

#2
CB117439

Effie K. Moody
SPU UW Easements, ORD
September 28, 2011
Version #2

ORDINANCE _____

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AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer facility easements within the campus of the University of Washington as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and accept a new easement grant from the University of Washington for a City-owned sanitary sewer facility; and ratifying and confirming certain prior acts.

WHEREAS, at the time certain streets in the vicinity of the University of Washington (UW) were vacated in 1981, the UW Board of Regents petitioned the City of Seattle (City) for the relocation of a City-owned and maintained sanitary sewer line to allow for the construction of the UW's Henderson Hall, Applied Physics Lab building; and

WHEREAS, sanitary sewer and storm drainage pipes (Facilities) described in Section 2 of the City of Seattle's 1981 street vacation Ordinance 110306 were abandoned and transferred to UW; and

WHEREAS, certain easement rights associated with the abandoned and transferred Facilities as described in King County Recording No. 8103020644 are surplus to the City's utility needs; and

WHEREAS, the City-owned sanitary sewer line constructed for and servicing the UW building located in the vacated portion of 11th Avenue NE, requires an easement to the City that the UW has agreed to grant; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to the provisions of RCW 35.94.040, and after public hearing, the real property rights in the Easement recorded under King County Recording No. 8103020644 for facilities transferred and abandoned per City of Seattle street vacation Ordinance 110306 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.

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 relinquishments and partial relinquishments of easements as described and shown in Attachment 1.



1 Section 3. The Director of Seattle Public Utilities, or his designee, is authorized to
2 accept a utility easement for a sanitary sewer granted by the University of Washington as
3 described and shown in Attachment 2 and as recorded in King County Records under Recording
4 Number 20110721000320.

5 Section 4. Any act consistent with the authority and prior to the effective date of this
6 ordinance is hereby ratified and confirmed.

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

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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 _____ of the City Council

Approved by me this ____ day of _____, 2012.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2012.

Monica Martinez Simmons, City Clerk

(Seal)

ATTACHMENT 1 – Relinquishments and Partial Relinquishments of Easements to UW
ATTACHMENT 2 – Sanitary Sewer Easement UW grants to SPU



Effie K. Moody
SPU UW Easements ORD ATT 1
November 7, 2011
Version 2

Recording Requested By And Attachment 1
When Recorded Mail To:

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

RELINQUISHMENT AND PARTIAL RELINQUISHMENT OF EASEMENTS

Reference #s of Documents Released, Partially Released or Assigned:	KC No. 8103020644, documented in City of Seattle Ordinance 110306
Grantor:.....	City of Seattle
Grantee:.....	The Board of Regents, University of Washington
Legal Description (abbreviated):.....	Pt of NE ¼ Sec 17, T 25 N, R4 E, WM
Assessor's Tax Parcel ID#:.....	Pt of 1142001950, 1725049001, and 1142002970

RW 2009-007

The City of Seattle, ("Grantor"), a municipal corporation of the State of Washington, acting through and by Seattle Public Utilities, for and in consideration of \$1.00 (ONE DOLLAR), receipt of which is hereby acknowledged, does hereby relinquish and partially relinquish to the **Board of Regents of the University of Washington** ("Grantee"), an agency of the State of Washington, their heirs, successors and assigns all rights, title or interest in easements for sanitary sewer and storm drain facilities over, under and across property in the University of Washington Campus, Seattle, Washington, and recorded under King County Recording No. 8103020644 as legally described and shown as relinquishments and partial relinquishments on pages 3 through 12 herein.

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

The City of Seattle

By: _____

Ray Hoffman, Director, Seattle Public Utilities



Effie K. Moody
SPU UW Easements ORD ATT 1
November 7, 2011
Version 2

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 he was authorized to execute the instrument and acknowledged him 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 this instrument.

