Ordinance No. 124179

Council Bill No. 117766

AN ORDINANCE relating to Seattle Public Utilities; declaring certain reserved real property rights relating to sewer facilities within the vacated portion of 7th Avenue South, and easement rights related to storm water runoff at 701 South Orchard Street as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights; authorizing the Director of Seattle Public Utilities to accept an easement from Seattle Iron & Metals Company for conveyance of stormwater runoff through private property from city-owned drainage facilities in portions of South Garden Street; and ratifying and confirming certain prior acts.

Related Legislation File: _____

Date Introduced and Referred: 4.22.13	To: (committee): Libraries, Utilities & Central
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 5/13/13	Date Presented to Mayor: 5/14/13
Date Signed by Mayor: 5-20-13	Date Returned to City Clerk: 5.21-13
Published by Title Only ✓ Published in Full Text _____	Date Vetoed by Mayor:
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: Jean Godden

Committee Action:

Date	Recommendation	Vote
5/7/13	Do pass	Y-JG, RC, SB

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

Full Council Action:

Date	Decision	Vote
May 13, 2013	Passed	9-0

LAW DEPARTMENT

Effie K. Moody
SPU 701 Orchard ORD
March 11, 2013
Version # 3

CITY OF SEATTLE

ORDINANCE 124179

COUNCIL BILL 117766

AN ORDINANCE relating to Seattle Public Utilities; declaring certain reserved real property rights relating to sewer facilities within the vacated portion of 7th Avenue South, and easement rights related to storm water runoff at 701 South Orchard Street as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights; authorizing the Director of Seattle Public Utilities to accept an easement from Seattle Iron & Metals Company for conveyance of stormwater runoff through private property from city-owned drainage facilities in portions of South Garden Street; and ratifying and confirming certain prior acts.

WHEREAS, the City of Seattle in 1936 pursuant to street vacation Ordinance 66185 reserved rights for a sewer pipe drain in a vacated portion of 7th Avenue South, which is now part of private property at 701 South Orchard Street owned by certain Seattle Iron & Metals Company entities (SIMCO); and

WHEREAS, SIMCO desires to expand its operations at its 701 South Orchard Street property and use the area where the City has its reserved rights for a sewer pipe drain; and

WHEREAS, Seattle Public Utilities (SPU) no longer needs the reserved easement rights for a sewer pipe drain acquired pursuant to Ordinance 66185 and which is surplus to the City's needs; and

WHEREAS, SIMCO's predecessor, Manson Construction and Engineering Co., under King County Recording No. 8509130874, granted the City an "Easement for Storm Water Runoff, accepted by Ordinance 116511; and

WHEREAS, the City desires to relinquish said easement and accept a new easement from SIMCO which clarifies current ownership of drainage infrastructure and responsibilities for stormwater runoff from 701 South Orchard Street and the right-of-way of South Garden Street; and

WHEREAS, SIMCO is willing to grant the City a new easement for the conveyance of stormwater runoff from portions of South Garden Street in exchange for the City's relinquishment of its easement rights for a sewer pipe in vacated 7th Avenue South reserved under Ordinance 66185, and the City's relinquishment the Easement for Storm Water Runoff accepted by Ordinance 116511; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

2013 CITY CLERK

Section 1. Pursuant to the provisions of RCW 35.94.040, the reserved easement right for a sewer pipe drain per street vacation Ordinance 66185, and easement rights for stormwater runoff as accepted by Ordinance 116511, are hereby found and declared to be no longer required for municipal utility purposes and are surplus to the City of Seattle's needs, and Ordinance 116511 is hereby repealed.

Section 2. The Director of Seattle Public Utilities, or his designee, is authorized to execute for and on behalf of the City of Seattle, the relinquishment of the reserved easement for a sewer pipe drain as shown in Attachment 1.

Section 3. The Director of Seattle Public Utilities, or his designee, is authorized to execute for and on behalf of the City of Seattle, the relinquishment of the easement for stormwater runoff as shown in Attachment 2.

Section 4. The City hereby accepts and places under the jurisdiction of Seattle Public Utilities the easement granted to the City of Seattle by Seattle Iron & Metals Corp., Shalmar Group, LLC, Shalmar 08, LLC, and SIMCO Properties, LLC, (collectively, "SIMCO") for conveyance of drainage water from the public right-of-way from South Garden Street through SIMCO property to the Lower Duwamish Waterway, as shown in Attachment 3.

Section 5. Any act pursuant to and prior to the effective date of this ordinance is hereby ratified and confirmed.

