

Ordinance No. 124602

Council Bill No. 118219

AN ORDINANCE relating to City-owned property under the jurisdiction of the Seattle Department of Transportation located at 1000 Mercer Street in D. T. Denny's First Addition to North Seattle; and extending, laying out, widening, establishing, and opening a portion of Mercer Street.

CF No. _____

Date Introduced:	<u>9.22.14</u>	
Date 1st Referred:	To: (committee) <u>Transportation</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote: <u>9.29.14</u>	
Date Presented to Mayor:	Date Approved: <u>10.3.14</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. _____
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:

9/23/14 PASS 4-0 (TR, MOB, JG, BH)

Full Council Action

9.29.14 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

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2 **CITY OF SEATTLE**
3 **ORDINANCE** 124602
4 **COUNCIL BILL** 110219
5

6 AN ORDINANCE relating to City-owned property under the jurisdiction of the Seattle
7 Department of Transportation located at 1000 Mercer Street in D. T. Denny's First
8 Addition to North Seattle; and extending, laying out, widening, establishing, and opening
9 a portion of Mercer Street.

10 WHEREAS, The City of Seattle acquired Lots 5 and 6, Block 104, both in D. T. Denny's First
11 Addition to North Seattle in 2009, following condemnation proceedings authorized by
12 Ordinance number 122505 relating to the Mercer Corridor Project; and

13 WHEREAS, the property was placed under the jurisdiction of the Seattle Department of
14 Transportation and used for the purpose of reconstructing the existing Mercer
15 Street/Valley Street couplet and creating a widened two-way Mercer Street; and

16 WHEREAS, the Department of Transportation has identified the portion of this property that is
17 needed for street purposes; NOW, THEREFORE,

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

19 Section 1. Mercer Street is hereby extended, laid out, widened, established and opened
20 across the following described real property:

21 All that portion of the below described PARENT PARCEL, situate in the
22 Southeast Quarter of Section 30, Township 25 North, Range 4 East, W.M., City
23 of Seattle, King County, Washington, described as follows:

24 Beginning at the southwest corner of the below described PARENT PARCEL,
25 said POINT OF BEGINNING also being the intersection of the easterly margin of
26 Terry Avenue North with the northerly margin of Mercer Street;

27 Thence along the westerly line of said PARENT PARCEL, and said easterly
28 margin, North 01° 24' 40" East, 69.31 feet;

Thence leaving said westerly line South 88° 36' 43" East, 114.46 feet;



1 Thence North 88° 35' 17" East, 8.38 feet to the easterly line of said PARENT
PARCEL;

2 Thence along said easterly line South 01° 24' 37" West, 69.81 feet to the northerly
3 margin of the aforementioned Mercer Street;

4 Thence along said northerly margin North 88° 34' 10" West, 122.83 feet to the
5 POINT OF BEGINNING, containing 8,520 square feet, more or less.

6 **PARENT PARCEL**

7 THE WEST HALF OF LOTS 5 AND 6, BLOCK 104, D.T. DENNY'S FIRST
8 ADDITION TO NORTH SEATTLE, ACCORDING TO THE PLAT THEREOF
9 RECORDED IN VOLUME 1 OF PLATS, PAGE 79, RECORDS OF KING
COUNTY, WASHINGTON

10 EXCEPT THE WEST 5 FEET THEREOF HERETOFORE CONDEMNED IN
11 KING COUNTY SUPERIOR COURT CAUSE NUMBER 162246 FOR
12 WIDENING OF TERRY AVENUE NORTH, AS PROVIDED BY
13 ORDINANCE NUMBER 43560 OF THE CITY OF SEATTLE, WASHINGTON
STATE.



1 Section 2. 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 29th day of September, 2014, and
5 signed by me in open session in authentication of its passage this
6 29th day of September, 2014.

7
8 
9 _____
10 President _____ of the City Council

11 Approved by me this 13th day of October, 2014.

12
13 
14 _____
15 Edward B. Murray, Mayor

16 Filed by me this 13th day of October, 2014.

17
18 
19 _____
20 Monica Martinez Simmons, City Clerk

21 (Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Department of Transportation	Larry Huggins / 684- 5001	Doug Palmer/684-5266

Legislation Title:

AN ORDINANCE relating to City-owned property under the jurisdiction of the Seattle Department of Transportation located at 1000 Mercer Street in D. T. Denny's First Addition to North Seattle; and extending, laying out, widening, establishing, and opening a portion of Mercer Street.

Summary and background of the Legislation:

This proposed legislation establishes a portion of recently widened Mercer Street as dedicated street right of way. This action finalizes steps that were authorized by Ordinance 122505 for construction of improvements to Valley Street and Mercer Street under the Mercer Corridor Project (Project TC365500). The original 14,744 square foot property was condemned in King County Superior Court in 2009 and the City was required to take the entire tax parcel because the property owner would have been left with an uneconomic remainder.

