

Ordinance No. 124295

Council Bill No. 117094

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to the City of Seattle for installation, operation, and maintenance of water mains, hydrants, and appurtenances necessary for water utility purposes at various locations in Seattle and unincorporated King County, Washington; placing the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Related Legislation File: \_\_\_\_\_

Date Introduced and Referred: <u>9.3.13</u>	To: (committee): <u>Libraries, Utilities and <del>Center</del> Center</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>9/23/13</u>	Date Presented to Mayor: <u>9/25/13</u>
Date Signed by Mayor: <u>10.1.13</u>	Date Returned to City Clerk: <u>10.1.13</u>
Published by Title Only <input checked="" type="checkbox"/>	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: [Signature]

## Committee Action:

Date	Recommendation	Vote
<u>9.12.13</u>	<u>PASS</u>	<u>3-0 DCR RO SB</u>

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

## Full Council Action:

Date	Decision	Vote
<u>Sept. 23, 2013</u>	<u>Passed</u>	<u>8-0 (excused: Hodder)</u>

*Law Department*

**CITY OF SEATTLE**  
**ORDINANCE** 124295  
COUNCIL BILL 117894

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to the City of Seattle for installation, operation, and maintenance of water mains, hydrants, and appurtenances necessary for water utility purposes at various locations in Seattle and unincorporated King County, Washington; placing the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

WHEREAS, to construct, operate, and maintain water mains, water services, water vaults and fire hydrants on private property for water utility purposes, the City requires easements from private property owners; and

WHEREAS, certain private property owners have developed and improved their property and have granted easements to the City as a condition of the installation of necessary water utilities and hydrants; NOW, THEREFORE,

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

Section 1. The City of Seattle hereby accepts the easements granted to the City of Seattle for hydrants, water mains and water utility purposes over, under, across and upon the real property generally described below and legally described in Attachment 1 hereto.

Grantor: Stadium Place Towers LLC, easements for fire service, domestic water service and water main at South King Street and 2<sup>nd</sup> Avenue South, Seattle.

Grantor: King County, an easement for a water main and appurtenances at Southwest 108<sup>th</sup> Street in Lakewood Park, unincorporated King County.

Grantor: CHO's LLC, an easement for water service and appurtenances at 64<sup>th</sup> Avenue South and South 118<sup>th</sup> Street, unincorporated King County.

Grantor: JMDH Real Estate of Seattle, LLC, an easement for water service and appurtenances at East Marginal Way South and Duwamish Avenue South, Seattle.



1 Grantor: Elliot Holding Co., LLC, an easement for water service and appurtenances at  
2 Elliot Avenue West and West Mercer Place, Seattle.

3 Grantor: Trinity Stonehedge, LLC, an easement for water and fire service and  
4 appurtenances at North 45<sup>th</sup> Street and Stone Way North, Seattle.

5 Grantor: Inhabit, LLC, an easement for a water main and appurtenances at Puget Way  
6 Southwest and 23<sup>rd</sup> Avenue Southwest, Seattle.

7 Grantor: Interbay Urban Center, LLC, an easement for water service and appurtenances  
8 at 15<sup>th</sup> Avenue West and West Howe Street, Seattle.

9 Grantor: Seattle School District No. 1, an easement for water service and appurtenances  
10 at Southwest Kenyon Street and 25<sup>th</sup> Avenue Southwest, Seattle.

11 Grantor: SOPI VILLAGE LLC, an easement for a fire hydrant and appurtenances at  
12 Southwest 100<sup>th</sup> Street and 13<sup>th</sup> Avenue Southwest, Seattle.

13 Section 2. The real property rights conveyed by these easements shall be placed under  
14 the jurisdiction of Seattle Public Utilities.

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



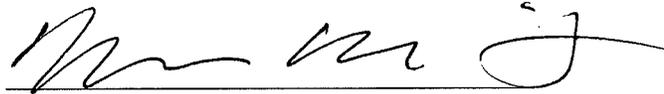
1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 23<sup>rd</sup> day of September, 2013, and  
5 signed by me in open session in authentication of its passage this  
6 23<sup>rd</sup> day of September, 2013.  
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10 President \_\_\_\_\_ of the City Council

11 Approved by me this 1<sup>st</sup> day of October, 2013.  
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14 Michael McGinn, Mayor  
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17 Filed by me this 13<sup>th</sup> day of October, 2013.  
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20 Monica Martinez Simmons, City Clerk  
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22 (Seal)  
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26 Attachment 1 – Legal Descriptions  
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**ATTACHMENT 1 - LEGAL DESCRIPTIONS**

