

ORDINANCE No. 122505

COUNCIL BILL No. 115987

Jan Progo

The City of Seattle--Legislative Department

AN ORDINANCE relating to the Mercer Corridor Project; authorizing the Director of Transportation to acquire all of the property rights necessary for reconstructing the existing Mercer Street/Valley Street couplet with a widened two-way Mercer Street and a reduction of lanes on Valley Street between Interstate 5 (I-5) and Dexter Avenue; and authorizing acquisition of real property rights within the area bounded by Aloha Street on the north and Republican Street on the south through negotiation and use of eminent domain (condemnation); and authorizing payment of all other costs associated with the acquisition.

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:

Divided

PASS - JD, JG, PS, TR

Do not pass - NL

9-24-07 Passed ~~7-0~~ (Excused: McIver/Licata)

COMPTROLLER FILE No. _____

Introduced: <u>8-13-07</u>	By:
Referred: <u>8-13-07</u>	To: <u>TRANSPORTATION</u>
Referred:	To:
Referred:	To:
Reported: <u>9-24-07</u>	Second Reading:
Third Reading: <u>9-24-07</u>	Signed: <u>9-24-07</u>
Presented to Mayor: <u>9-25-07</u>	Approved: <u>10-3-07</u>
Returned to City Clerk: <u>10-4-07</u>	Published: <u>Full 4</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Law Department

Committee Chair

ORDINANCE 122505

1
2 AN ORDINANCE relating to the Mercer Corridor Project; authorizing the Director of
3 Transportation to acquire all of the property rights necessary for reconstructing the
4 existing Mercer Street/Valley Street couplet with a widened two-way Mercer Street and a
5 reduction of lanes on Valley Street between Interstate 5 (I-5) and Dexter Avenue; and
6 authorizing acquisition of real property rights within the area bounded by Aloha Street on
7 the north and Republican Street on the south through negotiation and use of eminent
8 domain (condemnation); and authorizing payment of all other costs associated with the
9 acquisition.

10 WHEREAS, the South Lake Union Neighborhood Plan, developed in 1999, envisions a
11 community characterized by a pervasive friendly ambience, variety of open spaces, and
12 an aesthetically pleasing, safe neighborhood embracing dynamic opportunities for people
13 to work, live and recreate with the greatest ease of mobility for all travel modes; and

14 WHEREAS, the Seattle City Council adopted Resolution 30610 in 2003 setting forth priorities to
15 support redevelopment of the South Lake Union area including making transportation
16 improvements to reconnect the South Lake Union street grid and promoting connections
17 with downtown and the Seattle Center, and promoting pedestrian-oriented improvements;
18 and

19 WHEREAS, in Resolution 30610, the Seattle City Council affirmed its commitment to support
20 the redevelopment of the South Lake Union area as the region's most competitive location
21 for biotech and high-tech research and manufacturing; and

22 WHEREAS, the Seattle City Council adopted Resolution 30714 in 2004, recommending a two-
23 way Mercer Boulevard and narrowed Valley Street be developed, subject to a Full NEPA
24 Environmental Assessment; and

25 WHEREAS, replacing the existing Mercer Street/Valley Street couplet with a widened two-way
26 Mercer Street would provide more direct access to and from I-5, and Mercer Street would
27 be widened approximately sixty (60) feet primarily to the north, and Valley Street would
28 be reduced to a two-lane street with turn lanes, parking and bicycle lanes in each
direction; and

WHEREAS, pedestrian and bicycle circulation would be improved by widening sidewalks and
removing barriers caused by the existing couplet, providing additional crossings of
Mercer and Valley Streets; and

WHEREAS, Council and Executive have worked together to agree upon performance
improvements for a two-way Mercer Street and narrowed Valley Street; NOW,
THEREFORE,



1
2 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

3 Section 1. Public convenience and necessity require that real property interests generally
4 shown on Attachments A and B of this Ordinance, situated in the City of Seattle, County of
5 King, State of Washington, together with all rights, privileges and other property pertaining
6 thereto, be acquired for transportation and related purposes through negotiations and use of
7 eminent domain (condemnation) if necessary, in connection with reconstructing the existing
8 Mercer Street/Valley Street couplet with a widened two-way Mercer Street and a narrowed two
9 lane Valley Street located at the south end of Lake Union bordered by Aloha Street on the north
10 and Republican Street on the south, Dexter Avenue on the west side, and I-5 on the east.
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13 Section 2. The Director of Transportation or her designee is authorized, on behalf of the
14 City of Seattle, to determine which portions and interests of those properties shown on
15 Attachments A and B are necessary to this project and to negotiate and enter into written
16 agreements for and acquire, after payment of just compensation, such real property interests as
17 are necessary for the project and to accept and record deeds and other written instruments on
18 behalf of the City of Seattle by attaching to the instrument the Director's written acceptance
19 thereof, and recording the same. The property or real property interests acquired shall be
20 accepted for transportation and general municipal purposes and placed under the jurisdiction of
21 the Seattle Department of Transportation. The cost of the acquisitions including purchase price
22 and transaction costs, together with relocation benefits to the extent required by law, shall be paid
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1 from the funds appropriated, or to be appropriated, for such purposes in connection with the
2 project.

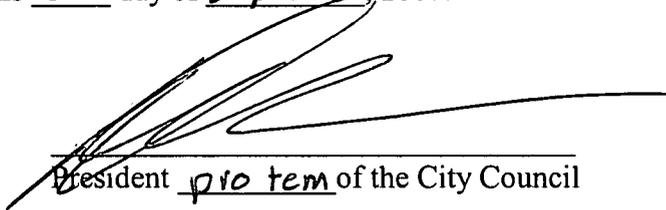
3 Section 3. The City Attorney is authorized to commence and prosecute proceedings in
4 the manner provided by law to condemn, take, damage, and appropriate in fee simple the lands
5 and other property interests determined by the Director of Transportation or her designee to be
6 necessary to the project, provided said lands, rights, and privileges, and other property are to be
7 appropriated and taken only after just compensation has been made or paid into court for the
8 owners thereof, in the manner provided by law; and to stipulate for the purpose of minimizing
9 damages.
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12 Section 4. Any act consistent with the authority and prior to the effective date of the
13 ordinance, including, without limitation, acceptance of a grant of possession and use, is hereby
14 approved and accepted.
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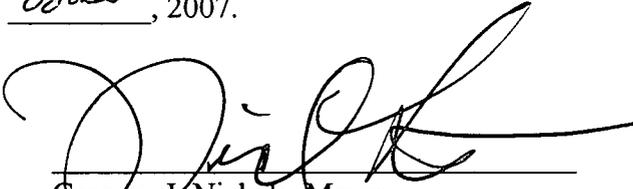


1 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

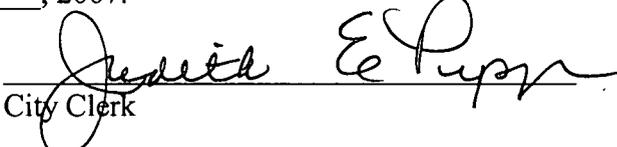
4 Passed by the City Council the 24th day of September, 2007, and signed by me in open
5 session in authentication of its passage this 24th day of September, 2007.

