

Ordinance No. 122827

Council Bill No. 116331

AN ORDINANCE relating to the Greenwood Avenue N Street Improvements project; authorizing the Director of Transportation to acquire property rights necessary for improving transportation mobility, safety and access and supporting economic development along Greenwood Avenue N from N 105th to N 112th Street; authorizing acquisition of real property rights, through negotiation and use of eminent domain (condemnation); and authorizing payment of all other costs associated with the acquisition.

CF No. \_\_\_\_\_

Date Introduced:	<u>9.15.08</u>	
Date 1st Referred:	To:	Transportation
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>10-13-08</u>	<u>9-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>10-14-08</u>	<u>10.15.08</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
<u>10.16.08</u>	<u>3</u>	
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

### The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: J. Drago  
Councilmember

### Committee Action:

9-30-08 Pass 3-0 JA, RM, SC

10-13-08 Passed 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 122827

1  
2 AN ORDINANCE relating to the Greenwood Avenue N Street Improvements project;  
3 authorizing the Director of Transportation to acquire property rights necessary for  
4 improving transportation mobility, safety and access and supporting economic  
5 development along Greenwood Avenue N from N 105<sup>th</sup> to N 112<sup>th</sup> Street; authorizing  
6 acquisition of real property rights, through negotiation and use of eminent domain  
7 (condemnation); and authorizing payment of all other costs associated with the  
8 acquisition.

9 WHEREAS, in 1998, (updated in 2005) the City adopted the Transportation Strategic Plan that  
10 sets strategies for achieving Seattle Comprehensive Plan Goals; and

11 WHEREAS, the Greenwood Avenue N Street Improvements project consists of a five lane  
12 roadway section with curbs, gutters, sidewalks, landscaping and other roadway  
13 improvements; and

14 WHEREAS, additional property rights are needed to maintain retaining walls with permanent  
15 maintenance easements from private property owners, in conjunction with obtaining  
16 temporary rights from private parties to construct sidewalks and driveways on City-  
17 owned property; and

18 WHEREAS, the project will improve transit access, speed and reliability; mobility for all modes  
19 of transportation; pedestrian safety; streetscape; and support economic development; and

20 WHEREAS, the project is consistent with Seattle Comprehensive Plan and Transportation  
21 Strategic Plan goals to meet the current and future mobility needs of residents, businesses  
22 and visitors with a balanced transportation system, and to make the best use of the City's  
23 limited street capacity while seeking to balance competing uses; NOW, THEREFORE,

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

25 Section 1. Public convenience and necessity require that real property interests generally  
26 shown on Attachments A and B of this Ordinance, situated in the City of Seattle, County of  
27 King, State of Washington, together with all rights, privileges and other property pertaining  
28 thereto, be acquired for transportation and related purposes through negotiations and use of



1 eminent domain (condemnation) if necessary, for constructing a five lane roadway section on  
2 Greenwood Avenue North from North 105<sup>th</sup> to North 112<sup>th</sup> Streets.

3 Section 2. The Director of Transportation or her designee is authorized, on behalf of the  
4 City of Seattle, to determine which portions and interests of those properties shown on  
5 Attachments A and B are necessary to this project and to negotiate and enter into written  
6 agreements for and acquire, after payment of just compensation, such real property interests as  
7 are necessary for the project and to accept and record deeds and other written instruments on  
8 behalf of the City of Seattle by attaching to the instrument the Director's written acceptance  
9 thereof, and recording the same. The property or real property interests acquired shall be  
10 accepted for transportation and general municipal purposes and placed under the jurisdiction of  
11 the Seattle Department of Transportation. The cost of the acquisitions including purchase price  
12 and transaction costs, together with relocation benefits to the extent required by law, shall be paid  
13 from the funds appropriated, or to be appropriated, for such purposes in connection with the  
14 project.  
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18 Section 3. The City is authorized to commence and prosecute proceedings in the manner  
19 provided by law to condemn, take, damage, and appropriate in fee simple the lands and other  
20 property interests determined by the Director of Transportation or her designee to be necessary to  
21 the project, provided said lands, rights, and privileges, and other property are to be appropriated  
22 and taken only after just compensation has been made or paid into court for the owners thereof,  
23 in the manner provided by law; and to stipulate for the purpose of minimizing damages.  
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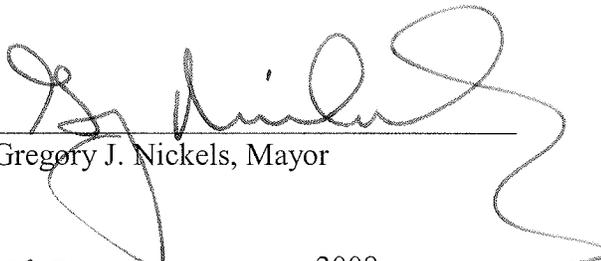
1 Section 4. Any act consistent with the authority and prior to the effective date of the  
2 ordinance, including, without limitation, acceptance of a grant of possession and use, is hereby  
3 approved and accepted.

