ORDINANCE _____

AN ORDINANCE relating to the City Light Department, accepting various easements granted to The City of Seattle for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

WHEREAS, the Department of Planning and Development requires that applications for short plats, lot boundary adjustments, and unit lot subdivisions be reviewed by other City departments as a condition of its approval of such property divisions; and

WHEREAS, it is the intention of both the Department of Planning and Development and the City Light Department that each lot created by such property divisions has adequate access for utilities including electrical service; and

WHEREAS, after review by the City Light Department, the Department of Planning and Development places City Light easements in gross on final approved short plats, lot boundary adjustments, and unit lot subdivisions when necessary to ensure adequate electrical service access; and

WHEREAS, the Seattle City Charter, Article IV, Legislative Department, Section 14, Powers by Ordinance: Fourth, Acquisition and Disposal of Property, requires that all acquisition and disposal of real property interests shall be by ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle hereby accepts the easements for overhead and underground electrical distribution rights upon, under, over and across the real property in King County, Washington, as more particularly described in the short plats, lot boundary adjustments, and unit lot subdivisions granted by the following persons or entities in 2011 and identified as follows:

JOAN B. WALZ, dated October 6, 2010, P.M. #250323-2-012, K.C. Recording #20110106900015;

SPECIALIZED HOMES, LLC, a limited liability company, dated November 17, 2010, P.M. #240415-3-008, K.C. Recording #20110106900014;

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DAYTIME LEISURE, LLC, a limited liability company, dated December 20, 2010, P.M. #250428-3-049, K.C. Recording #20110104900001;

BENJAMIN CUSTOM HOMES, LLC, a limited liability company, dated December 27, 2010, P.M. #240422-2-031, K.C. Recording #20110105900002;

SQUARE TWO, LLC, a limited liability company, dated December 29, 2010, P.M. #240404-4-058, K.C. Recording #20110112900002;

HABITAT FOR HUMANITY OF SEATTLE, dated October 22, 2010, P.M. #240416-4-022, K.C. Recording #20110112900003;

TAN NGUYEN, dated January 3, 2011, P.M. #240428-4-013, K.C. Recording #20110121900003;

14TH AVE SOUTH 2,4,6, LLC, a limited liability company, dated January 10, 2011, P.M. #240417-4-011, K.C. Recording #20110128900004;

BEACON HILL 1,3,5, LLC, a limited liability company, dated December 27, 2010, P.M. #250417-4-012, K.C. Recording #20110128900003;

BLUE PRINT CAPITAL, LLC, a limited liability company, dated January 13, 2011, P.M. # 240323-1-024, K.C. Recording #20110209900012;

MLJ, LLC, a limited liability company, dated December 28, 2010, P.M. #260431-2-033, K.C. Recording #20110203900004;

RIO L. CIOTTA, ROBERT CIOTTA and AGNES CIOTTA, husband and wife, dated January 20, 2011, P.M. #240405-4-011, K.C. Recording #20110208900006;

SHARIFAH SABAH and LINA BAHARAIN, dated January 25, 2011, P.M. #250408-1-020, K.C. Recording #20110216900005;

CITY CLERK

ROOSEVELT 6321, LLC, a limited liability company, dated January 26, 2010, P.M. #250408-1-021, K.C. Recording #20110214900004;

HO MING WOO, dated April 13, 2010, P.M. #240431-3-012, K.C. Recording #20100505900003;

BRADLEY KHOURI, dated February 11, 2011, P.M. #250433-2-037, K.C. Recording #20110222900004;

WHIDBEY ISLAND BANK, dated February 18, 2011, P.M. #250407-4-013, K.C. Recording #20110304900001;

SOUND EQUITIES INCORPORATED, dated February 11, 2011, P.M. #251311-1-054, K.C. Recording #20110224900003;

LISA LONG, dated March 3, 2011, P.M. #250428-3-020C, K.C. Recording #20110310900011;

RONG YING WU, dated March 3, 2011, P.M. #240408-1-033, K.C. Recording #20110307900004;

ADMIRAL JUNCTION, LLC, a limited liability company, dated March 3, 2011, P.M. #240311-1-017, K.C. Recording #20110315900006;

CLIFFORD LOW and HENRY LOW, dated January 26, 2011, P.M. #260432-3-033, K.C. Recording #20110329900003;

EJ DALTON, LLC, a limited liability company, dated March 23, 2010, P.M. #250433-4-009, K.C. Recording #20110405900007;

EJ DALTON, LLC, a limited liability company, dated March 31, 2011, P.M. #240313-3-033, K.C. Recording #20110405900009;

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BUILD URBAN, LLC, a limited liability company, dated April 6, 2011, P.M. #250433-4-007, K.C. Recording #20110419900008;

PRESCOTT HOMES, INC, dated March 24, 2011, P.M. #260432-4-022, K.C. Recording #20110504900002;