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9 President pro tem of the City Council

10 Approved by me this 3 day of October, 2007.

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12 
13 Gregory J. Nickels, Mayor
14 *Aick Cicuta, Acting Mayor*

15 Filed by me this 4 day of October, 2007.

16
17 
18 City Clerk

18 (Seal)

19 Attachment A – Mercer Corridor Project: Preliminary Right-of-Way / Properties Affected

20 Description Map

21 Attachment B – Contact List for Properties Affected (Preliminary)



Ordinance Files # 122505

2 Sheets *oversize maps*

for 35 mm filming

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**MERCER CORRIDOR PROJECT
CONTACT LIST FOR PROPERTIES AFFECTED (PRELIMINARY 60% DESIGN)**

Project Parcel No.	Tax ID No.	Property Owner	Occupant	Property Owner's (OR Tax Payer's) Address	Property Address (Per King County Tax Records)	Abbreviated Legal Description (Per King County Tax Records)
1	1983201410	CITY INVESTORS XII LLC	US Bank	505 5th Ave So #900, Seattle, WA 98104	530 Dexter Ave N 98109	
2	1983201480	CITY INVESTORS XII LLC	UW Phase 1	c/o McKinstry /Essention P. O. Box 24567, Seattle WA 98121	815 Mercer St 98109	
3	1983201485	CITY INVESTORS XII LLC	UW Phase 2	505 5th Ave So #900, Seattle, WA 98104		DENNYS DT HOME ADD PCL B SEATTLE BLA #3003169 REC #20051103900001 SD BLA BEING LOTS 1 THRU 14 BLOCK 84
4	1983200065	CITY INVESTORS XX LLC	Jaguar/Land Rover Parking	505 5th Ave So #900, Seattle, WA 98104	535 Westlake Ave N 98109	
5	1983200075	CITY INVESTORS XX LLC	Pacific Used Cars	505 5th Ave So #900, Seattle, WA 98104	535 Westlake Ave N 98109	
6	1983200180	CITY INVESTORS IX LLC	Outdoor and More	505 5th Ave So #900, Seattle, WA 98104	520 Westlake Ave N 98109	
7	1983200196	CITY INVESTORS IX LLC	Clements and Rice Office Bldg	505 5th Ave So #900, Seattle, WA 98104	536 Westlake Ave N 98109	
8	1983200150	LAKE UNION 1 LLC	Parking/Interurban Exchange	108th AVE NE # 400 north Bellevue, WA 98004		DENNYS DT 1ST ADD LOTS 1 THRU 4 BLK 94 LESS POR FOR MERCER ST & FOR TERRY AVE N
9	1983200375	CITY INVESTORS XVI LLC	Far Fetched Warehouse	505 5th Ave So #900, Seattle, WA 98104	1001 Mercer St 98109	
10	1983200325	CITY INVESTORS XVI LLC	Thriftbook LLC	505 5th Ave So #900, Seattle, WA 98104	1021 Mercer St 98109	
11	1983200585	CITY INVESTORS XI LLC	Cloud 9 Mattresses and More	505 5th Ave So #900, Seattle, WA 98104	526 Boren Ave N 98109	
12	1983200535	LOWEN FAMILY LIMITED PART	Far Fetched Store	601 W Mercer PL #502, Seattle, WA 98119	1119 Mercer St 98109	
13	1983200536	LOWEN FAMILY LIMITED PART	Far Fetched Parking	601 W Mercer PL #502, Seattle, WA 98119	529 Fairview Ave N 98109	
14	1983200540	ONA W. COLLMAN	Far Fetched	601 W Mercer PL #502, Seattle, WA 98119	527 Fairview Ave N 98109	
15	1983200545	509 FAIRVIEW PARTNERS LLC	Color Service Inc.	2905 SW 1st Ave, Portland, OR 97201	509 Fairview Ave N 98109	
16	1983200560	REPUBLICAN STREET APTS LLC	Republican St Apts.	8232 41st Ave NE, Seattle, WA 98115	1114 Republican St 98109	
17	1983200605	SLOTBOOM DAVID R & CLAUDIA M	Opetch Camera Supply	433 Fairview Ave North, Seattle, WA 98109	433 Fairview Ave N 98109	
18	1983200610	WOLD-411 PROPERTY LLC	Warehouse	411 Fairview Ave North, Seattle, WA 98109	423 Fairview Ave N 98109	
19	1983200615	WOLD-411 PROPERTY LLC	Henry R. Wold Bldg	411 Fairview Ave North, Seattle, WA 98109	413 Fairview Ave N 98109	
20	1983200625	FAIRVIEW PARTNERS	Scanner Graphics	76 So Washington St # M-102, Seattle, WA 98104	405 Fairview Ave N 98109	
21	2467400120	HIRAO ROBIN	NW Wholesale Florists	15707 NE 134th St, Redmond, WA 98052	400 Fairview Ave N 98109	
22	7863500040	NELCHINA POINT LP	Youth Resource Center	500 L ST Suite #100, Anchorage, AK 99501	500 Fairview Ave N 98109	
23	7863500020	BMR-530 FAIRVIEW AVE LLC	Vacant	c/o PARADIGM TAX GROUP 3645 Ruffin Rd Ste 310, San Diego CA 92123	530 Fairview Ave N 98109	
24	2249000055	CITY INVESTORS XX LLC	Vacant	505 5th Ave So #900, Seattle, WA 98104	714 W Mercer St 98109	
25	2249000040	CITY INVESTORS XX LLC	Vacant	505 5th Ave So #900, Seattle, WA 98104	800 Mercer St 98109	
26	2249000006	CITY INVESTORS XX LLC	Vacant	505 5th Ave So #900, Seattle, WA 98104	816 Mercer St 98109	
27	4088803385	CITY INVESTORS XX LLC	McKay Dealership	505 5th Ave So #900, Seattle, WA 98104	609 Westlake Ave N 98109	
28	4088803355	CONOCOPHILLIPS COMPANY	Union 76 Station	Attn: Marketing P. O. Box 1539, Paso Robles CA 93447	600 Westlake Ave N 98109	
29	1987200015	CONOCOPHILLIPS COMPANY	Vacant	Attn: Marketing P. O. Box 1539, Paso Robles CA 93447		DENNYS DT 6TH ADD POR 5 & 6 & ALL 4 BLK A & POR 4 & 5 BLK 77 LAKE UNION SH LIDS BEG AT PT 59 FT W OF SE COR OF LOT 6 BLK A THE 59 FT TO SE COR LT 6 TH N 179.98 FT TH W 114 FT TH S 125 FT TH SELY 60 FT TO PT 30 FT N OF BEG TH S 30 FT TO BEG LESS ST
30	1983200416	HEGLUND ALBERT JR & HELENE	West Marine	DBA: A H Properties 1219 NW Elford Dr. Seattle, WA 98177	1000 Mercer St 98109	
31	1983200415	CITY INVESTORS XI LLC	Shell Station	505 5th Ave So #900, Seattle, WA 98104	601 Boren Ave N 98109	
32	1983200505	CITY INVESTORS XI LLC	Taco Del Mar HQ	505 5th Ave So #900, Seattle, WA 98104	1104 Mercer St 98109	
33	1983200500	CITY INVESTORS XI LLC	Lincoln Towing	505 5th Ave So #900, Seattle, WA 98104	601 Fairview Ave N 98109	
34	1983200495	CITY INVESTORS XI LLC	Lincoln Towing	505 5th Ave So #900, Seattle, WA 98104	604 Fairview Ave N 98109	
35	1983200485	CITY INVESTORS VII LLC	Vacant	505 5th Ave So #900, Seattle, WA 98104	613 Fairview Ave N 98109	
36	1983200480	CITY INVESTORS VII LLC	Vacant	505 5th Ave So #900, Seattle, WA 98104		DENNYS 1ST ADD LOT 2 BLK 106 LESS ST
37	1983200405	CITY INVESTORS XI LLC	Autosense	505 5th Ave So #900, Seattle, WA 98104	615 Boren Ave N 98109	
38	4088803345	CITY INVESTORS XI LLC	Vacant	505 5th Ave So #900, Seattle, WA 98104	670 Terry Ave N 98109	