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

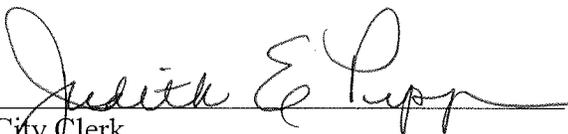
7 Passed by the City Council the 13<sup>th</sup> day of October, 2008, and  
8 signed by me in open session in authentication of its passage this  
9 13<sup>th</sup> day of October, 2008.

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14 President \_\_\_\_\_ of the City Council

15 Approved by me this 15<sup>th</sup> day of October, 2008.

16  
17   
18 Gregory J. Nickels, Mayor

19  
20 Filed by me this 16<sup>th</sup> day of October, 2008.

21  
22   
23 City Clerk

24 (Seal)



Jody Sisson  
SDOT Greenwood Ave N Street Improvements Project  
July 14, 2008  
Version #5a

1 Attachment A: Right of Way/Properties Affected

2 Attachment B: Right-of-Way Plan Ownership Table

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**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Seattle Department of Transportation	Mike Ward, 684-8493	Stephen Barham, 233-9084

**Legislation Title:** AN ORDINANCE relating to the Greenwood Avenue N Street Improvements project; authorizing the Director of Transportation to acquire property rights necessary for improving transportation mobility, safety and access and supporting economic development along Greenwood Avenue N from N 105<sup>th</sup> to N 112<sup>th</sup> Street; authorizing acquisition of real property rights, 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:**

In 2005, the City adopted the updated Transportation Strategic Plan that sets strategies for achieving Seattle Comprehensive Plan goals. This project is consistent with Comprehensive Plan and Strategic Plan goals and strategies to meet the current and future mobility needs of residents, businesses and visitors with a balanced transportation system, and to make the best use of the City's limited street capacity while seeking to balance competing uses.

This project constructs a five-lane roadway section with curbs, gutters, sidewalks, and landscaping. The overall project objective is to enhance mobility for all modes of transportation, including improving pedestrian safety and transit speed and reliability. This project makes streetscape improvements on Greenwood Avenue N and supports economic development in the corridor.

The attached legislation will specifically allow the Seattle Department of Transportation to obtain permanent maintenance easements for the inspection and repair of project retaining walls that adjoin private property.

<b>Project Name:</b>	<b>Project I.D.</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date</b>
Greenwood Avenue N Street Improvements project	TC366380	Greenwood Ave N/ N 105 <sup>th</sup> -Holman Rd/ N 112th	4 <sup>th</sup> Qtr 2005	4 <sup>th</sup> Qtr 2011



- 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 had, or will have, appropriations in other legislation, please provide details in the Notes section below. If this legislation does not directly change an appropriation, but results in budget authority being moved within a Budget Control Level, or to another Budget Control Level (up to 10%), please explain in the Notes section below.*

Fund Name and Number	Department	Budget Control Level*	2008 Appropriation	2009 Anticipated Appropriation
<b>TOTAL</b>				

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

**Notes:** Funding appropriated in previous budget ordinances #121660, 121991, and 122298.

***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	2008	2009	2010	2011	2012	2013	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations							

**Notes:** The spending plan and future anticipated appropriations are displayed in the 2008-2013 Adopted CIP.



**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
N/A					
<b>TOTAL</b>					

**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	2008	2009	2010	2011	2012	2013	Total
<b>Uses</b>	N/A						
Start Up							
On-going							
<b>Sources (itemize)</b>	N/A						

**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
N/A			
<b>TOTAL</b>			

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

**Total Regular Positions Created, Modified, 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*	Position # for Existing Positions	Fund Name & #	PT/FT	2008 Positions	2008 FTE	2009 Positions **	2009 FTE **
N/A							
<b>TOTAL</b>							

\* List each position separately

\*\* 2009 positions and FTE are total 2009 position changes resulting from this legislation, not incremental changes. Therefore, under 2009, please be sure to include any continuing positions from 2008.

**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, SDOT will not be able to obtain permanent easements to enable it to periodically inspect and, if needed, repair the small walls next to the adjacent properties.

The Federal Highway Administration (FHWA), one of the project's funding sources, requires that all easements be obtained before it will authorize the local agency to advertise for construction.

- **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?)