KNOLL DEVELOPMENT, LLC, a limited liability company, dated April 14, 2011, P.M. #240323-3-018, K.C. Recording #20110517900002;

KNOLL DEVELOPMENT, LLC, a limited liability company, dated May 12, 2011, P.M. #240321-1-025, K.C. Recording #20110518900016;

DORSAL HOLDINGS, LLC, a limited liability company, dated January 4, 2011, P.M. #260421-1-032, K.C. Recording #20110127900001;

BITTER LAKE, LLC, a limited liability company, dated April 26, 2011, P.M. #250323-1-016, K.C. Recording #20110601900001;

MAC JOLLY RENTALS, LLC, a limited liability company, dated May 13, 2011, P.M. #250312-1-011, K.C. Recording #20110601900013;

EJ DALTON, LLC, a limited liability company, dated May 13, 2011, P.M. #260336-3-023, K.C. Recording #20110601900002;

CP GRANGER CONSTRUCTION, dated May 11, 2011, P.M. #240315-4-017, K.C. Recording #20110615900002;

MORGAN JUNCTION, LLC, a limited liability company, dated June 7, 2011, P.M. #240323-3-019, K.C. Recording #20110617900004;

GREATWOOD HOMES, INC, dated May 23, 2011, P.M. #250311-1-066, K.C. Recording #20110630900008;

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STERLING SAVINGS BANK, dated July 6, 2011, P.M. #260421-1-031B, K.C. Recording #20110714900002;

KAI CHONG and YINGXIA W. CHONG, dated June 28, 2011, P.M. #250313-4-051, K.C. Recording #20110719900002;

JAMES DeMENEZES, dated July 9, 2011, P.M. #250433-1-035, K. C. Recording #20110721900006;

RIGHT FOOT DEVELOPMENT, LLC, a limited liability company, dated June 24, 2011, P.M. #250419-3-030, K.C. Recording #20110721900007;

SOLEIL EQUITY FUND, LLC, a limited liability company, dated July 5, 2011, P.M. #240323-4-027, K.C. Recording #20110721900005;

SLOAN RITCHIE, dated July 22, 2011, P.M. #250428-4-062, K.C. Recording #20110725900012;

DOLPHIN PROPERTIES, LLC, a limited liability company, dated May 19, 2011, P.M. #250312-4-076, K.C. Recording #20110801900003;

CHRIS PICKERING, dated June 14, 2011, P.M. #250324-1-012, K.C. Recording #20110816900003;

AARON I. BUXBAUM, dated August 12, 2011, P.M. #250310-1-015, K.C. Recording #20110829900006;

FRANKLIN HOMES, LLC, a limited liability company, dated August 12, 2011, P.M. #250310-1-015, K.C. Recording #20110829900006;

BENJAMIN CUSTOM HOMES, LLC, a limited liability company, dated August 15, 2011, P.M. #240404-4-099, K.C. Recording #20110824900002;

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MARTHA ROSE CONSTRUCTION, dated August 29, 2011, P.M. #250313-3-029, K.C. Recording #20110902900002;

YAKIMA TOWNHOMES, LLC, a limited liability company, dated September 1, 2011, P.M. #240404-4-050, K.C. Recording #20110912900002;

PETE GRANGER, INC., ALL DAY CONSTRUCTION, LLC, a limited liability company, dated August 25, 2011, P.M. #250433-2-039, K.C. Recording #20110921900004;

KODIAK DEVELOPMENT, LLC, a limited liability company, dated September 12, 2011, P.M. #260421-4-055, K.C. Recording #20110922900005;

MALDEN 8, LLC, a limited liability company, dated September 15, 2011, P.M. #250429-4-039, K.C. Recording #20110928900022;

FREMONT SIX, LLC, a limited liability company, dated September 15, 2011, P.M. #250418-2-052, K.C. Recording #20111006900007;

FREMONT SIX, LLC, a limited liability company, dated September 15, 2011, P.M. #250418-2-054, K.C. Recording #20111006900008;

SOUTH WASHINGTON, LLC, a limited liability company, dated September 14, 2011, P.M. #240404-2-043, K.C. Recording #20111004900005;

VISTRA, INC., dated September 14, 2011, P.M. #250418-3-058, K.C. Recording #20111006900005;

VITALIY Y. AFICHUK and LYUDMILA AFICHUK, dated August 18, 2011, P.M. #240325-2-028, K.C. Recording #20110927900002;

HABERZETLE HOMES, LLC, a limited liability company, dated July 19, 2011, P.M. #250311-1-067, K.C. Recording #20111017900001;

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PATRICIA BOGUCKI, dated August 18, 2011, P.M. #260430-3-023, K.C. Recording #20111017900002;

BRIARBOX, LLC, a limited liability company and BRIARBOX II, LLC, a limited liability company, dated September 29, 2011, P.M. #250419-3-009, K.C. Recording #20111019900002;