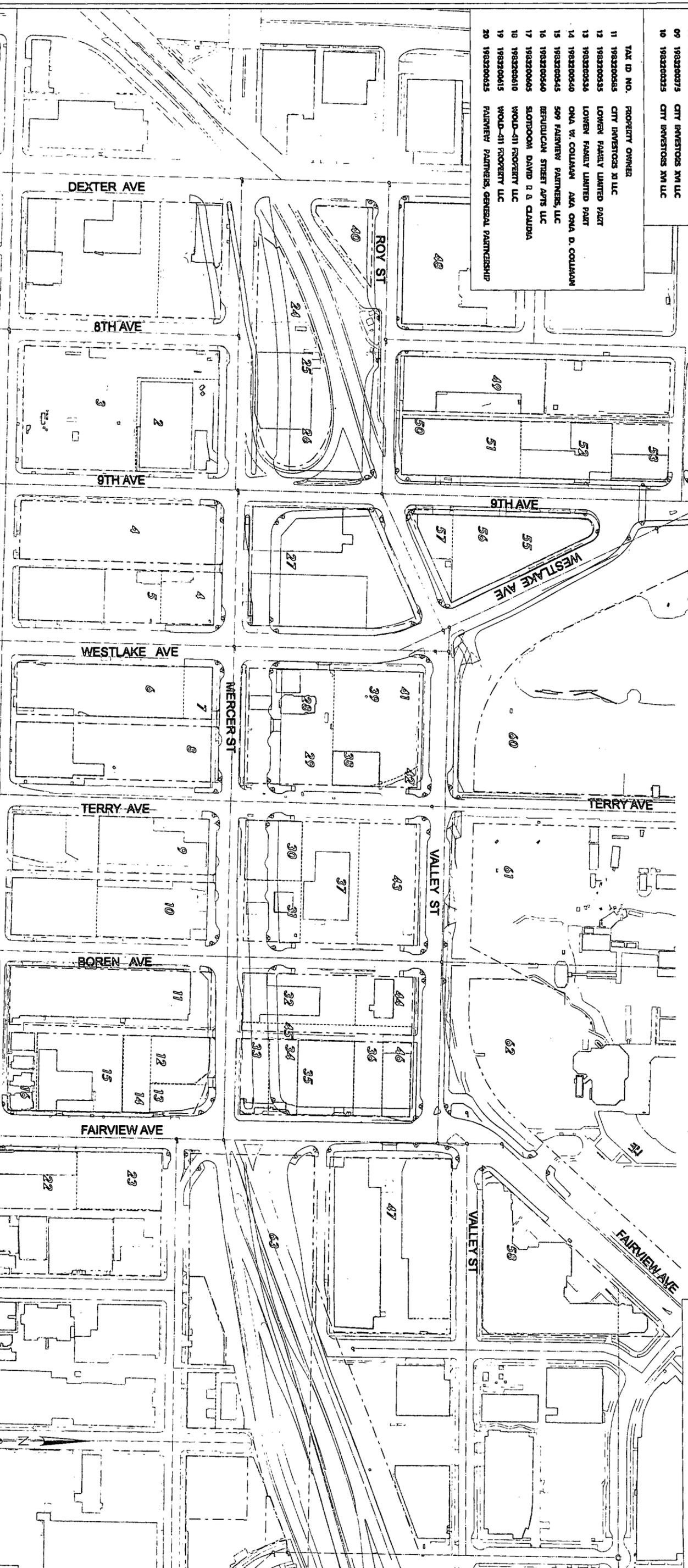
MERCER CORRIDOR PROJECT PRELIMINARY (60% DESIGN) RIGHT OF WAY/PROPERTIES AFFECTED

LEGEND:
 MERCER CORRIDOR PROJECT 60% DESIGN LAYOUT
 1-63 PROPERTIES AFFECTED

NOTE:
 ALL OF THE NUMBERED PARCELS ON THIS MAP WILL BE AFFECTED BY THE MERCER CORRIDOR PROJECT. ALL WILL INVOLVE THE CITY'S ACQUISITION OF SOME PROPERTY INTEREST FROM THE PROPERTY OWNER, DRAWING FROM TEMPORARY CONSTRUCTION EASEMENTS TO THE PERMANENT TAKING OF PROPERTY.

TAX ID NO.	PROPERTY OWNER
01	1983201410 CITY INVESTORS XI LLC
02	1983201489 CITY INVESTORS XI LLC
03	1983201405 CITY INVESTORS XI LLC
04	1983200065 CITY INVESTORS IX LLC
05	1983200075 CITY INVESTORS IX LLC
06	1983200180 CITY INVESTORS IX LLC
07	1983200196 CITY INVESTORS IX LLC
08	1983200150 LAKE UNION 1 LLC
09	1983200075 CITY INVESTORS XI LLC
10	1983200325 CITY INVESTORS XI LLC

TAX ID NO.	PROPERTY OWNER
11	1983200685 CITY INVESTORS XI LLC
12	1983200335 LOWER PARKLY LIMITED PART
13	1983200336 LOWER PARKLY LIMITED PART
14	1983200040 ONA W. COLLAMAN AKA ONA D. COLLAMAN
15	1983200645 509 FAIRVIEW PARTNERS, LLC
16	1983200646 REPUBLICAN STREET APTS LLC
17	1983200645 SLODPOOM DAVID R & CALYDA
18	1983200610 WOULD-411 PROPERTY LLC
19	1983200615 WOULD-411 PROPERTY LLC
20	1983200625 FAIRVIEW PARTNERS, GENERAL PARTNERSHIP



