

RESOLUTION No. 31338

A RESOLUTION setting the public hearing on the petition of the Department of Parks and Recreation for the vacation of a portion of Westlake Avenue between Pine Street and Fourth Avenue in the downtown area of Seattle; pursuant to Chapter 35.79 Revised Code of Washington (RCW) and Seattle Municipal Code (SMC) 15.62 (Clerk File 311670).

Introduced: Nov. 14, 2011	By: Rasmussen
Referred:	To: Full Council for Introduction and Adoption
Referred:	To:
Reported:	
Passed: 11.14.11	Signed:
Filed:	Published: Titu

11.14.11 Adopted ~~11.14.11~~ 4-0

US5171

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WHEREAS, the Department of Parks and Recreation has filed a petition with the City Council to vacate public property; and

WHEREAS, the petition is signed by the owners of more than two-thirds of the property abutting on the subject vacation areas; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THAT:**

Section 1. A hearing for the vacation of a portion of Westlake Avenue between Pine Street and 4<sup>th</sup> Avenue described as:

**The westerly 70 feet of Westlake Avenue as established by City of Seattle Condemnation Ordinance 7733, between the southerly margin of Pine Street and the easterly margin of 4<sup>th</sup> Avenue, all in Block 19, Addition to the Town of Seattle, as laid out by A.A. Denny (commonly known as A.A. Denny's 3<sup>rd</sup> Addition to the City of Seattle), as per plat recorded in Volume 1 of Plats, page 33, Records of King County, Washington;**

**Reserving within said vacation area all rights for subsurface utilities as may be allowed within street right-of-way; and**

**Reserving an easement for vehicular ingress and egress, 16 feet wide lying 8 feet on either side of the following described line:**

**Beginning at a point on the northerly line of Block 19, A.A. Denny's 3<sup>rd</sup> Addition, as recorded in Volume 1 of Plats, page 33, said point being N59°18'59" E and 102.01 feet distant from the northwesterly corner of said Block 19; thence S 30°37'05" E a distance of 80.01 feet to a point on the easterly line of the westerly 70 feet of Westlake Avenue as established by City of Seattle Ordinance 7733 and the southerly terminus of this described centerline. Said terminus point being S 6°46'05" E and 87.52 feet distant from the intersection of the northerly line of said Block 19 and the easterly line of the westerly 70 feet of Westlake Avenue. The margins of said easement to be extended or trimmed to the intersecting end lines.**

OR in the alternative, to vacate any portion of these rights-of-way as described;

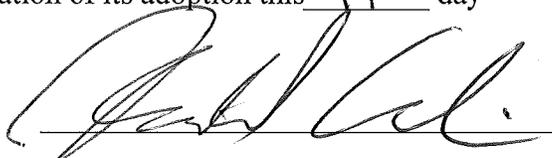


1 RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills  
2 upon the property in the reasonable original grading of any right-of-way abutting upon the  
3 property after the vacation, and further;

4 RESERVING to the City of Seattle the right to reconstruct, maintain and operate any  
5 existing overhead or underground utilities in the property until the beneficiaries of the  
6 vacation arrange with the owner(s) for their removal:  
7

8 is hereby fixed so that December 13, 2011, at 9:30 a.m., in the City Council Chambers, Floor 2  
9 City Hall, is the time and place that the Transportation Committee of the City Council will  
10 consider the petition, and the City Clerk is directed to give the notice of such hearing in the  
11 manner provided by law. A map, indicating the property described in the petition shall be  
12 affixed to and become a part of the notice, required by law to be posted in a conspicuous place  
13 on the right-of-way sought to be vacated.  
14

15 Adopted by the City Council the 14<sup>th</sup> day of November, 2011, and  
16 signed by me in open session in authentication of its adoption this 14<sup>th</sup> day  
17 of November, 2011.

