

Re: Authorizing sale of Disposition
Parcels 6 and 7, Pike Place Project

80 H. 33

Ordinance No. 107423

An ORDINANCE authorizing a contract for the sale and conveyance of land and buildings of certain City property (Lots 9, 10, 11, and 12, Block H of A. A. Denny's 4th Addition) in the Pike Place Urban Renewal Project (WASH. P-17) Disposition Parcels Nos. 6 and 7) to The Elliott Bay Partnership No. 1.

6-13-78 WDH PASS

CONTROLLER
FILE NUMBER 286674

Council Bill No. 99442

INTRODUCED: JUN 5 1978	BY EXECUTIVE REQUEST
REVISED: JUN 5 1978	TO URBAN DEVELOPMENT & HOUSING
REFERRED:	
REFERRED:	
REPORTED: JUN 19 1978	SECOND READING: JUN 19 1978
THIRD READING: JUN 19 1978	SIGNED: JUN 19 1978
PRESENTED TO MAYOR: JUN 20 1978	APPROVED: JUN 27 1978
SENT TO CITY CLERK: JUN 27 1978	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASS'D OVER VETO:	VETO SUSTAINED:

ORDINANCE 107423

AN ORDINANCE authorizing a contract for the sale and conveyance of land and buildings of certain City property (Lots 9, 10, 11, and 12, Block H of A. A. Denny's 4th Addition in the Pike Place Urban Renewal Project (WASH. R-17) Disposition Parcels Nos. 6 and 7) to The Elliott Bay Partnership No. 1.

WHEREAS, the property hereinafter described was acquired by the City in connection with the Pike Place Urban Renewal Project (WASH. R-17) pursuant to the amended Urban Renewal Plan approved by Ordinance 102916; and

WHEREAS, the minimum fixed price and the method of disposition of Parcels Nos. 6 and 7 have been approved by Resolution No. 25658; and

WHEREAS, a qualifying redevelopment proposal was received from The Elliott Bay Partnership No. 1 for the purchase and redevelopment of said parcels pursuant to the call for such proposals; and

WHEREAS, the Director of the Department of Community Development has reported that the proposal of The Elliott Bay Partnership No. 1 meets all requirements and is consistent with the goals and objectives of the Pike Place Project Urban Renewal Plan and has recommended that the proposal be accepted;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Mayor is hereby authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle, a Contract substantially in the form of Exhibit "I" attached hereto with The Elliott Bay Partnership No. 1, providing for the sale to said Elliott Bay Partnership No. 1 of the following described real property:

Lots 9, 10, 11 and 12, Block H, and vacated alley adjoining all in Addition to the Town of Seattle, as laid out by A. A. Denny (commonly known as A. A. Denny's 4th Addition to the City of Seattle) according to plat thereof recorded in Volume 1 of Plats, Page 69, records of King County, Washington; EXCEPT that portion of said Lots 9 and 12 condemned by City of Seattle Ordinance No. 67125; EXCEPT the southeasterly 20 feet of that portion of the above described Lot 12 and vacated alley adjoining Lots 11 and 12, Subject to easements and restrictions of record.

Together with a restrictive easement for the benefit of the public on and over Lots 7 and 8 of Block H of A. A. Denny's 4th Addition to the City of Seattle and vacated alley adjoining said lots, requiring that any improvements constructed on said Lots 7 and 8 and alley adjoining other than landscaping, be set back twenty (20) feet from the lot lines common to Lots 9 and 10 and 7 and 8 of said Block and addition.

* See CF-286674

Subject to an easement over the following described real property between the elevations of 50.80 feet and elevation 61.57 feet, and between elevation 73.59 feet and elevation 83.59 feet, based on City Datum.

Beginning at the easternmost corner of said Lot 11 (at the intersection of the Western Avenue and Pike Street rights-of-way), thence northwesterly along the northeast line thereof for a distance of 20 feet; thence southerly in a straight line to a point on the southeast line 20 feet from the easternmost corner; thence northeasterly along the southeast line to the point of true beginning. Prohibiting any structure, construction or use of said areas which interferes with its use as a waiting zone for elevator passengers. This restrictive easement shall not preclude the renegotiation of this easement in the event that the existing building is demolished and another constructed.

Subject also to an easement for the placement of five light fixtures on the southeast facade and one light fixture on the southwesterly facade of the building on Lot 11, Block H of A. A. Denny's 4th Addition to the City of Seattle, together with related wiring, conduit, and electrical apparatus as described in the attached diagram.

Subject to an easement for a public walkway five feet wide to provide continuous pedestrian passage to and from other properties in Block H, said addition to the Pike Street right-of-way over the southwest 25 feet of said Lots 9 and 12, at the existing grade.

for a consideration consisting of: (1) the sum of Three Hundred and Three Thousand Dollars (\$303,000.00), which sum upon receipt is to be credited to the Project Temporary Loan Repayment Fund, Project Wash. R-17, and (2) the covenants, promises and undertakings of The Elliott Bay Partnership No. 1 contained in said Contract.

Section 2. The Mayor is hereby authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle, a Warranty Deed substantially in the form of Exhibit "II" attached hereto, conveying to The Elliott Bay Partnership No. 1 the real property described in Section 1 hereof for a consideration consisting of the sum of Three Hundred and Three Thousand Dollars (\$303,000.00), and (2) the promises and undertakings of The Elliott Bay Partnership No. 1 as stated in the Contract authorized in Section 1 hereof.

Section 3. In connection with the Contract authorized in Section 1 and the Deed authorized in Section 2 of this Ordinance, it is hereby determined, as required by the United States Department of Housing and Urban Development that The Elliott Bay Partnership

* See CF-286674

(To be used for all Ordinances except Emergency.)