SEA CITY CLERK

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 13th day of May, 2013, and signed by me in open session in authentication of its passage this 13th day of May, 2013.

President of the City Council

Approved by me this 20th day of May, 2013.

Michael P. McGinn, Mayor

Filed by me this 21st day of May, 2013.

for Monica Martinez Simmons, City Clerk

(Seal)

ATTACHMENT 1- Relinquishment of Reserved Easement
ATTACHMENT 2- Relinquishment of Easement for Storm Water Runoff
ATTACHMENT 3- Easement (Incl. Exhibits 1 and 2)

SDS CITY CLERK

Judith Cross
SPU 701 Orchard ORD ATT 1
March 18, 2013
Version #1

Attachment 1

Recording Requested By And
When Recorded Mail To:

Seattle Public Utilities
Real Property Services
PO Box 34018
Seattle WA 98124-4018

RELINQUISHMENT OF RESERVED EASEMENT

Reference #s of Documents Released or Assigned:	Seattle Ordinance 66185 reservation
Grantor:.....	City of Seattle
Grantee:.....	Shalmar Group, LLC, SIMCO Properties, LLC, Shalmar 08, LLC, and Seattle Iron & Metals Corporation ("SIMC")
Legal Description (abbreviated):.....	Pt of SE ¼ Pt of SW ¼ Sec 29, T 24 N, R4 E
Assessor's Tax Parcel ID#:.....	Pt of 21362000380, 2136200706, 2924049089

SIMC Agreement/701 S. Orchard Street
RW# 2008-023

The City of Seattle, a municipal corporation of the State of Washington, ("Grantor"), acting by and through **Seattle Public Utilities**, for and in consideration of $1.00 (ONE DOLLAR), receipt of which is hereby acknowledged, does hereby relinquish a reserved property right for drainage to **Shalmar Group LLC, SIMCO Properties, LLC, Seattle Iron & Metal Corp. and Shalmar 08, LLC**, three Washington State Limited Liability Companies and a Washington State Corporation, collectively **"SIMC"**, ("Grantee"), their successors and assigns, and

WHEREAS, such real property rights were reserved in a easement to the City of Seattle for future construction of a sewer pipe drain along a line approximately thirty feet east of and parallel with the west line of 7th Avenue South, together with the right to operate and maintain such drain after its construction.

THEREFORE, the real property rights reserved as an easement for sewer drain pipe purposes as stated in Section 1 of City of Seattle Vacation Ordinance 66185, dated March 31, 1936, is no longer required for municipal utility purposes and is surplus to the City of Seattle's utility needs and hereby relinquished to Grantee.

CWS CITY CLERK

Judith Cross
SPU 701 Orchard ORD ATT 1
March 18, 2013
Version #1

IN WITNESS THEREOF, Grantor executes this document through its Director of Seattle Public Utilities as authorized by Ordinance _____, this ____ day of _____, 2012.

THE CITY OF SEATTLE

By: _____

Ray Hoffman, Director, Seattle Public Utilities

STATE OF Washington)

) ss.

COUNTY OF King)

I certify that I know or have satisfactory evidence that Ray Hoffman is the person who appeared before me, and signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the Director of **Seattle Public Utilities**, of The **City of Seattle**, a municipal corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated_____

_____

Notary (print name) _____

Notary Public in and for the State of _____

residing at _____

My appointment expires _____

ORIGINAL CITY CLERK

Judith Cross
SPU 701 Orchard ORD ATT2
March 18, 2013
Version #1

Attachment 2

Recording Requested By And
When Recorded Mail To:

Seattle Public Utilities
Real Property Services
PO Box 34018
Seattle WA 98124-4018

RELINQUISHMENT OF EASEMENT

Reference #s of Documents Released or Assigned:	KC #8509130874, as accepted by City of Seattle Ordinance 116511
Grantor:.....	City of Seattle
Grantee:.....	Shalmar Group, LLC, SIMCO Properties, LLC, Shalmar 08, LLC, and Seattle Iron & Metals Corporation ("SIMC")
Legal Description (abbreviated):.....	Pt of SE ¼ Pt of SW ¼ Sec 29, T 24 N, R4 E
Assessor's Tax Parcel ID#:.....	Pt of 2136200706, 2924049089, 2136200380

SIMC/701 S. Orchard St
RW# 2008-023

The City of Seattle, a municipal corporation of the State of Washington, ("Grantor"), acting by and through **Seattle Public Utilities**, for and in consideration of $1.00 (ONE DOLLAR), receipt of which is hereby acknowledged, does hereby relinquish an Easement for Storm Water Runoff, to **Shalmar Group LLC, SIMCO Properties, LLC, Seattle Iron & Metal Corp. and Shalmar 08, LLC**, three Washington State Limited Liability Companies and a Washington State Corporation, collectively **"SIMC"**, ("Grantee"), their successors and assigns, and

WHEREAS, The City of Seattle and SIMC have entered into an agreement, dated _____, and recorded under King County Recording No._____to clarify responsibilities and obligations for stormwater management and control on the SIMC properties and adjacent streets.