TAX ID NO.	PROPERTY OWNER
21	2467400120 HILAND ROBIN E
22	7643500040 NICHOLINA POINT LP
23	7643500020 649-430 FAIRVIEW AVE LLC
24	2249000055 CITY INVESTORS IX LLC
25	2249000040 CITY INVESTORS IX LLC
26	2249000006 CITY INVESTORS IX LLC
27	4088000385 CITY INVESTORS IX LLC
28	4088000355 COMOCORHILLS CO.
29	1907200015 COMOCORHILLS CO.
30	1903200616 HIGHLAND A JR & HELENZ

TAX ID NO.	PROPERTY OWNER
31	1983200415 CITY INVESTORS XI LLC
32	1983200565 CITY INVESTORS XI LLC
33	1983200560 CITY INVESTORS XI LLC
34	1983200499 CITY INVESTORS XI LLC
35	1983200469 CITY INVESTORS XI LLC
36	1983200460 CITY INVESTORS XI LLC
37	1983200465 CITY INVESTORS XI LLC
38	4000000345 CITY INVESTORS XI LLC
39	4000000320 CITY INVESTORS XI LLC
40	2249000000 CITY OF SEATTLE

TAX ID NO.	PROPERTY OWNER
41	4088000325 CITY INVESTORS XI LLC
42	4088000326 CITY INVESTORS XI LLC
43	1983200595 CITY INVESTORS XI LLC
44	1983200325 CITY INVESTORS XI LLC
45	1983200333 CITY INVESTORS XI LLC
46	1983200475 CITY INVESTORS XI LLC
47	1984300035 SHUREBAR STORAGE CENTERS INC
48	2249000025 AMERICAN LINEN SUPPLY CO
49	4000000330 CITY OF SEATTLE
50	4000000345 3 D PROPERTIES LLC

TAX ID NO.	PROPERTY OWNER
51	4088000440 3D PROPERTIES, LLC
52	4088000405 DOYLE M PROPERTIES LLC
53	4088000365 WESTLAKE UNION LP
54	4088000356 ONE HOTEL INVESTORS, INC
55	4088000310 HENRY PROPERTIES GP
56	4088000300 PACIFIC PROPERTIES, NW, LLC
57	4088000395 CITY OF SEATTLE
58	1984200045 GUEST CO-OPERATION
59	4088000400 CITY OF SEATTLE PAINS DEPT
60	4088000320 CITY OF SEATTLE THE
61	4088000375 CITY OF SEATTLE PAINS DEPT
62	1983200425 CITY INVESTORS XI LLC
63	WASHINGTON STATE DEPT OF TRANSPORTATION

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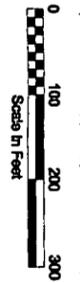
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TAX ID NO.	PROPERTY OWNER
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ATTACHMENT A



**MERCER CORRIDOR PROJECT
CONTACT LIST FOR PROPERTIES AFFECTED (PRELIMINARY 60% DESIGN)**

Project Parcel No.	Tax ID No.	Property Owner	Occupant	Property Owner's (OR Tax Payer's) Address	Property Address (Per King County Tax Records)	Abbreviated Legal Description (Per King County Tax Records)
39	4088803240	CITY INVESTORS XI LLC	Vacant	505 5th Ave So #900, Seattle, WA 98104	965 Valley St 98109	
40	2249000080	CITY OF SEATTLE THE	Parking Lot	Key Tower 700 5th Ave #3900 P.O. Box 34996 Seattle, WA 98124	702 Roy St 98109	
41	4088803235	CITY INVESTORS XI LLC	Vacant	505 5th Ave So #900, Seattle, WA 98104		LAKE UNION SHORE LAND ADD LOT 1 BLK 77 LESS NP RY RW & LEES ST
42	4088803236	CITY INVESTORS XI LLC	RR ROW	505 5th Ave So #900, Seattle, WA 98104	615 Terry Ave N 98109	
43	1983200395	CITY INVESTORS XI LLC	Parking Lot	505 5th Ave So #900, Seattle, WA 98104	625 Boren Ave N 98109	
44	1983200525	CITY INVESTORS XI LLC	Service Repair	505 5th Ave So #900, Seattle, WA 98104	630 Boren Ave N 98109	
45	1983200533	CITY INVESTORS XI LLC	RR ROW	505 5th Ave So #900, Seattle, WA 98104	1144 Mercer St 98109	
46	1983200475	CITY INVESTORS VII LLC	Sport Boat NW	505 5th Ave So #900, Seattle, WA 98104	1123 Terry Ave N 98109	
47	1984200035	SHURGARD STORAGE CENTERS INC	Shurgard	DEPT PT WA 08185 P.O. Box 25025, Glendale, CA 91201	700 Fairview Ave N 98109	
48	2249000285	AMERICAN LINEN SUPPLY CO	Auto Hound	1326 5th Ave #714 Seattle, WA 98104	700 Dexter Ave N 98109	
49	4088803530	THE CITY OF SEATTLE	Seattle P&R Dept. Maintenance	Act Payable P.O. Box 34023 Seattle, WA 98124	800 Aloha St 98109	
50	4088803435	3 D PROPERTIES LLC	Buca D'Beppo	721 9th Ave North Seattle, WA 98109	701 9th Ave N 98109	
51	4088803440	3 D PROPERTIES LLC	Ducati	721 9th Ave North Seattle, WA 98109	701 9th Ave N 98109	
52	4088803485	DOUBLE M PROPERTIES LLC	Maaco Auto Paint	c/o MACD 739 9th Ave North, Seattle, WA 98109	739 9th Ave N 98109	
53	4088803565	WESTLAKE UNION LP	KPG	753 9th Ave North, Seattle, WA 98109	7539th Ave N 98109	
54	4088803586	CNL HOTEL INVESTORS INC	Marriott Residence Inn	14185 Dallas PKWY Ste 1100 Dallas, TX 75254/	925 Westlake Ave N 98109	
55	4088803510	KENNEY PROPERTIES GP	Jillian's Billiard Club	721 9th Ave North Seattle, WA 98109	731 Westlake Ave N 98109	
56	4088803500	PACIFIC PROPERTIES NW, LLC	Outback/Bonefish/Tap Plastic	721 9th Ave North Seattle, WA 98109	707 Westlake Ave N 98109	
57	4088803495	THE CITY OF SEATTLE	Tin Cup/Parking	Key Tower 700 5th Ave #3900 P.O. Box 34996 Seattle, WA 98124	900 Roy St 98109	
58	1984200065	QWEST CORPORATION	Marriott Residence Inn	814 E Main St Richmond, VA 23219	800 Fairview Ave N 98109	
59	4088803600	CITY OF SEATTLE PARKS DEPT	SLU Park	Property Management 800 Maynard Ave S-3rd Fir Seattle, WA 98134	900 Westlake Ave N 98109	
60	4088803230	CITY OF SEATTLE THE	SLU Park	Property Management 800 Maynard Ave S-3rd Fir Seattle, WA 98134		LAKE UNION SHORE LANDS ADD BLK 75
61	4088803175	CITY OF SEATTLE PARKS DEPT	SLU Park	Property Management 800 Maynard Ave S-3rd Fir Seattle, WA 98134	1000 Valley St 98109	
62	1983200425	CITY INVESTORS XIII LLC	Daniels	505 5th Ave So #900, Seattle, WA 98104		DENNYS DT 1ST ADD PAR B LESS LOTS 10-11 BLK 105 DT DENNTS 1ST ADD & LOTS 1-2-3 & POR 4 BLK 73 LAKE UNION SHORE LANDS & POR VAC ALLEY ADJ IN SEA SP #76-34 REC #7703040667 SD SP DAF ALL BLK 105 DT DENNYS 1ST ADD TGW BLK 73 LAKE UNION SHORE LANDS & VAC ALLEY ADJ LESS ST AKA PAR B SEA LLA #8502464 REC #8511120965
63		SECRETARY WASHINGTON STATE DEPARTMENT OF TRANSPORTATION		P.O. BOX 47316 Olympia, WA 98504-7316		SR 5 SEATTLE FREEWAY OLIVE WAY TO GALER ST SHEETS 4, 5 & 6