The road improvements along this portion of Mercer Street have now been completed over the southernmost 8,520 square feet of the original parcel. A separate council bill is being submitted to City Council to declare the excess portion of the property surplus to the City's needs and to obtain authorization to sell the 6,224 square foot remainder of the property.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:
Mercer Corridor Project West Phase	TC365500	Mercer St / Fairview Ave N/ Dexter Ave N	Q1/1999	Q4/2010

Please check any of the following that apply:

This legislation creates, funds, or anticipates a new CIP Project.

this legislation does not have any financial implications.

this legislation has financial implications.

Appropriations: *None*



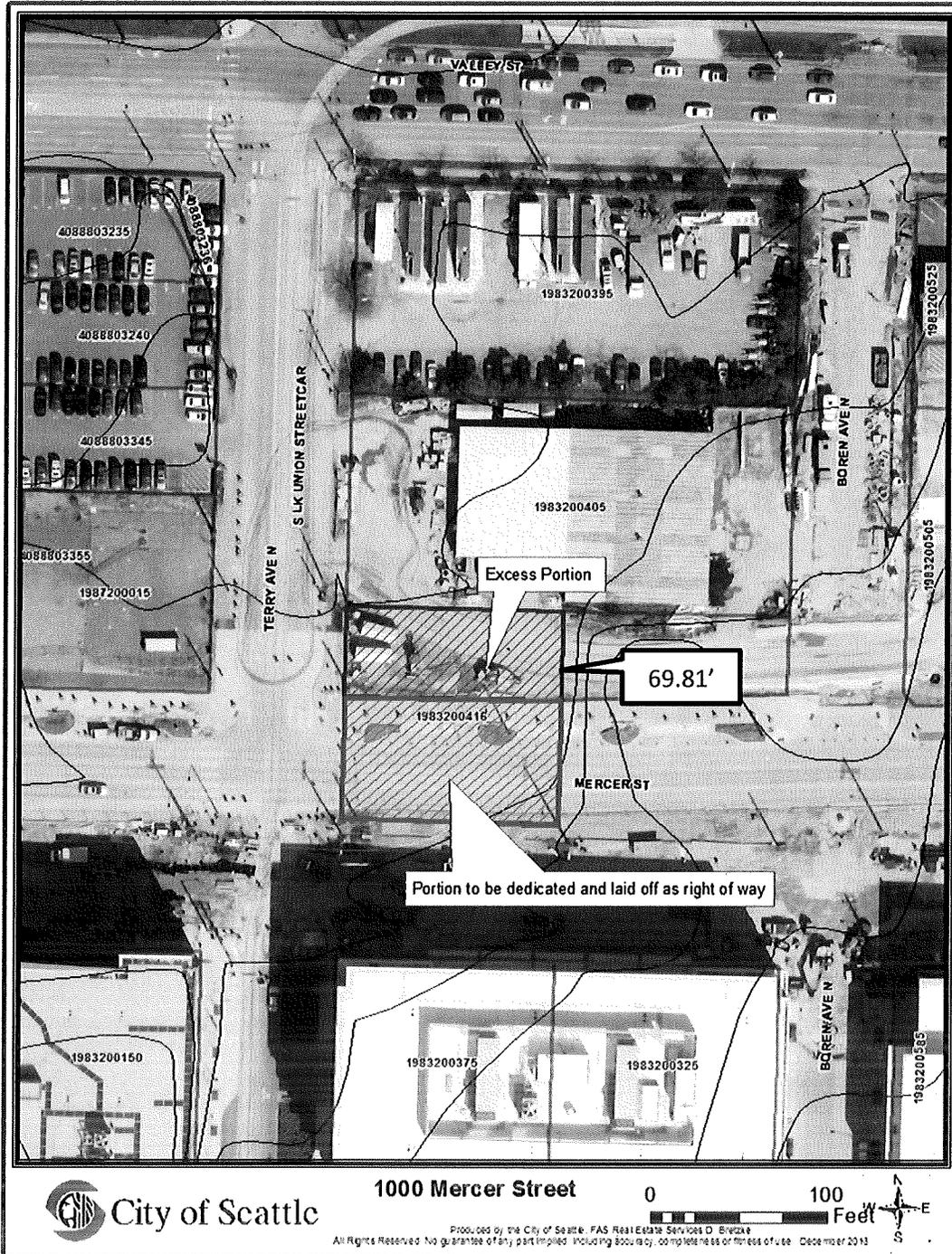
Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
This legislation has no financial implications. It completes the original property acquisition for Mercer Corridor by formally dedicating the widened portion of Mercer Street between Terry Avenue North and Boren Avenue North.
- b) **What is the financial cost of not implementing the legislation?**
Mercer Street which was improved as street should be dedicated, laid off, extended, widened, opened, and established consistent with RCW 35.22.280 This legislation accomplishes this requirement. If this portion is not laid off, a lot boundary adjustment is needed to complete the sale of the remainder property.
- c) **Does this legislation affect any departments besides the originating department?**
None
- 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, a portion of property is being laid off as right of way and designated as a portion of Mercer Street. An illustrative map of the property is attached.
- h) **Other Issues:** None