LOKE PROPERTIES, LLC, a limited liability company, dated October 6, 2011, P.M. #250433-3-048, K.C. Recording #20111102900010;

DC GRANGER, INC, dated December 23, 2009, P.M. #250410-3-022, K.C. Recording #20111103900001;

JONATHAN COOMBES, dated October 25, 2011, P.M. #260431-4-098, K.C. Recording #20111108900009;

PEREGINE CAPITAL PARTNERS, LLC, a limited liability company, dated October 11, 2011, P.M. #240310-3-020, K.C. Recording #20111108900012;

SOLEIL, LLC, a limited liability company, dated September 28, 2011, P.M. #240310-3-021, K.C. Recording #20111108900010;

BUILD URBAN, LLC, a limited liability company, dated October 11, 2011, P.M. #250428-4-063, K.C. Recording #20111109900005;

METROSTRUCTURE CORP., dated October 24, 2011, P.M. #250434-2-019, K.C. Recording #20111118900001;

PLUMA HOMES, LLC, a limited liability company, dated November 14, 2011, P.M. #250407-3-023, K.C. Recording #20111116900005;

PLUMA HOMES, LLC, a limited liability company, dated November 14, 2011, P.M. #250324-2-017, K.C. Recording #20111117900003;

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KOHARY CONSTRUCTION, INC., dated November 14, 2011, P.M. #250312-2-037, K.C. Recording #20111219900001;

KOHARY CONSTRUCTION, INC., dated November 14, 2011, P.M. #250418-2-053, K.C. Recording #20111215900007;

Section 2. The real property rights conveyed by these easements shall be placed under the jurisdiction of the City Light Department.

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 4. 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 ____ day of _____, 2012, and signed by me in open session in authentication of its passage this _____ day of _____, 2012.

_____

President Clark of the City Council

Approved by me this ____ day of _____, 2012.

_____

Michael McGinn, Mayor

CITY CLERK

Filed by me this ____ day of _____, 2012.

_____

Monica Martinez Simmons, City Clerk

(Seal)

CITY CLERK

Form revised: December 6, 2011

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle City Light	Lynn Best / 386-4586	Calvin Chow / 684-4652

Legislation Title:

AN ORDINANCE relating to the City Light Department, accepting various easements granted to The City of Seattle for overhead and underground electrical rights in King County, Washington; placing said easements under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

Summary of the Legislation:

This legislation accepts all of the easements granted to The City of Seattle for overhead and underground electrical distribution rights, as part of the Department of Planning and Development (DPD) land use permitting process, during 2011, places these easements under the jurisdiction of Seattle City Light, and ratifies and confirms certain prior acts.

Background:

As part of the approval process for short plats, lot boundary adjustments, and unit lot subdivisions, DPD obtains reviews of these land use permitting applications by other City departments. If City Light requires an easement to ensure adequate access to provide electrical service to any lot or lots created by such property division, an easement in gross is placed upon the property division as a condition of final plat approval by DPD. The property owner signs the plat as grantor. The plat is approved by DPD, and then recorded with the King County Recorder's Office.

The Seattle City Charter requires that all acquisitions and dispositions of property interests, including easements, must be approved by ordinance. This legislation will accept all of the easements for electrical service rights obtained by the City in short plats, lot boundary adjustments, and unit lot subdivisions, during 2011.

__X__ This legislation does not have any financial implications.

Other Implications:

a) Does the legislation have indirect financial implications, or long-term implications?

No

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b) What is the financial cost of not implementing the legislation?

No direct costs. The legislative acceptance of real property interests perfects the City's title against potential legal challenges, a liability issue.

c) Does this legislation affect any departments besides the originating department?

Yes, DPD approves the short plats, lot boundary adjustments, and unit lot subdivisions which incorporate the electrical service easements being accepted.

d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?

None.

e) Is a public hearing required for this legislation?

No.

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

No.

g) Does this legislation affect a piece of property?

Yes, plat maps of the permitted properties are recorded as indicated in the legislation. It would not be cost effective to provide these maps as attachments to a Fiscal Note.

h) Other Issues:

None.

List attachments to the fiscal note below:

None.

2012 CITY CLERK

City of Seattle
Office of the Mayor

March 13, 2012

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 that accepts various easements granted to the City of Seattle for electrical distribution rights, resulting from the Department of Planning and Development's (DPD's) approval of certain land use permitting actions during 2011. This ordinance will ensure that Seattle City Light has adequate access to provide needed electrical service.

As part of the approval process for short plats, lot boundary adjustments, and unit lot subdivisions, DPD reviews the applications with other City departments. City Light requires an easement to ensure adequate access for electrical service to any lot created by such property division. The easement is indicated on the face of the plat, approved by DPD, and recorded.

This Council Bill is necessary to comply with provisions of the Seattle City Charter, Article IV, which requires legislative approval for the acquisition or disposition of any property. Thank you for your consideration of this legislation. Should you have questions, please contact Lynn Best at 386-4586.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
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