Note:
All of the parcels on this Contact List will be affected by the Mercer Corridor Project. All will involve the City's acquisition of some property interest from the property owner, ranging from temporary construction easements to the permanent taking of property.



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle Department of Transportation	Larry Huggins 684-5001	Stephen Barham 733-9084

Legislation Title:

AN ORDINANCE relating to the Mercer Corridor Project; authorizing the Director of Transportation to acquire all of the property rights necessary for reconstructing the existing Mercer Street/Valley Street couplet with a widened two-way Mercer Street and a reduction of lanes on Valley Street between Interstate 5 (I-5) and Dexter Avenue; and authorizing acquisition of real property rights within the area bounded by Aloha Street on the north and Republican Street on the south through negotiation and use of eminent domain (condemnation); and authorizing payment of all other costs associated with the acquisition.

Summary and background of the Legislation:

This proposed legislation authorizes the Seattle Department of Transportation (SDOT) to acquire real property necessary for completion of the Mercer Corridor Project as envisioned below.

The Seattle City Council adopted Resolution 30610 in 2003 setting forth priorities to support redevelopment of the South Lake Union area including making transportation improvements to reconnect the South Lake Union street grid and promote connections with downtown and the Seattle Center, and promoting pedestrian-oriented improvements. Furthermore, the Council adopted Resolution 30714 in 2004, recommending a two-way Mercer Boulevard and narrowed Valley Street be developed, subject to a Full NEPA Environmental Assessment.

Replacing the existing Mercer Street/Valley Street couplet with a widened two-way Mercer Street would provide more direct access to and from Interstate 5 (I-5). Mercer Street would be widened primarily to the north, and Valley Street would be narrowed to a two-lane street with parking and bicycle lanes in each direction. Pedestrian and bicycle circulation would be improved by widening sidewalks and removing barriers caused by the existing couplet, providing additional crossings of Mercer and Valley Streets.

Project Name:	Project I.D.	Project Location:	Start Date:	End Date
Mercer Corridor	TC365500	south end of Lake Union	1 st Qtr 1999	4 th Qtr 2010

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



This legislation creates, funds, or anticipates a new CIP Project. (Please note whether the current CIP is being amended through this ordinance, or provide the Ordinance or Council Bill number of the separate legislation that has amended/is amending the CIP.)

 This legislation does not have any financial implications. (Stop here and delete the remainder of this document prior to saving and printing.)

 X **This legislation has financial implications.** (Please complete all relevant sections that follow.)

Appropriations: This table should reflect appropriations that are a direct result of this legislation. In the event that the projects associated with this ordinance have appropriations that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below. Finally, if this legislation does not directly change an appropriation, but results in budget authority being moved within a Budget Control Level, or to a Budget Control Level (up to 10%), please explain in the Notes section below.

Fund Name and Number	Department	Budget Control Level*	2007 Appropriation	2008 Anticipated Appropriation
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Notes: Appropriations to support this legislation were made in the Adopted 2007 Budget as modified by Ordinance 122417. Any additional appropriation will be made as part of the adoption of the 2008 Budget.

Spending Plan and Future Appropriations for Capital Projects: Please list the timing of anticipated appropriation authority requests and expected spending plan. In addition, please identify your cost estimate methodology including inflation assumptions, the projected costs of meeting applicable LEED standards, and the percent for art and design as appropriate.

Spending Plan and Budget	2007	2008	2009	2010	2011	2012	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations							



Notes: The spending plan and future anticipated appropriations are in the Adopted 2007 Budget as modified by Ordinance 122417. Any future additions or changes will be made as part of the adoption of the 2008 Budget.

Funding source: Identify funding sources including revenue generated from the project and the expected level of funding from each source.

Funding Source (Fund Name and Number, if applicable)	2007	2008	2009	2010	2011	2012	Total
Transportation Funding Package – Parking Tax							
Interfund Loan							
Regional Transportation Investment District Funds							
Transportation Funding Package – Bonds							
To Be Determined							
TOTAL							

Notes: Funding sources to support this legislation are in the Adopted 2007 Budget and in Ordinance 122417. Any future additions or changes will be made as part of the adoption of the 2008 Budget.

Bond Financing Required: If the project or program requires financing, please list type of financing, amount, interest rate, term and annual debt service or payment amount. Please include issuance costs of 3% in listed amount.

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
TOTAL					

Bond financing sources to support this legislation will be accomplished as part of the adoption of the 2008 Budget.

Uses and Sources for Operation and Maintenance Costs for the Project: Estimate cost of one-time startup, operating and maintaining the project over a six year period and identify



each fund source available. Estimate the annual savings of implementing the LEED Silver standard. Identify key assumptions such as staffing required, assumed utility usage and rates and other potential drivers of the facility's cost.

O&M	2007	2008	2009	2010	2011	2012	Total
Uses							
Start Up							
On-going							
Sources (itemize)							

Notes: Not applicable.

Periodic Major Maintenance costs for the project: Estimate capital cost of performing periodic maintenance over life of facility. Please identify major work items, frequency.

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TBD			
TOTAL			

Funding sources for replacement of project: Identify possible and/or recommended method of financing the project replacement costs.

Not applicable.

Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE

Impact: This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below the table.

Position Title and Department*	Fund Name	Fund Number	Part-Time/Full Time	2007 Positions	2007 FTE	2008 Positions**	2008 FTE**
N/A							
TOTAL							

* List each position separately

** 2008 positions and FTE are total 2008 position changes resulting from this legislation, not incremental changes. Therefore, under 2008, please be sure to include any continuing positions from 2007.

Notes:

- **Do positions sunset in the future?** (If yes, identify sunset date): N/A



- **What is the financial cost of not implementing the legislation:** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):*

If the legislation is not implemented, significant modifications to the Mercer Corridor Project would be required, which would increase the scope, schedule and budget beyond current levels of funding.

