

Ordinance No. 122537

Council Bill No. 116024

AN ORDINANCE related to the City Light Department; authorizing the acquisition by negotiation or condemnation of land and all improvements thereon situated on lots 2 through 6 of block 12 in the Fairview Homestead Addition and lots 1 through 10 of block 13 in the Pontius Fourth Addition, in Seattle, Washington, for electric system purposes.

CF No. _____

| | | |
|------------------------------|-----------------------------|-------------|
| Date Introduced: | 9-24-07 | |
| Date 1st Referred: | To: (committee) | |
| | 9-24-07 Energy - Technology | |
| Date Re - Referred: | To: (committee) | |
| Date Re - Referred: | To: (committee) | |
| Date of Final Passage: | Full Council Vote: | |
| 10-8-07 | 9-0 | |
| Date Presented to Mayor: | Date Approved: | |
| 10-9-07 | 10-11-07 | |
| Date Returned to City Clerk: | Date Published: | T.O. / F.T. |
| 10-12-07 | 3 | ✓ |
| Date Vetoed by Mayor: | Date Veto Published: | |
| Date Passed Over Veto: | Veto Sustained: | |

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Jean Golden
Councilmember

Committee Action:

9/26/07 - DO PASS - JG,DD

10-8-07 Passed As Amended 9-0

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

LAW DEPARTMENT

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

ORDINANCE 122537

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3 AN ORDINANCE related to the City Light Department; authorizing the acquisition by
4 negotiation or condemnation of land and all improvements thereon situated on lots 2
5 through 6 of block 12 in the Fairview Homestead Addition and lots 1 through 10 of block
6 13 in the Pontius Fourth Addition, in Seattle, Washington, for electric system purposes.

7 WHEREAS, Resolution 30610, adopted by the Seattle City Council on June 2, 2003, affirmed
8 the City's commitment to redeveloping the South Lake Union area as a central hub for
9 biotech and high-tech research and manufacturing; and

10 WHEREAS, Resolution 30610 affirmed the City's intent to construct a new electrical substation
11 in the area to support anticipated long-term growth; and

12 WHEREAS, the City Light Department has determined that redevelopment of the South Lake
13 Union area, as well as system-wide capacity and reliability needs, requires the
14 construction and operation of a new electrical substation; and

15 WHEREAS, the 2007 – 2012 Capital Improvement Program for the City Light Department
16 includes Project 7757, South Lake Union Substation Development; and

17 WHEREAS, after studying 59 blocks in the South Lake Union, Cascade and Denny Triangle
18 neighborhoods (together, North Downtown) and considering the City's priorities
19 expressed in Resolution 30610, the City Light Department has determined that
20 acquisition of a portion of the properties bounded by Denny Way, Minor Avenue North,
21 John Street and Yale Avenue North, with frontage on Pontius Avenue North, as legally
22 described below, is necessary for construction and operation of the new electrical
23 substation; and

24 WHEREAS, RCW 35.92.050 authorizes the City to purchase or condemn property for electric
25 utility purposes; and

26 WHEREAS, the City has provided adequate notice to the relevant property owners that the City
27 may take final action to authorize condemnation of the subject properties as required by
28 RCW chapters 8.12 and 8.25; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. 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



1 improvements thereon and rights, privileges and other property pertaining thereto, be acquired,
2 condemned, appropriated and taken for the public use, namely for the construction and operation
3 of an electric substation and other electric system purposes:

4 Lots 2 through 6 inclusive, block 12, supplementary plat of Fairview Homestead Addition
5 for the benefit of mechanics and laborers, according to the plat thereof recorded in
6 volume 7 of plats, page 3 in King County, Washington

7 TOGETHER WITH Lots 1 through 10, inclusive, all in block 13, Pontius Fourth
8 Addition to the City of Seattle, according to the plat recorded in volume 7 of plats, page
9 8, in King County, Washington; except that portion of said lots 1 and 6 conveyed to the
10 City of Seattle for street by deed recorded under recording number 139270

11 (collectively, and together with all improvements thereon and rights, privileges and other
12 property pertaining thereto, the "Property").

13 Section 2. The Superintendent of the City Light Department or his designee is
14 authorized, on behalf of the City, to negotiate and enter agreements to acquire the Property upon
15 payment of just compensation therefor, to accept and record deeds therefor on behalf of the City,
16 and to provide relocation assistance to the occupants of the Property as provided by law.

17 Section 3. The City Attorney is authorized to commence and prosecute proceedings in
18 the manner provided by law to condemn, take, damage and appropriate in fee simple the
19 Property, provided that just compensation has been made or paid into court for the owners
20 thereof in the manner provided by law, to stipulate for the purpose of minimizing damages, and
21 to take such related actions as deemed necessary.

