

Ordinance No. 124079

Council Bill No. 117668

AN ORDINANCE relating to the Department of Parks and Recreation; accepting a deed for the donation of real property along the Burke-Gilman Trail in northeast Seattle, for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Related Legislation File: _____

Date Introduced and Referred: <u>12/3/12</u>	To: (committee): <u>Parks and neighborhoods</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>12.10.12</u>	Date Presented to Mayor: <u>12.12.12</u>
Date Signed by Mayor: <u>12/17/12</u>	Date Returned to City Clerk: <u>12/19/12</u>
Published by Title Only <input checked="" type="checkbox"/>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: Sg Bagheri

Committee Action:

Date	Recommendation	Vote
<u>12/6</u>	<u>Approve</u>	<u>3-0 SB, RL</u>

This file is complete and ready for presentation to Full Council. _____

Full Council Action:

Date	Decision	Vote
<u>12.10.12</u>	<u>Passed</u>	<u>8-0</u>
		<u>Unanimous: TR</u>

Law Department

CITY OF SEATTLE
ORDINANCE ~~124080~~ 124079
COUNCIL BILL 117668

AN ORDINANCE relating to the Department of Parks and Recreation; accepting a deed for the donation of real property along the Burke-Gilman Trail in northeast Seattle, for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

WHEREAS, the City of Seattle is continually acquiring property to expand existing parks and conserve green spaces; and

WHEREAS, the City of Seattle does not have adequate funding to acquire all the properties worthy of conservation; and

WHEREAS, the City of Seattle encourages owners of properties that add value to the City's inventory of parks and green spaces to donate them to the City; and

WHEREAS, the Seattle City Charter requires that all acquisition of real property be accepted by or under authority of ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The deed described below (by grantor, legal description, date and recording number), conveying real property to the City of Seattle, is hereby accepted for open space, park and recreation purposes, and the real property is hereby placed under the jurisdiction of the Department of Parks and Recreation:

Burke-Gilman Trail Green Space

The following parcel was acquired by donation:

TIMOTHY C. MOTZER AND SANDRA A. MOTZER, husband and wife, by Deed dated October 16, 2012, recorded October 17, 2012, under King County Recording Number 20121017000685, as to RPAMIS Subject Parcel No. 22685:



Chip Nevins
DPR B-G Trail Donation Deed Acceptance 12 ORD
October 18, 2012
Version #1

1 Lot A, City of Seattle Short Plat Number 81-037, recorded under Recording Number
8109180264, in King County, Washington; said Short Plat being described as follows:

2 Lots 1 And 2, Block 17, University Lakeshore Division No. 1, 2, And 3, Vol. 10, Page 81 King
3 County, WA.

4 Together with that portion of vacated N.P. Railroad right of way as vacated under Ordinance
5 9103370; (commonly known as King County Tax Account Parcel No. 8820902227).

6 Section 2. Any act consistent with acceptance of the deed described in Section 1 above
7 and prior to the effective date of this ordinance, including, without limitation, acceptance of the
8 donation of real property described in Section 1 above, is hereby ratified and confirmed.
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Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 10th day of December, 2012, and signed by me in open session in authentication of its passage this 10th day of December, 2012.


President _____ of the City Council

Approved by me this 17th day of December, 2012.


Michael McGinn, Mayor

Filed by me this 19th day of December, 2012.


Monica Martinez Simmons, City Clerk

(Seal)



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Parks and Recreation	Donald Harris/ 684-8018	Jeff Muhm/ 684-8049

Legislation Title:

AN ORDINANCE relating to the Department of Parks and Recreation; accepting a deed for the donation of real property along the Burke-Gilman Trail in northeast Seattle, for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

Summary and background of the Legislation:

This proposed legislation accepts one deed for property donated to the City for open space, park, and recreation purposes, and places the property under the jurisdiction of the Seattle Department of Parks and Recreation (DPR). The donation of this property will lead to increased operating costs for the Department beginning next year.

DPR is continually acquiring property to expand existing parks and green spaces or to add new land to the park system. The deed accepted in the proposed legislation conveys .17 acres of property along the Burke-Gilman Trail to the City's park inventory. The property provides a green buffer along the trail that will enhance the experience of anyone that rides or walks by.

The purpose of this legislation is to formally accept the deed to the donated property, as required by City Charter. Ordinance 122959 provided authority for planning and due diligence of green space properties and the authority to acquire property within designated green spaces at current fair market value. However, the legislation did not authorize the acquisition of property by donation. Section 2 of the Ordinance included with this legislation rectifies this lack of previous authorization by allowing for acquisition by donation through a ratify and confirm clause.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:

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

 This legislation does not have any financial implications.