Delay in the ability to acquire right-of-way may ultimately increase costs due to inflation and an increasingly competitive bidding climate driven, in part, by a large volume of regional construction work anticipated in the next few years.

Property acquisition is critical to timely completion of the Project. The current schedule and cost estimates are based upon completion of the design and right-of-way acquisition work by the end of 2008 in order to begin construction during the 1st Quarter of 2009.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives** *(Include any potential alternatives to the proposed legislation, including using an existing facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an outside organization to provide the services the proposed project would fill, or other alternatives):*

None.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future?)*

A CLEAN Hearing was held in 2004. No further hearings are anticipated.

- **Other Issues** *(including long-term implications of the legislation):*

Please list attachments to the fiscal note below:

FILED
CITY OF SEATTLE

07 SEP 27 AM 9:29

CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--SS.

215201
CITY OF SEATTLE:SDOT

No. CONDEMNATION

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:MERCER IS CORRIDOR

was published on

09/07/07 09/14/07

The amount of the fee charged for the foregoing publication is the sum of \$ 153.46, which amount has been paid in full.



Samela Ozlosky

Subscribed and sworn to before me on

09/14/07

[Signature]
Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

NOTICE OF PUBLIC MEETING

Notice of Public Meeting and
Planned Final Action by the Seattle
City Council Regarding Mercer Street
Corridor Project Property Acquisition
Ordinance, Authorizing Property
Acquisition by Negotiation and/or
Eminent Domain (Condemnation)

Attention all parties holding an interest in the following King County Tax Parcel Numbers located in Seattle Washington:
198820-1410, -1480, -1485, 198820-0065,
-0075, -0180, -0196, -0150, -0375, -0325, -
0585, -0535, -0536, -0540, -0545, -0560,
-0605, -0810, -0815, -0625, -0416, -0415,
-0505, -0500, -0495, -0485, -0480, -0405,
-0395, -0525, -0533, -0475, -0425, 246740-
0120, 786350-0040, -0020, 224900-0055,
-0040, -0008, -0080, -0235, 408880-3385,
-3855, -3345, -3240, -3235, -3236, -3530,
-3435, -3440, -3485, -3565, -3586, -3510,
-3500, -3495, -3600, -3230, -3175, 198720-
0015, 198420-0035, -0065.

The City of Seattle hereby notifies you of a planned meeting to consider an Ordinance of the Seattle City Council authorizing the acquisition of all property rights needed for the Mercer Street Corridor project for public purposes, through negotiation and/or the exercise of eminent domain (condemnation). This meeting, which is open to the public, will be held at 2:00 p.m. on Monday, September 24, 2007, at the City Council's chambers located at 601 5th Avenue, 2nd Floor, Seattle, WA. At the meeting, the City Council is expected to take final action on the Ordinance, which authorizes acquisition by negotiation and/or condemnation of all or a portion of each of the properties identified above, either temporarily or permanently, for the project. The City is required by new law HB 1485 (Chapter 68, 2007 Laws) to provide notice before the City takes final action authorizing condemnation of property.

If you have questions about the project, Ordinance, or City Council meeting, please contact Mary Jung, SDOT Real Property Supervisor, at (206) 684-7561, or visit the City Council's website at: www.seattle.gov/council/ General information about the

Mercer Street Corridor Project can be found at:

www.seattle.gov/transportation/ppmp-merc.htm

Dates of publication in the Seattle Daily Journal of Commerce, September 7 and 14, 2007.

9/14(215201)

DAILY JOURNAL OF COMMERCE

PO BOX 11050, SEATTLE, WA 98111
206-622-8272 FAX 206-622-8416

Federal I.D. #91-0193790

ADVERTISING INVOICE

1 BILLING PERIOD		2 ADVERTISER/CLIENT NAME	
09/14/07 - 09/14/07		CITY OF SEATTLE:SDOT	
23 TOTAL AMOUNT DUE	24 INVOICE NO.	3 TERMS OF PAYMENT	
153.46	3195657	Net 30	

8 BILLED ACCOUNT NAME AND ADDRESS		4 PAGE#	5 BILLING DATE
TOM PELOQUIN CITY OF SEATTLE:SDOT PO BOX 34996 SEATTLE WA 98124-4996		1	09/14/07
		6 BILLED ACCOUNT NUMBER	
		6015	
		7 ADVERTISER/CLIENT NUMBER	

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

10 DATE	11 NEWSPAPER REFERENCE	12 13 14 DESCRIPTION-OTHER COMMENTS/CHARGES	15 SAU SIZE 16 BILLED UNITS	17 TIMES RUN 18 RATE	19 GROSS AMOUNT	20 NET AMOUNT
09/07	215201 09/07	CT:MERCER IS CORRIDOR CONDEMNATION LEANNE NELSON	1x5.51 5.51	1 13.95		76.73
09/14	215201 09/14	CT:MERCER IS CORRIDOR CONDEMNATION LEANNE NELSON	1x5.51 5.51	1 13.95		76.73

Daily Journal of Commerce	24 INVOICE NUMBER	6 BILLED ACCOUNT NUMBER	2 ADVERTISER/CLIENT NAME	23 TOTAL AMOUNT DUE
PO BOX 11050, SEATTLE, WA 98111	3195657	6015	CITY OF SEATTLE:SDOT	153.46

Notice of Public Meeting and Planned Final Action by the Seattle City Council Regarding Mercer Street Corridor Project Property Acquisition Ordinance, Authorizing Property Acquisition by Negotiation and/or Eminent Domain (Condemnation) Attention all parties holding an interest in the following King County Tax Parcel Numbers located in Seattle Washington: 198820-1410, -1420, -1426, 198220-0065, -0075, -0180, -0190, -0150, -0375, -0325, -0585, -0595, -0536, -0540, -0545, -0560, -0665, -0610, -0615, -0625, -0416, -0415, -0505, -0500, -0495, -0485, -0480, -0405, -0395, -0525, -0530, -0475, -0425, 245740-0120, 786350-0040, -0020, 224900-0055, 0040, -0006, -0080, -0285, 408880-3385, -3355, -3345, -3240, -3235, -3236, -3520, -3425, -3460, -3485, -3565, -3585, -3570, -3500, -3495, -2600, -2720, -3175, 198720-0015, 198420-0035, -0065.

To: Leanne Nelson
 FR: Kathy Baldwin

2 pgs.

The City of Seattle hereby notifies you of a planned meeting to consider an Ordinance of the Seattle City Council authorizing the acquisition of all property rights needed for the Mercer Street Corridor project for public purposes, through negotiation and/or the exercise of eminent domain (condemnation). This meeting, which is open to the public, will be held at 2:00 p. m. on Monday, September 24, 2007, at the City Council's chamber located at 601 5th Avenue, 1st Floor, Seattle, WA. At the meeting, the City Council is expected to take final action on the Ordinance, which authorizes acquisition by negotiation and/or condemnation of all or a portion of each of the properties identified above, either temporarily or permanently, for the project. The City is required by new law HB 1485 (Chapter 68, 2007 Laws) to provide notice before the City takes final action authorizing condemnation of property.