**A. GRANTOR: Stadium Place Towers, LLC, a limited liability company in the State of Washington, August 29, 2012, (King County Recording Number 20120802900931) – Water & Fire Service Easements RW 44-012**

THAT PORTION OF PARCEL A OF CITY OF SEATTLE LOT BOUNDARY ADJUSTMENT NO. 3012468, RECORDING NUMBER 20110919900011, RECORDS OF KING COUNTY, WASHINGTON LYING WITHIN A 20.00 FOOT WIDE STRIP OF LAND, AND HAVING 10.00 FEET OF SAID WIDTH ON EACH SIDE OF AN EASEMENT CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL A;  
THENCE NORTH 88° 47' 40" WEST ALONG THE NORTH LINE OF SAID PARCEL A, A DISTANCE OF 36.17 FEET;  
THENCE SOUTH 01° 12' 56" WEST 15.98 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A";  
THENCE SOUTH 88° 46' 45" EAST 10.00 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 88° 46' 45" EAST 10.50 FEET TO A TERMINUS OF THIS DESCRIBED LINE;

AND ALSO TOGETHER WITH THAT PORTION OF SAID PARCEL A, LYING WITH A 10.00 FOOT WIDE STRIP OF LAND, AND HAVING 5.00 FEET OF SAID WIDTH ON EACH SIDE OF AN EASEMENT CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING AT HEREINBEFORE DESCRIBED POINT "A";  
THENCE SOUTH 01° 12' 56" WEST 205.39 FEET;  
THENCE SOUTH 88° 46' 45" EAST 10.00 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 88° 46' 45" EAST 15.48 FEET TO A TERMINUS OF THIS DESCRIBED LINE;

THE SIDELINES OF THIS EASEMENT SHALL BE SO SHORTENED OR LENGTHENED SO AS TO MEET AT ANGLE POINTS;

THE ABOVE DESCRIBED PARCEL CONTAINS 572 SQUARE FEET (0.0131 ACRE) MORE OR LESS;

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.



**B. GRANTOR: Stadium Place Towers, LLC, a limited liability company in the State of Washington, June 12, 2012, (King County Recording Number 20120613001126) – Water Main Easement – RW 44-011**

THAT PORTION OF PARCEL A OF CITY OF SEATTLE LOT BOUNDARY ADJUSTMENT NO. 3012468, RECORDING NUMBER 20110919900011, RECORDS OF KING COUNTY, WASHINGTON, LYING WITHIN A 20.00 FOOT WIDE STRIP OF LAND, AND HAVING 10.00 FEET OF SAID WIDTH ON EACH SIDE OF AN EASEMENT CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL A;  
THENCE NORTH 88° 47' 40" WEST ALONG THE NORTH LINE OF SAID PARCEL A, A DISTANCE OF 36.17 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 01° 12' 56" WEST 133.42 FEET TO A POINT HEREINAFTER REFERED TO AS POINT "A";  
THENCE CONTINUING SOUTH 01° 12' 56" WEST 91.63 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B";  
THENCE CONTINUING SOUTH 01° 12' 56" WEST 15.67 FEET TO THE SOUTH LINE OF SAID PARCEL A AND A TERMINUS OF THIS DESCRIBED LINE;  
AND ALSO BEGINNING AT HEREINBEFORE DESCRIBED POINT "B";  
THENCE NORTH 88° 47' 04" WEST 40.18 FEET TO A TERMINUS OF THIS DESCRIBED LINE;  
TOGETHER WITH THAT PORTION OF SAID PARCEL A, LYING WITHIN A 25.00 FOOT WIDE STRIP OF LAND, AND HAVING 12.50 FEET OF SAID WIDTH ON EACH SIDE OF AN EASEMENT CENTERLINE DESCRIBED AS FOLLOWS:  
BEGINNING AT HEREINBEFORE DESCRIBED POINT "A";  
THENCE NORTH 88° 47' 04" WEST 45.77 FEET TO A TERMINUS OF THIS DESCRIBED LINE;  
THE SIDELINES OF THIS EASEMENT SHALL BE SO SHORTENED OR LENGTHENED SO AS TO MEET AT ANGLE POINTS AND TERMINATE AT SAID NORTH AND SOUTH LINES OF PARCEL A;

THE ABOVE DESCRIBED PARCEL CONTAINS 6,312 SQUARE FEET (0.1449 ACRE) MORE OR LESS;  
SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.