 X **This legislation has financial implications.**



Appropriations: N/A

Fund Name and Number	Department	Budget Control Level*	Existing 2011 Appropriation	New 2011 Appropriation (if any)	2012 Anticipated Appropriation
TOTAL	N/A	N/A	N/A	N/A	N/A

Appropriations Notes:

Spending Plan and Future Appropriations for Capital Projects: N/A

Spending Plan and Budget	2012	2013	2014	2015	2016	2017	Total
Spending Plan							
Current Year Appropriation							
Future Appropriations	N/A						

Spending Plan and Budget Notes:

Funding Source: N/A

Funding Source (Fund Name and Number, if applicable)	2012	2013	2014	2015	2016	2017	Total
TOTAL	N/A						

Funding Source Notes:

Bond Financing Required: N/A

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

Bond Notes:



Uses and Sources for Operation and Maintenance Costs for the Project:

O&M	2012	2013	2014	2015	2016	2017	Total
Uses							
Start Up							
On-going		\$1,783	\$2,321	\$2,367	\$2,414	\$2,463	\$11,348
Sources (itemize)							
Parks and Recreation Fund		\$1,783	\$2,321	\$2,367	\$2,414	\$2,463	\$11,348

Operation and Maintenance Notes:

The new facility O&M estimates listed above reflect the costs to care for the parcel in its current undeveloped condition. Maintenance work will include litter pickup, tree maintenance, application of legally-required herbicide to and removal of Giant Hogweed and Garlic Mustard several times per year. Also, installation and repair of regulatory signs, and graffiti removal will be done. Costs are lower in the first year because some maintenance costs are not anticipated for the first year. The O&M listed above assumes a 2% inflation rate in each successive year.

Periodic Major Maintenance Costs for the Project: N/A

Major Maintenance Item	Frequency	Cost	Likely Funding Source
TOTAL	N/A	N/A	N/A

Funding sources for replacement of project: N/A

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: N/A

Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2012 Positions	2012 FTE	2013 Positions **	2013 FTE **
TOTAL	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Position Notes:

Do positions sunset in the future? N/A

Other Implications:

- a) Does the legislation have indirect financial implications, or long-term implications?
 No



