



**City of Seattle**  
Office of the Mayor

April 5, 2011

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

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that authorizes the Director of the Department of Information Technology to accept a deed for transfer of real property and improvements located at 1125 North 98<sup>th</sup> Street in Seattle, Washington, in fulfillment of a contract between the City of Seattle and Seattle Community Access Network (SCAN).

The Department of Information Technology (DoIT) negotiates and manages the City's cable franchise agreements. As part of its franchise agreement with the City of Seattle, Comcast turned over the deed to its production building located at 98<sup>th</sup> and Aurora Avenue to SCAN, which was the designated public access television provider at the time. SCAN's contract with the City required it to turn over ownership of the facility to the City when the contract ended, which was December 31, 2010. This Ordinance authorizes the Director of DoIT to accept the quit claim deed from SCAN. At this point, we are not planning on retaining the building long-term, but final disposition will not be decided until after the new public access provider has been selected.

Thank you for your consideration of this legislation. Should you have questions, please contact Bill Schrier, Chief Technology Officer, at 684-0633.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael McGinn".

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

**ORDINANCE \_\_\_\_\_**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

AN ORDINANCE relating to the Department of Information Technology; authorizing the Director of the Department of Information Technology to accept and record a deed for the transfer of real property and improvements located at 1125 North 98<sup>th</sup> Street in Seattle, Washington, and identified as Tax Parcel Number 924790-0045-02 in fulfillment of a contract between the City of Seattle and Seattle Community Access Network (SCAN); and ratifying and confirming certain prior acts.

WHEREAS, Comcast of Washington I, Inc. and Comcast of Washington IV, Inc. (collectively "Comcast") are authorized to provide Cable Services in the City of Seattle ("City") in accordance with a Cable Franchise Agreement ("Franchise") approved under Ordinance 122089; and

WHEREAS, Section 6.4 (B) of the Franchise provides that Comcast shall make a capital contribution to the City of \$750,000 and that Comcast could satisfy this obligation by transferring Public Access Facility ("Facility") located at 1125 North 98<sup>th</sup> Street in Seattle, Washington, to the City's Designated Public Access Manager; and

WHEREAS, on the effective date of the Franchise, Seattle Community Access Network ("SCAN") was the City's Designated Access Manager for Public Access Television and on November 9, 2006, Comcast, in fulfillment of the Franchise obligation and at the direction of the City, transferred ownership of the Facility to SCAN; and

WHEREAS, on June 1, 2006, the City and SCAN amended their existing contract ("Agreement"), extending the period for SCAN to provide Public Access services to December 31, 2010; and

WHEREAS, Section 17.4 of the Agreement, which expired on December 31, 2010, requires SCAN to transfer to the City all property and equipment acquired with City funds upon expiration of the Agreement; and

WHEREAS, in fulfillment of its contract obligations, SCAN delivered to the City a quit claim deed dated December 16, 2010 (Attachment A), transferring ownership of the Facility to the City; and

WHEREAS, the quit claim deed was recorded with King County on December 28, 2010; NOW  
THEREFORE,

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

1 Section 1. The Director of the Department of Information Technology is authorized to  
2 accept and record on behalf of the City of Seattle the quit claim deed, a copy of which is  
3 attached to this ordinance as Attachment A, conveying the Public Access Facility located at  
4 1125 North 98th Street in Seattle, legally described as:

5  
6 Lots 9, 10, 11 and 12, Block 1, Wenzel Additional to the City of Seattle, according to  
7 the Plat thereof recorded in Volume 19 of Plats, page(s) 31, in King County,  
8 Washington.  
9

10  
11 Section 2. The real property described in Section 1 is placed under the jurisdiction of  
12 the Department of Information Technology.

13  
14 Section 3. Any act consistent with the authority of this ordinance taken prior to its  
15 effective date is hereby ratified and confirmed.  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2 Section 4. This ordinance shall take effect and be in force 30 days from and after its  
3 approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
4 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.  
5

6 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2011, and  
7 signed by me in open session in authentication of its passage this  
8 \_\_\_\_ day of \_\_\_\_\_, 2011.  
9

10  
11 \_\_\_\_\_  
12 President \_\_\_\_\_ of the City Council  
13

14 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2011.  
15

16 \_\_\_\_\_  
17 Michael McGinn, Mayor  
18

19 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2011.  
20

21 \_\_\_\_\_  
22 Monica Martinez Simmons, City Clerk  
23

24 (Seal)

25 Attachment A: SCAN Quit Claim Deed  
26

**When recorded return to:**  
Seattle City Attorney's Office  
Attention: William G. McGillin  
600 - 4th Avenue, 4th Floor, P.O. Box 94769  
Seattle, WA 98124-4769

Grantor: Seattle Community Access Network ("SCAN"), a Washington not-for-profit corporation  
Grantee: City of Seattle, a municipality  
Abbreviated Legal: LOTS 9, 10, 11 AND 12, BLOCK 1, WENZEL ADDITIONAL TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19 OF PLATS, PAGE(S) 31, IN KING COUNTY, WASHINGTON.