THEREFORE, the real property rights as conveyed in the Easement for Storm Water Runoff as recorded under King County Recording No. 8509130874 relating to drainage in the SIMC properties as legally described and accepted by City of Seattle Ordinance 116511, dated

CITY CLERK

December 21, 1992, are hereby found and declared to be no longer required for municipal utility purposes and are surplus to the City of Seattle's utility needs and are hereby relinquished to Grantee.

IN WITNESS THEREOF, Grantor executes this document through its Director of Seattle Public Utilities as authorized by Ordinance _____, this ____ day of _____, 2012.

THE CITY OF SEATTLE

By: _____

Ray Hoffman, Director, Seattle Public Utilities

STATE OF Washington)

) ss.

COUNTY OF King)

I certify that I know or have satisfactory evidence that Ray Hoffman is the person who appeared before me, and signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the Director of **Seattle Public Utilities**, of The **City of Seattle**, a municipal corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated_____

_____

Notary (print name) _____

Notary Public in and for the State of Washington, residing at _____

My appointment expires _____

CITY CLERK

Judith Cross
SPU 701 Orchard Att 3
March 19, 2013
Version #1

ATTACHMENT 3

Recording Requested By And
When Recorded Mail To:

Seattle Public Utilities
Real Property Services
PO Box 34018
Seattle WA 98124-4018

EASEMENT

Reference #s of Documents Released or Assigned:	None
Grantor:	Seattle Iron & Metals Corporation, Shalmar Group, LLC, Shalmar 08, LLC, and SIMCO Properties, LLC
Grantee:	City of Seattle
Legal Description (abbreviated):	Pt of SW ¼ Sec 29 T 24 N, R4 E, WM
Assessor's Tax Parcel ID#:	2136200706, 2136200380, & 2924049089

RW # 2008-023

THIS EASEMENT granted this _____ day of _____, 2012, by **Seattle Iron & Metals Corporation, a corporation of the State of Washington, and Shalmar Group, LLC, Shalmar 08, LLC, and SIMCO Properties, LLC,** limited liability companies of the State of Washington, hereinafter collectively called "Grantor," to **The City of Seattle,** a municipal corporation of the State of Washington, acting by and through Seattle Public Utilities, a City of Seattle department, hereinafter called the "Grantee."

WITNESSETH: Said Grantor for and in consideration of the benefits herein between Grantor and Grantee, and other valuable consideration, the sufficiency and receipt of which is hereby acknowledged, do by these presents grant, bargain, sell, convey, and warrant to the Grantee a permanent easement for conveyance of stormwater drainage from the public right-of-way known as S. Garden Street through an underground drain pipe and appurtenances owned by Grantor ("Grantor's Drain Pipe" or "SIMC Storm Drain Pipe") through and across Grantor's real property in Seattle, King County, Washington herein described in Exhibit 1 and as shown in Exhibit 2 ("Easement Area").

This easement shall include such rights in the Easement Area as shall be necessary for the continued and permanent conveyance of drainage from the public right-of-way from S. Garden Street through Grantor's Drain Pipe to its outfall on the Lower Duwamish Waterway. Grantor also agrees to maintain Grantor's Drain Pipe in good and continuous operating condition, and to inspect, repair, improve, alter, reconstruct or replace Grantor's Drain Pipe to ensure Grantee's rights under this Easement.

CITY CLERK

Judith Cross
SPU 701 Orchard Att 3
March 19, 2013
Version #1

ATTACHMENT 3

The Grantee shall have the right without prior institution of any suit or proceeding at law, at such time as may be necessary and in the manner described herein, to enter upon the Easement Area for the purpose of inspecting the operating condition of Grantor's Drain Pipe without incurring any legal obligation or liability therefore, except for property damage or personal injury caused by the Grantee's own negligence. The Grantee shall have the right to enter upon the Easement Area for the purposes herein described, provided that in the absence of an emergency, at least 24-hours advance notice of Grantee's entry into the Easement Area shall be provided to Grantor by Grantee in recognition that Grantor operates an active, heavy industrial facility.