Dated _____

Notary (print name) _____

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

My appointment expires _____



Effie K. Moody
SPU UW Easements ORD ATT 1
November 7, 2011
Version 2

EASEMENT RELINQUISHMENT DESCRIPTION
"PARCEL A"

ALL OF "PARCEL A" AS RECORDED IN KING COUNTY RECORDER'S FILE NO. 8103020644, AND DOCUMENTED IN CITY OF SEATTLE ORDINANCE NO. 110306, IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

THE NORTHEASTERLY 25 FEET OF RAILROAD AVENUE; AS ESTABLISHED BY BROOKLYN ADDITION, AS RECORDED IN VOLUME 7 OF KING COUNTY PLATS, PAGE 32, AND NOW RENAMED AND HEREINAFTER REFERRED TO AS NORTHEAST PACIFIC STREET; FROM 20 FEET WEST OF THE WEST MARGIN OF VACATED 11TH AVENUE NORTHEAST TO THE WEST MARGIN OF BROOKLYN AVENUE NORTHEAST;

THE ABOVE DESCRIBED PARCEL CONTAINING 15,552 SQUARE FEET (0.3570 ACRE), MORE OR LESS;

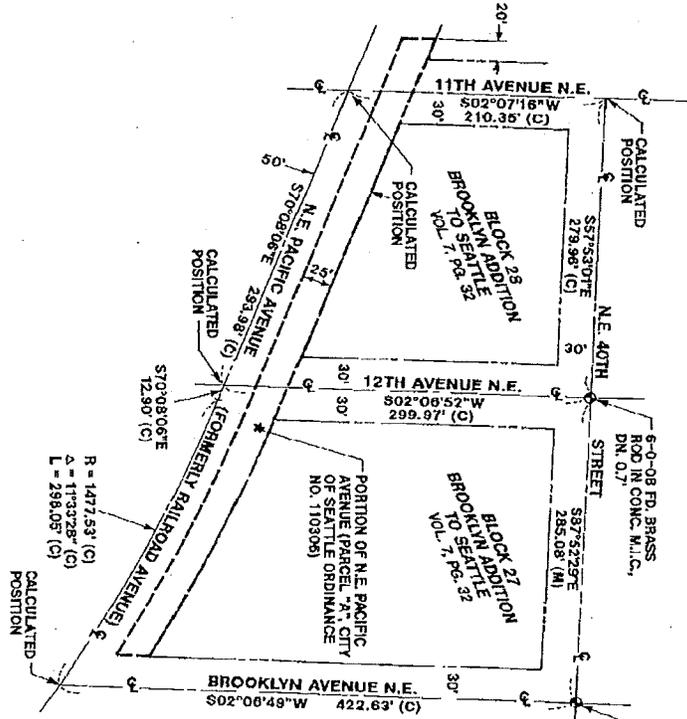
SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.



COUGHLIN PORTER LUNDEEN
UNIVERSITY OF WASHINGTON
PROJECT #202467
JAMES M. HARPER, P.L.S.
BRH JOB NO. 2009034.00
OCTOBER 15, 2009

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





BRH
 BUSH, ROED & HITCHINGS, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 2009 MINOR AVE E (206) 323-4144
 SEATTLE WA 98102-3573
 BRH JOB NO. 2009034100 8-18-09



8/25/09

EASEMENT RELINQUISHMENT EXHIBIT
 PREPARED FOR: COUGHLIN PORTER LUNDEEN
 PROJECT: UNIVERSITY OF WASHINGTON #202467



PARTIAL EASEMENT RELINQUISHMENT DESCRIPTION
"PARCEL C"

THAT PORTION OF "PARCEL C" AS RECORDED IN KING COUNTY RECORDER'S FILE NO. 8103020644, AND DOCUMENTED IN CITY OF SEATTLE ORDINANCE NO. 110306, DEFINED AS A STRIP OF LAND 10 FEET IN WIDTH, 5 FEET ON EACH SIDE OF AN EXISTING EASEMENT CENTERLINE, LYING NORTH OF THE NORTH MARGIN OF RIGHT OF WAY OF NORTHEAST 38TH STREET, IN THE EAST HALF OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, SAID CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF CENTERLINES OF RIGHT OF WAY OF NORTHEAST 40TH STREET AND 11TH AVENUE NORTHEAST;
SAID POINT OF BEGINNING HEREINAFTER REFERRED TO AS POINT "A";

THENCE NORTH 02°06'38" EAST ALONG SAID CENTERLINE OF 11TH AVENUE NORTHEAST, A DISTANCE OF 24.87 FEET TO A TERMINUS OF SAID CENTERLINE;

TOGETHER WITH:

BEGINNING AT SAID POINT "A";

THENCE SOUTH 02°07'16" WEST 210.35 FEET ALONG SAID CENTERLINE OF RIGHT OF WAY OF 11TH AVENUE NORTHEAST TO THE CENTERLINE OF RIGHT OF WAY OF VACATED NORTHEAST PACIFIC STREET, FORMERLY KNOWN AS RAILROAD AVENUE;