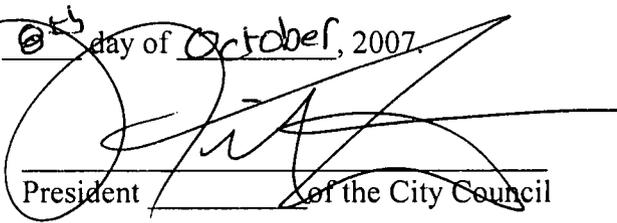
22 Section 4. The Property acquired pursuant to this ordinance shall be placed under the
23 jurisdiction of the City Light Department.
24
25
26
27



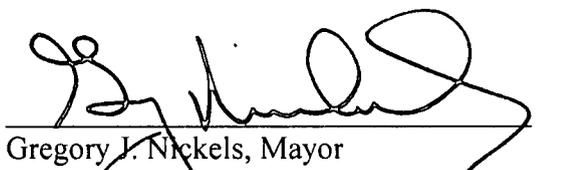
1 Section 5. Any act consistent with this ordinance taken after its passage but prior to its
2 effective date is hereby ratified and confirmed.

3 Section 6. This ordinance shall take effect and be in force thirty (30) days from and after
4 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
5 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

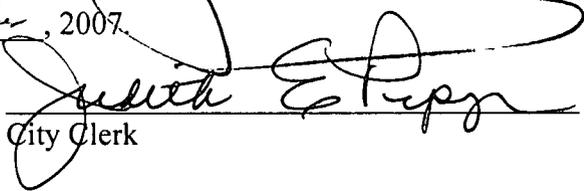
6 Passed by the City Council the 8th day of October, 2007, and signed by me in open
7 session in authentication of its passage this 8th day of October, 2007.

8
9
10 
11 _____
12 President _____ of the City Council

13 Approved by me this 11th day of October, 2007.

14 
15 _____
16 Gregory J. Nickels, Mayor

17 Filed by me this 12th day of October, 2007.

18 
19 _____
20 City Clerk

21 (Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

| | | |
|--------------------|------------------------------|-------------------------------------|
| Department: | Contact Person/Phone: | DOF Analyst/Phone: |
| City Light | Cheryl Crawford/684-3116 | Thomas Dunlap/386-9120 ² |

DEVELOPED BY COUNCIL STAFF,
 NOT REVIEWED BY DOF.

Legislation Title:

AN ORDINANCE related to the City Light Department; authorizing the acquisition by negotiation or condemnation of land and all improvements thereon situated on lots 2 through 6 of block 12 in the Fairview Homestead Addition and lots 1 through 10 of block 13 in the Pontius Fourth Addition, in Seattle, Washington, for electric system purposes.

Summary and background of the Legislation:

Resolution 30610, adopted in 2003, committed the City to making the South Lake Union area the region's most competitive location for biotech research and high-tech manufacturing and research. In keeping with that commitment, the City of Seattle is aggressively focusing efforts toward redevelopment of the South Lake Union and Denny Triangle Urban Centers. The City's vision for this area is a much higher level of density and mixed use residential/commercial development, coupled with biotech and high-tech development. The projected growth and redevelopment of this area will place a higher electrical load than is available in the current system capacity.

A review of the current City Light Capacity Plan and growth demands indicates a very high probability that City Light will need to build a new 200-MVA substation to service the South Lake Union/Denny Triangle Area. City Light needs to insure that we have available property for this high growth area. Even though construction on the property will not start for several years, the increased demand for property and the accelerating development in the area make it necessary to acquire property now rather than later. This will insure a suitable site is available to meet the City's needs.

| Project Name: | Project I.D. | Project Location: | Start Date: | End Date |
|---|---------------------|--------------------------|--------------------|-----------------|
| South Lake Union - Property Acquisition | 7757 | South Lake Union | 2007 | 2008 |

- 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.)

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



The 2008 – 2013 City Light CIP funding for Project 7757 proposes purchasing a suitable substation site in the South Lake Union area. The site specified in the Ordinance title is the desired site. Rapid development and change in the area with accelerated demand for property make it fiscally prudent to purchase a site now. This legislation seeks authorization for City Light's Superintendent to negotiate and execute a purchase and sale agreement for the desired site, or to acquire it through condemnation. City Light will seek Executive and Council consideration and approval of supplemental legislation and spending authority of the South Lake Union Substation site to cover the cost of acquisition of the site when actual costs are known.

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:

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:



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 |
|--|------|------|------|------|------|------|-------|
| | | | | | | | |
| TOTAL | | | | | | | |

Notes:

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 | | | | | |

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:

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 |
|------------------------|-----------|------|-----------------------|
| | | | |
| TOTAL | | | |



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

| |
|--|
| |
|--|

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** |
|--------------------------------|-----------|-------------|-------------------------|-------------------|-------------|---------------------|---------------|
| | | | | | | | |
| | | | | | | | |
| 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):

- **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):

Estimated cost of delaying purchase of property during the next 10 years is 10% per year for the next 2 years and 6% thereafter.

- **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):

It is possible that for a short period of time power could be rerouted from existing substations to serve the area, but in the end, new capacity would still be needed and the overall system reliability would be at a much higher risk of failure.



