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CB117428

ORDINANCE _____

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AN ORDINANCE relating to the First Hill Streetcar project; authorizing the Director of Transportation to acquire, accept, and record, on behalf of the City of Seattle, a permanent easement for street purposes from the Seattle School District No. 1, a municipal corporation of the State of Washington; and ratifying and confirming certain prior acts.

WHEREAS, to improve public transit in the City of Seattle, citizens need access to a variety of transit options; and

WHEREAS, the Sound Transit Board of Directors adopted Sound Transit 2, A Mass Transit Guide, the Regional Transit System Plan for Central Puget Sound on July 24, 2008, which includes capital and operating contributions for streetcar connector lines between downtown Seattle, First Hill, and the future Capitol Hill light rail station; and

WHEREAS, in December of 2008 the City Council adopted Resolution 31091 confirming the City Council's support for developing a streetcar network in the City of Seattle and identifying the most promising streetcar routes, including the First Hill Streetcar; and

WHEREAS, the First Hill Streetcar project (the "Project") will provide a modern streetcar line linking First Hill employment centers with the Regional link light rail system by connecting Capitol Hill, First Hill, and Chinatown/International District neighborhoods and provides planning resources for a transit connection between the First Hill Streetcar and the South Lake Union Streetcar; and

WHEREAS, the First Hill Streetcar route will operate primarily along Broadway, Yesler Way, and South Jackson Street with ten proposed stop locations; and

WHEREAS, the Project includes construction of two and one half miles of embedded track; roadway improvements to meet the requirements of the Americans with Disabilities Act, the City Complete Streets Ordinance, and the street restoration policy requirements; traction power and overhead contact systems; traffic signal modifications; a storage and light maintenance facility; and public utility modifications; and

WHEREAS, the City requires a permanent easement for street purposes from the Seattle School District No. 1 for track alignment purposes for the Project; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:



1 Section 1. The Director of Transportation ("Director"), or his designee, is authorized, on
2 behalf of the City of Seattle, to acquire a permanent easement for street purposes, from the
3 Seattle School District No. 1, for fair market value, in substantially the form of the easement
4 attached hereto as Attachment 1, over, under, upon and across the following described real
5 property in Seattle, King County, Washington (a portion of tax parcel No. 000760-0137):

6 That portion of the Northeast Quarter of the Northeast Quarter of Section 5,
7 Township 24 North, Range 4 East, W.M., described as follows:

8 Beginning at the intersection of the Westerly Right-of-Way margin of 14th
9 Avenue South with the Southerly Right-of-Way margin of East Yesler Way;

10 Thence South $1^{\circ}15'11''$ West along said Westerly margin of 14th Avenue South, a
11 distance of 22.51 feet;

12 Thence North $41^{\circ}28'45''$ West, a distance of 22.35 feet;

13 Thence North $76^{\circ}04'23''$ West, a distance of 27.74 feet to said Southerly margin
14 of East Yesler Way;

15 Thence South $88^{\circ}44'52''$ East along said Southerly margin, a distance of 42.23
16 feet to the Point of Beginning;

17 Containing an area of 300 square feet, more or less;

18 Situate in the City of Seattle, King County, Washington.

19 Section 2. The Director, or his designee, is authorized to execute such documents
20 as he deems necessary or desirable to accomplish acquisition of the easement for street
21 purposes consistent with this ordinance. Upon delivery of the easement for street
22 purposes, the Director or his designee is authorized to accept the easement on behalf of
23 the City by attaching to the easement his written acceptance thereof, and to record the
24 same. The easement property rights shall be accepted for street purposes and placed
25 under the jurisdiction of the Seattle Department of Transportation.
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1 Section 3. Any acts consistent with the authority and prior to the effective date of this
2 ordinance are hereby ratified and confirmed.

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

6 Passed by the City Council the ____ day of _____, 2012, and signed by me
7 in open session in authentication of its passage this
8 ____ day of _____, 2012.

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President _____ of the City Council

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Approved by me this ____ day of _____, 2012.

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Michael McGinn, Mayor

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Filed by me this ____ day of _____, 2012.

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Monica Martinez Simmons, City Clerk

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(Seal)

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Attachment 1: Easement

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Gretchen M. Haydel
SDOT, Easement, ATT 1
January 11, 2012
Version #1

After recording return document to:

City of Seattle
Department of Transportation
700 5th Avenue – Suite 3900
P.O. Box 34996
Seattle, WA 98124-4996
Attn: Larry Huggins

Document Title: Easement

Reference Number of Related Document: N/A

Grantor(s): Seattle School District No. 1

Grantee: City of Seattle

Abbreviated Legal Description: Ptn of NE ¼ of NE ¼ of Sec. 5, T24N, R4E, W.M., King County, Washington

Additional Legal Description on Exhibit A Page 3 of Document.