**QUIT CLAIM DEED**

**THE GRANTOR Seattle Community Access Network ("SCAN"), a Washington not-for-profit corporation; in fulfillment of contractual obligations, hereby conveys and quit claims to GRANTEE City of Seattle, a municipality the following described real estate, situated in the County of King State of Washington, together with all after acquired title of the Grantor therein:**

**Legal Description: LOTS 9, 10, 11 AND 12, BLOCK 1, WENZEL ADDITIONAL TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19 OF PLATS, PAGE(S) 31, IN KING COUNTY, WASHINGTON.**

QUIT CLAIM DEED  
Seattle Community Access Network  
Page 1 of 2

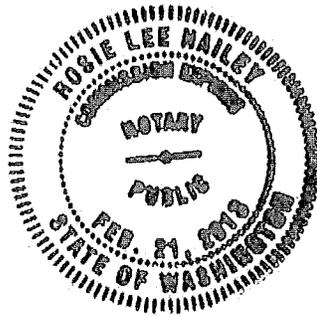
Attachment A to SCAN Property Transfer ORD

Tax Parcel Number: 924790-0045-02  
Seattle Community Access Network (SCAN)

By SGA  
Its: PRESIDENT, BOARD OF DIRECTORS  
Title

On this day personally appeared before me Stanley G. Emert, who identified himself/herself to be the President, Board of Directors Insert Title of Seattle Community Access Network (SCAN) duly authorized to execute this instrument and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 16th day of December, 2010.



Rosie Lee Hailey  
Notary name printed or typed:  
Notary Public in and for the State of  
Residing at Seattle  
My appointment expires: 2/21/2013

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

| <b>Department:</b>                   | <b>Contact Person/Phone:</b> | <b>CBO Analyst/Phone:</b> |
|--------------------------------------|------------------------------|---------------------------|
| Department of Information Technology | D'Anne Mount 3-8736          | Jennifer Devore 5-1328    |

**Legislation Title:**

AN ORDINANCE relating to the Department of Information Technology; authorizing the Director of the Department of Information Technology to accept and record a deed for the transfer of real property and improvements located at 1125 North 98<sup>th</sup> Street in Seattle, Washington, and identified as Tax Parcel Number 924790-0045-02 in fulfillment of a contract between the City of Seattle and Seattle Community Access Network (SCAN); and ratifying and confirming certain prior acts.

**Summary of the Legislation:** This Ordinance authorizes the Director of the Department of Information Technology (DOIT) to accept a transfer of property from SCAN, in accordance with their contract with the City of Seattle, which ended on December 31, 2010.

**Background:** As part of its franchise agreement with the City of Seattle, Comcast turned over the deed to its production building located at 98<sup>th</sup> and Aurora Avenue to SCAN, the designated public access television provider at the time. SCAN's contract with the City required it to turn over ownership of the facility to the City at the end of the contract period. SCAN returned the facility to the City by a quit claim deed in December 2010 and this Ordinance authorizes the Director of DoIT to accept and record the deed.

Please check one of the following:

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

**This legislation has financial implications.** (Please complete all relevant sections that follow.)

The deed transfer creates an asset for the City of which the current value has yet to been determined, but it was approximately \$750,000 (as determined by Comcast and the City) when deeded to SCAN in 2006. The long term plan is for DoIT to sell the building and deposit the proceeds in the Cable Fund. The real estate market will ultimately dictate the value of the building, which may be less than \$750,000 in our current economy. Any use of this property, or any proceeds derived from this facility, will be used in accord with the provisions in City Ordinance 122089, Section 6.4(B), and Council Resolution 30379.

**What is the financial cost of not implementing the legislation?**

If we do not receive ownership, we will not be able to either use the property for City purposes

or sell it.

**Does this legislation affect any departments besides the originating department?**

Yes, FAS. They manage the affected operating fund; the staff person is Victoria Galinato.

**What are the possible alternatives to the legislation that could achieve the same or similar objectives?** None

**Is the legislation subject to public hearing requirements?**

No