Grantor hereby agrees that no new buildings, other permanent structures, trees, fill or obstructions of any kind, shall be constructed, planted or permitted to remain within the boundaries of said Easement Area, without prior written permission of the Director of Seattle Public Utilities, or any such officer or board who may hereafter succeed to the jurisdiction and powers in respect to the Facilities now possessed by the Director of Seattle Public Utilities; provided, however that Grantee hereby consents to the concrete block structure shown in Exhibit 2 remaining in place within the Easement Area.

Grantor, its successors, assigns, lessees, sub-lessees, tenants, and sub-tenants, shall have the right to use the Easement Area in any way and for any other legal purpose that is not inconsistent with the rights herein granted to Grantee.

The covenants herein contained shall run with the land and shall be binding on the parties, their successors and assigns forever.

Dated this ____ day of _____, 2012.

SHALMAR GROUP, LLC

By: _____

Printed name: _____

Title: _____

SIMCO PROPERTIES, LLC

By: _____

Printed name: _____

Title: _____

CITY CLERK

Judith Cross
SPU 701 Orchard Att 3
March 19, 2013
Version #1

ATTACHMENT 3

SHALMAR 08, LLC

By: _____

Printed name: _____

Title: _____

SEATTLE IRON & METALS CORP.

By: _____

Printed name: _____

Title: _____

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as _____ **(title)** of **SHALMAR GROUP, LLC,** a limited liability company of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this _____ day of _____, 2012

_____

Name (Print) _____

NOTARY PUBLIC for the State of _____

residing at _____

My appointment expires _____

SEA CITY CLERK

Judith Cross
SPU 701 Orchard Att 3
March 19, 2013
Version #1

ATTACHMENT 3

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that_____ ___is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as _____ **(title) of SIMCO PROPERTIES, LLC**, a limited liability company of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this _____day of _____, 2012

_____

Name (Print) _____

NOTARY PUBLIC for the State of _____

residing at _____

My appointment expires _____

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that_____is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as _____(**title)** of **SHALMAR 08, LLC,** a limited liability company of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this _____day of _____, 2012

_____

Name (Print) _____

NOTARY PUBLIC for the State of _____

2013 CITY CLERK

Judith Cross
SPU 701 Orchard Att 3
March 19, 2013
Version #1

ATTACHMENT 3

residing at _____

My appointment expires _____

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that_____is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as _____**(title)** of **SEATTLE IRON & METALS CORPORATION,** a corporation of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this _____day of _____, 2012

_____

Name (Print) _____

NOTARY PUBLIC for the State of _____

residing at _____

My appointment expires _____

CITY CLERK

EXHIBIT 1

SIMC STORM DRAIN PIPE DESCRIPTION

A 24 INCH WIDE STORM DRAIN PIPE LOCATED BELOW GROUND AND ALONG THE FOLLOWING DESCRIBED CENTERLINE OVER THAT PORTION OF SOUTH GARDEN STREET, AS VACATED UNDER ORDINANCE NO. 112815 AND OVER A PORTION OF THE ABANDONED BEDS OF THE DUWAMISH RIVER LYING WITHIN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 24 NORTH, RANGE 4 EAST, W.M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 29;
THENCE NORTH 00°09'26" WEST 2,256.41 FEET ALONG THE CENTERLINE OF SAID SECTION 29 TO A POINT ON THE NORTH MARGIN OF SOUTH GARDEN STREET, AS DEDICATED IN THE PLAT OF THE DUWAMISH INDUSTRIAL ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 21 OF PLATS, PAGE 65, KING COUNTY, WASHINGTON;
THENCE WEST ALONG SAID NORTH MARGIN 353.23 FEET TO THE EAST MARGIN OF SAID VACATED SOUTH GARDEN STREET;
THENCE SOUTH 00°00'00" WEST ALONG EAST MARGIN OF SAID VACATED SOUTH GARDEN STREET 15.96 FEET TO THE TRUE POINT OF BEGINNING.
THENCE NORTH 90°00'00" WEST 134.17 FEET;
THENCE SOUTH 89°08'07" WEST 200.77 FEET;
THENCE SOUTH 49°23'25" WEST 88.86 FEET TO THE NORTHEASTERLY MARGIN OF COMMERCIAL WATERWAY DISTRICT NO. 1 AND THE TERMINUS OF SAID CENTERLINE;

SITUATE IN THE CITY OF SEATTLE, KING COUNTY, WASHINGTON.