- **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?) NO. Public comment, if any, will be taken at the October 8, 2007 meeting of the City Council pursuant to state law (Chapter 68, Laws of 2007).*
- **Other Issues** *(including long-term implications of the legislation):*

Please list attachments to the fiscal note below:

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

| | | |
|--------------------|------------------------------|---------------------------|
| Department: | Contact Person/Phone: | DOF Analyst/Phone: |
| City Light | Grace Hartley/684-3687 | Thomas Dunlap 6-9120 |

Legislation Title:

AN ORDINANCE related to the City Light Department; authorizing the acquisition by negotiation or condemnation of land and all improvements thereon situated on lots 2 through 6 of block 12 in the Fairview Homestead Addition and lots 1 through 10 of block 13 in the Pontius Fourth Addition, in Seattle, Washington, for electric system purposes.

Summary and background of the Legislation:

Resolution 30610, adopted in 2003, committed the City to making the South Lake Union area the region's most competitive location for biotech research and high-tech manufacturing and research. In keeping with that commitment, the City of Seattle is aggressively focusing efforts toward redevelopment of the South Lake Union and Denny Triangle Urban Centers. The City's vision for this area is a much higher level of density and mixed use residential/commercial development, coupled with biotech and high-tech development. The projected growth and redevelopment of this area will place a higher electrical load than is available in the current system capacity.

A review of the current City Light Capacity Plan and growth demands indicates a very high probability that City Light will need to build a new 200-MVA substation to service the South Lake Union/Denny Triangle Area. City Light needs to insure that we have available property for this high growth area. Even though construction on the property will not start for several years, the increased demand for property and the accelerating development in the area make it necessary to acquire property now rather than later. This will insure a suitable site is available to meet the City's needs.

| Project Name: | Project I.D. | Project Location: | Start Date: | End Date |
|---|---------------------|--------------------------|--------------------|-----------------|
| South Lake Union – Property Acquisition | 7757 | South Lake Union | 2006 | 2007 |

- *Please check any of the following that apply:*
 This legislation creates, funds, or anticipates a new CIP Project. Current City Light CIP funding for Project 7757 contemplates securing an option to purchase a suitable substation site in the South Lake Union area. The site specified in the Ordinance title is the desired site. Rapid development and change in the area with accelerated demand for property make it fiscally prudent to move up the acquisition date and pursue purchase of a site now. This legislation seeks authorization for City Light's Superintendent to negotiate and execute



an option or purchase agreement for the desired site, or to acquire it through condemnation. City Light will seek Executive and Council consideration and approval of supplemental legislation and spending authority for the South Lake Union Substation site to cover the cost of acquisition of the site when actual costs are known.

City Light will schedule executive briefing sessions to present estimates of what it will take to secure the property. Inclusion of estimated amounts for acquisition in this document at this time would compromise the Utility's negotiation posture.

(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.

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* | 2006 Appropriation | 2007 Anticipated Appropriation |
|----------------------|------------|--|--------------------|--|
| Light Fund (41000) | City Light | Customer Service and Energy Delivery BCL, (SCL350) | | TBD; entry to be made when appropriate |
| TOTAL | | | | |

In 1,000's

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

The remaining sections and attachments to this fiscal note will be entered upon completion of successful purchase negotiations for the desired site or during condemnation proceedings. Estimated values for future entry in this document and attachments to it will be shared with the elected City officials in executive sessions.

Notes: The sum of \$3,445,000 is allocated in the City Light 2006 CIP budget for negotiations site owners, an option to purchase, or earnest money for purchase of a future site.



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. In 1,000's.

| Spending Plan and Budget | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Total |
|----------------------------|---------|------|------|------|------|------|-------|
| Spending Plan | \$3,445 | TBD | | | | | |
| Current Year Appropriation | \$3,445 | | | | | | |
| Future Appropriations | | | | | | | |

Notes:

Funding source: Identify funding sources including revenue generated from the project and the expected level of funding from each source. In 1,000''

| Funding Source (Fund Name and Number, if applicable) | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Total |
|--|----------------|------|------|------|------|------|-------|
| Light Fund (41000) | \$3,445 | | | | | | |
| TOTAL | \$3,445 | | | | | | |

Notes:

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. N/A

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



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 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Total |
|-------------------|------|------|------|------|------|------|-------|
| Uses | | | | | | | |
| Start Up | | | | | | | |
| On-going | | | | | | | |
| Sources (itemize) | | | | | | | |
| | | | | | | | |

Notes: All funds for purchase of the site are from CIP. However, it is anticipated that some funds will be generated after purchase from short-term rental of the facilities on the site and parking revenue.

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 |
|------------------------|-----------|------|-----------------------|
| See note | | | |
| TOTAL | | | |

Note: No major maintenance is anticipated for this purchase. There will be some general maintenance of any property purchased, but the cost is expected to come from revenue generated from rental of the property and general parking.

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

| |
|-----|
| N/A |
|-----|

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 | 2006 Positions | 2006 FTE | 2007 Positions** | 2007 FTE** |
|--------------------------------|-----------|-------------|----------------------|----------------|----------|------------------|------------|
| None | | | | | | | |
| TOTAL | | | | | | | |

* List each position separately



**** 2007 positions and FTE are total 2007 position changes resulting from this legislation, not incremental changes. Therefore, under 2007, please be sure to include any continuing positions from 2006.**

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):

Estimated cost of delaying purchase of property during the next 10 years is 10% per year for the next 2 years and 6% thereafter. (See attachment Exhibit 1)

- **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):

It is possible that for a short period of time power could be rerouted from existing substations to serve the area, but in the end, new capacity would still be needed and the overall system reliability would be at a much higher risk of failure.