Jody Sisson/JS  
SDOT Greenwood Ave N  
August 5, 2008  
Version #5

No

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

N/A

**Please list attachments to the fiscal note below:**



TOTAL AREA IS FROM THE ASSESSOR'S RECORDS UNLESS OTHERWISE NOTED			OWNERSHIPS				TOTAL AREAS ARE SHOW IN SQUARE FEET UNLESS OTHERWISE NOTED		
PROJECT PARCEL NUMBER	PLAT NUMBER	PARCEL NUMBER	PARCEL ADDRESS	OWNER'S NAME	TOTAL AREA	R/W	PERMANENT EASEMENT	TEMPORARY CONST. EASEMENT	REMAINDER
1	9-10	8911000060	11200 GREENWOOD AVE N	GABBERT, JOHN O & GINA	14,400			100	14,400
2	1-2 & 19-20	8911000110	11050 GREENWOOD AVE N	GRACE EVANGELICAL LUTHERAN CHURCH	30,824			1,222	30,824
3	6	8910500220	11201 GREENWOOD AVE N	KRAVENAS, BOYD E	7,261			541	7,261
4	10	8910500741	11057 GREENWOOD AVE N	19TH NE PROJECT LLC	6,311			566	6,311
5	3	8911000120	11046 GREENWOOD AVE N	HANG, YA-CHU	7,200			600	7,200
6	4	8911000130	11038 GREENWOOD AVE N	GREENWOOD LIM LLC	7,200			600	7,200
7	5	8911000140	NOT AVAILABLE	CREATIVE BUILDERS COMPANY	7,200			600	7,200
8	6	8911000145	11024 GREENWOOD AVE N	KANDA, RANBIR S & SARBJIT K	7,200			600	7,200
9	7-14	8911000147	11020 GREENWOOD AVE N	COMMUNITY HOUSE MENTAL HEALTH INC	9,302			600	9,302
10	8	8911000150	11014 GREENWOOD AVE N	CREATIVE CONSTRUCTION ASSOC	7,200			600	7,200
11	9-12	8911000155	11010 GREENWOOD AVE N	BETHEL UNITED PRESBYTERIAN	18,77			1,200	18,772
12	10	8910500740	11053 GREENWOOD AVE N	REGINA GAIL THE	27,268			652	7,268
13	9	8910500735	11043 GREENWOOD AVE N	DIMARTINO, GREGORY & BEVERLY	6,686			600	6,686
14	9	8910500736	11041 GREENWOOD AVE N	RICK FAMILY REVOCABLE LIVING TRUST	6,684			600	6,684
15	8	8910500732	11033 C GREENWOOD AVE N	TOMPSON, TOHIEH	1,973			157	1,973
16	8	8910500731	11033 B GREENWOOD AVE N	ABRAVANEL, DORIS	1,632			186	1,632
17	8	8910500730	11033 A GREENWOOD AVE N	HEGOUABURU, ISIDRO R & ANDREA MERCEDES BACH	1,964			157	1,964
18	8	1401400000	11025 GREENWOOD AVE N	NOT AVAILABLE	7,238			652	7,238
19	7-8	8910500720	11023 GREENWOOD AVE N	KREIDLER, FREDERICK W & ANN	7,232			650	7,232
20	7	8910500715	11013 GREENWOOD AVE N	NUMRICH, SCOTT A & ERIC W	6,677		300	600	6,677
21	6	8910500710	11011 GREENWOOD AVE N	GERMAN, ANATOLY & MARGARITA	6,674		100	600	6,674
22	6	8910500705	220 N 110TH ST	GRAESE, VIRGIL K & SANDRA M	6,671		325	600	6,671
23	1	8911000220	10758 GREENWOOD AVE N	LOTT, PATRICIA S	7,448			622	7,448
24	2	8911000225	10750 GREENWOOD AVE N	THE SALVATION ARMY	7,200			600	7,200
25	3	2912500000	10744 GREENWOOD AVE N	NOT AVAILABLE	7,200			600	7,200
26	4	8911000235	10740 GREENWOOD AVE N	GULLBERG, BENGT E & KATHLEEN B	7,200			600	7,200
27	5-6	8911000240	10730 GREENWOOD AVE N	GABBERT, JOHN O & GINA	14,400			1,200	14,400
28	7	8911000250	10724 GREENWOOD AVE N	CIVETTA PROPERTIES LLC	4,800			400	4,800
29	19-20	1139000105	10757 GREENWOOD AVE N	KAPLAN, KENETH B	13,534			1,221	13,534
30	18	1139000090	10745 GREENWOOD AVE N	K & E VENTURES LLC	3,189			600	3,189
31	17	1139000085	10737 GREENWOOD AVE N	PEDERSEN, CARL JR	6,497			600	6,497
32	16	1139000080	10733 GREENWOOD AVE N	MAC PHERSON, MURDOCK D	6,829			600	6,829
33	15	1139000075	10725 GREENWOOD AVE N	PASCO, LARRY	6,660			600	6,660
34	14	1139000070	10721 GREENWOOD AVE N	CIVETTA PROPERTIES LLC	6,658			600	6,658
35	7-8	8911000255	10718 GREENWOOD AVE N	CIVETTA PROPERTIES LLC	4,800			400	4,800
36	8	8911000265	10716 GREENWOOD AVE N	CIVETTA PROPERTIES LLC	4,800			400	4,800
37	9-12	8911000270	10712 GREENWOOD AVE N	PLUMMER, PATRICIA J	16,124			1,200	16,124
38	1-2	8911000330	10770 GREENWOOD AVE N	PINKLEY ROBERT J & HEATHER M	14,647			1,200	14,647
39	3-4	8911000340	10540 1/2 GREENWOOD AVE N	TIEK GUAN CO	14,400			1,200	14,400
40	13	1139000065	10713 GREENWOOD AVE N	GREENWOOD 10713 LLC	6,656			600	6,656
41	12	1139000061	10711 C GREENWOOD AVE N	GREENWOOD 10711 LLC	5,546			500	5,546
42	11-12	1139000055	10701 GREENWOOD AVE N	HOWLAND HOMES LLC	7,762			700	7,762
43	20	1139001010	10555 GREENWOOD AVE N	BECKLEY, GREG T & NIESE J	6,649			600	6,649
44	16-19	1139000990	10545 GREENWOOD AVE N	NORTH PARK VILLAGE	26,599			2,940	26,599
45	5	8911000350	10532 GREENWOOD AVE N	BURT, LINDA CHEW	7,200			1,440	7,200
46	6	8911000355	10528 GREENWOOD AVE N	HANSON, WALTER LYLE	7,200			1,200	7,200
47	7-14	8911000360	10520 GREENWOOD AVE N	JENSEN, MICHAEL H & LAGRANDEUR KATHRYN A	8,281			1,200	8,281
48	8	8911000365	10512 GREENWOOD AVE N	JENSEN, MICHAEL H & LAGRANDEUR KATHRYN A	7,200			1,200	7,200
49	9-10	8911000370	10500 GREENWOOD AVE N	JOSAN GROUP LLC	14,352			1,172	14,352
50	15	1139000985	10527 GREENWOOD AVE N	R & B INCORPORATED	6,639			1,200	6,639
51	13-14	1139000975	10513 GREENWOOD AVE N	RNB INC	13,185			2,370	13,185
52	12	1139000970	10507 GREENWOOD AVE N	ASAI DALI, SAID M	6,120			1,632	6,120
53	11	1139000965	10501 GREENWOOD AVE N	ASAI DALI, SAID M	5,181			671	5,181