If you have questions about the project, Ordinance, or City Council meetings, please contact Mary Jung, SDOT Real Property Supervisor, at (206) 884-7561, or visit the City Council's website at: www.seattle.gov/council/ Generally, information about the Mercer Street Corridor Project can be found at: www.seattle.gov/transportation/comm_mercer.htm

The Seattle Times, representing the Seattle Post-Intelligencer

Customer: SEATTLE DEPT OF TRANS Phone: 2066845912
 Type: TRAN Contract Number: 0
 Address: PO BOX 34996
 SEATTLE WA 98124
 Ad Number: 3790951 Version: 3
 Bill To: 1700587 Placed For: 1700587
 Bill To Admc: 013551904 Place For Admc: 013551904
 Sort: NOTICE OF PUBLIC MEETING AND PLANNED FI
 Price: \$1036.80 RC: TLNA
 Class: 381; PUBLIC NOTICES Size: 1 (columns) x 72.00 (lines)
 Caller: EMAIL
 Insert Dates: 09/07/2007 09/07/2007 09/07/2007

Notice of Public Meeting and Planned Final Action by the Seattle City Council Regarding Mercer Street Corridor Project Property Acquisition Ordinance, Authorizing Property Acquisition by Negotiation and/or Eminent Domain (Condemnation). Attention all parties holding an interest in the following King County

Tax Parcel Numbers located in Seattle, Washington: 198820-1410, -1420, -1465, 198820-0065, -0075, -0180, -0195, -0190, -0375, -0375, -0585, -0535, -0536, -0540, -0545, -0560, -0605, -0610, -0615, -0625, -0416, -0415, -0505, -0500, -0505, -0485, -0480, -0405, -0395, -0395, -0530, -0475, -0425, 246740-0110, 246740-0040, -0020, 224900-0055, -0040, -0066, -0080, -0285, 408880-3385, -3355, -3345, -3240, -3235, -3236, -3530, -3405, -3440, -3485, -3565, -3586, -3510, -3500, -3495, -3600, -3230, -3175, 198720-0015, 198420-0035, -0065.

The City of Seattle hereby notifies you of a planned meeting to consider an Ordinance of the Seattle City Council authorizing the acquisition of all property rights needed for the Mercer Street Corridor Project for public purposes, through negotiation and/or the exercise of eminent domain (condemnation). This meeting, which is open to the public, will be held at 2:00 p.m. on Monday, September 24, 2007, at the City Council's chambers located at 601 5th Avenue, 2nd Floor, Seattle, WA. At this meeting, the City Council is expected to take final action on the Ordinance, which authorizes acquisition by negotiation and/or condemnation of all or a portion of each of the properties identified above, either temporarily or permanently, for the project. The City is required by new law HB 1485 (Chapter 68, 2007 Laws) to provide notice before the City takes final action authorizing condemnation of property.

If you have questions about the project, Ordinance, or City Council meeting, please contact Mary Jung, SDOT Real Property Supervisor, at (206) 684-7561, or visit the City Council's website at:

www.seattle.gov/council/GeneralInformationAboutTheMercerStreetCorridorProject can be found at:
www.seattle.gov/transportation/arc/arc-mercercor.htm

The Seattle Times, representing the Seattle Post-Intelligencer

Customer: SEATTLE DEPT OF TRANS Phone: 2066845912
 Type: TRAN Contract Number: 0
 Address: PO BOX 34996
 SEATTLE WA 98124
 Ad number: 3790991 Version: 2
 Bill To: 1700587 Placed For: 1700587
 Bill To Admc: 013551904 Place For Admc: 013551904
 Sort: NOTICE OF PUBLIC MEETING AND PLANNED FI
 Price: \$1008.34 RC: TLNA
 Class: 381; PUBLIC NOTICES Size: 1 (columns) x 71.00 (lines)
 Caller: EMAIL
 Insert Dates: 09/14/2007 09/14/2007 09/14/2007



Gregory J. Nickels, Mayor

Seattle Department of Transportation

Grace Crunican, Director

August 30, 2007

BY CERTIFIED MAIL

Re: City of Seattle Mercer Corridor Project

Notice of Seattle City Council Transportation Committee Meeting and Seattle City Council Meeting Authorizing Acquisition of Property for Public Purposes Through Negotiation and the Exercise of Eminent Domain (Condemnation)

Tax Parcel No.

Dear Property Owner:

On Monday, September 24, 2007, the Seattle City Council is expected to vote on an ordinance authorizing the Seattle Department of Transportation to acquire all property rights needed for the Mercer Street Corridor Project. This project will widen Mercer Street between I-5 and Dexter Avenue North to accommodate three lanes of travel in each direction, as well as parking, sidewalks and a median with left-turn lanes. As part of the project, Valley Street will be narrowed to a two-lane, two-way street. A map indicating the project alignment at 60% design is enclosed for your information.

Public records indicate that you own the property identified above. All or a portion of your property will be needed, either temporarily or permanently, for the Mercer Street Corridor Project.

The City is required by new law HB 1485 (Chapter 68, 2007 Laws) to provide you with formal written notice before the City takes final action authorizing condemnation of property. The City ordinance authorizing property acquisition through negotiation or condemnation will be on the agenda of the Seattle City Council for discussion and vote at the meeting on September 24, 2007. Acquisition of the property identified above will be considered as part of the City Council's final action on the ordinance. If passed by a majority vote of the Councilmembers, the City may acquire property for the Mercer Corridor project from you through negotiations, or the City may use its powers of eminent domain to condemn your property.

The Transportation Committee of the City Council considered this ordinance at its August 14, 2007 public meeting, and the Committee received public comment. Following discussion, the Committee voted 4-1 to send the ordinance on to the full City Council for its consideration.



Key Tower, 700 5th Avenue, Suite 3900, Seattle, WA 98104-5043
Tel: (206) 684-ROAD (684-7623), TTY/TDD (206) 684-4009, FAX: (206) 684-5180
Internet address: <http://www.seattle.gov/transportation>
An equal employment opportunity employer.
Accommodations for people with disabilities provided on request.

If you wish to attend the City Council meeting, the Council meets at 2:00 p.m. in the City Council chambers, which are located at 601 5th Avenue, 2nd Floor, Seattle, WA. Council meetings are open to the public and the Council's chambers and offices are physically accessible; print and communications access are provided on request. Call 206-684-8888 (TDD: 206-233-0025) for further information.

If you would like, you will have the opportunity to express your views on the ordinance during the public comment section of the City Council meeting. Public comments are received by the City Council at the start of the meeting and are generally limited to two (2) minutes per speaker. There will be a sign-up sheet for those wishing to comment.