- **Is the legislation subject to public hearing requirements:** YES (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?)

There have been no public hearing to date because a site had not been selected. Now that a site has been chosen, public comment on the selected will be heard at Council committee hearings on the prospective purchase of the site considered for purchase.

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

Please list attachments to the fiscal note below:

Exhibit 1: 10-Year Projected Cost of Waiting to Purchase Property

10 YEAR PROJECTED COST OF WAITING TO PURCHASE PROPERTY

ASSUMPTIONS

PROPERTY COST TODAY = \$NNN.NN
 PROPERTY INFLATION FIRST 2 YEARS 10%
 PROPERTY INFLATION NEXT 8 YEARS 6%

| | ESTIMATED COST OF \$20,000,000 | | ESTIMATED COST OF 30,000,000 | |
|-------------|---------------------------------------|---------------------|-------------------------------------|---------------------|
| YEAR | VALUE | COST OF WAIT | VALUE | COST OF WAIT |
| 2006 | \$20,000,000 | | \$ 30,000,000 | |
| 2007 | \$22,000,000 | \$2,000,000 | \$ 33,000,000 | \$ 3,000,000 |
| 2008 | \$24,200,000 | \$4,200,000 | \$ 36,300,000 | \$ 6,300,000 |
| 2009 | \$25,652,000 | \$5,652,000 | \$ 38,478,000 | \$ 8,478,000 |
| 2010 | \$27,191,120 | \$7,191,120 | \$ 40,786,680 | \$ 10,786,680 |
| 2011 | \$28,822,587 | \$8,822,587 | \$ 43,233,881 | \$ 13,233,881 |
| 2012 | \$30,551,942 | \$10,551,942 | \$ 45,827,914 | \$ 15,827,914 |
| 2013 | \$32,385,059 | \$12,385,059 | \$ 48,577,588 | \$ 18,577,588 |
| 2014 | \$34,328,163 | \$14,328,163 | \$ 51,492,244 | \$ 21,492,244 |
| 2015 | \$36,387,852 | \$16,387,852 | \$ 54,581,778 | \$ 24,581,778 |
| 2016 | \$38,571,123 | \$18,571,123 | \$ 57,856,685 | \$ 27,856,685 |



STATE OF WASHINGTON - KING COUNTY

--88.

215775
CITY OF SEATTLE

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:PUBL MEETING CONDEMNATION

was published on

09/24/07

The amount of the fee charged for the foregoing publication is the sum of \$ 69.75, which amount has been paid in full.



[Signature]
Subscribed and sworn to before me on

09/25/07

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

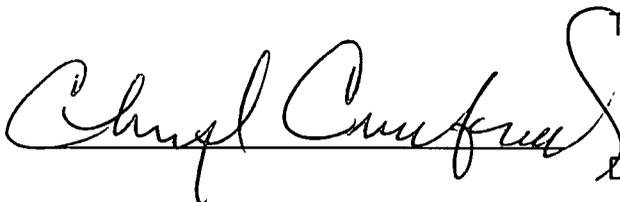
Affidavit of Publication

CERTIFICATE OF MAILING AND PUBLICATION OF NOTICE FOR
CONDEMNATION ORDINANCE 116024

I, Cheryl Crawford, Director, Utility Support Services Division, hereby certify as follows:

1. On the 21st day of September, 2007, I mailed a notice of condemnation, a true and correct representative copy of which is attached and designated as Exhibit A, to those persons whose names and addresses appear on the attached list as Exhibit B.
2. The notices were mailed to the persons and addresses listed in Exhibit B via US Postal Service Certified Mail on the date indicated in Paragraph 1 above.
3. The notice designated in Exhibit A constitutes adequate notice to property owners, pursuant to RCW 8.12 and 8.25, that the City may take final action to authorize condemnation of the subject property.
4. The notice designated in Exhibit A was published in the Seattle Times on September 24, 2007 and September 27, 2007 and the Daily Journal of Commerce on September 24, 2007 and October 2, 2007.
5. A copy of Exhibit A and Exhibit B has been filed with the City Clerk of the City of Seattle.

Dated this 2nd day of October, 2007.


