

ORDINANCE No. 121800

COUNCIL BILL No. 115230

AN ORDINANCE providing for the acquisition by negotiation or by condemnation of land and other property rights in the East Hanford Donation Claim No. 44 in Township 24 North, Range 4 East, Willamette Meridian, in King County, Washington, adjacent to the existing City of Seattle Fire Station #30 at 2931 South Mt Baker Boulevard, for general municipal purposes including, but not limited to, the major renovation and expansion of Fire Station #30.

COMPROLLER FILE No. _____

Introduced: <u>4-18-05</u>	By: <u>Licata</u>
Referred: <u>4-18-05</u>	To: <u>Public Safety, Civil Rights & ARS</u>
Referred:	To:
Referred:	To:
Reported: <u>5-9-05</u>	Second Reading:
Third Reading: <u>5-9-05</u>	Signed: <u>5-9-05</u>
Presented to Mayor: <u>5-10-05</u>	Approved: <u>5/18/05</u>
Returned to City Clerk: <u>5/20/05</u>	Published: <u>full 3pp.</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

US5047

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:

p2552-0 ML, DP 5/31/05 UH
(as amended)

(C)

5-9-05 Passed 7-0 (Excused: Della, Steembrueck)

Nick Licata

Committee Chair

Law Department

(V)

(C)

ORDINANCE 121800

AN ORDINANCE providing for the acquisition by negotiation or by condemnation of land and other property rights in the East Hanford Donation Claim No. 44 in Township 24 North, Range 4 East, Willamette Meridian, in King County, Washington, adjacent to the existing City of Seattle Fire Station #30 at 2931 South Mt Baker Boulevard, for general municipal purposes including, but not limited to, the major renovation and expansion of Fire Station #30.

WHEREAS, the Fire Facilities and Emergency Response Levy Program, proposed under Ordinance 121230, was approved by Seattle voters on November 4, 2003; and

WHEREAS, the Fire Facilities and Emergency Response Levy Program provides for the acquisition of land and renovation of Fire Station #30; and

WHEREAS, Ordinance 121380 authorized the Fleets and Facilities Department to negotiate for the acquisition of real property as necessary to carry out all elements of the Levy Program, and appropriated funds therefore, with such funds to be supplemented by certain funds appropriated under Ordinance 121333; and

WHEREAS, the City has determined that the Property legally described below is suitable for the expansion of Fire Station #30 and that it is in the public interest to acquire the same for the purposes enumerated above; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the public convenience and necessity require that the following described real property, situated in the City of Seattle, County of King, State of Washington, together with all rights, privileges and other property pertaining thereto be acquired, and the same is hereby condemned, appropriated, and taken for public use, namely for general municipal purposes including, but not limited to, the expansion of Fire Station 30;

That portion of the East Hanford Donation Claim No. 44 in Township 24 North, Range 4 East, Willamette Meridian, in King County, Washington, described as follows:

Beginning at a point on the East line of said Donation Claim North 0°00'44" West 91.0 feet from the Southeast corner thereof; thence South 89°53'22" West along a line parallel with the South line of said Donation Claim 240.0 feet; thence North 0°00'44" West 141.88 feet to intersect the South line of a street conveyed to the City of Seattle by deed recorded under Recording Number 643018; thence North 89°53'38" East along said street line 20.0 feet to the True Point of Beginning; thence South 0°00'44" East



1 along the East line of an alley conveyed to the City of Seattle by deed recorded under
2 Recording Number 2680788, a distance of 115.86 feet to a point of curve; thence on a
3 curve to the left having a radius of 10.0 feet a distance of 15.73 feet to a point of
4 tangency; thence North 89°53'22" East along the North line of said alley 28.0 feet, more
5 or less, to intersect a line drawn parallel with and 33 feet East of the East line of said
6 alley; thence North 0°00'44" West along said parallel line 125.86 feet, more or less, to
7 the South line of said street; thence South 89°53'38" West along said South line 38.0
8 feet, more or less, to the True Point of Beginning.

9 Section 2. The Director of the Department of Fleets and Facilities or designee is authorized on
10 behalf of the City to negotiate and to enter into agreements to acquire the subject property upon payment
11 of just compensation therefore.

12 Section 3. Said lands, rights, and privileges and other property are to be appropriated and taken
13 only after just compensation has been made or paid into court for the owners thereof, in the manner
14 provided by law.

15 Section 4. The cost of the acquisition provided for in this ordinance shall be paid from funds
16 appropriated under Ordinance 121380 and as may be provided by law.

