of 19.01 feet;

thence S14°36'08"E a distance of 3.75 feet;

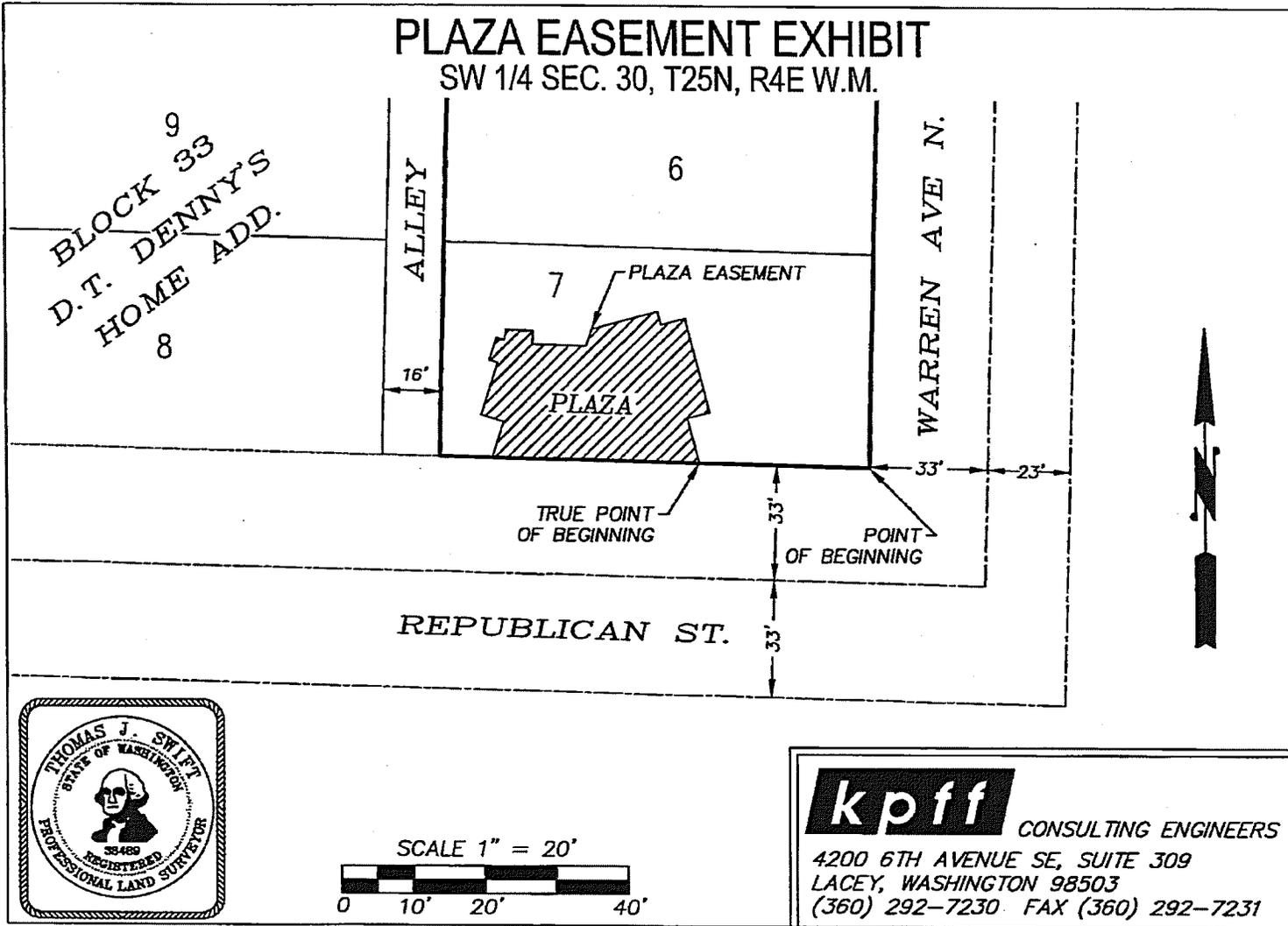
thence N75°22'50"E a distance of 6.90 feet;

thence S14°33'31"E a distance of 27.23 feet;

thence S75°23'09"W a distance of 6.51 feet;

thence S14°36'51"E a distance of 13.04 feet more or less to the north margin of Republican Street and the True Point of Beginning





FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Transportation	Beverly Barnett/684-7564	Christie Parker/684-5211

Legislation Title:

AN ORDINANCE vacating the south 240 feet of the alley adjacent to Lots 4-11 in Block 33, D.T. Denny's Home Addition to the City of Seattle, on the petition of the Burkheimer Family Limited Liability Company, a Washington limited liability company; and accepting a Property Use and Development Agreement as reflected in Clerk File 309868.

Summary of the Legislation:

This Council Bill completes the vacation process for the alley in Block 33, D.T. Denny's Home Addition to the City of Seattle on the petition of the Burkheimer Family Limited Liability Company, a Washington limited liability company, and accepts a Property Use and Development Agreement for ongoing public-benefit obligations in connection with the alley vacation.

Background:

The Petitioner sought vacation of a portion of the alley in Block 33, D.T. Denny's Home Addition to the City of Seattle, bordered by First Avenue North, Mercer Street, Warren Avenue North, and Republican Street in the Uptown Urban Center neighborhood, a subarea of the Queen Anne neighborhood of Seattle, to facilitate a mixed-use project that includes residential housing, retail space, and underground parking.

After the petition was filed, the development property was sold by the Petitioner to 100 Republican LLC, who in turn sold the property to Essex Queen Anne, LLC, the developer and current property owner (Developer); and

To compensate the City for this alley vacation, the Developer dedicated a portion of the block to the City in-lieu of the vacation fee as allowed by SMC 15.62.090 B. The dedicated parcel allows the City to reconfigure a portion of the block to create a new alley connection to Warren Avenue North which creates a "T" or hammerhead configuration.

On September 20, 2010, the City Council voted to conditionally grant the petition to vacate the alley for its mixed-use project. The Developer subsequently constructed a 360,000 square foot, six-story mixed-use building with 275 multi-family units, 10 ground-level townhouses, 17,580 square feet of retail space, and 279 underground parking stalls.

To meet its public benefit requirement, the Developer has provided streetscape improvements to



enhance the pedestrian environment that include: retail storefront and building setbacks, widened sidewalks, overhead weather protection, landscaping, lighting, a rain garden for natural drainage, and a pedestrian plaza. The pedestrian plaza is approximately 2,080 square feet and includes features designed to welcome and engage the public through the use of art, landscaped planters, concrete seat walls, special paving treatment, and pedestrian-level lighting.

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?**

This legislation does not accept or appropriate funds. The Developer dedicated property to the City in lieu of paying the vacation fee as allowed by SMC 15.62.090 B.

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

The vacation petition, already approved by the Seattle City Council, obligates the City to complete the vacation process, provided the Petitioner meets all the conditions imposed by the Council and the vacation fee is paid or otherwise satisfied. The Developer has met all the street vacation conditions and deeded the in-lieu parcel to the City.

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

No. As part of the initial vacation review process, all interested departments were notified of the vacation petition and asked to comment. Any identified issues were resolved prior to the approval of this final legislation.

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

None. This legislation completes the vacation process.

- 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. It completes the vacation of right-of-way.

