SEATTLE CITY COUNCIL

Legislative Summary

CB 118380

Record No.: CB 118380 **Type:** Ordinance (Ord) **Status:** Attested by City Clerk

124780

Version: 1 **In Control:** City Clerk

File Created: 03/13/2015

Final Action: 05/22/2015

Title: AN ORDINANCE relating to the Seattle Public Utilities' Arbor Heights Fire Flow Improvements project; accepting an easement for water and sewer purposes over, under, through, across, along and upon property commonly known as 3707 SW 105th Street, King County Assessor Parcel number 022303-9302; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1: Easement

Drafter: bob.hennessey@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published: ☐ Yes ☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	04/07/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk **Notes:**						
1	City Clerk	04/07/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office **Notes:**						
1	Council President's Office	04/08/2015	sent for review	Seattle Public Utilities and Neighborhoods Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Seattle Public Utilities and Neighborhoods Committee **Notes:**						

1	Full Council	04/27/2015	referred	Seattle Public Utilities and Neighborhoods Committee	

Action Text: The Council Bill (CB) was referred to the Seattle Public Utilities and Neighborhoods Committee
Notes:

1	Seattle Public Utilities and Neighborhoods Committee	05/12/2015	pass		Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
Notes:

In Favor: 3 Chair Bagshaw, Vice Chair Sawant, Member Harrell

Opposed: 0

1	Full Council	05/18/2015	passed		Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:
Notes:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

1	City Clerk	05/19/2015	submitted for Mayor's signature	Mayor

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:

1	Mayor	05/22/2015	Signed

Action Text: The Council Bill (CB) was Signed.
Notes:

1	Mayor	05/22/2015	returned	City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:

1	City Clerk	05/22/2015	attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:

CITY OF SEATTLE

ORDINANCE 124780

COUNCIL BILL 118380

AN ORDINANCE relating to the Seattle Public Utilities' Arbor Heights Fire Flow Improvements project; accepting an easement for water and sewer purposes over, under, through, across, along and upon property commonly known as 3707 SW 105th Street, King County Assessor Parcel number 022303-9302; and ratifying and confirming certain prior acts.

WHEREAS, Seattle Public Utilities' Arbor Heights Fire Flow Improvements Project replaced a 2-inch water main with an 8-inch water main to increase and assure water flow for fire suppression; and

WHEREAS, the City of Seattle subsequently discovered it has no property rights where part of the water main crosses property commonly known as 3707 SW 105th Street, King County Assessor Parcel number 022303-9302; and

WHEREAS, the City of Seattle required a recorded easement across said parcel for water and sewer purposes prior to construction; and

WHEREAS, owner of said parcel, Jeanne A. Hedington, donated and granted the needed easement; and

WHEREAS, to keep the project on schedule it was necessary to record the easement document prior to having the easement accepted by a City of Seattle ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle hereby accepts the easement attached as Attachment 1 hereto and recorded under King County recording number 20120627001488, granted to the City

by Jeanne A. Hedington, for water and sewer purposes over, under, through, across, along and upon the property commonly known as 3707 SW 105th Street, King County Assessor Parcel number 022303-9302, and legally described as follows:

> The North 30 feet of the West 65 feet of the East 120.46 feet of the South one-half (1/2) of the Northwest one-quarter (1/4) of the Northeast one-quarter (1/4) of the Southeast one-quarter (1/4) of Section Two (2), Township Twenty-Three (23), North, Range Three East, W. M.; except the South 184 feet thereof, situated in the County of King, State of Washington.

Section 2. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

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.

Passed by the City Council the 18th day of MAY, 2015, and signed by me in open session in authentication of its passage this 18th day of MAY, 2015.

_____

President _____ of the City Council

Approved by me this 22 day of May, 2015.