THENCE SOUTH 02°07'02" WEST 409.81 FEET ALONG SAID CENTERLINE OF RIGHT OF WAY OF 11TH AVENUE NORTHEAST TO THE NORTH MARGIN OF NORTHEAST PACIFIC STREET AS DESCRIBED PER AUTHORIZING ORDINANCE 106154, A PORTION OF WHICH BEING FORMERLY KNOWN AS NORTHEAST 38TH STREET, AND A TERMINUS OF THIS DESCRIBED CENTERLINE;

THE ABOVE DESCRIBED PARCEL CONTAINING 6,450 SQUARE FEET (0.1461 ACRE), MORE OR LESS;

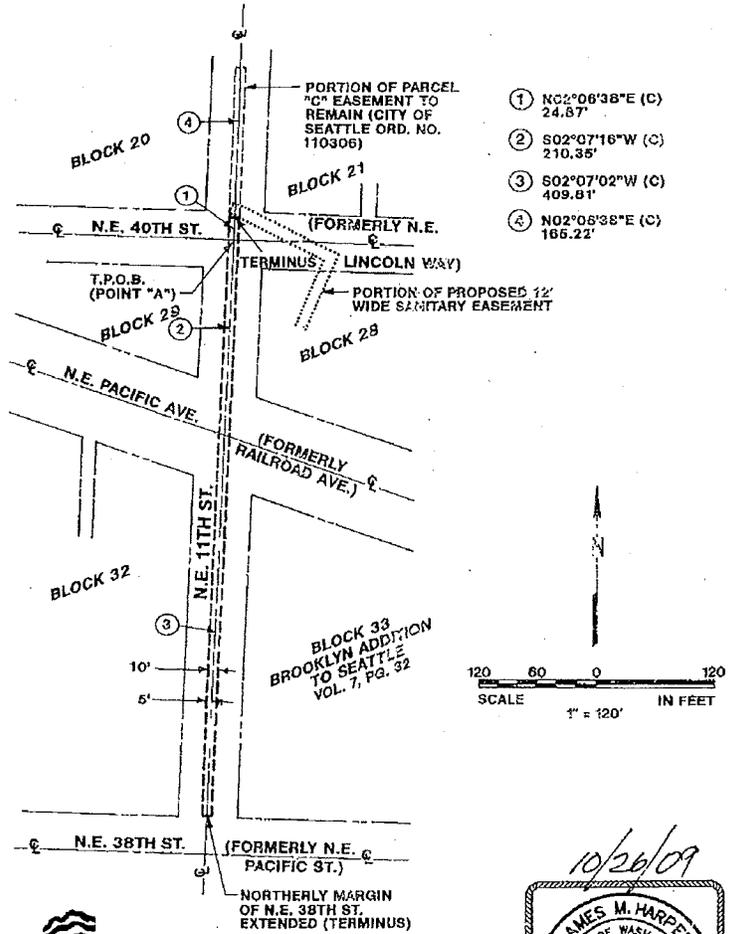
SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON.



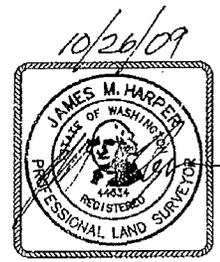
COUGHLIN PORTER LUNDEEN
UNIVERSITY OF WASHINGTON
PROJECT #202467
JAMES M. HARPER, P.L.S.
BRH JOB NO. 2009034.00
OCTOBER 15, 2009

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





BRH
 BUSH, ROED & HITCHINGS, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 2009 MINOR AVE. E. (206) 323-4144
 SEATTLE, WA 98102-3513
 BRH JOB NO. 2009034.00 8-25-09
 REVISED 9-15-09



EASEMENT RELINQUISHMENT EXHIBIT
 PREPARED FOR: COUGHLIN PORTER LUNDEEN
 PROJECT: UNIVERSITY OF WASHINGTON #202467



Effie K. Moody
SPU UW Easements ORD ATT 1
November 7, 2011
Version 2

PARTIAL EASEMENT RELINQUISHMENT DESCRIPTION
"PARCEL D"