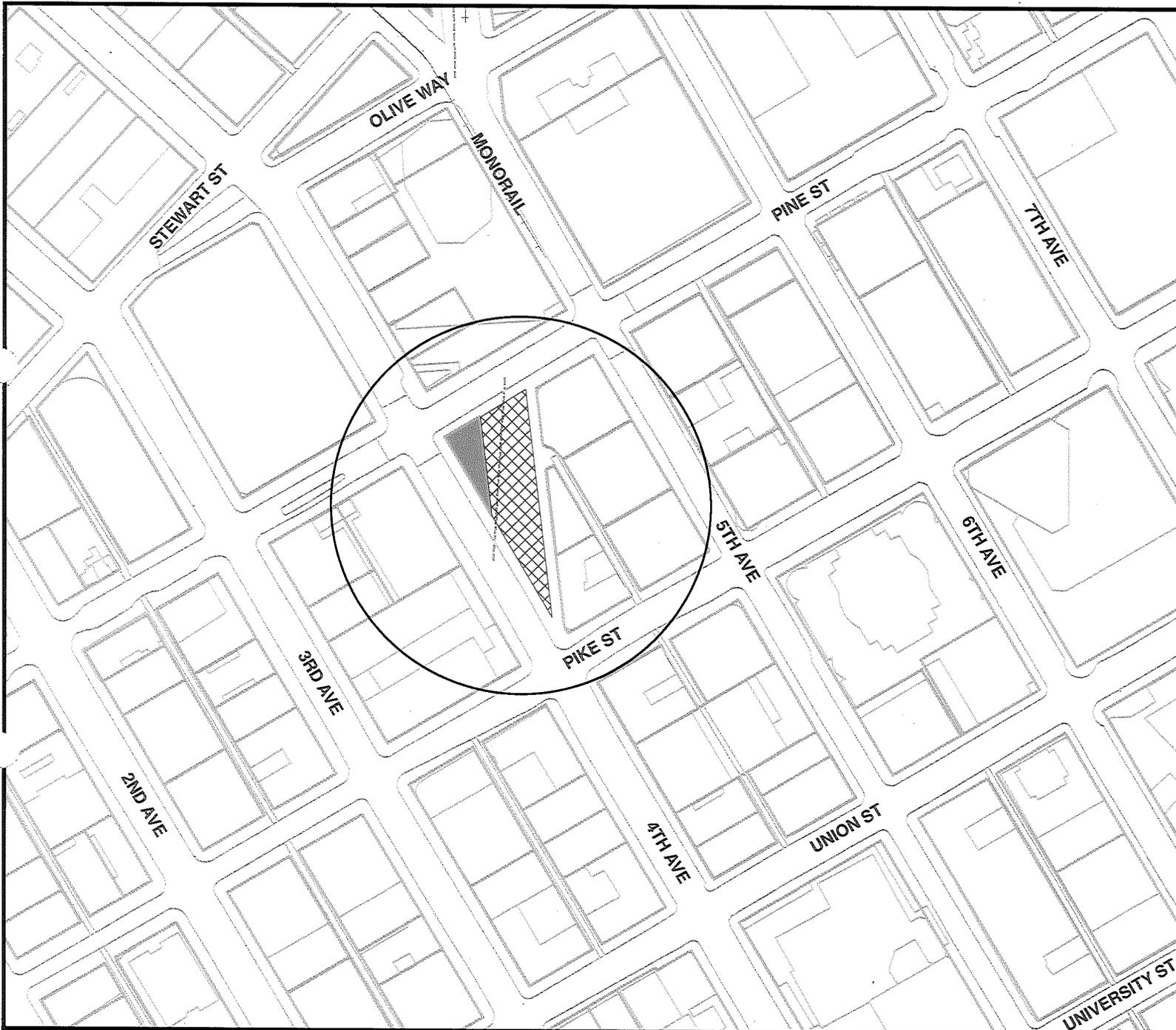
18   
19 \_\_\_\_\_  
20 President \_\_\_\_\_ of the City Council

21 Filed by me this 14<sup>th</sup> day of November, 2011.

22   
23 \_\_\_\_\_  
24 Monica Martinez Simmons, City Clerk  
25

26  
27 (Seal)  
28





Westlake Avenue  
Vacation Petition

CF 311670

Petitioner:  
Seattle Parks and  
Recreation

 Proposed  
Vacation:  
approx. 17,150 sf

 Existing  
Westlake Park  
approx. 4,100 sf

 Existing  
Pedestrian  
Walkway

Zoning: DRC 85-150



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Department of Transportation  
No warranties of any sort,  
including accuracy, fitness or  
merchantability, accompany  
this product.

Coordinate System:  
State Plane, NAD83-91,  
Washington, North Zone  
Orthophoto Source:  
Pictometry 2007

PLOT DATE : 10/2010  
AUTHOR : SDOT  
Street Vacation



**Proposed Westlake Avenue Vacation**

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STATE OF WASHINGTON – KING COUNTY

--SS.

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278741  
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.

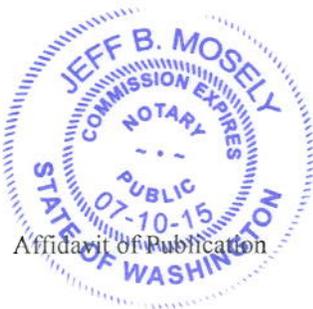
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:31337&31338 TITLE ONLY

was published on

12/01/11

The amount of the fee charged for the foregoing publication is the sum of \$ 40.95, which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

12/01/11

Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle

The full text of the following legislation, passed by the City Council on November 14, 2011, 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.

#### RESOLUTION NO. 31337

A RESOLUTION recognizing and supporting the peaceful and lawful exercise of the First Amendment as a cherished and fundamental right in the effort to seek solutions for economically distressed Americans at the federal and local levels.

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Publication ordered by the City Clerk  
Date of publication in the Seattle Daily  
Journal of Commerce, December 1, 2011.  
12/1(278741)