

ORDINANCE No. 114936

COUNCIL BILL No. 107770

AN ORDINANCE relating to the Water Dept. authorizing the sale and conveyance by Quit Claim Deed of a portion of real property commonly known as the Lake Youngs Aqueduct right of way located in Sec. 17, Twn. 22 N., R. 6 E., W.M., King County Washington, to KATHLEEN R. HERRIN DINTCOLA

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____ report that we have considered the same and respectfully recommend

Pass - 2/7/90 - Utility Comm
Note: Committee renamed: Utilities' by Res. 2

Vote 9-0

[Signature]
Committee Chair

COMPTROLLER FILE No. _____

Introduced: JAN 1 6 1990	By: <i>Kraabel</i>
Referred: JAN 1 6 1990	To: <i>Environment/Mgmt</i>
Referred:	To:
Referred:	To:
Reported: FEB 1 3 1990	Second Reading: FEB 1 3 1990
Third Reading: FEB 1 3 1990	Signed: FEB 1 3 1990
Presented to Mayor: FEB 1 4 1990	Approved: FEB 2 1 1990
Returned to City Clerk: FEB 2 1 1990	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

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Water Dept.
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Mgmt
FEB 1 3 1990
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OK

Law Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

Honorable President:

Your Committee on _____

to which was referred the within Council Bill No. _____
report that we have considered the same and respectfully recommend that the same:

Pass - 2/7/90 - Utility Committee
Note: Committee renamed: 'Utilities' by Res. 28134 adopted 1/22/98

Vote 4-0

[Signature]
Committee Chair

#23
C.B. 107770

ORDINANCE 114936

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AN ORDINANCE relating to the Water Department authorizing the sale and conveyance by Quit Claim Deed of a portion of real property commonly known as the Lake Youngs Aqueduct Right-of-Way (LYA R/W) located in Section 17, Township 22 North, Range 6 East, W.M., King County, Washington, to Kathleen R. Herrin DiNicola.

WHEREAS, the subject property is a portion of the strip of land acquired in fee, under condemnation, pursuant to Ordinance No. 52768, King County Superior Court Cause No. 201476; and

WHEREAS, Seattle City Council authorized and the Mayor concurred in Resolution No. 27707, declaring the LYA R/W surplus to the needs of the City; and

WHEREAS, Resolution No. 27707 authorized the sale of any portion of the subject property to the abutting property owners at fair market value; and

WHEREAS, the property has been appraised by a qualified appraiser and just compensation has been established at Four Hundred Dollars (\$400.00); and

WHEREAS, Kathleen R. Herrin-DiNicola has offered to purchase that portion of the subject real property adjacent to her abutting real property for the established value of Four Hundred Dollars (\$400.00); and

WHEREAS, the Superintendent of Water has recommended, in the attachments hereto, the acceptance of Kathleen R. Herrin-DiNicola's offer and the sale of the following described parcel for assemblage with her abutting property; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to provisions of RCW 35.94.040 and after a public hearing, the following described real property located in Maple Valley, Washington situated in King County:

That portion of the City of Seattle's Lake Youngs Aqueduct Right-of-Way as condemned under Ordinance No. 52768, Superior Court Cause No. 201476, a portion of Parcel No. 16, Verdict No. 12, (containing .068 acres more or less) which lies within the south-westerly corner of the following described real property:

The north one-half of the northwest one-quarter of the northeast one-quarter of the southwest one-quarter of Section 17, Township 22 North, Range 6 East, W.M., in King County, Washington;

Less the west 462 feet thereof.

has been declared surplus to the City's needs.

Section 2. The value of said property is hereby found and declared to be Four Hundred Dollars (\$400.00).

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

(To be used for all Ordinances except Emergency.)

Section 3. As recommended by the Superintendent of Water and the Mayor in the attachments hereto, the Mayor is hereby authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle a Quit Claim Deed substantially in the form of Exhibit "A" attached hereto, conveying to Kathleen R. Herrin-DiNicola said surplus real property for the value established herein.

Section 4. Proceeds from the sale of this property shall be deposited in the Water Fund.

Section 5. Any act pursuant to the authority of this ordinance and prior to its effective date is hereby ratified and confirmed.

Section 6. 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 13th day of February, 1990, and signed by me in open session in authentication of its passage this 13th day of February, 1990, *[Signature]* President of the City Council.

Approved by me this 21st day of February, 1990, *[Signature]* Mayor.

Filed by me this 21st day of February, 1990, *[Signature]* Attest: *[Signature]* City Comptroller and City Clerk.