P:\510\ref\171\Greenwood\Property-Owners.dwg  
 Aug/01/2008 2:44pm  
 MARK REVISIONS DATE  
 MAKE CHECKED BY  
 DESCRIPTION

ATTACHMENT B  
 RIGHT-OF-WAY PLAN  
 OWNERSHIP TABLE

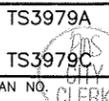
APPROVED FOR ADVERTISING  
 FRED PODESTA  
 DEPARTMENT OF EXECUTIVE ADMINISTRATION  
 SEATTLE, WASHINGTON 20  
 BY: \_\_\_\_\_  
 DIRECTOR, CONTRACTING SERVICES

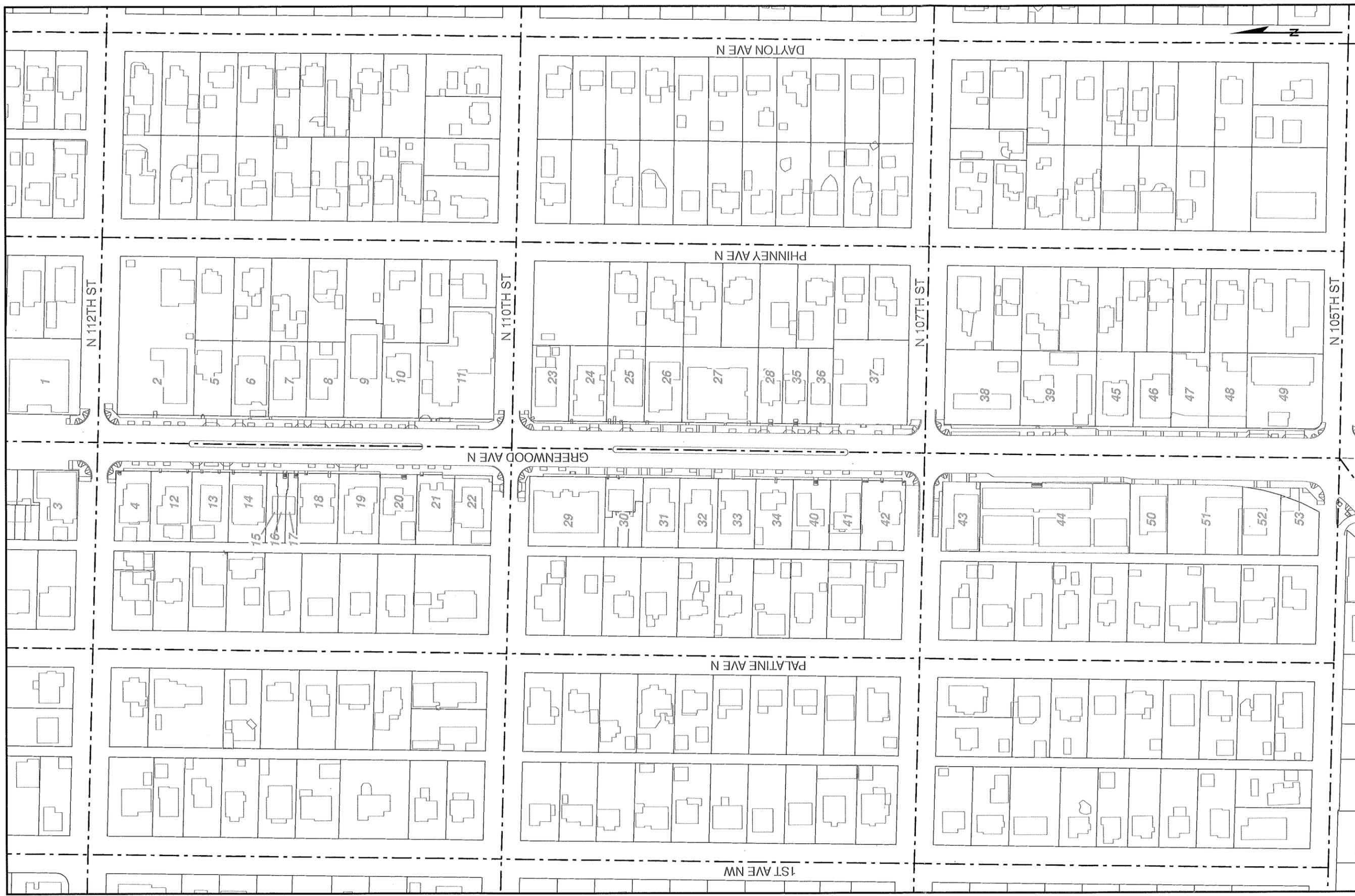
NAME OR INITIALS AND DATE DESIGNED _____ CHECKED _____ DRAWN _____ CHECKED _____	INITIALS AND DATE REVIEWED: _____ DES. _____ SPU CONST. _____ SDDT _____ PROJ. MGR. _____ RECEIVED _____ REVISED AS BUILT _____
ALL WORK DONE IN ACCORDANCE WITH THE CITY OF SEATTLE STANDARD PLANS AND SPECIFICATIONS AND OTHER DOCUMENTS CALLED FOR IN SECTION 0-02.3 OF THE PROJECT MANUAL.	