Director

The City of Seattle, Washington

EXHIBIT A

Notice of Public Meeting and Planned Final Action by the Seattle City Council Regarding the North Downtown Substation 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:

#684970 0005 (1250 Denny Way, Block 13 West;

#246840 0075 (121 Pontius, Block 19)

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 Seattle City Light's North Downtown Substation 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, October 8, 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 1458 (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 Cheryl Crawford, Seattle City Light, Real Estate Services Unit at (206) 684-3327 or visit the City Council's website at: www.seattle.gov/council/



City of Seattle

EXHIBIT A

Gregory J. Nickola, Mayor

Seattle City Light

Jorge Carrasco, Superintendent

September 21, 2007

Mr. David Nelson, Sr. Director
Real Estate Department
Vulcan, Inc.
505 Fifth Avenue South
Seattle, Washington 98104

BY CERTIFIED MAIL

Re: Seattle City Light's North Downtown Substation Project

Notice of Seattle City Council Meeting Authorizing Acquisition of Property for Public
Purposes through Negotiation and the Exercise of Eminent Domain (Condemnation)
Tax Parcel No. 246840 0075
(City Investors XVII LLC, 121 Pontius, Block 19)

Dear Property Owner:

On Monday, October 8, 2007 the Seattle City Council is expected to vote on an ordinance authorizing Seattle City Light Department to acquire all property rights needed for the construction and operation of a substation needed for electrical transmission and distribution. Seattle City Light anticipates load growth in north downtown; this project will significantly contribute to system-wide capacity and reliability in serving the South Lake Union/Broad Network Area.

Public records indicate that you own the property identified above. All or a portion of your property will be needed for the North Downtown Substation Project.

The City is required by new law HB 1458 (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 is expected on the agenda of the Seattle City Council for discussion and vote at the meeting on October 8, 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 Council, the City may acquire property for the North Downtown Substation project from you through negotiations, or the City may use its powers of eminent domain to condemn your property.

You have the opportunity to express your views on the Ordinance as a part of the public comment portion of the Council's meeting agenda. Public comments are received by the City

700 Fifth Avenue, PO Box 34023, Seattle, WA 98124-4023

Tel: (206) 684-3000, TTY: (206) 233-7241, Fax: (206) 625-3709

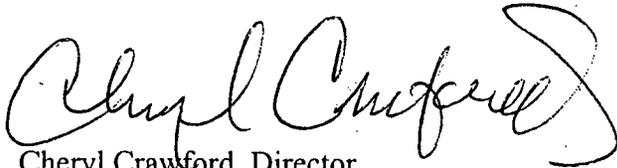
An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

Mr. David Nelson
Vulcan Inc
September 21, 2007
Page 2

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.

The Council meeting begins at 2:00 p.m. in the City Council chambers, which are located at 601 – 5th Avenue, 2nd Floor, Seattle, Washington. If you have questions about the City Council meeting format, the agenda for the meeting or the public comment section, please contact Council staff at (206) 684-8807 or email the Committee staff at www.seattle.gov/council/committees/Committee_Energ.htm

Thank you,



Cheryl Crawford, Director
Utility Support Services Division
Seattle City Light
P.O. Box 34023
Seattle, Washington 98124-4023
(206) 684-3116

cc: Councilmember Jean Godden, Chair, Energy and Technology Committee
Councilmember David Della, Vice-Chair, Energy and Technology Committee



City of Seattle

EXHIBIT A

Gregory J. Nickerson, Mayor

Seattle City Light

Jorge Carrasco, Superintendent

September 21, 2007

Property Owner

121 Pontius

Seattle, Washington 98109

BY CERTIFIED MAIL

Re: Seattle City Light's North Downtown Substation Project

Notice of Seattle City Council Meeting Authorizing Acquisition of Property for Public Purposes through Negotiation and the Exercise of Eminent Domain (Condemnation)
Tax Parcel No. 246840 0075
(City Investors XVII LLC, 121 Pontius, Block 19)

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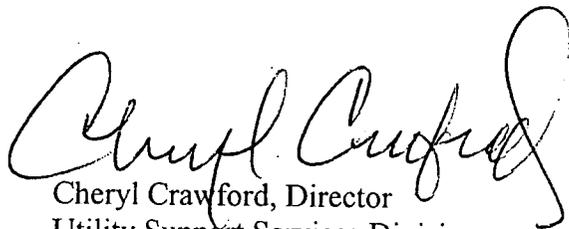
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Property Owner
September 21, 2007
Page 2

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Thank you,



Cheryl Crawford, Director
Utility Support Services Division
Seattle City Light
P.O. Box 34023
Seattle, Washington 98124-4023
(206) 684-3116

cc: Councilmember Jean Godden, Chair, Energy and Technology Committee
Councilmember David Della, Vice-Chair, Energy and Technology Committee



City of Seattle

EXHIBIT A

Gregory I. Nickels, Mayor

Seattle City Light

Jorge Carrasco, Superintendent

September 21, 2007

Mr. Robert Green
Sr. Real Estate Manager
Greyhound Real Estate
350 N. St. Paul Street
Dallas, Texas 75201

BY CERTIFIED MAIL

Re: Seattle City Light's North Downtown Substation Project

Notice of Seattle City Council Meeting Authorizing Acquisition of Property for Public
Purposes through Negotiation and the Exercise of Eminent Domain (Condemnation)
Tax Parcel No. 684970 0005
(Greyhounds Lines Inc. 1250 Denny Way, Block 13 West)

Dear Property Owner:

On Monday, October 8, 2007 the Seattle City Council is expected to vote on an ordinance authorizing Seattle City Light Department to acquire all property rights needed for the construction and operation of a substation needed for electrical transmission and distribution. Seattle City Light anticipates load growth in north downtown; this project will significantly contribute to system-wide capacity and reliability in serving the South Lake Union/Broad Network Area.