(SEAL)

Published

By *[Signature]* Deputy Clerk.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle

Executive Department-Office of Management and Budget

Kenneth R. Bounds, Director
Charles Royer, Mayor

December 19, 1989

10, 900
OK [Signature]
11/4/90
COPY RECEIVED



JAN 02 1990

SEATTLE CITY ATTORNEY

[Signature]

The Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Water

SUBJECT: AN ORDINANCE relating to the Water Department authorizing the sale and conveyance by Quit Claim Deed of a portion of real property commonly known as the Lake Youngs Aqueduct right of way located in Sec. 17, Twn. 22 N., R. 6 E., W.M., King County, Washington, to KATHLEEN R. HERRIN DINICOLA.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Jim Purigan.

Sincerely,

Charles Royer
Mayor

by

[Signature]

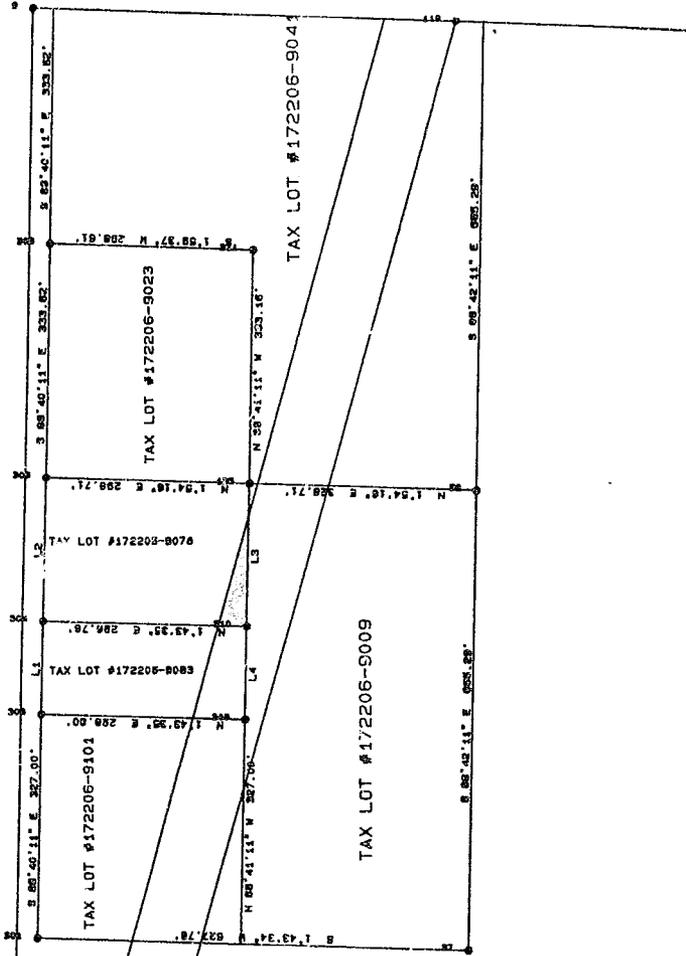
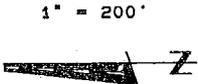
KENNETH R. BOUNDS for
Budget Director

KB/jd/mhb

Enclosure

cc: Superintendent, Water

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.



SEATTLE WATER DEPARTMENT
 LAKE YOUNGS AQUEDUCT
 SURPLUS PORTION OF R/W

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
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Seattle Water Department

COPY RECEIVED

Robert P. Groncznack, Superintendent
Charles Royer, Mayor

JAN 02 1990

SEATTLE CITY ATTORNEY



December 12, 1989

City Council
City of Seattle

8439'19

VIA Mayor's Office

Attention: Office of Management and Budget

Re: Request for Legislation; Disposal of a Portion of
Surplus Property known as Lake Youngs Aqueduct
Right-of-Way to Kathleen R. Herrin-DiNicola

DEC 18 1989
10 1000

Honorable Council Members:

Enclosed herewith is legislation authorizing the sale of a .068 acre portion of the City of Seattle's Lake Youngs Aqueduct Right-of-Way (LYA R/W) and a copy of the Quit Claim Deed (marked Exhibit "A"). This parcel of land abuts the southwest corner of Mrs. DiNicola's property located in Maple Valley, Washington, in the vicinity of S.E. 232nd Street and 196th Avenue N.E.

The Seattle Water Department acquired the parcel of land by condemnation under Ordinance No. 52768, Superior Court Cause No. 201476, a portion of Parcel No. 16, judgement on Verdict No. 12.

Resolution No. 27707 declares LYA R/W surplus to the City's need and allows for negotiated sale to the abutting property owner at fair market value on a first-right-of-refusal basis.

An independent appraisal was obtained on the subject parcel of land to estimate fair market value. Just compensation has been determined to be Four Hundred Dollars (\$400.00) for negotiated sale to Kathleen R. Herrin-DiNicola to enable assemblage with her abutting property.