 City of Seattle  
**SEATTLE DEPARTMENT  
 OF TRANSPORTATION**

ORDINANCE NO. \_\_\_\_\_ APPROVED \_\_\_\_\_  
 FUND: \_\_\_\_\_  
 SCALE: H. V. INSPECTOR'S BOOK.

**GREENWOOD AVENUE NORTH  
 STREET IMPROVEMENTS  
 (N 105TH ST - N 112TH ST)**

PC TS3979A R/W TS3979C CO VAULT PLAN NO. _____ SHEET 7a OF 58	
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GREENWOOD AVE N PROJECT  
 1-53 PROPERTIES AFFECTED

UPDATED: JULY 31, 2008

**GREENWOOD AVE N STREET IMPROVEMENT PROJECT  
 RIGHT OF WAY/PROPERTIES AFFECTED**

**ATTACHMENT A**





# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

September 2, 2008

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am transmitting the attached proposed Council Bill that authorizes the Director of Transportation to acquire all of the property rights necessary to construct a five lane roadway section on Greenwood Avenue N from N 105th to N 112th Street. This work is part of the Greenwood Avenue N Street Improvements project and will specifically allow the Seattle Department of Transportation to obtain permanent maintenance easements for the inspection and repair of retaining walls that adjoin private property.

The overall project objective is to enhance mobility for all modes of transportation, including improving pedestrian safety and transit speed and reliability. This project makes streetscape improvements on Greenwood Avenue N and supports economic development in the corridor.

The proposed Council Bill authorizes the Director of Transportation or her designee, on behalf of the City of Seattle, to appraise and acquire at fair market value through negotiations or the use of eminent domain, if necessary, such real property interests as are necessary, and authorizes payment of all other costs associated with property acquisition for the Greenwood Avenue N Street Improvements 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 large, faint circular stamp.

GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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229538

No. NOTICE OF PUBLIC MEETING

CITY OF SEATTLE:SDOT

**Affidavit of Publication**

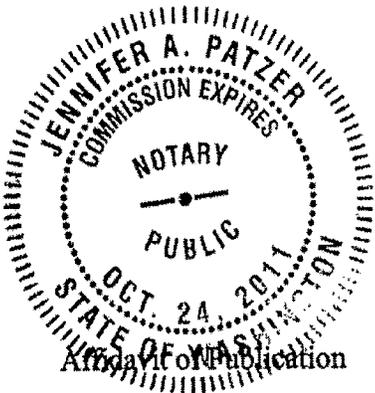
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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 12<sup>th</sup> 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:GREENWOOD AVE N ST

was published on

10/03/08 10/10/08



*[Handwritten signature]*

Subscribed and sworn to before me on

10/13/2008

*[Handwritten signature]*

Notary public for the State of Washington,  
residing in Seattle

# DAILY JOURNAL OF COMMERCE

## City of Seattle

**Notice of Public Meeting and Planned Final Action by the Seattle City Council Regarding Greenwood Avenue N. Street Improvements Project Property Acquisition Ordinance, Authorizing Property Acquisition by Negotiation and/or Eminent Domain (Condemnation)**

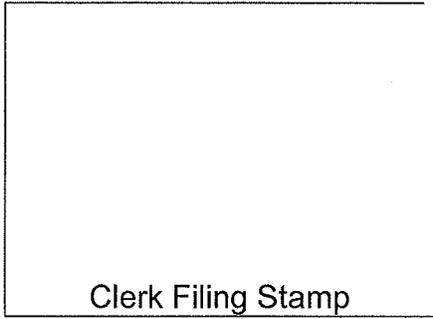
Attention all parties holding an interest in the following King County Tax Parcel Numbers located in Seattle Washington: 291250-0000, 891100-0060, -0110, -0120, -0130, -0140, -0145, -0147, -0150, -0151, -0152, -0155, -0220, -0225, -0235, -0240, -0250, -0255, -0265, -0270, -0330, -0340, -0350, -0355, -0360, -0365, -0370, 891050-0220, -0705, -0710, -0715, -0720, -0730, -0731, -0732, -0735, -0736, -0740, -0741, -113900-0055, -0061, -0065, -0070, -0075, -0080, -0085, -0090, -0105, -0965, -0970, -0975, -0985, -0990, -1010, 140140-0010, -0020, -0030, -0040.