**C. GRANTOR: King County, an agency of the State of Washington, June 19, 2012 (King County Recording Number 20120619000653) – Water Main Easement – RW 302-008**

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 23 NORTH, RANGE 4 EAST, W.M., IN



KING COUNTY, WASHINGTON, BEING A STRIP OF LAND 20.00 FEET WIDE LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE INTERSECTION OF THE SOUTH MARGIN OF S.W. 108<sup>TH</sup> STREET, AS ESTABLISHED IN INSTRUMENT RECORDED UNDER RECORDING NUMBER 5336589, AND THE MOST NORTHWESTERLY CORNER OF THE PLAT OF SEOLA GARDENS DIVISION 1, A MASTER PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 256 OF PLATS, PAGES 10 THROUGH 23 INCLUSIVE;  
THENCE S 89° 47' 29" W ALONG THE SOUTHERLY RIGHT-OF-WAY MARGIN OF SW 108<sup>TH</sup> ST, A DISTANCE OF 170.59 FEET TO THE BEGINNING OF SAID DESCRIBED LINE;  
THENCE S 01° 07' 44" E, A DISTANCE OF 248.55 FEET;  
THENCE S 10° 45' 00" W, A DISTANCE OF 57.06 FEET;  
THENCE S 09° 00' 00" E, A DISTANCE OF 112.47 FEET;  
THENCE S 19° 00' 00" E, A DISTANCE OF 129.54 FEET TO HEREINAFTER MENTIONED POINT "A", AND TERMINUS OF THIS DESCRIBED CENTERLINE;

TOGETHER WITH THAT PORTION, DESCRIBED AS FOLLOWS;  
COMMENCING AT AFOREMENTIONED POINT "A";  
THENCE N 71° 00' 00" E, A DISTANCE OF 10.00 FEET;  
THENCE N 19° 00' 00" W PARALLEL WITH AND 10.00 FEET EASTERLY FROM THE AFOREMENTIONED CENTERLINE, A DISTANCE OF 25.54 FEET TO THE POINT OF BEGINNING;  
THENCE N 71° 00' 00" E, A DISTANCE OF 7.25 FEET;  
THENCE N 19° 00' 00" W, A DISTANCE OF 14.50 FEET;  
THENCE S 71° 00' 00" W, A DISTANCE OF 7.25 FEET;  
THENCE S 19° 00' 00" E, PARALLEL WITH AND 10.00 FEET EASTERLY FROM THE AFOREMENTIONED CENTERLINE, A DISTANCE OF 14.50 FEET TO THE POINT OF BEGINNING;

THE SIDE LINES OF THIS EASEMENT TO BE SHORTENED OR LENGTHENED TO MEET AT ANGLE POINTS AND TO TERMINATE AT SAID SOUTHERLY RIGHT-OF-WAY MARGIN OF S.W. 108<sup>TH</sup>;

CONTAINING AN AREA OF 11,057 SQUARE FEET (0.2538 ACRES), MORE OR LESS;

SITUATE IN KING COUNTY, WASHINGTON.



**D. GRANTOR: CHO'S LLC, a Washington limited liability company, May 8, 2008 (King County Recording Number 20080508000917) – Water Service Easement – RW 316-008**

ALL OF TRACT 'D' AND TRACT 'H' OF THE PLAT OF CHO SUBDIVISION, AS RECORDED SEPTEMBER 26, 2006, UNDER AUDITOR'S FILE NO. 20060926000597.

RECORDS OF KING COUNTY, WASHINGTON.  
TOGETHER WITH A PORTION OF TRACT 'F' OF SAID PLAT, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT 'F';  
THENCE SOUTH 01° 41' 48" WEST, ALONG THE EAST LINE OF SAID TRACT 'F', 13.91 FEET TO THE POINT OF BEGINNING OF THIS LINE DESCRIPTION;

THENCE SOUTH 89° 30' 17" WEST, 45.27 FEET;  
THENCE NORTH 00° 30' 04" WEST, 4.97 FEET;  
THENCE SOUTH 89° 29' 56" WEST, 16.48 FEET TO THE WEST LINE OF SAID TRACT 'F' AND THE TERMINUS OF THIS LINE DESCRIPTION.