THAT PORTION OF "PARCEL D" AS RECORDED IN KING COUNTY RECORDER'S FILE NO. 8103020644, AND DOCUMENTED IN CITY OF SEATTLE ORDINANCE NO. 110306, DEFINED AS A STRIP OF LAND 10 FEET IN WIDTH, 5 FEET ON EACH SIDE OF AN EXISTING EASEMENT CENTERLINE, LYING SOUTH OF THE SOUTH MARGIN OF NORTHEAST 40TH STREET AND NORTH OF THE NORTH MARGIN OF NORTHEAST 38TH STREET, IN THE EAST HALF OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, SAID CENTERLINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENTED INTERSECTION OF CENTERLINES OF RIGHT OF WAY OF NORTHEAST 40TH STREET AND 12TH AVENUE NORTHEAST;

THENCE SOUTH 02°06'52" WEST 30.00 FEET ALONG SAID CENTERLINE OF RIGHT OF WAY OF 12TH AVENUE NORTHEAST TO THE SOUTH MARGIN OF RIGHT OF WAY OF SAID NORTHEAST 40TH STREET AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 02°06'52" WEST 269.97 FEET ALONG SAID CENTERLINE OF RIGHT OF WAY OF 12TH AVENUE NORTHEAST TO THE CENTERLINE OF RIGHT OF WAY OF VACATED NORTHEAST PACIFIC STREET, FORMERLY KNOWN AS RAILROAD AVENUE;

THENCE CONTINUING SOUTH 02°07'05" WEST 320.27 FEET ALONG SAID CENTERLINE OF RIGHT OF WAY OF 12TH AVENUE NORTHEAST TO THE NORTH MARGIN OF NORTHEAST PACIFIC STREET AS DESCRIBED PER AUTHORIZING ORDINANCE 106154, A PORTION OF WHICH BEING FORMERLY KNOWN AS NORTHEAST 38TH STREET, AND A TERMINUS OF THIS DESCRIBED CENTERLINE;

THE ABOVE DESCRIBED PARCEL CONTAINING 5,902 SQUARE FEET (0.1355 ACRE), MORE OR LESS;

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

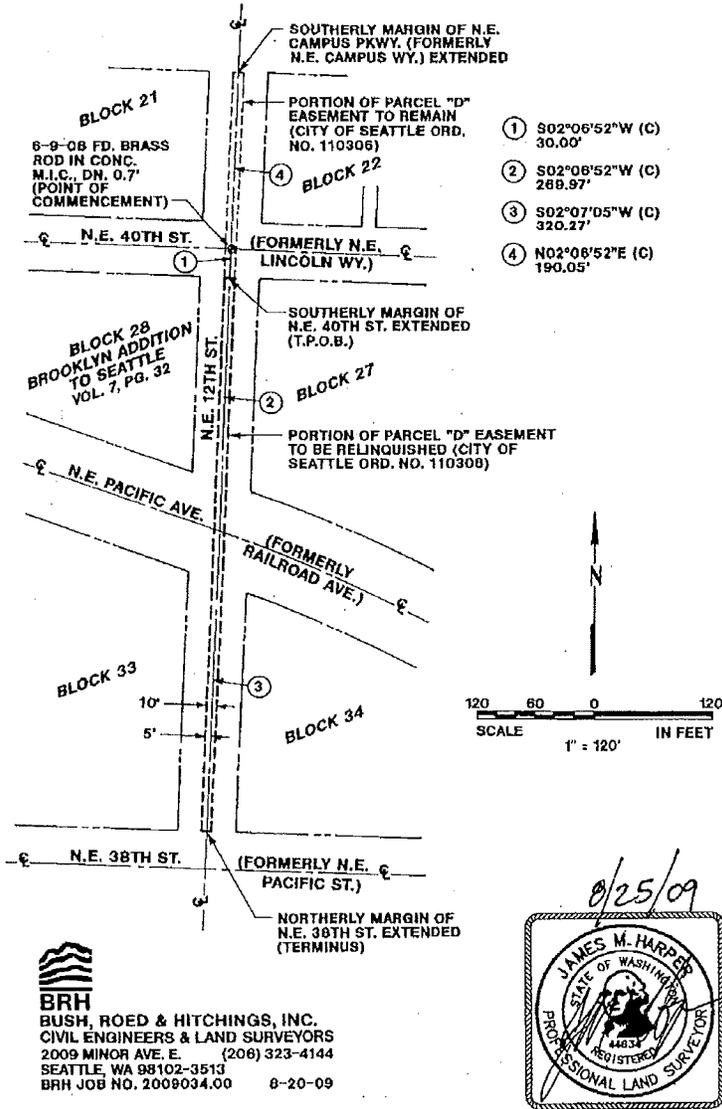


COUGHLIN PORTER LUNDEEN
UNIVERSITY OF WASHINGTON
PROJECT #202467
JAMES M. HARPER, P.L.S.
BRH JOB NO. 2009034.00
OCTOBER 15, 2009