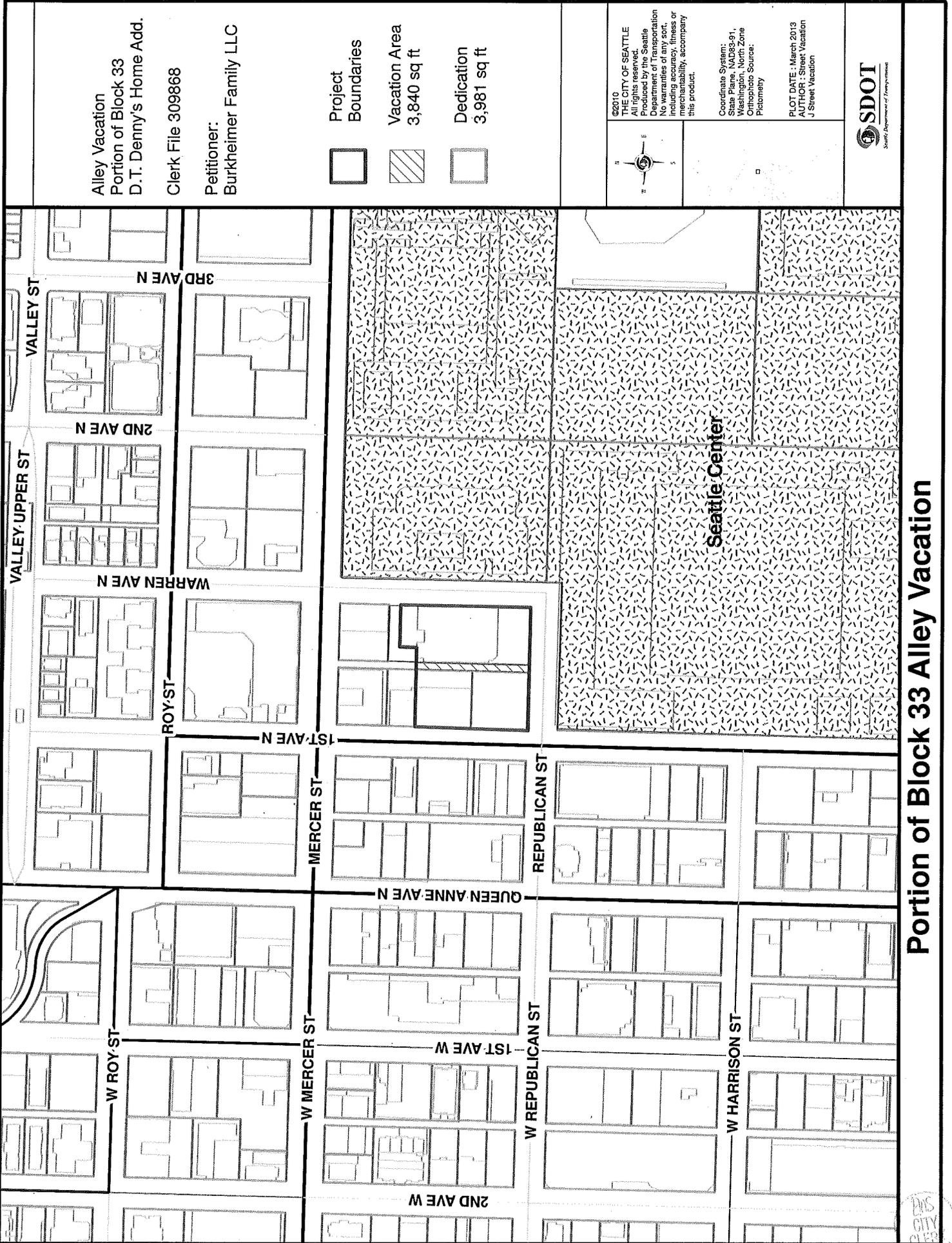
h) Other Issues:

None.

List attachments to the fiscal note below:

Attachment A: Alley Vacation Map





Alley Vacation
Portion of Block 33
D.T. Denny's Home Add.
Clerk File 309868
Petitioner:
Burkheimer Family LLC

©2010
THE CITY OF SEATTLE
All rights reserved.
Produced by the Seattle
Department of Transportation
No warranties of any sort,
including accuracy, fitness or
merchantability, accompany
this product.

Coordinate System:
State Plane, NAD83, 91
Washington, North Zone
Orthophoto Source:
Pictometry

PLOT DATE: March 2013
AUTHOR: Street Vacation
J Street Vacation



Portion of Block 33 Alley Vacation





City of Seattle
Office of the Mayor

July 23, 2013

Honorable Sally J. 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 complete the vacation process for the Burkheimer Family Limited Liability Company ("Petitioner"). The Petitioner sought to vacate the south 240 feet of the alley between Mercer Street and Republican Street in the Uptown Urban Center neighborhood, a subarea of the Queen Anne neighborhood, to develop, in coordination with Essex Queen Anne, LLC ("Developer"), a mixed-use commercial and residential development with accessory parking. This legislation also accepts a Property Use and Development Agreement that commits the Developer to fulfill ongoing public benefit obligations in connection with this project.