17 Section 5. The City Attorney is authorized to commence and prosecute proceedings in the
18 manner provided by law to condemn, take, damage, and appropriate in fee simple the lands and other
19 property described herein, provided, said lands, rights, and privileges, and other property are to be
20 appropriated and taken only after just compensation has been made or paid into court for the owners
21 thereof, in the manner provided by law, and to stipulate for the purpose of minimizing damages.



1 Section 6. Any acts made consistent with the authority and prior to the effective date of this
2 ordinance are hereby ratified and confirmed.

3 Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its
4 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
5 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

6 Passed by the City Council the 9th day of May, 2005, and signed by me in open session in
7 authentication of its passage this 9th day of May, 2005.

8
9 Jan Drape
President of the City Council

10 Approved by me this 18th day of May, 2005.

11 Gregory J. Nickels
12 Gregory J. Nickels, Mayor

13 Filed by me this 20th day of May 2005.

14 Scott A.
15 City Clerk

16 (Seal)
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FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Fleets and Facilities	Dave Barber / 684-0400	Candice Chin / 233-7014

Legislation Title:

An ordinance providing for the acquisition by negotiation or by condemnation of land and other property rights in the East Hanford Donation Claim No. 44 in Township 24 North, Range 4 East, Willamette Meridian, in King County, Washington, adjacent to the existing City of Seattle Fire Station #30 at 2931 South Mt Baker Boulevard, for general municipal purposes including, but not limited to, the major renovation and expansion of Fire Station #30.

Summary and background of the Legislation:

Adoption of the proposed legislation provides the City of Seattle with the ability to pursue acquisition of the preferred site for the expansion of Fire Station No. 30 by negotiation or by eminent domain, if that becomes necessary.

The Fire Facilities and Emergency Response Levy Program (Levy Program), approved by Seattle voters on November 4, 2003, contemplates the acquisition of nine sites for relocation or expansion projects. Funds for all property acquisitions were previously appropriated in Ordinance 121380 and Ordinance 121333.

At fifty years of age, Fire Station 30 has reached the end of its design life, and cannot be remodeled economically. This station will be torn down and rebuilt on an expanded site. The building's square footage will more than double. Acquisition of the vacant lot immediately to the west of the existing station will increase the site size by about 50%. Design and construction will occur in 2009-2010.

Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Fire Stations – Land Acquisition / Expansion of FS #30	A1FL101	Rainier Valley	January, 2005	November, 2005

- *Please check any of the following that apply:*

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

This legislation has financial implications. *



David Hemmelgarn/Dave Ba
03-15-05

Companion Legislation: FFD Fire Station 30 Legislation
Version: #5

*All financial implications related to the expansion of Fire Station No. 30 are discussed in the Fiscal Note that accompanied Ordinance 121380, which also appropriated funds for the acquisition of the site. This ordinance serves to facilitate the prompt acquisition of suitable land for the expansion. It has no financial implications in and of itself.

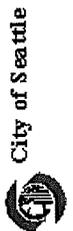
This parcel is vacant; there are no relocation requirements. A Phase I Environmental Assessment has been completed; no unfavorable environmental conditions were found. Maintenance costs for this vacant site will be minimal, and are covered by the project budget.

Please list attachments to the fiscal note below:

Map: Fire Station #30: Proposed Acquisition Parcel.



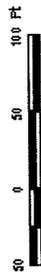
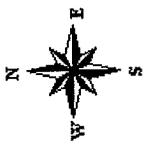
Map - Fire Station 30 Land Acquisition



City of Seattle

FS #30 Expansion Proposed Acquisition Parcel

January 20, 2005



THE CITY OF SEATTLE, 2005.
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Produced by the City of Seattle
Facilities Department
Real Estate Services Division



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

April 5, 2005

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Drago:

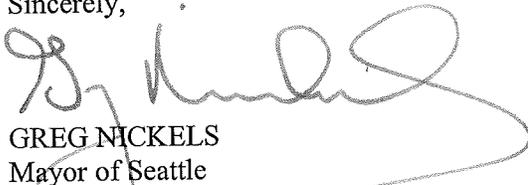
I am transmitting the attached proposed Council Bill that enables the City to acquire property, via negotiation or by condemnation, to rebuild and expand Fire Station #30. This Station is located in the Rainier Valley near Franklin High School, cannot be remodeled economically, and will be torn down and rebuilt on the expanded site. Rebuilding Fire Station #30 will allow the facility to accommodate modern firefighting equipment and will strengthen the station's ability to effectively respond to aid calls and other public safety emergencies.