If you have questions about the City Council meeting format, the agenda for the meeting, or the public comment section, please contact Jodie Vice (staff to Transportation Chair Jan Drago) at 206-684-5345, or visit the City Council's website at the following address: www.seattle.gov/council/ Note that the Council meeting agenda is not available generally until the previous Friday (September 21, 2007).

General information about the Mercer Street Corridor Project can be found on the City's website at the following address: www.seattle.gov/transportation/ppmp_mercer.htm

Thank you.

Mary Jung
SDOT Real Property Supervisor
Seattle Department of Transportation – SMT 39-00
P.O. Box 34996
Seattle, WA 98124-4996
(206) 684-7561

Enclosure: Mercer Corridor Project, 60% Design Map

cc: Councilmember Jan Drago, Chair, Transportation Committee
Councilmember Peter Steinbrueck, Vice Chair, Transportation Committee



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 24, 2007

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Licata:

I am transmitting the attached proposed Council Bill that authorizes the Director of Transportation to acquire all of the property rights to reconstruct and replace the existing Mercer Street/Valley Street corridor with a widened two-way Mercer Street.

The Seattle City Council passed Resolution 30610 in 2003, setting forth priorities to support redevelopment of the South Lake Union area. Priorities included making transportation improvements to reconnect the South Lake Union street grid, promoting connections with downtown and the Seattle Center, and supporting pedestrian-oriented improvements. Replacing the existing Mercer Street/Valley Street couplet with a widened two-way Mercer Street will provide more direct access to and from Interstate 5. Mercer Street would be widened primarily to the north, and Valley Street would be narrowed to a two-lane street with parking and bicycle lanes in each direction. Pedestrian and bicycle circulation would be improved by widening sidewalks and removing barriers caused by the existing couplet, and providing additional crossings of Mercer and Valley Streets.

The proposed Council Bill authorizes the Director of Transportation or her designee to appraise and acquire needed property interests at fair market value through negotiations or, if necessary, through eminent domain (condemnation). The Bill also authorizes payment of all other costs associated with property acquisition for the Mercer Street Project.

Thank you for your consideration of this legislation. Should you have questions, please contact Larry Huggins at 684-5001.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a printed name and title.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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



STATE OF WASHINGTON – KING COUNTY

--SS.

216168
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:122505 ORDINANCE

was published on

10/08/07

The amount of the fee charged for the foregoing publication is the sum of \$ 209.25, which amount has been paid in full.



Paula Glesky

Subscribed and sworn to before me on

10/08/07

[Signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 122505

AN ORDINANCE relating to the Mercer Corridor Project; authorizing the Director of Transportation to acquire all of the property rights necessary for reconstructing the existing Mercer Street/Valley Street couplet with a widened two-way Mercer Street and a reduction of lanes on Valley Street between Interstate 5 (I-5) and Dexter Avenue; and authorizing acquisition of real property rights within the area bounded by Aloha Street on the north and Republican Street on the south through negotiation and use of eminent domain (condemnation); and authorizing payment of all other costs associated with the acquisition.

WHEREAS, the South Lake Union Neighborhood Plan, developed in 1999, envisions a community characterized by a pervasive friendly ambience, variety of open spaces, and an aesthetically pleasing, safe neighborhood embracing dynamic opportunities for people to work, live and recreate with the greatest ease of mobility for all travel modes; and

WHEREAS, the Seattle City Council adopted Resolution 30610 in 2003 setting forth priorities to support redevelopment of the South Lake Union area including making transportation improvements to reconnect the South Lake Union street grid and promoting connections with downtown and the Seattle Center, and promoting pedestrian-oriented improvements; and

WHEREAS, in Resolution 30610, the Seattle City Council affirmed its commitment to support the redevelopment of the South Lake Union area as the region's most competitive location for biotech and high-tech research and manufacturing; and

WHEREAS, the Seattle City Council adopted Resolution 30714 in 2004, recommending a two-way Mercer Boulevard and narrowed Valley Street be developed, subject to a Full NEPA Environmental Assessment; and

WHEREAS, replacing the existing Mercer Street/Valley Street couplet with a widened two-way Mercer Street would provide more direct access to and from I-5, and Mercer Street would be widened approximately sixty (60) feet primarily to the north, and Valley Street would be reduced to a two-lane street with turn lanes, parking and bicycle lanes in each direction; and

WHEREAS, pedestrian and bicycle circulation would be improved by widening sidewalks and removing barriers caused by the existing couplet, providing additional crossings of Mercer and Valley Streets; and

WHEREAS, Council and Executive have worked together to agree upon performance improvements for a two-way Mercer Street and narrowed Valley Street; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Public convenience and necessity require that real property interests generally shown on Attachments A and B of this Ordinance, situated in the City of Seattle, County of King, State of Washington, together with all rights, privileges and other property pertaining thereto, be acquired for transportation and related purposes through negotiations and use of eminent domain (condemnation) if necessary, in connection with reconstructing the existing Mercer Street/Valley Street couplet with a widened two-way Mercer Street and a narrowed two lane Valley Street located at the south end of Lake Union bordered by Aloha Street on the north

and Republican Street on the south, Dexter Avenue on the west side, and I-5 on the east.

Section 2. The Director of Transportation or her designee is authorized, on behalf of the City of Seattle, to determine which portions and interests of those properties shown on Attachments A and B are necessary to this project and to negotiate and enter into written agreements for and acquire, after payment of just compensation, such real property interests as are necessary for the project and to accept and record deeds and other written instruments on behalf of the City of Seattle by attaching to the instrument the Director's written acceptance thereof, and recording the same. The property or real property interests acquired shall be accepted for transportation and general municipal purposes and placed under the jurisdiction of the Seattle Department of Transportation. The cost of the acquisitions including purchase price and transaction costs, together with relocation benefits to the extent required by law, shall be paid from the funds appropriated, or to be appropriated, for such purposes in connection with the project.

Section 3. The City Attorney is authorized to commence and prosecute proceedings in the manner provided by law to condemn, take, damage, and appropriate in fee simple the lands and other property interests determined by the Director of Transportation or her designee to be necessary to the project, provided said lands, rights, and privileges, and other property are to be appropriated and taken only after just compensation has been made or paid into court for the owners thereof, in the manner provided by law; and to stipulate for the purpose of minimizing damages.

Section 4. Any act consistent with the authority and prior to the effective date of the ordinance, including, without limitation, acceptance of a grant of possession and use, is hereby approved and accepted.

Section 5. 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 24th day of September, 2007, and signed by me in open session in authentication of its passage this 24th day of September, 2007.

Nick Licata

President of the City Council

Approved by me this 3rd day of October, 2007.

Gregory J. Nickels, Mayor

Filed by me this 4th day of October, 2007.

(Seal) Judith Pippin

City Clerk

Attachment A - Mercer Corridor Project:
Preliminary Right-of-Way / Properties
Affected Description Map

Attachment B - Contact List for
Properties Affected (Preliminary)

See City Clerk for Attachments

Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily
Journal of Commerce, October 8, 2007.

10/8(216168)