SITUATE IN KING COUNTY, WASHINGTON

**E. GRANTOR: JMDH REAL ESTATE OF SEATTLE, LLC, a Delaware limited liability company, November 20, 2008 (King County Recording Number 20120829001640) – Water Service Easement – RW 56-011**

That portion of Government Lots 1 and 2, in Section 18, Township 24 North, Range 4 East, Willamette Meridian, in King County, Washington, described as follows

BEGINNING at the point of intersection of the Easterly line of a strip of land conveyed to Oregon and Washington Railroad Company, by deed recorded in Volume 587 of Deeds, page 474, under recording no. 493783, records of King County, Washington, with a line 695.885 feet South of the South line of West Spokane Street;  
THENCE East 532 feet, more or less, to the Easterly line of a tract of land conveyed to the city of Seattle, by deed recorded July 15, 1930 under recording no 2617408;  
THENCE Southerly along said Easterly line, to the most Southerly corner of said city of Seattle tract; the said Southerly corner being on the West right of way of a strip of land conveyed to the Northern Pacific Railway Company, by deed recorded under recording no. 346338;  
THENCE South, along said West line, 364.775 feet;



THENCE CONTINUING along said West line on a curve to the left with a radius of 1042 feet, a distance of 251.909 feet to the most Northerly corner of triangular tract conveyed to Oregon and Washington Railroad Company, by deed recorded in volume 587, page 474, under recording no 493783;

THENCE Southerly along the Westerly line of said triangular tract 92.180 feet to a point 30 feet Easterly of, measured at right angles to the production of the centerline of Duwamish Avenue, as shown on sheet no. 40 of the plat of Seattle Tide Lands;

THENCE Northwesterly along the Northeasterly line of a strip of land conveyed to the Oregon and Washington Railroad Company, by deed recorded in volume 587 of deeds, page 474, under recording no. 493783, records of said county, to the POINT OF BEGINNING;

EXCEPT at tract of land conveyed to the city of Seattle, a municipal corporation (department of lighting), by deed recorded October 17, 1946, executed by Puget Sound Sheet Metal Works, a corporation, recorded October 17, 1946 under recording no. 318953, which excepted tract is described as follows:

That portion of government lot 2, in section 18, Township 24 North, Range 4 East, Willamette Meridian, in King County, Washington, lying Northeasterly of a line which is uniformly 30 feet Northeasterly measured radially thereto from the Northeasterly line of a strip of land conveyed to Oregon and Washington Railroad Company, by deed recorded in volume 587 of deeds, page 474, under recording no. 493783, records of said county, and lying West of the West line of strip of land conveyed to Northern Pacific Railway Company, by deed recorded in volume 400 of deeds, page 622, under recording no. 346338, records of said county, and between lines which are parallel to and distant respectively, 1049.995 feet and 1089.995 feet South of the South line of West Spokane street;

AND EXCEPT that certain parcel described as follows:

That portion of Government Lot 2, Section 18, Township 24 North, Range 4 East, Willamette Meridian, in King County, Washington, described as follows:

BEGINNING at a point on the Westerly line of the Northern Pacific Railway Company's right-of-way for its Colorado Avenue line, distant 1170 feet South from the South line of West Spokane Street;

THENCE Southerly along said Westerly line to the most Northerly corner of the triangular tract of land conveyed to Oregon-Washington railroad navigation company, by deed recorded under recording no. 493783;

THENCE Southerly along the Westerly line of said tract to a point distant 1 foot Westerly measured at right angles from said Westerly right-of-way line;

THENCE Northerly parallel with said Westerly right of way line to a point distant 1170 feet South from said South line of West Spokane Street;



THENCE East parallel with said South line to the point of beginning.

**EASEMENT LEGAL DESCRIPTION:**

A strip of land 15.00 feet in width over, under and across that portion of the above mentioned parcel of land, having 7.50 feet of such width lying on each side of the following described line:

COMMENCING at the Northwest corner of above mentioned property, said point being the beginning of a curve, concave Easterly, having a radius of 1, 235.74 feet and a central angle of 05° 10' 51";

THENCE Southerly along the arc of a curve to the left, from which a tangent line bears South 17° 18' 02" East, a distance of 111.74 feet, to a point to which a radial line bears South 67° 31' 07" West, at the POINT OF BEGINNING of herein described centerline; THENCE North 90° 00' 00 East, a distance of 25.01 feet to the terminus.