The City of Seattle hereby notifies you of a planned public meeting to consider an Ordinance of the Seattle City Council authorizing the acquisition of all property rights needed for the Greenwood Avenue N Street Improvements project for public purposes, through negotiation and/or the exercise of eminent domain (condemnation). This meeting will be held at 2:00 p.m. on Monday, October 13, 2008, at the City Council's chambers, which are 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 State law HB 1485 (Chapter 68, 2007 Laws) to provide you with this 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/](http://www.seattle.gov/council/) General information about the Greenwood Avenue N Street Improvements Project can be found at: [www.seattle.gov/transportation/greenwood.htm](http://www.seattle.gov/transportation/greenwood.htm)

Dates of publication in the Seattle Daily Journal of Commerce, October 3 and 10, 2008.

10/10(229538)



**CERTIFICATE OF MAILING AND PUBLICATION OF NOTICE FOR  
Greenwood Avenue N Streets Improvements Project**

I, Jody Sisson, Administrative Staff Analyst, hereby certify as follows:

(Check all that apply below.)

- 1. On the 11th day of September 2008, I mailed via US Postal Service Certified Mail a
  - notice of condemnation or
  - other \_\_\_\_\_,
 a true and correct representative copy of which is attached and designated as Attachment A, to those persons whose names and addresses appear on the attached list as Attachment B.
- 2. For condemnation legislation: The notice designated in Attachment 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.
- 3. The notice designated in Attachment A was published in the Seattle Times on October 3 and 10 and the Daily Journal of Commerce on October 3 and 10.
- 4. This Certificate of Mailing and Publication and complete Attachments A and B are hereby filed with the City Clerk of the City of Seattle.

Dated this 10th day of October, 2008.

The City of Seattle, Washington

Jody Sisson

Jody Sisson  
(Signature)

Administrative Staff Analyst

Seattle Department of Transportation

233-5140



Gregory J. Nickels, Mayor

Seattle Department of Transportation

Grace Crunican, Director

September 11, 2008

BY CERTIFIED MAIL

Anatoly & Margarita German  
17207 NE 32<sup>nd</sup> Street  
Redmond, WA 98052

Re: City of Seattle Greenwood Avenue N Street Improvements 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. 8910500710

Address: 11011 Greenwood Ave N

Dear Property Owner:

The purpose of this notice is to inform you that 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 Greenwood Avenue N Street Improvements Project. This project will construct a five lane roadway section on Greenwood Avenue N between N 105<sup>th</sup> to N 112<sup>th</sup> Street. The overall project objective is to enhance mobility for all modes of transportation, including improving pedestrian safety and transit speed and mobility. The project also makes streetscape improvements on Greenwood Avenue N and supports economic development in the corridor. A copy of the proposed ordinance and a map indicating the project alignment are enclosed for your information.

This ordinance, if passed, will contain authorization to use condemnation. The City is required by RCW 8.25.290 to provide each property owner affected by the ordinance with formal written notice before the City takes final action authorizing condemnation of property. You are identified by the tax rolls of King County as the owner of property affected by this legislation. The time, date and place of the final action to vote on the ordinance are described below.

The City will introduce the ordinance at the Seattle City Council Transportation Committee for discussion and possible vote as a regular part of the committee meeting beginning 9:30 a.m. on Tuesday, September 30, 2008. Public testimony will also be taken at that time. If you wish to attend this Transportation Committee meeting, the



Key Tower, 700 5<sup>th</sup> 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.

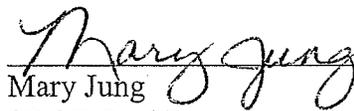
Accommodations for people with disabilities provided on request.

Committee meets in the City Council Chambers, which are located at 601 5th Avenue, 2nd Floor, Seattle, WA. 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 Transportation Committee meeting. Public comments are received by the committee at the start of the meeting and are generally limited to a total of 10 minutes of comments for each agenda item. If you have questions about the committee meeting format, the agenda for the meeting, or the public comment section, please contact Jodie Vice (Transportation Committee Staff) at (206) 684-8801, or visit the Transportation Committee's website at the following address:  
[www.seattle.gov/council/committees/Committee\\_Trans.htm](http://www.seattle.gov/council/committees/Committee_Trans.htm).

If the Transportation Committee approves the ordinance, it will then be scheduled for final City Council action. Final action on the ordinance by the City Council is expected to occur on Monday, October 6, 2008 at 2:00 p.m., in the City Council Chambers, which are located at 601 5th Avenue, 2nd Floor, Seattle, WA. After approval of the ordinance by the full City Council, the City of Seattle will be authorized to acquire property for the Greenwood Avenue N Street Improvements Project from you through negotiation, or may use its powers of eminent domain to condemn your property.

Thank you.