I recommend approval of this legislation substantially in the form attached hereto and by this reference made a part hereof.

Sincerely,


ROBERT P. GRONCZNACK
Superintendent of Water

RPG:sgc
ET13.17.1
Enclosures - Draft Ordinance
Quit Claim Deed
Sketch

cc: OMB
Mayor
Superintendent of Water

Seattle Water Department—Dexter Horton Building, 10th Floor
710 Second Avenue, Seattle, Washington 98104

Printed on Recycled Paper

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

STATE OF WASHINGTON - KING COUNTY

23872
City of Seattle

--ss.

No.

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

ORD: 114936

was published on

03/01/90

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

C. Powell

Subscribed and sworn to before me on

James Ray MAR 1 1990

Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle
ORDINANCE 114936

AN ORDINANCE relating to the Water Department authorizing the sale and conveyance by Quit Claim Deed of a portion of real property commonly known as the Lake Youngs Aqueduct Right-of-Way (L/A R/W) located in Section 17, Township 22 North, Range 6 East, W.M., King County, Washington, to Kathleen R. Herrin DiNicola.

WHEREAS, the subject property is a portion of the strip of land acquired in fee, under condemnation, pursuant to Ordinance No. 52768, King County Superior Court Cause No. 201476; and

WHEREAS, Seattle City Council authorized and the Mayor concurred in Resolution No. 27707, declaring the L/A R/W surplus to the needs of the City; and

WHEREAS, Resolution No. 27707 authorized the sale of any portion of the subject property to the abutting property owners at fair market value; and

WHEREAS, the property has been appraised by a qualified appraiser and just compensation has been established at Four Hundred Dollars (\$400.00); and

WHEREAS, Kathleen R. Herrin-DiNicola has offered to purchase that portion of the subject real property adjacent to her abutting real property for the established value of Four Hundred Dollars (\$400.00); and

WHEREAS, the Superintendent of Water has recommended, in the attachments hereto, the acceptance of Kathleen R. Herrin-DiNicola's offer and the sale of the following described parcel for assemblage with her abutting property; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to provisions of RCW 35.94.040 and after a public hearing, the following described real property located in King County, Washington situated in King County:

That portion of the City of Seattle's Lake Youngs Aqueduct Right-of-Way as condemned under Ordinance No. 52768, Superior Court Cause No. 201476, a portion of Parcel No. 16, Verdict No. 12, (Section 17, Township 22 North, Range 6 East, W.M., King County, Washington) which lies within the southwest corner of the following described real property:

The north one-half of the northwest one-quarter of the northeast one-quarter of the southwest one-quarter of Section 17, Township 22 North, Range 6 East, W.M., in King County, Washington;

Less the west 462 feet thereof.

has been declared surplus to the City's needs.

Section 2. The value of said property is hereby found and declared to be Four Hundred Dollars (\$400.00).

Section 3. As recommended by the Superintendent of Water and the Mayor in the attachments hereto, the Mayor is hereby authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle a quit claim Deed substantially in the form of Exhibit "A" attached hereto, conveying to Kathleen R. Herrin-DiNicola said surplus real property for the value established herein.

Section 4. Proceeds from the sale of this property shall be deposited in the Water Fund.

Section 5. Any act pursuant to the authority of this ordinance and prior to its effective date is hereby ratified and confirmed.

Section 6. 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 13th day of February, 1990, and signed by me in open session in authentication of its passage this 13th day of February, 1990.

PAUL KRABEL,
President of the City Council.
Approved by me this 21st day of February, 1990.
NORMAN B. RICE,
Mayor.

Filed by me this 21st day of February, 1990.
Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk,
(Seal) By THERESA DUNBAR,
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, March 1, 1990.
(23872)

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

After recording call 684-5968 for REPT. & R.P. THIS DAY
Sharon S. Gordon, Real Property Agent
City of Seattle Water Department

Ord # 114936

ET13.17.2.1

MAY 10 4 30 PM '90
QUIT CLAIM DEED

9005101537

THE GRANTOR, The City of Seattle, a municipal corporation, for and in consideration of Four Hundred and No/100 Dollars (\$400.00) in hand paid, conveys and quitclaims to Kathleen R. Herrin-DiNicola, all its rights, titles and interest in the following described real estate located in King County, Washington, to wit:

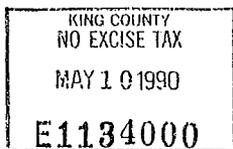
That portion of the City of Seattle's Lake Youngs Aqueduct Right-of-Way as condemned under Ordinance No. 52768, Superior Court Cause No. 201476, a portion of Parcel No. 16, Verdict No. 12, (containing 0.68 acres more or less) which lies within the south-westerly corner of the following described real property:

The north one-half of the northwest one-quarter of the northeast one-quarter of the southwest one-quarter of Section 17, Township 22 North, Range 6 East, W.M., in King County, Washington;

Less the west 462 feet thereof.