Said easement shall be shortened or lengthened as necessary to intersect with the Westerly line of the above mentioned property.

**F. GRANTOR: Elliot Holding Co., LLC, a Washington limited liability company, April 3, 2008 (King County Recording Number 20080430002804) – Water Service Easement – RW 34-001**

THAT PORTION OF LOT 10 OF BLOCK 31 OF THE SUPPLEMENTAL PLAT OF G. KINNEAR'S ADDITION TO THE CITY OF SEATTLE, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 62, RECORDS OF KING COUNTY, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHERE THE NORTHEASTERLY LINE OF LOT 9 OF SAID BLOCK 31 MEETS THE SOUTHEASTERLY MARGIN OF WEST ROY STREET;

THENCE SOUTH 41° 46' 09" EAST ALONG THE NORHTEASTERLY LINE OF SAID BLOCK 31, A DISTANCE OF 73.43 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 41° 46' 09" EAST ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 20.60 FEET;

THENCE SOUTH 48° 13' 51" WEST, A DISTANCE OF 3.26 FEET;

THENCE NORTH 41° 46' 09" WEST PARALLEL WITH AND 3.26 FEET SOUTHWESTERLY FROM SAID NORTHEASTERLY LINE, A DISTANCE OF 20.60 FEET;

THENCE NORTH 48° 13' 51" EAST, A DISTANCE OF 3.26 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 67 SQUARE FEET, MORE OR LESS.



SITUATE IN THE CITY OF SEATTLE, KING COUNTY, WASHINGTON.

**G. GRANTOR: TRINITY STONEHEDGE, LLC, a Washington limited liability company, September 11, 2012 (King County Recording Number 20120911000559) – Water & Fire Service Easement – RW 13-001**

DESCRIPTION OF ENTIRE PROPERTY:

LOTS 5, 6, 7 AND 8, SHARPLESS SECOND ADDITION TO THE CITY OF SEATTLE, AS PER PLAT RECORDED IN VOLUME 19 OF PLATS, PAGE 45, RECORDS OF KING COUNTY,

ALSO ALL OF LOTS 1, 2 AND 3 IN BLOCK 19 OF PORTERFIELD'S ADDITION TO THE CITY OF SEATTLE, AS PER PLAT RECORDED IN VOLUME 3 OF PLATS, PAGE 21, RECORDS OF KING COUNTY;

EXCEPT THAT PORTION OF SAID LOT 1, CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NO, 47559 FOR WIDENING OF STONE WAY AS PROVIDED UNDER ORDINANCE NO. 12141 OF THE CITY OF SEATTLE;

SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON, CONTAINING, 26,553+/- SQ FT:

EASEMENT LEGAL DESCRIPTION:

BEGINNING at the southwest corner of Lot 5, Sharpless Second Addition to the City of Seattle, as per plat recorded in Volume 19 of Plats, page 45, records of King County, Washington,

THENCE N 89° 51' 20" E along the south line of said Lot 5, a distance of 5.82 FEET more or less to the southwest corner of above described entire property,

THENCE N 89° 52' 20" E along the south line of said property a distance of 23.14 FEET to THE TRUE POINT OF BEGINNING;

THENCE N 00° 08' 40" W 5.75 FEET, THENCE N 89° 51' 20" E, 10.00 FEET, THENCE S 00° 08' 40" E, 5.75 FEET, THENCE S 89° 51' 20" W, 10.00 FEET along the south line of said property to the POINT OF BEGINNING and thus ending the legal description of the EASEMENT.

**H. GRANTOR: Inhabit, LLC, a Washington limited liability company, November 15, 2007, (King County Recording Number 20071115000961) Water Main Easement – RW 62-002**



DESCRIPTION OF ENTIRE PROPERTY:

