

RESOLUTION No. 27077

A RESOLUTION authorizing the Superintendent of Parks and Recreation to negotiate for an exchange of the City's reversionary right to take possession of the premises and piers Nos. 2, 3, and 4 of the Seattle Yacht Club moorage in Portage Bay (Lot 1, Block 17-A, 2nd Supplement, Lake Union Shore Lands) in the year 2002, A.D., for a parcel of Westlake Avenue North and Valley Street at the southwesterly corner of Lake Union (Lots 1-4, Block 83, Lake Union Shorelands) for park purposes,

WR

3-21-84 Set Date for Public Hearing
4-18-84 Divided Report Adopt as Amended

Introduced:	MAR 12 1984	By:	Williams
Referred:	MAR 12 1984	To:	City Operations
Referred:		To:	
Reported:	APR 23 1984		
Passed:	APR 23 1984	Signed:	APR 23 1984
Filed:	APR 23 1984	Published:	

Williams & Galle
Do Not Adopt: Sibongz
Jeanette Williams

REC'D DMB APR 24 1984

RESOLUTION 27077

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A RESOLUTION authorizing the Superintendent of Parks and Recreation to negotiate for an exchange of the City's reversionary right to take possession of the premises and piers Nos. 2, 3, and 4 of the Seattle Yacht Club moorage in Portage Bay (Lot 1, Block 17-A, 2nd Supplement, Lake Union Shore Lands) in the Year 2002, A.D., for a parcel on Westlake Avenue North and Valley Street at the south-westerly corner of Lake Union (Lots 1-4, Block 83, Lake Union Shore Lands) for park purposes.

WHEREAS, the need for waterfront access to Lake Union has long been recognized by the City. The City has been desirous of establishing a park on the south end of Lake Union. On three previous occasions the City has attempted to acquire the south Lake Union site, most recently in Pro-Parks.

WHEREAS, the City wishes to maintain the status quo of West Montlake Park in terms of open space and views.

WHEREAS, the manner in which the Seattle Yacht Club is currently using the West Montlake submerged lands is not detrimental to the neighborhood and to the park.

WHEREAS, the Trust for Public Land, a national nonprofit conservation organization, has contracted to purchase the south Lake Union parcel in order to facilitate public acquisition.

WHEREAS, if the proposed exchange is not completed, the south Lake Union property may be lost to the City.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, as follows:

Section 1. As recommended by the Board of Park Commissioners on February 2, 1984 and the materials contained in this file, the Superintendent of Parks and Recreation is hereby authorized to negotiate for and on behalf of the City of Seattle with the Trust for Public Land and the Seattle Yacht Club for the transfer to the Yacht Club of the City's reversionary right to take possession of shorelands and piers Nos. 2, 3, and 4 of the Seattle Yacht Club moorage in Portage Bay, on or about July 25, 2002, described as follows.

Lot 1, Block 17-A, 2nd Supplement, Lake Union Shore Lands

1 in exchange for a parcel of land on Westlake Avenue North and Valley
2 Street at the southwesterly corner of Lake Union, containing .5 acres,
3 more or less and described as follows:

4 Lots 1, 2, 3 and 4, Block 83, Lake Union Shore Lands, records
5 of King County Washington. Situate in the County of King, State
6 of Washington.

7 SUBJECT TO: All easements, covenants, restrictions, and reser-
8 vations, if any.

9 The Superintendent is further authorized to act as the City's repre-
10 sentative in that regard, and to apply to private foundations, donors,
11 and governmental agencies for assistance in effecting the transaction.

12 Section 2. The exchange shall be subject to these stipulations.

13 (a) The fair market value of the City's reversionary right shall
14 be established by appraisal, and the property received in exchange
15 shall have an equal or greater value;

16 (b) The City will receive servitudes or easements over the pre-
17 mises in order to protect adjacent West Montlake Park, including a
18 restriction of the use of premises to pleasure boat moorage purposes;

19 (c) The City will retain a right in perpetuity to re-enter and
20 take possession of the premises and terminate the estate granted
21 should the premises be used for purposes other than pleasure boat
22 moorage. This right shall not apply to all of that portion of the
23 premises taken for public use or caused to be unusable as a pleasure
24 boat moorage by a governmental entity under the power of eminent
25 domain;

26 (d) No servitudes or easements shall be granted over West Mont-
27 lake Park;
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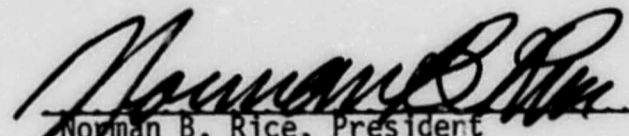
(e) All property and property rights acquired shall be under the jurisdiction of the Department of Parks and Recreation for park and recreation purposes.

(f) The Seattle Yacht Club shall return to the City coincidental with the other actions contemplated herein that portion of Lot 1, Block 17-A, being 105 feet in width and lying southerly of the U.S. Pierhead line extending westerly along the northerly margin of Lot 1, Block 17-A, which area is not now occupied by piers or floats.