The Fire Facilities and Emergency Response Levy Program, approved by Seattle voters on November 4, 2003, provides for the acquisition of real property for the relocation or expansion of eight neighborhood fire stations, including Fire Station #30. The Fleets and Facilities Department and Seattle Fire Department jointly developed the site requirements for rebuilding and expanding Fire Station #30 in the planning phase for the Levy Program. The Station's identified program requirements result in a need for approximately 5,000 additional square feet of land located adjacent to the existing Station. The optimum site for acquisition consists of a vacant parcel located directly west from the existing station on South Mt. Baker Boulevard.

The City will make every reasonable effort to acquire the property through voluntary negotiation with the current property owners. However, acquisition of the property by condemnation, through the authority granted under Washington State law, may be necessary for the City to acquire the property in a timely manner, and the attached proposed Council Bill would authorize acquisition through either means.

A rebuilt and expanded Fire Station #30 is an essential part of the Fire Facilities and Emergency Response Levy Program. Thank you for your consideration of this legislation. Should you have questions, please contact Mary Pearson, FFD Real Estate Services Division Director, at 684-0407.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, Seattle, WA 98104-8154

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@ci.seattle.wa.us

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4 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after
5 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

6
7 Passed by the City Council the ____ day of _____, 2005, and signed by me in open session
8 in authentication of its passage this ____ day of _____, 2005.

9
10 _____
11 President _____ of the City Council

12 Approved by me this ____ day of _____, 2005.

13 _____
14 Gregory J. Nickels, Mayor

15 Filed by me this ____ day of _____, 2005.

16 _____
17 City Clerk

18 (Seal)
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STATE OF WASHINGTON – KING COUNTY

--SS.

186066
CITY OF SEATTLE, CLERKS OFFICE

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.

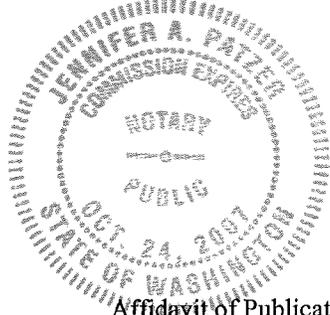
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121800 ORDINANCE

was published on

05/25/05

The amount of the fee charged for the foregoing publication is the sum of \$ 165.63, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

05/25/05

Notary public for the State of Washington,
residing in Seattle

City of Seattle

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Jan Drago

President of the City Council

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Gregory J. Nickels, Mayor

Filed by me this 20th day of May, 2005.

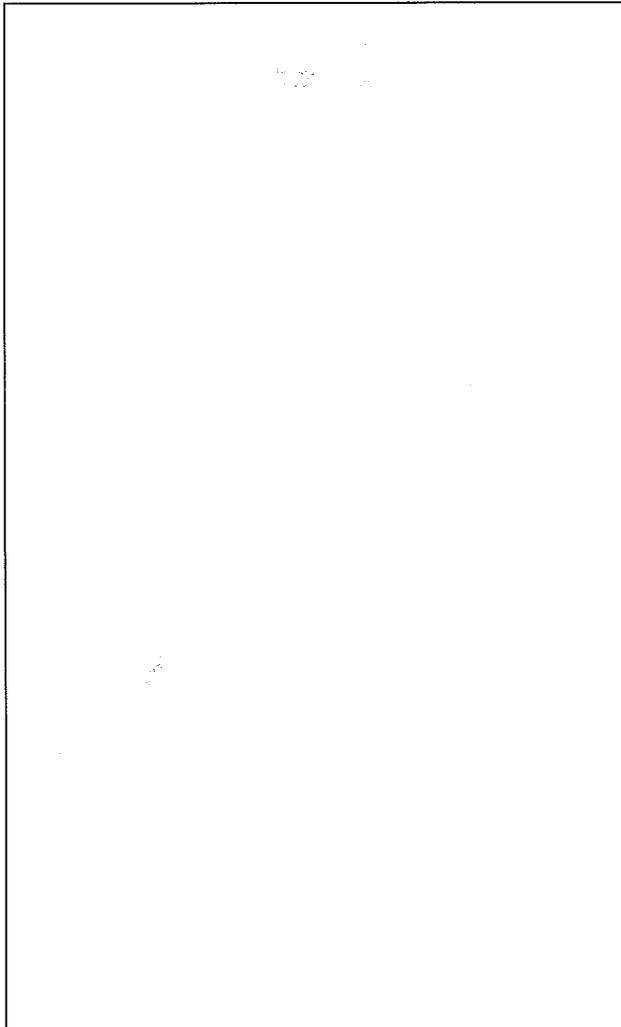
(Seal) Judith Pippin, City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, May 25, 2005.

5/26(186066)

State of Washington, King County



Page 2 of affidavit