LOT 1, BLOCK 9, HOMECROFT ADDITION TO THE CITY OF SEATTLE, AS RECORDED IN VOLUME 24 OF PLATS, PAGE 42A, RECORDS OF KING COUNTY, WASHINGTON, LESS THE EAST 130 FEET OF SAID LOT 1, TOGETHER WITH THE PORTION OF VACATED PUGET BLVD. SW (VAC ORD. NO 84663) ADJOINING, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OS SAID LOT 1 EXTENDED WESTERLY AND THE CENTERLINE OF SAID VACATED PUGET BOULEVARD S.W.; THENCE NORTH 00° 05' 16" WEST ALONG SAID CENTERLINE, A DISTANCE OF 51.77 FEET; THENCE CONTINUING ALONG SAID CENTERLINE, ON A 359.30 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 56°32'58", FOR AN ARC LENGTH OF 354.62 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID EAST 130 FEET; THENCE SOUTH 00° 13' 31" WEST ALONG SAID NORTHERLY EXTENSION AND SAID WEST LINE A DISTANCE OF 356.15 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE NORTH 88° 26' 29" WEST ALONG SAID SOUTH LINE A DISTNACE OF 159.37 FEET TO THE CENTERLINE OF SAID VACATED PUGET BOULEVARD S.W. AND THE POINT OF BEGINNING.  
CONTAINING 42,396 SQUARE FEET (0.97 ACRES)

DESCRIPTION OF EASEMENT FOR WATER SERVICE:

BEGINNING at the southeast corner of the entire property as described above; THENCE NORTH 89° 31' 13" WEST along the south line of said property, a distance of 25.01 FEET, THENCE NORTH 00° 51' 14" WEST, 292.96 FEET, THENCE NORTH 42° 24' 25" WEST, 33.39+/- FEET to a point on the north line of said property and the southerly margin of Puget Boulevard SW, THENCE northeasterly along said north line a distance of 60.39 FEET with curve radius 359.30+/- FEET to the northeast corner of said property, THENCE SOUTH 00° 51' 14" EAST, 356.14 FEET along the east line of said property to THE POINT OF BEGINNING and thus ending the legal description of the EASEMENT.

- I. GRANTOR: Interbay Urban Center, LLC, October 18, 2012, (King County Recording Number 20121018001581) - Water Service Easement – RW 28-002**

THAT PORTION OF PARCEL A OF THE CITY OF SEATTLE LOT BOUNDARY ADJUSTMENT NUMBER 2505852/3007838, AS RECORDED UNDER RECORDING



NUMBER 20070830900001, IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL A;  
THENCE NORTH 00° 08' 22" WEST, ALONG THE EAST BOUNDARY OF SAID PARCEL A, A DISTANCE OF 129.74 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 89° 51' 38" WEST, A DISTANCE OF 10.00 FEET;  
THENCE NORTH 00° 08' 22" WEST, A DISTANCE OF 20.00 FEET;  
THENCE NORTH 89° 51' 38" EAST, A DISTANCE OF 10.00 FEET TO A POINT ON THE EAST BOUNDARY OF SAID PARCEL A;  
THENCE SOUTH 00° 08' 22" EAST ALONG THE EAST BOUNDARY OF SAID PARCEL A, A DISTNANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINS 200 SQUARE FEET OF LAND, MORE OR LESS.

**J. GRANTOR: Seattle School District No. 1, August 22, 2012, (King County Recording Number 20120822000291) – Water Service Easement – RW 76-003**

A waterline easement over, under and across that portion of the following described parcel of land:

The East ½ of the East ½ of the Northeast ¼ of the Northwest ¼ of Section 36, Township 24 North, Range 3 East, W.M.;

Except the north 30 feet for road as conveyed to the City of Seattle by deed recorded under Recording No. 1987884;

And except the south 30 feet for road as conveyed to the City of Seattle by Deed under Recording No. 3008056;

And except the west 30 feet for road as conveyed to the City of Seattle by deed recorded under Recording No. 4591322;

And except that portion for street purposes as conveyed to the City of Seattle by deed recorded under Recording No. 7203140418;

Together with that portion of the West ½ of the West ½ of the Northwest ¼ of the Northeast ¼ of said section 36, lying north of Winship's Addition, as per plat recorded in Volume 22 of Plats, Page 98, Records of King County;

Except the north 30 feet for road as conveyed to the City of Seattle by deed recorded under recording no. 1987883;



And except the east 30 feet for road as conveyed to the City of Seattle by deed recorded under Recording No. 4947437;

And together with lots 1, 2, 3, 4, 5 and 6 in Block 5 of Winship's Addition, as per plat recorded in Volume 22 of Plats, Page 98, Records of King County;

And together with those portions of vacated 26<sup>th</sup> Avenue Southwest and Alley as vacated by Ordinance No 84243 of the City of Seattle;

Situate in the City of Seattle, County of King, State of Washington.