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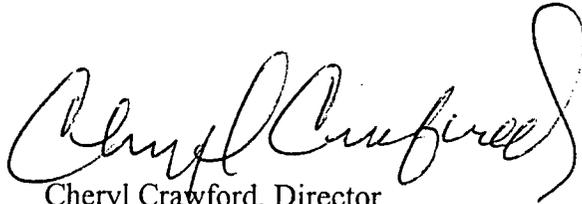
700 Fifth Avenue, PO Box 34023, Seattle, WA 98124-4023
Tel: (206) 684-3000, TTY: (206) 233-7241, Fax: (206) 625-3709

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

Mr. Robert Green
Greyhound Real Estate
September 21, 2007
Page 2

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Thank you,



Cheryl Crawford, Director
Utility Support Services Division
Seattle City Light
P.O. Box 34023
Seattle, Washington 98124-4023
(206) 684-3116

cc: Councilmember Jean Godden, Chair, Energy and Technology Committee
Councilmember David Della, Vice-Chair, Energy and Technology Committee



City of Seattle

EXHIBIT A

Gregory J. Nickels, Mayor

Seattle City Light

Jorge Carrasco, Superintendent

September 21, 2007

Property Owner

1250 Denny Way

Seattle, Washington 98109

BY CERTIFIED MAIL

Re: Seattle City Light's North Downtown Substation Project

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

Tax Parcel No. 684970 0005

(Greyhounds Lines Inc. 1250 Denny Way, Block 13 West)

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700 Fifth Avenue, PO Box 34023, Seattle, WA 98124-4023

Tel: (206) 684-3000, TTY: (206) 233-7241, Fax: (206) 625-3709

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Property Owner
September 21, 2007
Page 2

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Thank you,



Cheryl Crawford, Director
Utility Support Services Division
Seattle City Light
P.O. Box 34023
Seattle, Washington 98124-4023
(206) 684-3116

cc: Councilmember Jean Godden, Chair, Energy and Technology Committee
Councilmember David Della, Vice-Chair, Energy and Technology Committee

EXHIBIT B

Mr. David Nelson, Sr. Director
Real Estate Department
Vulcan, Inc.
505 Fifth Avenue South
Seattle, Washington 98104

Property Owner
121 Pontius
Seattle, Washington 98109

Mr. Robert Green
Sr. Real Estate Manager
Greyhound Real Estate
350 N. St. Paul Street
Dallas, Texas 75201

Property Owner
1250 Denny Way
Seattle, Washington 98109

AFFIDAVIT OF PUBLICATION

State of Washington,
Counties of King and Snohomish,

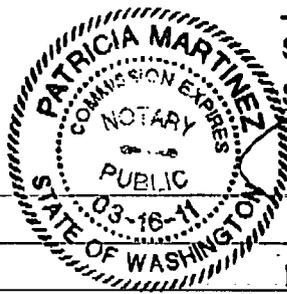
Kathy Baldwin, being duly sworn, says that he/she is an Authorized Agent of The Seattle Times Company, publisher of *The Seattle Times* and representing the Seattle Post-Intelligencer, separate daily newspapers, printed and published in Seattle, King County, State of Washington; that they are newspapers of general circulation in said County and State; that they have been approved as legal newspapers by order of the Superior Court of King County; that the annexed, being a display advertisement, was published in:

| | | |
|--------------------|---------------|--|
| [REDACTED] | [REDACTED] | [REDACTED] |
| Seattle City Light | Seattle Times | 09/24/2007 & 09/27/2007 Ad# 3801062 |

And not in supplement thereof, and is a true copy of the notice as it was printed and/or distributed in the regular and entire issue of said paper or papers during all of said period, and that said newspaper or newspapers were regularly distributed to its subscribers during all of said period.

Kathy Baldwin

Subscribed and sworn to before me this 28th day of
September 2007.



Patricia Martinez

Notary Public in and for the State of Washington residing at Seattle.

RECEIVED

SEP 28 2007

FACILITIES MGMT. DIV.
DIRECTOR'S OFFICE

STATE OF WASHINGTON - KING COUNTY

-ss.

215775
CITY OF SEATTLE

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.

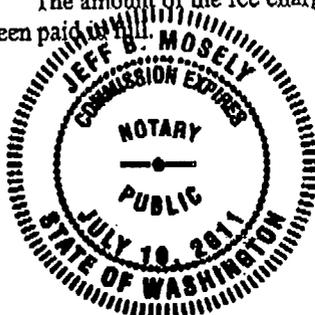
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:PUBL MEETING CONDEMNATION

was published on

09/24/07

The amount of the fee charged for the foregoing publication is the sum of \$ 69.75, which amount has been paid in full.



[Signature]
Subscribed and sworn to before me on

09/25/07

[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 and
Planned Final Action by the Seattle
City Council Regarding the North
Downtown Substation 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:

#684970 0005 (1280 Denny Way, Block 18 West)

#246840 0075 (121 Pontius, Block 19)

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 Seattle City Light's North Downtown Substation 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, October 8, 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 1468 (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 Cheryl Crawford, Seattle City Light, Real Estate Services Unit at (206) 984-3327 or visit the City Council's website at www.seattle.gov/council/

Date of publication in the Seattle Daily Journal of Commerce, September 24, 2007.
3/24(15775)

STATE OF WASHINGTON - KING COUNTY

--SS.