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



Effie K. Moody
 SPU UW Easements ORD ATT 1
 November 7, 2011
 Version 2



EASEMENT RELINQUISHMENT EXHIBIT
 PREPARED FOR: COUGHLIN PORTER LUNDEEN
 PROJECT: UNIVERSITY OF WASHINGTON #202467



Effie K. Moody
SPU UW Easements ORD ATT 1
November 7, 2011
Version 2

EASEMENT RELINQUISHMENT DESCRIPTION
"PARCEL F"

THAT PORTION OF "PARCEL F" AS RECORDED IN KING COUNTY RECORDER'S FILE NO. 8103020644, AND DOCUMENTED IN CITY OF SEATTLE ORDINANCE NO. 110306, IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 10 FEET IN WIDTH, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 28, BROOKLYN ADDITION TO SEATTLE;

THENCE SOUTH 87°52'31" EAST A DISTANCE OF 12.5 FEET;

THENCE SOUTH 02°07'17" WEST A DISTANCE OF 20 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 02°07'17" EAST TO THE NORTH MARGIN OF NORTHEAST 40TH STREET AND THE END OF THIS CENTER LINE;

THE ABOVE DESCRIBED PARCEL CONTAINING 800 SQUARE FEET (0.0184 ACRE), MORE OR LESS;

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



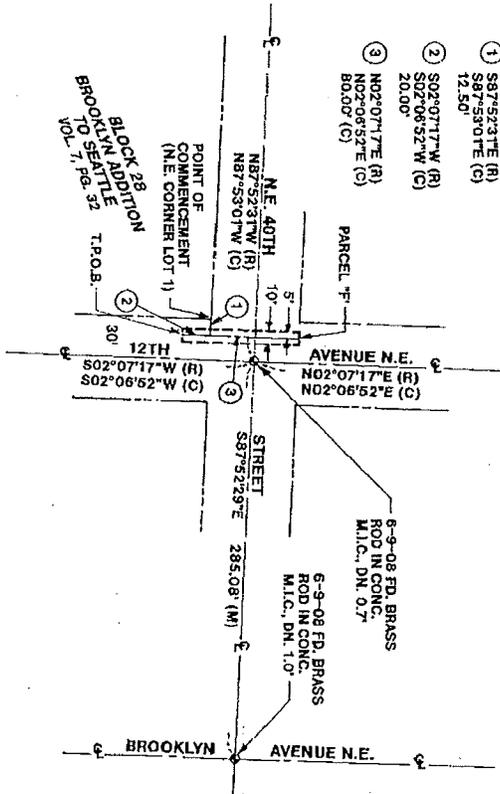
COUGHLIN PORTER LUNDEEN
UNIVERSITY OF WASHINGTON
PROJECT #202467
JAMES M. HARPER, P.L.S.
BRH JOB NO. 2009034.00
OCTOBER 15, 2009

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



BRH
 BUSH, ROED & HITCHINGS, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 2009 MINOR AVE. E. (206) 323-4144
 SEATTLE, WA 98102-3513
 BRH JOB NO. 2009034.00 8-18-09

EASEMENT RELINQUISHMENT EXHIBIT
 PREPARED FOR: COUGHLIN PORTER LUNDEEN
 PROJECT: UNIVERSITY OF WASHINGTON #202467



- ① S87°52'31"E (R)
S87°53'01"E (C)
12.50'
- ② S02°07'17"W (R)
S02°06'52"W (C)
20.00'
- ③ N02°07'17"E (R)
N02°06'52"E (C)
80.00' (C)

6-9-08 FD. BRASS
 ROD IN CONC.
 M.I.C. DN. 0.7'

6-9-08 FD. BRASS
 ROD IN CONC.
 M.I.C. DN. 1.0'



9/25/09



Effie K. Moody
SPU UW Easements ORD ATT 1
November 7, 2011
Version 2

EASEMENT RELINQUISHMENT DESCRIPTION
"PARCEL I"