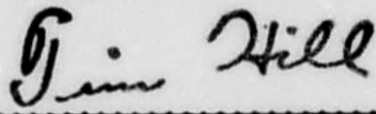
(g) The Seattle Yacht Club shall not, without the approval of plans by the City Council, construct on said Lot 1, north of the northerly line of Hamlin Street extend, any covered moorage or other permanent structures as would reduce the existing visual exposure from Lots 1 through 7, Block 17 of Lake Union Shorelands (West Montlake Park).

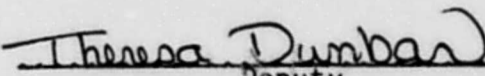
Section 3. The exchange agreement, when negotiated, shall be presented to the City Council for approval by ordinance.

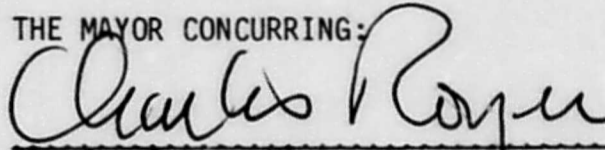
Passed by the City Council the 23rd day of April, 1984, and signed by me in open session in authentication of its passage this 23rd day of April, 1984.


Norman B. Rice, President
Seattle City Council

Filed by me this 23rd day of April, 1984.

ATTEST: 
City Comptroller and City Clerk

BY: 
Deputy

THE MAYOR CONCURRING:

Charles Royer, Mayor

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RESOLUTION 27077

A RESOLUTION authorizing the Superintendent of Parks and Recreation to negotiate for an exchange of the City's reversionary right to take possession of the premises and piers Nos. 2, 3, and 4 of the Seattle Yacht Club moorage in Portage Bay (Lot 1, Block 17-A, 2nd Supplement, Lake Union Shore Lands) in the year 2002, A.D., for a parcel on Westlake Avenue North and Valley Street at the southwest corner of Lake Union (Lots 1-4, Block 83, Lake Union Shore Lands) for park purposes.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, as Follows:

Section 1. As recommended by the Board of Park Commissioners on February 2, 1984 and the materials contained in this file, the Superintendent of Parks and Recreation is hereby authorized to negotiate for and on behalf of the City of Seattle with the Trust for Public Lands and the Seattle Yacht Club for the transfer of the City's reversionary right to take possession of about 6.3 acres of shorelands and piers Nos. 2, 3, and 4 of the Seattle Yacht Club moorage in Portage Bay, on or about July 25, 2002, described as follows:

Lot 1, Block 17-A, 2nd Supplement, Lake Union Shore Lands

in exchange for a parcel of land on Westlake Avenue North and Valley Street at the southwesterly corner of Lake Union, containing .5 acres, more or less and described as follows:

Lots 1, 2, 3, and 4, Block 83, Lake Union Shore Lands, records of King County, Washington. Situate in the County of King, State of Washington.

SUBJECT TO: All easements, covenants, restrictions, and reservations, if any.

The Superintendent is further authorized to act as the City's representative in that regard, and to apply to private foundations, donors, and governmental agencies for assistance in effecting the transaction.

Section 2. The exchange shall be subject to these stipulations:

- (a) The fair market value of the City's reversionary right shall be established by appraisal, and the property received in exchange shall have an equal or greater value;
- (b) The City will receive servitudes or easements over the premises in order to protect adjacent West Montlake Park, including a restriction of the use of premises to pleasure boat moorage purposes;

(c) The City will retain a right in perpetuity to re-enter and take possession of the premises and terminate the estate granted should the premises be used for purposes other than pleasure boat moorage. This right shall not apply to all or that portion of the premises taken for public use by a governmental entity under the power of eminent domain;

(d) No servitudes or easements shall be granted over West Montlake Park;

(e) All property and property rights acquired shall be under the jurisdiction of the Department of Parks and Recreation for park and recreation purposes.

The City shall retain its reversionary right to that portion of Lot 1, Block 17-A, being 75 feet in width and lying southerly of the U.S. Pierhead line extending westerly along the northerly margin of Lot 1, Block 17-A, which area is not now occupied by piers or floats.

Section 3. The exchange agreement, when negotiated, shall be presented to the City Council for approval by ordinance.

Passed by the City Council the _____ day of _____, 19____, and signed by me in open session in authentication of its passage this _____ day of _____, 19____.

President _____ of the City Council.

Concurred in by me this _____ day of _____, 19____.

Mayor

Filed by me this _____ day of _____, 19____.

Attest: _____
City Comptroller and City Clerk.

By _____
Deputy Clerk.

D R A F T

WHEREAS, the manner in which the Seattle Yacht Club is currently using the West Montlake submerged lands is beneficial to the neighborhood and to the park.

WHEREAS, the City wishes to maintain the status quo of West Montlake Park since increased public use is not anticipated in the foreseeable future.

WHEREAS, the City has been desirous of establishing a park on the south end of Lake Union as evidenced by inclusion of a South Lake Union Park in the fall of 1982 Pro/Parks Bond Issue.

WHEREAS, the Trust for Public Lands, a national non-profit conservation organization has contracted to purchase the South Lake Union parcel in order to facilitate public acquisition.

WHEREAS, if the proposed exchange is not completed, the South Lake Union property will be lost to the City.