215775
CITY OF SEATTLE

No. SUBSTATION

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:PUBLIC MEETING CONDEMN

was published on

09/24/07 10/02/07

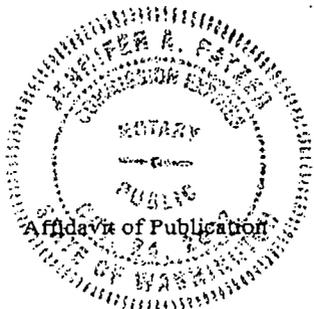
The amount of the fee charged for the foregoing publication is the sum of \$ 69.75, which amount has been paid in full.

Samuel Oglesby

Subscribed and sworn to before me on

10/02/07 *James Taylor*

Notary public for the State of Washington,
residing in Seattle



State of Washington, King County

City of Seattle

Notice of Public Meeting and Planned Final Action by the Seattle City Council Regarding the North Downtown Substation 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:

#584970 0005 (1250 Denny Way, Block 18 West)

#246840 0075 (121 Pontius, Block 19)

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 Seattle City Light's North Downtown Substation Project for public purposes, through negotiation and/or the exercise of eminent domain (condemnation). This meet-

ing, which is open to the public, will be held at 3:00 p.m. on Monday, October 8, 2007, at the City Council's chambers located at 801 6th 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 1458 (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 Cheryl Crawford, Seattle City Light, Real Estate Services Unit at (206) 834-3327 or visit the City Council's website at: www.seattle.gov/council

Dates of publication in the Seattle Daily Journal of Commerce, September 24, October 2, 2007.

10/2(1577)

AFFIDAVIT OF PUBLICATION

State of Washington,
Counties of King and Snohomish,

Kathy Baldwin, being duly sworn, says that he/she is an Authorized Agent of The Seattle Times Company, publisher of *The Seattle Times* and representing the Seattle Post-Intelligencer, separate daily newspapers, printed and published in Seattle, King County, State of Washington; that they are newspapers of general circulation in said County and State; that they have been approved as legal newspapers by order of the Superior Court of King County; that the annexed, being a display advertisement, was published in:

| | | |
|--------------------|---------------|------------------------|
| [REDACTED] | [REDACTED] | [REDACTED] |
| Seattle City Light | Seattle Times | 10/04/2007 Ad# 3801062 |

And not in supplement thereof, and is a true copy of the notice as it was printed and/or distributed in the regular and entire issue of said paper or papers during all of said period, and that said newspaper or newspapers were regularly distributed to its subscribers during all of said period.



Kathy Baldwin
 Subscribed and sworn to before me this 04th day of
October 2007.

Patricia Martinez
 Notary Public in and for the State of Washington residing at Seattle.

Information for employees of Seattle City Light

For Your Information



1 Lots 2 through 6 inclusive, block 12, supplementary plat of Fairview Homestead
2 Addition for the benefit of mechanics and laborers, according to the plat thereof recorded
3 in volume 7 of plats, page 3 in King County, Washington

4 TOGETHER WITH Lots 1 through 10, inclusive, all in block 13, Pontius Fourth
5 Addition to the City of Seattle, according to the plat recorded in volume 7 of plats, page
6 8, in King County, Washington; except that portion of said lots 1 and 6 conveyed to the
7 City of Seattle for street by deed recorded under recording number 139270

8 (collectively, and together with all improvements thereon and rights, privileges and other
9 property pertaining thereto, the "Property").

10 Section 2. The Superintendent of the City Light Department or his designee is
11 authorized, on behalf of the City, to negotiate and enter agreements to acquire the Property upon
12 payment of just compensation therefor, to accept and record deeds therefor on behalf of the City,
13 and to provide relocation assistance to the occupants of the Property as provided by law.

14 Section 3. The City Attorney is authorized to commence and prosecute proceedings in
15 the manner provided by law to condemn, take, damage and appropriate in fee simple the
16 Property, provided that just compensation has been made or paid into court for the owners
17 thereof in the manner provided by law, to stipulate for the purpose of minimizing damages, and
18 to take such related actions as deemed necessary.

19 Section 4. The Property acquired pursuant to this ordinance shall be placed under the
20 jurisdiction of the City Light Department.



1 Section 5. Any act consistent with this ordinance taken after its passage but prior to its
2 effective date is hereby ratified and confirmed.

3 Section 6. This ordinance shall take effect and be in force thirty (30) days from and after
4 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
5 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

6 Passed by the City Council the ____ day of _____, 2006, and signed by me in
7 open session in authentication of its passage this ____ day of _____, 2006.

8
9
10 _____
11 President _____ of the City Council

12 Approved by me this ____ day of _____, 2006.

13
14 _____
15 Gregory J. Nickels, Mayor

16 Filed by me this ____ day of _____, 2006.

17 _____
18 City Clerk

19 (Seal)



STATE OF WASHINGTON - KING COUNTY

-SS.