On September 20, 2010, the City Council voted to conditionally grant the petition to vacate that portion of the alley. Additionally, the Developer dedicated a portion of the affected block to the City in-lieu of paying the vacation fee as allowed by SMC 15.62.090 B. The dedicated parcel allows the City to create a new alley connection to Warren Avenue North that creates a "T" or hammerhead configuration.

The Developer subsequently constructed a 360,000 square foot, six-story mixed-use building with 275 multi-family units, 10 ground level townhouses, 17,580 square feet of retail space, and 279 underground parking stalls. To meet its public benefit requirement, the Developer provides streetscape improvements to enhance the pedestrian environment that include retail storefront and building setbacks, widened sidewalks, overhead weather protection, landscaping, lighting, a rain garden for natural drainage, and a pedestrian plaza. The pedestrian plaza is approximately 2,080 square feet and incorporates features designed to welcome and engage the public through art, landscaped planters, concrete seat walls, special paving treatment, and pedestrian-level lighting.

Thank you for your support of this legislation that facilitates the redevelopment of this block near the Seattle Center and encourages economic growth in the area. If you have any questions please contact Beverly Barnett at (206) 684-7564.

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

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.

303313
CITY OF SEATTLE, CLERKS OFFICE

No.

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:124272-290 TITLE ONLY

was published on

10/09/13

The amount of the fee charged for the foregoing publication is the sum of \$321.75 which amount has been paid in full.



[Signature]
Subscribed and sworn to before me on
10/09/2013 *[Signature]*

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

City of Seattle

The full text of the following legislation, passed by the City Council on September 16, 2013, 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. 124272

AN ORDINANCE relating to land use and zoning; amending the Official Land Use Map to rezone properties located at 525 Northeast Northgate Way from Neighborhood Commercial 3 with a 66 foot height limit (NC3-65) to NC3 with an 85 foot height limit (NC3-85) and accepting a Property Use and Development Agreement in connection with the rezone.

ORDINANCE NO. 124273

AN ORDINANCE relating to the Seattle Building Code, amending Chapter 22.100.010 of the Seattle Municipal Code, and adopting by reference Chapters 2 through 29, Chapters 31 through 33 and Chapter 35 of the 2012 International Building Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting and enforcement; adopting a new Chapter 30 related to elevators and conveying systems, and repealing Sections 2-33 of Ordinance 123384.

ORDINANCE NO. 124274

AN ORDINANCE relating to the Seattle Plumbing Code, repealing Section 22.500.010 of the Seattle Municipal Code, amending Section 22.502.016 of the Seattle Municipal Code; and adopting by reference Chapter 51-56 of the Washington Administrative Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting and enforcement; and repealing Sections 2-46 of Ordinance 119774.

ORDINANCE NO. 124275

AN ORDINANCE relating to the Seattle Mechanical Code, amending Chapter 22.400.010 of the Seattle Municipal Code, and adopting by reference Chapters 2 through 9, and Chapters 11 through 15 of the 2012 International Mechanical Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting and enforcement; and repealing Sections 2-13 of Ordinance 123380.

ORDINANCE NO. 124276

AN ORDINANCE relating to the Seattle Fuel Gas Code amending Section 22.420.010 and adopting by reference Chapters 2 through 8 of the 2012 International Fuel Gas Code, and amending certain of those chapters; adopting a new Chapter 1 for the Seattle Fuel Gas Code related to administration, permitting and enforcement; and repealing Sections 2-7 of Ordinance 123381.

ORDINANCE NO. 124277

AN ORDINANCE accepting for general street purposes 13 deeds and one correction deed conveyed to the City of Seattle by the Central Puget Sound Regional Transit Authority ("Sound Transit") in connection with the Central Link Light Rail Transit Project as agreed to in a Property Acquisition and Transfer Procedures Agreement between the City of Seattle and Sound Transit, dated August 12, 2003 ("Property Transfer

Agreement"); laying off, opening, widening, extending, and establishing portions of the rights-of-way located on Martin Luther King Jr. Way South between South Holly Street and South Othello Street; placing the real property conveyed by the deeds under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124278

AN ORDINANCE vacating the south 240 feet of the alley adjacent to Lots 4-11 in Block 33, D.T. Denny's Home Addition to the City of Seattle, on the petition of the Burkheimer Family Limited Liability Company, a Washington limited liability company, and accepting a Property Use and Development Agreement as reflected in Clerk File 309868.