No. 1 possesses the qualifications and financial resources necessary to acquire and develop the land and buildings in accordance with the Pike Place Urban Renewal Plan and that the form of Contract authorized in Section 1 and form of Deed authorized in Section 2 hereof is satisfactory, and the same are hereby approved.

Section 4. Any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19 day of June, 1978, and signed by me in open session in authentication of its passage this 19 day of June, 1978.

Thyllis Lamphere
President of the City Council.

Approved by me this 27 day of June, 1978.

Charles Poppe
Mayor.

Filed by me this 27 day of June, 1978.

Ed King
City Comptroller and City Clerk.

(SEAL)

Published

Wayne Angewine
Deputy Clerk.

Your City, Seattle

Executive Department-Office of Management and Budget

Casey Jones, Director
Charles Royer, Mayor



May 18, 1978

The Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that legislation be adopted as requested in the attached correspondence from the Department of Community Development regarding the disposition of certain parcels in the Pike Project.

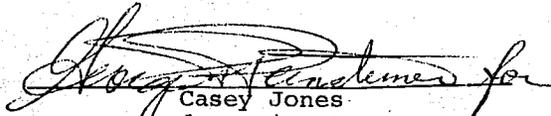
Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting. By a copy of this letter, the City Council is directly receiving this Executive Request.

Please review this request and draft appropriate legislation. Please file the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.

Sincerely,

Charles Royer
Mayor

By:


Casey Jones
Budget Director

CJ:TL:at

Attachment

cc: Phyllis Lamphere, President, City Council ✓

ORDINANCE 107423

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WHEREAS, the property hereinafter described was acquired by the City in connection with the Pike Place Urban Renewal Project (WASH. R-17) pursuant to the amended Urban Renewal Plan approved by Ordinance 102816; and

WHEREAS, the minimum fixed price and the method of disposition of Parcels Nos. 6 and 7 have been approved by Resolution No. 25658; and

WHEREAS, a qualifying redevelopment proposal was received from The Elliott Bay Partnership No. 1 for the purchase and redevelopment of said parcels pursuant to the call for such proposals; and

WHEREAS, the Director of the Department of Community Development has reported that the proposal of The Elliott Bay Partnership No. 1 meets all requirements and is consistent with the goals and objectives of the Pike Place Project Urban Renewal Plan and has recommended that the proposal be accepted; Now Therefore

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Mayor is hereby authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle, a Contract substantially in the form of Exhibit "I" attached hereto with The Elliott Bay Partnership No. 1, providing for the sale to said Elliott Bay Partnership No. 1 of the following described real property:

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Together with a restrictive easement for the benefit of the public on and over Lots 7 and 8 of Block H of A. A. Denny's 4th Addition to the City of Seattle and vacated alley adjoining said lots, requiring that any improvements constructed on said Lots 7 and 8 and alley adjoining other than landscaping, be set back twenty (20) feet from the lot lines common to Lots 9 and 10 and 7 and 8 of said Block and addition.

Subject to an easement over the following described real property between the elevations of 50.50 feet and elevation 61.57 feet and between elevation 72.59 feet and elevation 83.59 feet, based on City Datum.

Beginning at the easternmost corner of said Lot 11 (at the intersection of the Western Avenue and Pike Street right-of-way); thence northwesterly along the northeast line therefor a distance of 20 feet; thence southerly in a straight line to a point on the southwest line 20 feet from the easternmost corner; thence northeasterly along the southeast line to the point of true beginning. Prohibiting any structure, construction or use of said areas which interferes with its use as a waiting zone for elevator passengers. This restrictive easement shall not preclude the renegotiation of this easement in the event that the existing building is demolished and another constructed.

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Subject to an easement to a public walkway five feet wide to provide continuous pedestrian passage to and from other properties in Block H, said addition to the Pike Street right-of-way over the southerly west 25 feet of said Lots 9 and 12, at the existing grade.

for a consideration consisting of: (1) the sum of Three Hundred and Three Thousand Dollars (\$303,000.00) which sum upon receipt is to be credited to the Project Temporary Loan Repayment Fund, Project Wash. R-17, and (2) the covenants, promises and undertakings of The Elliott Bay Partnership No. 1 contained in said Contract.

Section 2. The Mayor is hereby authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle a Warranty Deed substantially in the form of Exhibit "II" attached hereto, conveying to The Elliott Bay Partnership No. 1 the real property described in Section 1 hereof for a consideration consisting of the sum of Three Hundred and Three Thousand Dollars (\$303,000.00), and (2) the promises and undertakings of The Elliott Bay Partnership No. 1 as stated in the Contract authorized in Section 1 hereof.

Section 3. In connection with the Contract authorized in Section 1 and the Deed authorized in Section 2 of this Ordinance, it is hereby determined, as required by the United States Department of Housing and Urban Development that The Elliott Bay Partnership No. 1 possesses the qualifications and financial resources necessary to acquire and develop the land and buildings in accordance with the Pike Place Urban Renewal Plan and that the form of Contract authorized in Section 1 and form of Deed authorized in Section 2 hereof is satisfactory, and the same are hereby approved.

Section 4. Any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19th day of June, 1978 and signed by me in open session in authentication of its passage this 19th day of June, 1978.

PHYLLIS LAMPHERE,
President of the City Council.

Approved by me this 27th day of June, 1978.

CHARLES ROYER,
Mayor.

Filed by me this 27th day of June, 1978.

Attest: E. L. KIDD,
City Comptroller and
City Clerk.

By: WAYNE ANGEVINE,
(Seal) Deputy Clerk.

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, June 30, 1978. (C-494)

C-494

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

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

Ordinance No. 107423

was published on June 30, 1978

B. Blatt
Subscribed and sworn to before me on
June 30, 1978

Burton C. ...
Notary Public for the State of Washington,
residing in Seattle.