215775
CITY OF SEATTLE

No.

Affidavit of Publication

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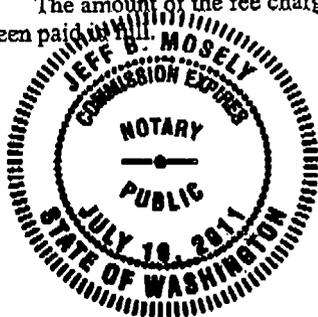
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[Signature]
Subscribed and sworn to before me on

09/25/07

[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 and
Planned Final Action by the Seattle
City Council Regarding the North
Downtown Substation 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:

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13 West)

#246840 0075 (121 Pontiac, Block 19)

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 Seattle City Light's North Downtown
Substation Project for public purposes,
through negotiation and/or the exercise of
eminent domain (condemnation). This meet-
ing, which is open to the public, will be held
at 2:00 p.m. on Monday, October 8, 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 author-
izes acquisition by negotiation and/or con-
demnation of all or a portion of each of the
properties identified above, either temporar-
ily or permanently, for the project. The City
is required by new law HB 1458 (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 Cheryl Crawford, Seattle City Light,
Real Estate Services Unit at (206) 384-3827
or visit the City Council's website at www.seattle.gov/council.

Date of publication in the Seattle Daily
Journal of Commerce, September 24, 2007.
(#200715775)

State of Washington, King County

City of Seattle

ORDINANCE 122537

AN ORDINANCE related to the City Light Department; authorizing the acquisition by negotiation or condemnation of land and all improvements thereon situated on lots 2 through 6 of block 12 in the Fairview Homestead Addition and lots 1 through 10 of block 13 in the Pontius Fourth Addition, in Seattle, Washington, for electric system purposes.

WHEREAS, Resolution 30610, adopted by the Seattle City Council on June 2, 2003,

affirmed the City's commitment to redeveloping the South Lake Union area as a central hub for biotech and high-tech research and manufacturing; and

WHEREAS, Resolution 30610 affirmed the City's intent to construct a new electrical substation in the area to support anticipated long-term growth; and

WHEREAS, the City Light Department has determined that redevelopment of the South Lake Union area, as well as system-wide capacity and reliability needs, requires the construction and operation of a new electrical substation; and

WHEREAS, the 2007 - 2012 Capital Improvement Program for the City Light Department includes Project 7767, South Lake Union Substation Development; and

WHEREAS, after studying 59 blocks in the South Lake Union, Cascade and Denny Triangle neighborhoods (together, North Downtown) and considering the City's priorities expressed in Resolution 30610, the City Light Department has determined that acquisition of a portion of the properties bounded by Denny Way, Minor Avenue North, John Street and Yale Avenue North, with frontage on Pontius Avenue North, as legally described below, is necessary for construction and operation of the new electrical substation; and

WHEREAS, RCW 35.92.050 authorizes the City to purchase or condemn property for electric utility purposes; and

WHEREAS, the City has provided adequate notice to the relevant property owners that the City may take final action to authorize condemnation of the subject properties as required by RCW chapters 8.12 and 8.25; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. 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 improvements thereon and rights, privileges and other property pertaining thereto, be acquired, condemned, appropriated and taken for the public use, namely for the construction and operation of an electric substation and other electric system purposes:

Lots 2 through 6 inclusive, block 12, supplementary plat of Fairview Homestead Addition for the benefit of mechanics and laborers, according to the plat thereof recorded in volume 7 of plats, page 3 in King County, Washington

TOGETHER WITH Lots 1 through 10, inclusive, all in block 13, Pontius Fourth Addition to the City of Seattle, according to the plat recorded in volume 7 of plats, page 8, in King County, Washington; except that portion of said lots 1 and 6 conveyed to the City of Seattle for street by deed recorded under recording number 139270

(collectively, and together with all improvements thereon and rights, privileges and other property pertaining thereto, the "Property").

Section 2. The Superintendent of the City Light Department or his designee is authorized, on behalf of the City, to negotiate and enter agreements to acquire the Property upon payment of just compensation therefor, to accept and record deeds therefor on behalf of the City, and to provide relocation assistance to the occupants of the Property as provided by law.

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 Property, provided that just compensation has been made or paid into court for the owners thereof in the manner provided by law, to stipulate for the purpose of minimizing damages, and to take such related actions as deemed necessary.

Section 4. The Property acquired pursuant to this ordinance shall be placed under the

jurisdiction of the City Light Department.

Section 5. Any act consistent with this ordinance taken after its passage but prior to its effective date is hereby ratified and confirmed.

Section 6. 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 8th day of October, 2007, and signed by me in open session in authentication of its passage this 8th day of October, 2007.

NICK LICATA,

President of the City Council

Approved by me this 11th day of October, 2007.

Gregory J. Nickels, Mayor

Filed by me this 12th day of October, 2007.

(Seal) JUDITH E. PIPPIN,

City Clerk

Date of publication in the Seattle Daily Journal of Commerce, October 24, 2007.

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