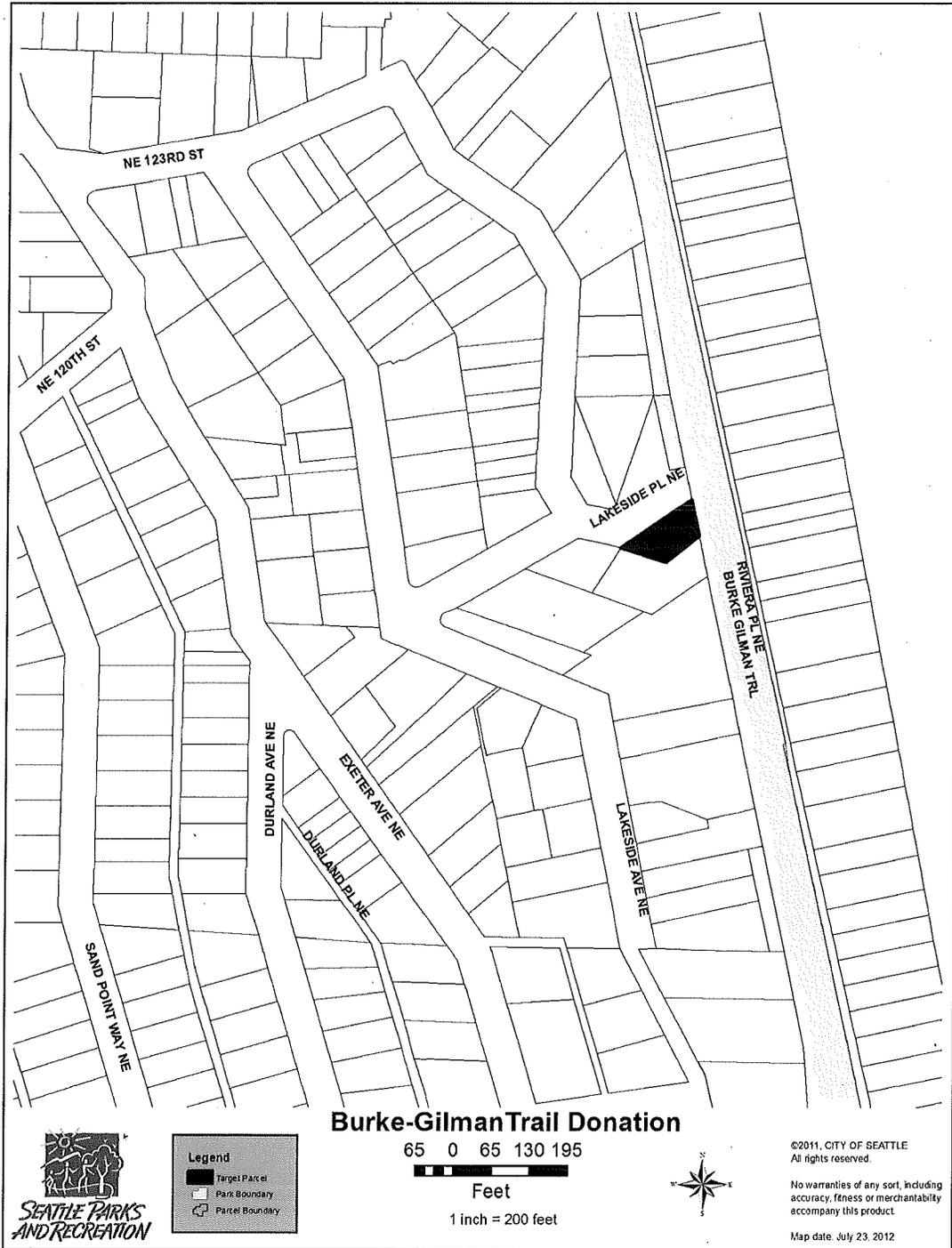
- b) Does this legislation affect any departments besides the originating department?**
No
- c) What are the possible alternatives to the legislation that could achieve the same or similar objectives?** There are none.
- d) Is a public hearing required for this legislation?** No
- e) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** No
- f) Does this legislation affect a piece of property?**
Yes, map attached
- g) Other Issues:**

List attachments to the fiscal note below:

Attachment A: Map of Burke-Gilman Trail property donation



ATTACHMENT A: Map of Burke-Gilman Trail Property Donation



This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation





City of Seattle
Office of the Mayor

November 13, 2012

Honorable Sally Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that accepts the deed for a property acquired by donation in connection with the 2008 Parks and Green Spaces Levy. The purpose of this bill is to formally accept the deed to this property, as required by City Charter.

This acquisition adds .17 acres along the Burke-Gilman Trail in Northeast Seattle to the City's park inventory. The property provides a green buffer along the trail that will enhance the experience of anyone that rides or walks by. Voluntary conservation, such as donation of property, is an integral part of the City's Levy acquisition strategy, allowing for the preservation of more land than could be preserved with Levy funds.

Approval of this legislation contributes to the preservation of valued open space in Seattle. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

292031
CITY OF SEATTLE, CLERKS OFFICE

No. 124078,079,080,081

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.

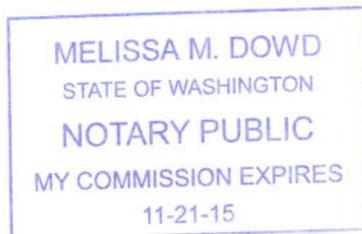
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCE

was published on

01/02/13

The amount of the fee charged for the foregoing publication is the sum of \$82.34 which amount has been paid in full.



Subscribed and sworn to before me on

01/02/2013

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle Title Only Ordinances

The full text of the following legislation, passed by the City Council on December 10, 2012, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124078

AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 4731 40th Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purpose; increasing appropriations to the Department of Parks and Recreation in the 2012 Adopted Budget; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

ORDINANCE NO. 124079

AN ORDINANCE relating to the Department of Parks and Recreation; accepting a deed for the donation of real property along the Burke-Gilman Trail in northeast Seattle, for open space, park, and recreation purposes; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124080

AN ORDINANCE relating to Queen Anne Bowl Playfield; authorizing a property exchange by conveyance of a strip of the Queen Anne Bowl Playfield property and acceptance of a deed for a portion of a parking lot to preserve parking for users of the Queen Anne Bowl Playfield; and superseding Ordinance 118477, which adopted Initiative 42, for purposes of this ordinance.

ORDINANCE NO. 124081

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, January 2, 2013.

1/2(292031)