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

Enclosures

cc: Councilmember Jan Drago, Chair, Transportation Committee  
Councilmember Sally Clark, Vice-Chair, Transportation Committee

Tiek Guan Company  
PO Box 5622  
Bellevue, WA 98006  
Attn: Pie Ruh Lu

Howland Homes LLC  
19237 Aurora Avenue N  
Shoreline, WA 98155  
Attn: Doug Howland

The Salvation Army  
PO Box 9219  
Seattle, WA 98109  
Attn: David Ellison

Robert J. & Heather M. Pinkley  
12345 Lake City Way NE, #372  
Seattle, WA 98125

Ranbir S. & Sarbjit K. Kanda  
9730 12<sup>th</sup> Avenue NW  
Seattle, WA 98133

Ya-Chu Hang  
11046 Greenwood Ave N  
Seattle, WA 98133

Said M. Asaidali  
10501 Greenwood Ave N  
Seattle, WA 98133

Michael H. & Kathryn A. Jensen  
2624 NW Esplanade  
Seattle, WA 98117

Larry Pasco  
3929 NE Belvoir Place  
Seattle, WA 98105

Pauline L. Israel  
11025 Greenwood Ave N, #2  
Seattle, WA 98133

Northpark Village, LLC  
10545 Greenwood Ave N  
Seattle, WA 98133  
Attn: Dennis Casper

Greenwood 10711, LLC  
Greenwood 10713, LLC  
PO Box 75011  
Seattle, WA 98175

CTA III, LLC  
7016 35<sup>th</sup> Ave NE  
Seattle, WA 98125

Community House Mental Health  
431 Boylston Ave E  
Seattle, WA 98102

Rick Livin Family Revocable  
Living Trust  
HC2 Box 9617  
Keaau, HI 96749

19<sup>th</sup> NE Project, LLC  
PO Box 15141  
Seattle, WA 98115

Michael H. Jensen and Kathryn A.  
Lagrandeur  
2624 NW Esplanade  
Seattle, WA 98117

Linda Chew Burt  
2127 N 186<sup>th</sup> Street  
Shoreline, WA 98155

Creative Construction Associates,  
Inc.  
1243 NE 152<sup>nd</sup> Street  
Shoreline, WA 98155

Patricia Skommesa  
11025 Greenwood Ave N, #3  
Seattle, WA 98133

Greg T. & Niese J. Beckley  
3028 10<sup>th</sup> Avenue W  
Seattle, WA 98119

Greenwood 10713, LLC  
PO Box 75011  
Seattle, WA 98175

Patricia S. Lott  
10758 Greenwood Ave N  
Seattle, WA 98133

Frederick W., Ann, & Marie  
Kreidler  
19005 Firlands Way N  
Shoreline, WA 98155

Gregory & Beverly DiMartino  
10045 41<sup>st</sup> Ave NE  
Seattle, WA 98125

Josan Group, LLC  
10500 Greenwood Ave N  
Seattle, WA 98133

RNB, Incorporated  
18676 NW Bernina Court  
Issaquah, WA 98027

Civetta Properties, LLC  
PO Box 30941  
Seattle, WA 98113  
Attn: Greg Goodwin

Lydia M. Roberts  
11025 Greenwood Ave N, #1  
Seattle, WA 98133

David Stevens  
11025 Greenwood Ave N, #4  
Seattle, WA 98133

Creative Builders Company  
7753 18<sup>th</sup> Ave NW  
Seattle, WA 98117  
Attn: John Barbarovich

Isidro R. Hegouaburu &  
Andres M. Bach  
11033-A Greenwood Ave N  
Seattle, WA 98133

Doris F. Abravanel  
11033-B Greenwood Ave N  
Seattle, WA 98133

Tonieh Thompson  
11033-C Greenwood Ave N  
Seattle, WA 98133

Kathleen B. Gulberg  
4246 West Montford Place  
Seattle, WA 98199

Greenwood Condominium  
PO Box 53404  
Bellevue, WA 98015

K & E Ventures, LLC  
2016 Constance Drive W  
Seattle, WA 98199

Murdock D. MacPherson, Jr.  
12521 9<sup>th</sup> Ave NW  
Seattle, WA 98177

Carl G. & Eileen E. Pedersen, Jr.  
8601 NE 175<sup>th</sup> Street  
Kenmore, WA 98028

Anatoly & Margarita German  
17207 NE 32<sup>nd</sup> Street  
Redmond, WA 98052

Scott A. & Eric W. Numrich  
11013 Greenwood Ave N  
Seattle, WA 98133

Bethel United Presbyterian  
11002 Greenwood Ave N  
Seattle, WA 98133

Boyd Kravenas  
7517 Greenwood Ave N  
Seattle, WA 98103

Grace Lutheran Church  
11051 Phinney Ave N  
Seattle, WA 98133

Greenwood Lim, LLC  
7517 Greenwood Ave N  
Seattle, WA 98103

John O. & Gina Gabbert  
Cornell & Associates  
2633 Eastlake Ave E, Suite 307  
Seattle, WA 98102

Patricia J. Plummer  
10712 Greenwood Ave N  
Seattle, WA 98133

The Regina Gail Condominium  
11053 Greenwood Ave N  
Seattle, WA 98133  
Attn: David Yangas

Virgil K. Graese  
16226 Larch Way, #2  
Lynnwood, WA 98087

Walter L. and Jean M. Hanson  
10528 Greenwood Ave N  
Seattle, WA 98133

# 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:

Advertiser	Newspaper	Publication Date
Seattle Department of Transportation	Seattle Times & Seattle Post-Intelligencer distribution of NWClassifieds	Ad# 3963521 dated 10/03/2008 Page G3 - Times & P-I 10/10 Page G2 - Times & P-I

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 10th day of October 2008.