In WITNESS WHEREOF, pursuant to the provisions of Ordinance No. 114936 of The City of Seattle, said City has caused this instrument to be executed by its Mayor and City Comptroller thereunto duly authorized and has caused its corporate seal to be hereunto affixed this 2nd day of May, 1990.

THE CITY OF SEATTLE



By Norman B. Rice Mayor
Norman O. Brooks City Comptroller

STATE OF WASHINGTON)
COUNTY OF KING) ss.

90/05/10 #1537 1A
RECD F 5.00
REC FEE 2.00
CASHSL 7.00
55

I certify that I know or have satisfactory evidence that Norman B. Rice and Norman O. Brooks signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the MAYOR and CITY COMPTROLLER, respectively, of THE CITY OF SEATTLE to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: May 2, 1990

LEGAL DESCRIPTION
BY Dej 12/7/89
CHK'd 12/7/89

Virginia E. McCloskey
NOTARY PUBLIC in and for the State
of Washington
residing at Seattle
My appointment expires March 15, 1994

SEATTLE WATER DEPT
710 - 2nd AVE. 10th FLR.
SEATTLE, WA 98104

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ORDINANCE 114936

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AN ORDINANCE relating to the Water Department authorizing the sale and conveyance by Quit Claim Deed of a portion of real property commonly known as the Lake Youngs Aqueduct Right-of-Way (LYA R/W) located in Section 17, Township 22 North, Range 6 East, W.M., King County, Washington, to Kathleen R. Herrin DiNicola.

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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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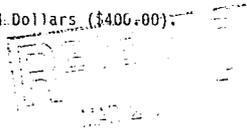
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Less the west 462 feet thereof.

has been declared surplus to the City's needs.

Section 2. The value of said property is hereby found and declared to be Four Hundred Dollars (\$400.00).



CC: Corinne [unclear]

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(To be used for all Ordinances except Emergency.)

Section 3. As recommended by the Superintendent of Water and the Mayor in the attachments hereto, the Mayor is hereby authorized to execute and the City Comptroller to attest for and on behalf of the City of Seattle a Quit Claim Deed substantially in the form of Exhibit "A" attached hereto, conveying to Kathleen K. Herrin-DiNicola said surplus real property for the value established herein.

Section 4. Proceeds from the sale of this property shall be deposited in the Water Fund.

Section 5. Any act pursuant to the authority of this ordinance and prior to its effective date is hereby ratified and confirmed.

Section 6. 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 13th day of February, 1990, and signed by me in open session in authentication of its passage this 13th day of February, 1990. *[Signature]* President of the City Council.

Approved by me this 21st day of February, 1990. *[Signature]* Mayor.

Filed by me this 21st day of February, 1990.

Attest: *[Signature]* City Comptroller and City Clerk.

(SEAL)

Published _____ By *[Signature]* Deputy Clerk.

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Seattle Water Department

Robert P. Groncznack, Superintendent
Norman B. Rice, Mayor



July 1, 1992

To: City Clerk

Re: File copies of recorded deeds of conveyance with ordinance. Lake Youngs Aqueduct R/W.

We are sending you attached copies of deeds and ordinances. Please file the following recorded deeds with the authorizing ordinance as follows:

<u>Buyer</u>	<u>K.C. Recording</u>	<u>Ordinance No.</u>	<u>File No.</u>
Shellan, et al.	9103110703	115518	
Spaulding	9104040743	115533	
Fairbanks	9005101538	114987	
Grant	9008300900	115203	
Matthews	9104040742	115319	
Glover	9201211446	116024	
Enfield	8910311534	114778	
Herrin-DiNicola	9005101537	114936	
Herrin	9004041806	114883	
Hokenson	8809160475	114096	
Kelley	9110041039	115577	
Garner	9110221021	115784	
Anderson	9103261349	115516	
Bailey	8905150464	114472	
Maas	9005291129/28	115052	
State of Wash.	9008300901	115120	
McDonald	9108130410	115626	

Please notify Sharon Gordon, Seattle Water Department of the file number. Thank you!

SHARON GORDON

Sharon A. Gordon
Senior Real Property Agent
phone #684-5968

SG:em
DEED&ORD

Seattle Water Department—Dexter Horton Building, 10th Floor
710 Second Avenue, Seattle, Washington 98104

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