And described as follows:

Commencing at the northeast corner of above described property;  
Thence North 88° 46' 01" West a distance of 276.56 feet to the TRUE POINT OF BEGINNING of the easement herein described;  
Thence continuing North 88° 46' 01" West a distance of 12.70 feet;  
Thence South 01° 13' 59" West a distance of 12.24 feet;  
Thence South 88° 46' 01" East a distance of 12.70 feet;  
Thence North 01° 13' 59" East a distance of 12.24 feet to the TRUE POINT OF BEGINNING of the easement herein described.

Easement area contains 155 square feet more or less.

**K. Grantor: SOPI VILLAGE LLC, September 1, 2011 (King County Recording Number 2011013000136) – Hydrant Easement Agreement – RW #302-007**

THAT PORTION OF AN UNNUMBERED GOVERNMENT LOT, ALSO KNOWN AS THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 23 NORTH, RANGE 4 EAST, WM., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WEST MARGIN OF 13<sup>TH</sup> AVE SW AS RECORDED UNDER KING COUNTY RECORDING NUMBER 3307687 AND THE NORTH LINE OF THE SOUTH 322.7 FEET AS PER AGREEMENT RECORDED UNDER KING COUNTY RECORDING NUMBER 20070129002383 AS INDICATED IN KING COUNTY SURVEY RECORDED UNDER 20061017900008, COMMONLY KNOWN AS THE NORTH EAST CORNER OF PARCEL A OF RECORDED INSTRUMENT 20100707000388; THENCE SOUTH ALONG THE WEST MARGIN OF SAID 13<sup>TH</sup> AVE SW A DISTANCE OF 11 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST A DISTANCE OF 3 FEET; THENCE SOUTH PARALLEL WITH SAID MARGIN A DISTANCE OF 6 FEET; THENCE EAST A DISTANCE OF 3



Teri Hallauer  
SPU SEAP ORD ATT 1  
August 5, 2013  
Version #1a

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OF 6 FEET TO THE TRUE POINT OF BEGINNING.



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Public Utilities	Judith Cross/618-1815	Craig Stampher/684-0535

**Legislation Title:**

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to the City of Seattle for installation, operation, and maintenance of water mains, hydrants, and appurtenances necessary for water utility purposes at various locations in Seattle and unincorporated King County, Washington; placing the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

**Summary of the Legislation:**

This ordinance authorizes the City of Seattle to accept utility easements from 10 property owners for property acquisitions necessary to meet the requirements of their property developments.

**Background:**

The Seattle Department of Planning & Development has requirements for property developments that may include water services, fire hydrant installations and water mains. The properties being accepted by the City in this ordinance are all utility installations on private properties required for DPD project approval.

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?** There are no alternatives.



**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

**h) Other Issues:**

None

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





**City of Seattle**  
Office of the Mayor

August 20, 2013

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 would accept easements for water utilities. The easement transfers result from the Department of Planning and Development's (DPD's) approval of numerous land use permitting actions.

As part of the approval process for certain real estate developments, DPD requires installation of utilities such as fire hydrants, water services and water mains. Sometimes these City utilities must be located within the private property being developed. To insure access to these facilities for maintenance or repairs, private property owners are required to grant the City easements. Since this is a condition of the property development, the City does not compensate the owners for the easements.

This legislation is necessary to comply with Article IV of the Seattle City Charter, which requires legislative approval of any property acquisition by the City. Thank you for your consideration of this legislation. If you have any questions, please contact Senior Real Property Agent, Teri Hallauer at 684-5971.

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.mcgin@seattle.gov



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STATE OF WASHINGTON -- KING COUNTY

--SS.

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303562

No.

CITY OF SEATTLE, CLERKS OFFICE

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

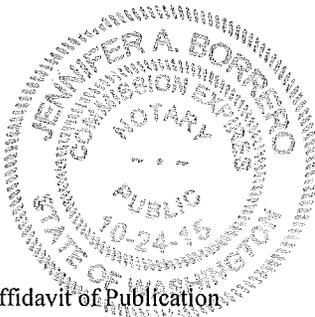
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124291-303 TITLE ONLY

was published on

10/16/13

The amount of the fee charged for the foregoing publication is the sum of \$264.00 which amount has been paid in full.