List attachments to the fiscal note below:

Exhibit 1: Location map of property

Fiscal Note Exhibit 1





City of Seattle
Edward B. Murray
Mayor

September 2, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill which allows the widening of Mercer Street on a portion of the property located at 1000 Mercer Street.

The property at 1000 Mercer was acquired in 2009 to widen Mercer Street. This action splits the original property in two and dedicates a portion of it for right of way for Mercer Street. The remaining portion will be sold as surplus property.

Thank you for your consideration of this legislation. Should you have any questions, please contact Larry Huggins at 206-684 5001.

Sincerely,

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON -- KING COUNTY

--SS.

316837

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 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

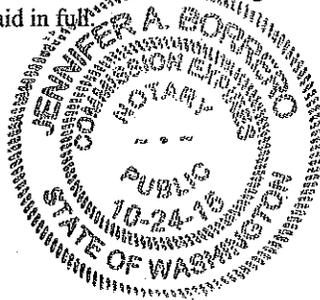
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

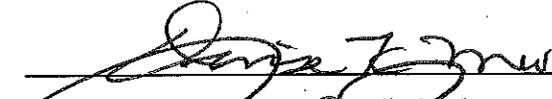
CT:124588-606 TITLE ONLY

was published on

10/27/14

The amount of the fee charged for the foregoing publication is the sum of \$321.43 which amount has been paid in full.




Subscribed and sworn to before me on
10/27/2014 

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on September 29, 2014, 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) 634-8344.

ORDINANCE NO. 124588

AN ORDINANCE relating to the City Light Department; authorizing execution of the Boundary Power Assignment Agreement with Public Utility District No. 1 of Pend Oreille County, Washington, for the term of the Boundary Hydroelectric Project license granted by the Federal Energy Regulatory Commission on March 20, 2013, 42 years.

ORDINANCE NO. 124589

AN ORDINANCE related to the Seattle Department of Transportation; lifting a budget proviso imposed on Transportation Operating Fund, Budget Control Level: Mobility-Capital, for the Pay Station Capital Improvement Project (TC366350) as provided in Ordinance 124349, which adopted the 2014 Budget.

ORDINANCE NO. 124590

AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; deleting the Seattle Asian Art Museum project from the Citywide Parks Owned Cultural Facilities Sub-Category of the Development Category; adding new major maintenance projects in the Neighborhood Parks and Playgrounds Subcategory of the Development Category; increasing appropriations to the Department of Parks and Recreation in the 2014 Adopted Budget; and amending the 2014-2019 Adopted Capital Improvement Program; all by a three-fourths vote of the City Council.

ORDINANCE NO. 124591

AN ORDINANCE related to land use and zoning; amending Seattle Municipal Code Sections 23.49.011, 23.49.013, and 23.49.014 to remove provisions related to the bonus for a Landmark performing arts theater (LPAT) and to increase the base floor area ratio (FAR) of a lot with an LPAT to provide a new incentive for rehabilitating and maintaining these structures; and amending the Downtown Amenity Standards to delete reference to the bonus for the restoration and preservation of a Landmark performing arts theater and to update references to the Public Art Advisory Committee.

ORDINANCE NO. 124592

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 4201 16th Avenue SW; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; and authorizing acquisition by condemnation.

ORDINANCE NO. 124593

AN ORDINANCE relating to the Seattle Electrical Code amending Section 22.300.016 of the Seattle Municipal Code, adopting the 2014 National Electrical Code with Seattle

amendments, and adopting, by incorporation, specific portions of the 2014 Washington Administrative Code Chapter 296-46B (Washington State Electrical Rule); and repealing Sections 2-34 of Ordinance 122970.

ORDINANCE NO. 124594

AN ORDINANCE relating to the City Light Department; amending subsection 21.49.086.D of the Seattle Municipal Code to create Net Wholesale Revenue targets for 2015 and 2016 consistent with those assumed in the City Light 2015-2020 Strategic Plan adopted by Resolution 31529.