State of Washington, King County

ORDINANCE NO. 124279

AN ORDINANCE authorizing the acceptance of a conditional gift of funds from the Mark and Susan Torrance Foundation and Rails to Trails Conservancy to be applied towards the purchase of automated bicycle and pedestrian counters, the installation of said counters, the posting of data collected by some of these counters on a public facing website, expressing the City's gratitude for the gift, and ratifying and confirming prior acts.

ORDINANCE NO. 124280

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer to execute an amendment to an agreement with the Sacramento Municipal Utility District.

ORDINANCE NO. 124281

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

ORDINANCE NO. 124282

AN ORDINANCE relating to the Seattle Residential Code, amending Section 22.150.010, and adopting by reference Chapters 2 through 10, 12 through 24, Section P2904, 44, and Appendices F and G of the 2012 International Residential Code, and amending certain of those chapters; adopting a new Chapter 1 related to administration, permitting and enforcement; and repealing Sections 2-18 of Ordinance 123383.

ORDINANCE NO. 124283

AN ORDINANCE relating to the Seattle Existing Building Code, amending Chapter 22.110 of the Seattle Municipal Code and adopting by reference Chapters 2 through 5, 7 through 11, 13 through 16, A1, and A3 through A6 of the 2012 International Existing Building Code; amending certain of those chapters, and adopting a new Chapter 1 related to administration, permitting and enforcement; and repealing Sections 2-12 of Ordinance 123379.

ORDINANCE NO. 124284

An Ordinance relating to the Seattle Energy Code, amending Section 22.700.010 of the Seattle Municipal Code; and adopting by reference Chapters 51-11C and 51-11R of the Washington Administrative Code, and amending certain of those chapters; and repealing Sections 2-18 of Ordinance 123430.

ORDINANCE NO. 124285

AN ORDINANCE related to establishing a Local Infrastructure Project Area for Downtown and South Lake Union; authorizing the Mayor to execute an interlocal agreement with King County.

ORDINANCE NO. 124286

AN ORDINANCE accepting an allocation of transferrable development rights and adopting an infrastructure funding plan to support the creation of a Landscape Conservation and Local Infrastructure Program.

ORDINANCE NO. 124287

AN ORDINANCE creating a Local Infrastructure Project Area and amending Sections 23.48.011, 23.49.011, and 23.58A.044 of the Seattle Municipal Code to implement a Landscape Conservation and Local Infrastructure Program.

ORDINANCE NO. 124288

AN ORDINANCE relating to the Seattle Fire Code, adopting as the Seattle Fire Code the 2012 edition of the International Fire Code with some exceptions, amending and adding various provisions to that code; amending Section 22.600.020 of the Seattle Municipal Code; and repealing Sections 2-44 of Ordinance 123393.

ORDINANCE NO. 124289

AN ORDINANCE related to the Central Puget Sound Regional Transit Authority ("Sound Transit") authorizing the Director of the Seattle Department of Transportation to execute an amendment to the Agreement between the City of Seattle and Sound Transit for Grant of Non-Exclusive Use of a Light Rail Transit Way as related to the Central Link Light Rail Transit Project to reflect the approved alignment for the Link Light Rail Transit Project, including the revised Northgate Link Extension and portion of the East Link segment located within the City of Seattle.

ORDINANCE NO. 124290

AN ORDINANCE relating to grant funds from non-City sources; authorizing the Director of Transportation (Director) to accept specified grants and execute related agreements for and on behalf of the City; changing appropriations in the 2013 Adopted Budget for the Seattle Department of Transportation (SDOT); adding a new project; revising allocations for certain projects in the 2013-2018 CIP; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, October 9, 2013.

10/9(303813)