04/11/12
DAKIN A. BELL
STATE OF WASHINGTON
375
REGISTERED
PROFESSIONAL LAND SURVEYOR

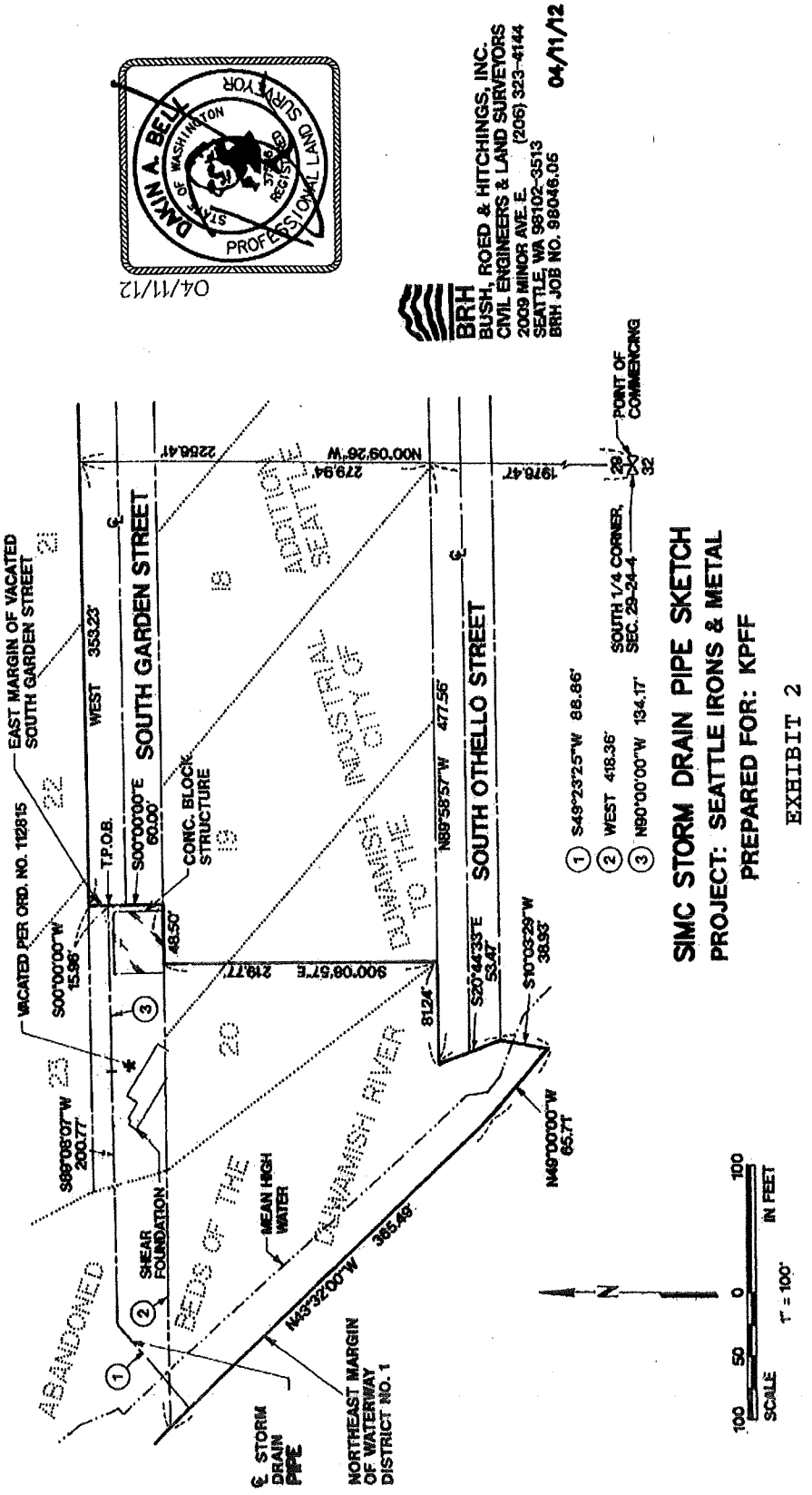
SEATTLE IRON & METALS
KPFF
DAKIN A. BELL, P.L.S.
BRH JOB NO. 98046.05
APRIL 10, 2012