ORDINANCE NO. 124595

AN ORDINANCE related to the redevelopment of Yeaser Terrace; vacating portions of Terry Avenue, Spruce Street, Alley in Block 84 of Terry's 2nd Addition, Spruce Street and 9th Avenue Intersection, Alley at Yeaser Terrace Steam Plant, 8th Avenue and Yeaser Way Intersection, 8th Avenue South, South Main Street, 9th Avenue South, and South Washington Street, on the petition of the Housing Authority of the City of Seattle, with a modified street vacation condition; relinquishing certain easements no longer needed by the City of Seattle; approving and confirming the plat of "Yeaser Terrace Community" and accepting dedications in a portion of the Southwest Quarter of the Southeast Quarter of Section 32, Township 26 North, Range 4 East and a portion of the Northwest Quarter and a portion of the Northeast Quarter of Section 5, Township 24 North, Range 4 East, W.M. in King County, Washington, with modified plat conditions; accepting temporary easements for street purposes over certain vacated portions of Terry Avenue, Spruce Street, and South Washington Street; authorizing the signing, acceptance and recording of a Covenant for Infrastructure Construction, and a Public Access, Easement and Maintenance Agreement; and authorizing the signing and acceptance of a Cooperative Agreement Regarding Dedicated Street Areas in Yeaser Terrace Plat.

ORDINANCE NO. 124596

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing amendments to two federal grant agreements with the National Park Service to remove Urban Park and Recreation Recovery Act conditions from a limited area of Seward Park that will be affected by surface ancillary facilities for Seattle Public Utilities' combined sewer overflow project and to place the conditions on an area of Lake Washington Boulevard; and transferring appropriation authority and cash from the Drainage and Wastewater Fund (44010) to the Cumulative Reserve Subfund - Unrestricted Subaccount (00164) for landscaping enhancements on Lake Washington Boulevard required by the National Park Service.

ORDINANCE NO. 124597

AN ORDINANCE relating to the Department of Parks and Recreation, concerning the West Duwamish Greenbelt, finding that an exchange of property between the City of Seattle and West Seattle Acquisition Co., L.L.C., owner of property adjacent to park property, is necessary, as required by Ordinance 118477, also known as Initiative 42; authorizing the Superintendent of Parks and Recreation to accept a deed from West Seattle Acquisition Co., L.L.C., for certain property meeting the criteria of Initiative 42; and authorizing the Superintendent to execute and record a Quit Claim Deed for certain City-owned West Duwamish Greenbelt property to West Seattle Acquisition Co., L.L.C., all to eliminate an existing private, non-park use of park property.

ORDINANCE NO. 124598

AN ORDINANCE relating to communication cabinets in public places; amending Sections 15.02.042, 15.32.010, 15.32.020, 15.32.130, 15.32.140, 15.91.002, and 15.91.016; and adding new Sections 15.32.200, 15.32.250/ and 15.32.260 of the Seattle Municipal Code.

ORDINANCE NO. 124599

AN ORDINANCE relating to water services of Seattle Public Utilities; revising water rates and charges for service to wholesale customers, and amending Seattle Municipal Code Chapter 21.04.440.E in connection therewith.

ORDINANCE NO. 124600

AN ORDINANCE relating to the Seattle Department of Transportation; authorizing the Director of the Seattle Department of Transportation, on behalf of the City of Seattle, to execute an assignment, assumption, and consent agreement with the Seattle Steam Limited Partnership, Seattle Community Energy, LLC, and RIF II District Energy Holdings III LC regarding the transfer of the Seattle Steam Franchise authorized under Ordinance 121087, as amended by Ordinance 122250, to RIF II District Energy Holdings III LLC.

ORDINANCE NO. 124601

AN ORDINANCE relating to the Seattle Streetcar System; authorizing execution of an amendment to the funding and cooperative agreement for the First Hill Streetcar; establishing fare policy objectives for the Seattle Streetcar and authorizing the Director of Transportation to set streetcar fares and establish policies and procedures for fare inspection; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124602

AN ORDINANCE relating to City-owned property under the jurisdiction of the Seattle Department of Transportation located at 1000 Mercer Street in D. T. Denny's First Addition to North Seattle; and extending, laying out, widening, establishing, and opening a portion of Mercer Street.

ORDINANCE NO. 124603

AN ORDINANCE authorizing the sale at fair market value of certain surplus property located at 1000 Mercer Street.

ORDINANCE NO. 124604

AN ORDINANCE relating to the City Light Department; authorizing the execution of a Metered Energy Efficiency Purchase Agreement with The Bullitt Foundation and the Cascadia Center for Sustainable Design and Construction for the purchase of energy from the Bullitt Center.

ORDINANCE NO. 124605

AN ORDINANCE relating to the City Light Department; authorizing the execution and potential amendment of a Regional Energy Efficiency Initiative Agreement with the Northwest Energy Efficiency Alliance.

ORDINANCE NO. 124606

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 27, 2014
10/27(S16837)