Assessor's Tax Parcel Number(s): 000760-0137

EASEMENT

Project: First Hill Streetcar

The Grantor, **SEATTLE SCHOOL DISTRICT NO. 1**, a municipal corporation of the State of Washington, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, hereby conveys and warrants to the **CITY OF SEATTLE**, a municipal corporation of the State of Washington, an Easement for street purposes over, under, upon and across the hereinafter described lands, situated in King County, State of Washington, to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington:

See Exhibit A attached hereto and made a part hereof.



EASEMENT

EXHIBIT A

Legal Description

That portion of the Northeast Quarter of the Northeast Quarter of Section 5, Township 24 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the Westerly Right-of-Way margin of 14th Avenue South with the Southerly Right-of-Way margin of East Yesler Way;
thence South $1^{\circ}15'11''$ West along said Westerly margin of 14th Avenue South, a distance of 22.51 feet;
thence North $41^{\circ}28'45''$ West, a distance of 22.35 feet ;
thence North $76^{\circ}04'23''$ West, a distance of 27.74 feet to said Southerly margin of East Yesler Way;
thence South $88^{\circ}44'52''$ East along said Southerly margin, a distance of 42.23 feet to the Point of Beginning;

Containing an area of 300 square feet, more or less;

Situate in the City of Seattle, King County, Washington.



FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Department of Transportation	Larry Huggins/684-5001	Stephen Barham /733-9084

Legislation Title:

AN ORDINANCE relating to the First Hill Streetcar project; authorizing the Director of Transportation to acquire, accept, and record, on behalf of the City of Seattle, a permanent easement for street purposes from the Seattle School District No. 1, a municipal corporation of the State of Washington; and ratifying and confirming certain prior acts.

Summary and background of the Legislation:

This legislation authorizes acquisition, acceptance, and recording of a permanent Easement granted to the City of Seattle by the Seattle School District for street purposes in connection with the First Hill Streetcar project ("Project"), and places the easement under the jurisdiction of the Seattle Department of Transportation. The Seattle School District's property adjoins a portion of the Project site in the vicinity of 14th Avenue South and Yesler Way and a permanent easement is necessary for track alignment of the Project.

This Project consists of a modern low-floor streetcar system that will connect First Hill employment centers to the regional link light rail system, including but not limited to, the International District/Chinatown Station, and the proposed Capitol Hill Station at Broadway and John Street to be constructed as part of the second segment of the regional link light rail system. The Project also provides for the planning of a transit connection between the First Hill streetcar and the South Lake Union streetcar.

The route is approximately two and one half miles that will operate primarily on Broadway, Yesler Way, and South Jackson Street with ten proposed stop locations.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:
First Hill Streetcar	TC367100	Various	Q2/2009	Q2/2014

Please check any of the following that apply:

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

This legislation does not have any financial implications.

Appropriations for the Project are included in the 2012 Adopted Budget and the 2012-2016 Adopted Capital Improvement Program.



_____ **This legislation has financial implications.**

Other Implications:

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

The property rights have been appraised at \$22,800 for the Easement for Street Purposes and \$2,000 for a Temporary Construction Easement to complete the Project. The price of these property rights may be negotiated with the property owner.

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

If the easement were not executed, the First Hill Streetcar track alignment would have to be modified at 14th and Yesler, which would conflict with a water main and require its relocation. The added cost would be in the range of \$250,000. In addition, the easement allows for a track alignment that minimizes on-street parking impacts.

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?

There are no alternatives that could accomplish the objective of facilitating a track alignment at this location that minimizes construction costs and parking and construction impacts.

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. The Seattle School District No. 1 is granting easement property rights to the City for Street purposes.