Patricia Martinez

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

## 381 Public Notices

### 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:

291250-0000, 891100-0060, -0110, -0120, -0130, -0140, -0145, -0147, -0150, -0151, -0152, -0155, -0220, -0225, -0235, -0240, -0250, -0255, -0265, -0270, -0330, -0340, -0350, -0355, -0360, -0365, -0370, 891050-0220, -0705, -0710, -0715, -0720, -0730, -0731, -0732, -0735, -0736, -0740, -0741, -113900-0055, -0061, -0065, -0070, -0075, -0080, -0085, -0090, -0105, -0965, -0970, -0975, -0985, -0990, -1010, 140140-0010, -0020, -0030, -0040.

The City of Seattle hereby notifies you of a planned public meeting to consider an Ordinance of the Seattle City Council authorizing the acquisition of all property rights needed for the Greenwood Avenue N Street Improvements project for public purposes, through negotiation and/or the exercise of eminent domain (condemnation).

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Date of first publication in the Daily Journal of Commerce: September 26, 2008. Seattle Times September 27, 2008.

The



# DAILY JOURNAL OF COMMERCE

ADVERTISING PROOF

Date: 10/10/2008  
Adnum: 229538  
Custid: 9216

Customer: CITY OF SEATTLE:SDOT  
Ad Title: Greenwood Ave N. Street Improvements  
Lines: 57

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## City of Seattle

**Notice of Public Meeting and  
Planned Final Action by the Seattle  
City Council Regarding Greenwood  
Avenue N. Street Improvements 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: 291250-0000, 891100-0060, -0110, -0120, -0130, -0140, -0145, -0147, -0150, -0151, -0152, -0155, -0220, -0225, -0225, -0240, -0250, -0255, -0265, -0270, -0330, -0340, -0350, -0355, -0360, -0365, -0370, 891050-0220, -0705, -0710, -0715, -0720, -0730, -0731, -0732, -0735, -0736, -0740, -0741, -113900-0055, -0061, -0065, -0070, -0075, -0080, -0085, -0090, -0105, -0965, -0970, -0975, -0985, -0990, -1010, 140140-0010, -0020, -0030, -0040.

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Dates of publication in the Seattle Daily Journal of Commerce, October 3 and 10, 2008.

10/10(229538)

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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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230360  
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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

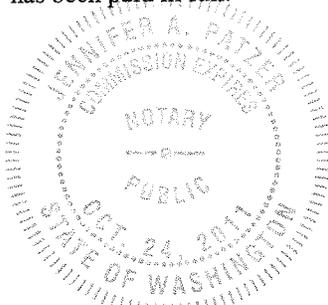
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122827 ORDINANCE

was published on

10/20/08

The amount of the fee charged for the foregoing publication is the sum of \$ 175.63, which amount has been paid in full.



*Samuel Colekny*  
\_\_\_\_\_  
Subscribed and sworn to before me on  
10/20/08 *[Signature]*  
\_\_\_\_\_

Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication

# State of Washington, King County

## City of Seattle

### ORDINANCE 122827

AN ORDINANCE relating to the Greenwood Avenue N Street Improvements project; authorizing the Director of Transportation to acquire property rights necessary for improving transportation mobility, safety and access and supporting economic development along Greenwood Avenue N from N 105th to N 112th Street; authorizing acquisition of real property rights, through negotiation and use of eminent domain (condemnation); and authorizing payment of all other costs associated with the acquisition.

WHEREAS, in 1998, (updated in 2005) the City adopted the Transportation Strategic Plan that sets strategies for achieving Seattle Comprehensive Plan Goals; and

WHEREAS, the Greenwood Avenue N Street Improvements project consists of a five lane roadway section with curbs, gutters, sidewalks, landscaping and other roadway improvements; and

WHEREAS, additional property rights are needed to maintain retaining walls with permanent maintenance easements from private property owners, in conjunction with obtaining temporary rights from private parties to construct sidewalks and driveways on City-owned property; and

WHEREAS, the project will improve transit access, speed and reliability; mobility for all modes of transportation; pedestrian safety; streetscape; and support economic development; and

WHEREAS, the project is consistent with Seattle Comprehensive Plan and Transportation Strategic Plan goals to meet the current and future mobility needs of residents, businesses and visitors with a balanced transportation system, and to make the best use of the City's limited street capacity while seeking to balance competing uses;

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, for constructing a five lane roadway section on Greenwood Avenue North from North 105th to North 112th Streets.

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 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 13th day of October, 2008, and signed by me in open session in authentication of its passage this 13th day of October, 2008.

Richard Conlin

President of the City Council

Approved by me this 15th day of October, 2008.

Gregory J. Nickels, Mayor

Filed by me this 15th day of October, 2008.

(Seal) Judith Pippin

City Clerk

Attachment A: Right of Way/Properties Affected

Attachment B: Right-of-Way Plan Ownership Table

See City Clerk for Attachments

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, October 20, 2008.

10/20(230360)

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