_____

Edward B. Murray, Mayor

Filed by me this 22nd day of May, 2015.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1: Easement

Recording Requested By And
When Recorded Mail To:

City of Seattle
Facilities and Real Property Services
P. O. Box 34018
Seattle, WA 98124-4018

EASEMENT

Reference #s of Documents Released or Assigned:	none
Grantors:	Jeanne A. Hedington
Grantee:	The City of Seattle
Legal Description (abbreviated):	W 65 ft of E 120.48 ft of S ½ of NW ¼ of NE ¼ of SE ¼ LESS S 184 ft
Assessor's Tax Parcel ID:	0223039302

Easement Arbor Heights Fire Flow Improvements - DWW RW # 2012-006 – Water R/W # 300-026

THIS EASEMENT made this day by and between **Jeanne A. Hedington,** hereinafter called "Grantor", and The City of Seattle, a municipal corporation of the State of Washington (acting through its agency, Seattle Public Utilities), hereinafter called "The City"; WITNESSETH;

That the Grantor, hereby donates, conveys and grants an Easement to The City, its successors and assigns, for the purposes herein described, over, under, through, across, along and upon property located in King County, Washington, described as follows:

> The North 30 feet of the West 65 feet of the East 120.46 feet of the South one-half (1/2) of the Northwest one-quarter (1/4) of the Northeast one-quarter (1/4) of the Southeast one-quarter (1/4) of Section Two (2), Township Twenty-Three (23), North, Range Three East, W. M.; except the South 184 feet thereof, situated in the County of King, State of Washington.

The City or its agents at such times as may be necessary, shall have the right, privilege and authority without prior institution of any suit or proceeding at law, to enter upon said easement area to install, construct, reconstruct, erect, alter, improve, repair, operate, retire, and maintain water and sewer mains, and any appurtenances to either main, including but not limited to connecting water and sewer service pipes, hydrants and meters.

The Grantor hereby agrees to allow the existing 2- inch water main to be retired in place.

This Easement in no way is intended to limit any other rights the Grantor legally has from using the property for any other purpose that does not conflict with the rights herein granted.

The Grantor hereby represents and warrants to the City that she is the sole owner of the Easement Area and has the power and authority to convey the rights herein granted to the City.

This Easement and each of the terms, provisions, conditions and covenant herein, shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successor and assigns.

Grantor:

Jeanne A. Hedington 4/23/2012
Jeanne A. Hedington Date

STATE OF WA)
) ss
COUNTY OF King)

I certify that I know or have satisfactory evidence that **Jeanne A. Hedington** is the person who appeared before me, and said (person/people) acknowledged that she signed this and acknowledged it as her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 4-23-2012

Name (Print) Irina Kokosh

Notary Public in and for the State of WA

Residing at Seattle

My appointment expires 01-16-2016

Notary Public
State of Washington
IRINA G KOKOSH
MY COMMISSION EXPIRES
January 16, 2016

STATE OF WASHINGTON -- KING COUNTY

--ss.

325501

No. 124777,778,779,780,782

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:TITLE ONLY ORDINANCES

was published on

06/18/15

The amount of the fee charged for the foregoing publication is the sum of $101.53 which amount has been paid in full.

JENNIFER A. BORRERO
COMMISSION EXPIRES
10-24-15
STATE OF WASHINGTON

Subscribed and sworn to before me on

06/18/2015

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on May 18, 2015, 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. 124777

AN ORDINANCE relating to historic preservation, imposing controls upon the McGilvra Elementary School, 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. 124778

AN ORDINANCE relating to historic preservation; imposing controls upon the Montlake School, 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. 124779

AN ORDINANCE relating to Seattle Public Utilities; accepting a quit claim deed from King County for real property located in unincorporated King County in the Northwest Quarter of Section 07, Township 26 North, Range 05 East; placing the real property conveyed by said quit claim deed under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124780

AN ORDINANCE relating to the Seattle Public Utilities' Arbor Heights Fire Flow Improvements project; accepting an easement for water and sewer purposes over, under, through, across, along and upon property commonly known as 3707 SW 105th Street, King County Assessor Parcel number 022303-9302; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124782

AN ORDINANCE relating to the 2015 Budget; amending Ordinance 124648, which adopted the 2015 Budget; changing appropriations to the Seattle Department of Transportation and to the Human Services Department; creating both exempt and non-exempt positions; authorizing the Director of Finance to enter into an interlocal agreement with the State Department of Licensing; and ratifying and confirming certain prior acts; all by at least a 3/4 vote of the City Council.

Date of publication in the Seattle Daily Journal of Commerce, June 18, 2015.

6/18(325501)