

ORDINANCE No. 121871

110

COUNCIL BILL No. 115231

AN ORDINANCE providing for the acquisition by negotiation or by condemnation of land and other property rights in The North half of Lot 4 and all of Lots 5 through 8, inclusive, Block 11, Pettit's University Addition, according to the plat thereof recorded in Volume 10 of Plats, page 73, records of King County, Washington, commonly known as 5013, 5019 and 5021 11th Avenue Northeast, for general municipal purposes including, but not limited to, the renovation and expansion of Fire Station #17.

The City of Seattle--Legislative Department

Date Reported and Adopted _____

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 that the same:

pass - 0 ML, DD 5/3/05 (CH)
(os amended)

(a)
(b)

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

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 & Arts</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 3ppr</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Law Department

Michael L...

Committee Chair

La

ment

(b)

(a)

ORDINANCE 121801

AN ORDINANCE providing for the acquisition by negotiation or by condemnation of land and other property rights in The North half of Lot 4 and all of Lots 5 through 8, inclusive, Block 11, Pettit's University Addition, according to the plat thereof recorded in Volume 10 of Plats, page 73, records of King County, Washington, commonly known as 5013, 5019 and 5021 11th Avenue Northeast, for general municipal purposes including, but not limited to, the renovation and expansion of Fire Station #17.

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 #17; 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 Fire Facilities and Emergency Response 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 #17 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 Fire Station 17;

The North half of Lot 4 and all of Lots 5 through 8, inclusive, Block 11, Pettit's University Addition, according to the plat thereof recorded in Volume 10 of Plats, page 73, records of King County, Washington.



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

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

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

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

15 Section 6. Any acts made consistent with the authority and prior to the effective date of
16 this ordinance are hereby ratified and confirmed.
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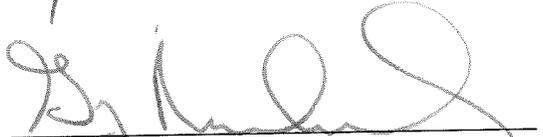
Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

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



President _____ of the City Council

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



Gregory J. Nickels, Mayor

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



City Clerk

(Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Fleets and Facilities	David Hemmelgarn 684-0701	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 North half of Lot 4 and all of Lots 5 through 8, inclusive, Block 11, Pettit's University Addition, according to the plat thereof recorded in Volume 10 of Plats, page 73, records of King County, Washington, commonly known as 5013, 5019 and 5021 11th Avenue Northeast, for general municipal purposes including, but not limited to, the renovation and expansion of Fire Station #17.

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 17 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.

The Fire Station 17 site is a priority acquisition, consistent with the anticipated 2006 commencement of design for the remodeling and expansion of the Station. The Station's program requirements result in a need for approximately 13,000 additional square feet of land located adjacent to the existing station. The preferred expansion option necessitates the acquisition of three tax parcels under common ownership and located directly north of Fire Station 17 on 11th Ave NE. These properties are presently being used and marketed as rental housing by the owners.

Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Fire Stations – Land Acquisition/ FS 17	A1FL101	University District	January 2005	November 2005



- Please check any of the following that apply:

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

This legislation does not have any financial implications.

All financial implications related to the expansion of Fire Station 17 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.

Please list attachments to the fiscal note below:

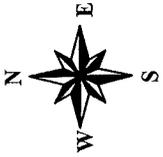
Map: Fire Station #17: Proposed Acquisition Parcel.

Map - Fire Station 17 Land Acquisition



FS #17 Expansion
Proposed Acquisition Parcel

January 20, 2005



THE CITY OF SEATTLE, 2005.
All rights reserved. No guarantee of any sort implied, including accuracy, completeness, or fitness for use.
Produced by the City of Seattle
Fleets & 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 pleased to transmit the attached proposed Council Bill that enables the City to acquire property, via negotiation or by condemnation, to remodel and expand Fire Station 17. This Station is a battalion headquarters and is located in the University District at the northwest corner of the intersection of N.E. 50th Street and 11th Avenue N.E. The Station remodel and expansion is needed to allow the facility to accommodate modern firefighting equipment, enlarge the battalion drill court and training area, and strengthen the Station's ability to effectively respond to aid calls and public safety emergencies.

The Fire Facilities and Emergency Response Levy Program, approved by the 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 17. The Fleets and Facilities Department and Seattle Fire Department jointly developed the site requirements for the Fire Station 17 expansion in the planning phase for the Levy Program. The Station's identified program requirements result in a need for approximately 13,000 additional square feet of land located adjacent to the existing Station. The optimum site for acquisition consists of three contiguous tax parcels under common ownership and located directly north of the Station on 11th Avenue N.E.

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.

An expanded and remodeled Fire Station 17 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,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, faint circular stamp or watermark.

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

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.



ORDINANCE _____

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4 other property rights in The North half of Lot 4 and all of Lots 5 through 8, inclusive,
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7 5019 and 5021 11th Avenue Northeast, for general municipal purposes including, but not
8 limited to, the renovation and expansion of Fire Station #17.

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

11 WHEREAS, the Fire Facilities and Emergency Response Levy Program provides for the
12 acquisition of land and renovation of Fire Station #17; and

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

17 WHEREAS, the City has determined that the Property legally described below is suitable for the
18 expansion of Fire Station #17 and that it is in the public interest to acquire the same for
19 the purposes enumerated above; NOW, THEREFORE,

20 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

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

President _____ of the City Council

Approved by me this ____ day of _____, 2005.

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2005.

City Clerk

(Seal)



STATE OF WASHINGTON – KING COUNTY

--SS.

186067
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:121801 ORDINANCE

was published on

05/25/05

The amount of the fee charged for the foregoing publication is the sum of \$ 139.13, which amount has been paid in full.

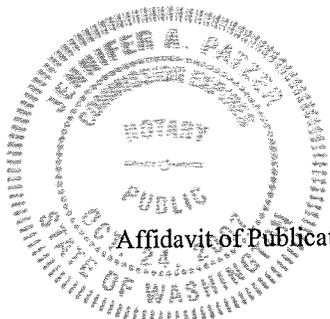
[Handwritten Signature]

Subscribed and sworn to before me on

05/25/05

[Handwritten Signature]

Notary public for the State of Washington,
residing in Seattle



Affidavit of Publication

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

Jan Drago

President of the City Council

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

Gregory J. Nickels, Mayor

Filed by me this 23rd 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.

5/25(186067)

State of Washington, King County