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144

Dns CITY CLERK

Judith Cross
SPU 701 Orchard Exhibit 2 to ATT 3
March 20, 2013
Version #1

Exhibit 2



SMS CITY CLERK

Effie K. Moody
SPU 701 Orchard FISC
March 11, 2013
Version #2

Form revised: December 6, 2011

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Public Utilities	Judith Cross/6-1814	Karl Stickel 4-8085

Legislation Title:
AN ORDINANCE relating to Seattle Public Utilities; declaring certain reserved real property rights relating to sewer facilities within the vacated portion of 7th Avenue South, and easement rights related to storm water runoff at 701 South Orchard Street as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights; authorizing the Director of Seattle Public Utilities to accept an easement from Seattle Iron & Metals Company for conveyance of stormwater runoff through private property from city-owned drainage facilities in portions of South Garden Street; and ratifying and confirming certain prior acts.

Summary of the Legislation: This legislation would authorize the relinquishment of two easements the City no longer needs for utility purposes and authorizes the acceptance of an easement to convey public stormwater through private property.

Background:
Seattle Iron & Metals Company (SIMCO) wants to expand its facilities near the Duwamish Waterway and asked the City to release a reserved right for a sewer pipe on its property. SPU studied the drainage in the area and reached an agreement with SIMCO which clarifies ownership of the drainage facilities and responsibilities of SIMCO and the City for drainage from SIMCO's properties and part of S. Garden Street, and reduces potential City liability for a drainage pipe and outfall on private property.

Please check one of the following:

_X_ This legislation does not have any financial implications.

Other Implications:

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

b) **What is the financial cost of not implementing the legislation?**
Ongoing risk related to continued liability for pipe and outfall on private property; possible City liability for failing to release unused and unneeded historical reserved property right for a sewer pipe.

CITY CLERK

c) **Does this legislation affect any departments besides the originating department?**
No.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** No alternatives to relinquishments and acceptance of easement.

e) **Is a public hearing required for this legislation?**
Yes. A public hearing is required pursuant to RCW 35.94.040.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
N/A

g) **Does this legislation affect a piece of property?**
Yes. Map exhibit included in legislation packet.

h) **Other Issues:**
N/A

List attachments to the fiscal note below:
None

SMS CITY CLERK

City of Seattle
Office of the Mayor

April 9, 2013

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

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill which would allow Seattle Public Utilities (SPU) to resolve several easement issues related to the Seattle Iron & Metal Company's (SIMCO) expansion of its recycling facility at 701 South Orchard Street in the Duwamish industrial corridor.

The City and SIMCO reached an agreement which clarifies the company's responsibilities for sewer and drainage from its property and the unvacated portions of South Garden Street. The City has agreed to relinquish reserved rights for a sewer in part of vacated 7th Avenue South in favor of accepting an easement from SIMCO for public stormwater runoff from the South Garden Street right-of-way that is conveyed through SIMCO's property to the Duwamish River.

This legislation has no financial cost to SPU ratepayers but it reduces legal risk to the utility and provides benefits to the community by enabling the expansion of SIMCO's metal recycling facility.
Thank you for your consideration of this legislation. If you have questions, please contact Judith Cross at 6-1814.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov

CITY CLERK

STATE OF WASHINGTON -- KING COUNTY

--ss.

298207 No. 124177,178,179,180

CITY OF SEATTLE,CLERKS OFFICE

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

05/28/13

The amount of the fee charged for the foregoing publication is the sum of $82.50 which amount has been paid in full.

Subscribed and sworn to before me on

05/28/2013

Notary public for the State of Washington,
residing in Seattle

JENNIFER A. BORRERO NOTARY COMMISSION EXPIRES

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on May 13, 2013, 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. 124177

AN ORDINANCE amending the Seattle Comprehensive Plan to incorporate changes proposed as part of the 2012-2013 Comprehensive Plan annual amendment process.

ORDINANCE NO. 124178

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to execute a Second Amended and Restated Declining Block Water Supply Agreement between the City of Seattle and Cascade Water Alliance.

ORDINANCE NO. 124179

AN ORDINANCE relating to Seattle Public Utilities; declaring certain reserved real property rights relating to sewer facilities within the vacated portion of 7th Avenue South, and easement rights related to storm water runoff at 701 South Orchard Street as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights; authorizing the Director of Seattle Public Utilities to accept an easement from Seattle Iron & Metals Company for conveyance of stormwater runoff through private property from city-owned drainage facilities in portions of South Garden Street; and ratifying and confirming certain prior acts.

ORDINANCE NO. 124180

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

Date of publication in the Seattle Daily Journal of Commerce, May 28, 2013.

5/28(298207)