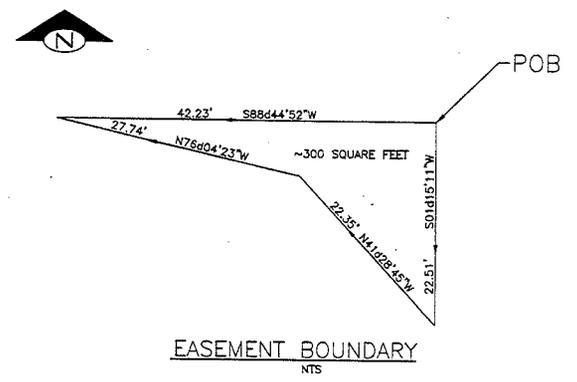
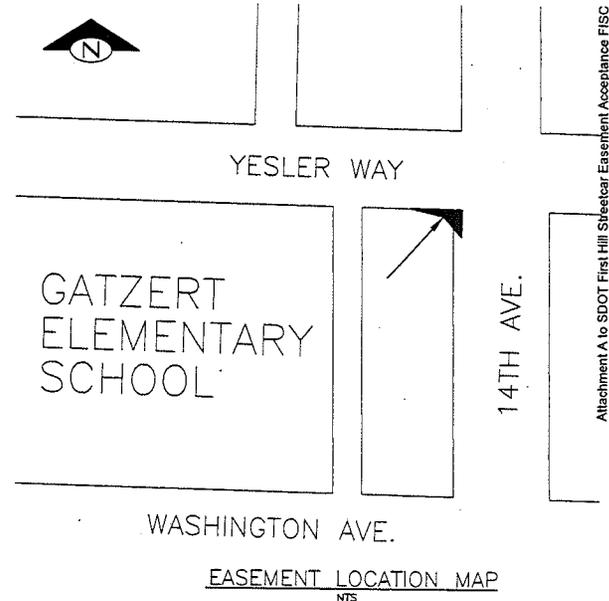
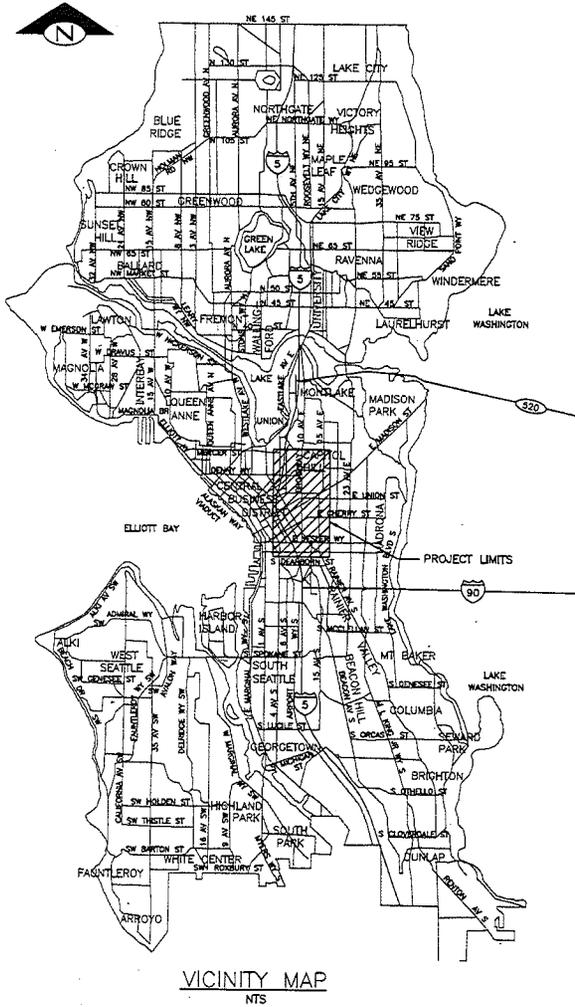
h) Other Issues:



List attachments to the fiscal note below:

Attachment A: Vicinity Map





Gretchen M. Haydel
SDOT, Vicinity Map, ATTA
January 9, 2012
Version #1

LEGEND:
EASEMENT AREA

Attachment A to SDOT First Hill Streetcar Easement Acceptance FISC



City of Seattle
Office of the Mayor

February 28, 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, which authorizes acquisition, acceptance, and recording of a permanent easement from the Seattle School District No. 1 for street purposes in connection with the First Hill Streetcar project, and places the easement under the jurisdiction of the Seattle Department of Transportation. The easement area is approximately 300 square feet. The Seattle School District's property adjoins a portion of the project site in the vicinity of 14th Avenue South and Yesler Way and a permanent easement is necessary for the track alignment.

This project consists of a modern low-floor streetcar system connecting First Hill employment centers to the regional link light rail system, including but not limited to, the International District/Chinatown Station, and the proposed Capitol Hill Station at Broadway and John Street, to be constructed as part of the second segment of the regional link light rail system. The project also provides for the planning of a transit connection between the First Hill streetcar and the South Lake Union streetcar.

Thank you for your consideration of this legislation. Should you have any questions, please contact Larry Huggins at 684-5001.

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

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