Affidavit of Publication

*[Handwritten Signature]*  
\_\_\_\_\_  
Subscribed and sworn to before me on  
10/16/2013  
*[Handwritten Signature]*  
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

## City of Seattle

The full text of the following legislation, passed by the City Council on September 23, 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. 124291

AN ORDINANCE relating to historic preservation, imposing controls upon the Pacific Net and Twine 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. 124292

AN ORDINANCE relating to historic preservation, imposing controls upon the YWCA 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. 124293

AN ORDINANCE relating to funding for housing and community development programs; authorizing acceptance of grant funds from the United States Department of Housing and Urban Development for programs included in the City's Consolidated Plan for Housing and Community Development; amending Ordinance 124068, which adopted the 2013 Budget; increasing appropriations in the 2013 Adopted Budget of funds available for activities of the Human Services Department under the Community Development Block Grant (CDBG) Program; decreasing appropriations in the 2013 Adopted Budget for the Human Services Department for Transitional Living and Support to reflect reductions in federal funds under the Housing Opportunities for Persons with AIDS program and the Emergency Solutions Grant program and to reappropriate general fund revenues for the Executive Department's Office of Economic Development; decreasing appropriations in the 2013 Adopted Budget for certain activities of the Office of Housing to reflect reduced funding under the HOME Investment Partnerships Program; making a cash transfer between funds; authorizing the amendment of the 2013 Annual Action Plan to the Consolidated Plan to reflect federal funding levels and to modify the allocations to various projects and programs; and ratifying and confirming prior acts.

### ORDINANCE NO. 124294

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to purchase approximately 182 acres of real property, including an easement for ingress and egress, in Section 29, Township 26 North, Range 8 East, W.M., King County, Washington, from the John Hancock Life Insurance Company (U.S.A.) for the purpose of protecting the Tolt River drinking water supply transmission pipelines, located across and adjacent to such property, and to execute any necessary documents, accept or deliver any necessary deeds, and take any other action necessary, on behalf of the City; and ratifying and confirming certain prior acts.

### ORDINANCE NO. 124295

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to the City of Seattle for installation, operation, and maintenance of water mains,

hydrants, and appurtenances necessary for water utility purposes at various locations in Seattle and unincorporated King County, Washington; placing the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

## State of Washington, King County

### ORDINANCE NO. 124296

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent to enter into a lease agreement with Seattle Waldorf School to occupy and use a portion of Building 11 at Warren G. Magnuson Park.

### ORDINANCE NO. 124297

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent to enter into a lease agreement with Interbay N.W. Management, Inc., for the use, occupancy and operation of a 9-hole golf course and for providing services to the public at the Department of Parks and Recreation's Green Lake Pitch and Putt facility.

### ORDINANCE NO. 124298

AN ORDINANCE relating to housing for low-income households, adopting the Housing Levy Administrative and Financial Plan for Program Years 2014-2016 and Housing Funding Policies, and ratifying and confirming certain prior acts.

### ORDINANCE NO. 124299

AN ORDINANCE establishing a new Pioneer Square Parking and Business Improvement Area; levying special assessments upon operators of the business property, and mixed-use property (multi-family residential and commercial) within the area; providing for the deposit of revenues in a special account and expenditures therefrom; providing for collection of and penalties for delinquencies; providing for the establishment of a Ratepayers Advisory Board; providing for an implementation agreement with a Program Manager; disestablishing the current Pioneer Square Parking and Business Improvement Area that was established in 1983 by Ordinance 111244 ("1983 PSBIA") as amended by Ordinance 114396, Ordinance 116838 and Ordinance 122000; suspending the issuance of assessments and providing for the winding up of activities under the 1983 PSBIA; and providing for the distribution of remaining funds from and closing of the 1983 PSBIA Account.

### ORDINANCE NO. 124300

AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 4723 40th Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement Program; all by a three-fourths vote of the City Council.

### ORDINANCE NO. 124301

AN ORDINANCE relating to the City's criminal code; amending and adding various sections and subsections in Chapters 6.240, 12A.02, 12A.06, 12A.08, 12A.10, 12A.14, 12A.16, 12A.24, 12A.28, 16.20, 16.64, 18.12 of the Seattle Municipal Code to conform with changes in state law.

### ORDINANCE NO. 124302

AN ORDINANCE relating to the City's traffic code; amending various sections and subsections in and adding sections to Chapters 3.33, 11.14, 11.20, 11.22, 11.30, 11.31, 11.56, 11.57, 11.58, 11.64, 11.72 and 11.84 of the Seattle Municipal Code, to conform with changes in state law.

### ORDINANCE NO. 124303

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

Date of publication in the Seattle Daily Journal of Commerce, October 16, 2013.

10/16(303562)