ALL OF PARCEL "I" AS RECORDED IN KING COUNTY RECORDER'S FILE NO. 8103020644, AND DOCUMENTED IN CITY OF SEATTLE ORDINANCE NO. 110306, IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER LOT 1, BLOCK 32, BROOKLYN ADDITION;
THENCE SOUTH 70°07'43" EAST ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 80 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 70°07'43" WEST A DISTANCE OF 10 FEET;
THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST GIVEN BEARING, TO THE NORTHEASTERLY MARGIN OF THE VACATED RAILROAD RIGHT-OF-WAY;
THENCE SOUTH 70°07'43" EAST ALONG SAID RIGHT-OF-WAY 50 FEET;
THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINING 3,000 SQUARE FEET (0.0689 ACRE), MORE OR LESS;

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

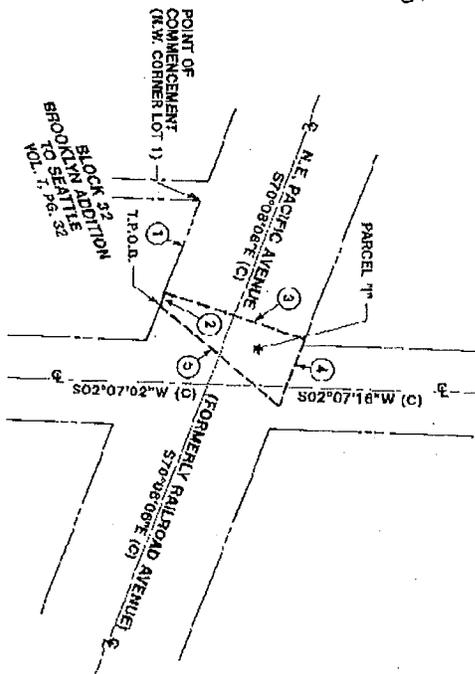


COUGHLIN PORTER LUNDEEN
UNIVERSITY OF WASHINGTON
PROJECT #202467
JAMES M. HARPER, P.L.S.
BRH JOB NO. 2009034.00
OCTOBER 15, 2009

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



- ① S70°07'43"E (B)
 S70°08'08"E (C)
 80.00'
- ② N70°07'43"W (B)
 N70°08'08"W (C)
 10.00'
- ③ N19°51'54"E (C)
 100.00'
- ④ S70°07'43"E (B)
 S70°08'08"E (C)
 SLOID
- ⑤ S4°39'59"W (C)
 107.70'



EASEMENT RELINQUISHMENT EXHIBIT
 PREPARED FOR: COUGHLIN PORTER LUNDEEN
 PROJECT: UNIVERSITY OF WASHINGTON #202457

BRH
 BUSH, ROED & HITCHINGS, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 2009 MINOR AVE. E. (206) 823-4144
 SEATTLE, WA 98107-3573
 BRH JOB NO. 2009034.00 8-19-09



01/25/09



Effie K. Moody
SPU UW Easements ORD ATT 2
November 7, 2011
Version 1

Recording Requested By And
When Recorded Mail To:

Attachment 2

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

CONFORMED COPY

20110721000320
SEA PUBLIC UTI EAS 66.00
PAGE-001 OF 005
07/21/2011 10:49

SANITARY SEWER EASEMENT

Reference #s of Documents Released or Assigned: none
Grantor:..... Board of Regents of the University of WA
Grantee:..... City of Seattle
Legal Description (abbreviated):..... Pt of NE ¼ Sec 17 T 25 N, R4 E, WM
Assessor's Tax Parcel ID#:..... Portions of 1142001950, 1725049001,
& 1142002970

RW # 2009-007

THIS EASEMENT granted this 14th day of July, 2011, by THE BOARD OF REGENTS OF THE UNIVERSITY OF WASHINGTON, a state institution of higher education and an agency of the State of Washington, hereinafter called "Grantor," to the City of Seattle, a municipal corporation of the State of Washington, acting through and by Seattle Public Utilities, 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 an easement for the purposes of operating and maintaining a Sanitary Sewer main and appurtenances ("Facilities") over, under, through, across and upon the real property in Seattle, King County, Washington herein described and shown on pages 4 -5 ("Easement Area").

This easement shall include only such rights in the Easement Area as shall be necessary for the construction, reconstruction, inspection, alteration, operation, improvement, maintenance, repair and replacement of the Facilities, and access thereto.

The Grantee shall have the right without prior institution of any suit or proceeding at law, at such time as may be necessary, to enter upon the Easement Area for the purposes herein described, without incurring any legal obligation or liability therefore.

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.

Grantor hereby agrees that no other utility facilities, such as conduits, cables, pipelines, vaults, meters, poles or posts, whether public or private, will be installed prior to obtaining Grantee's review and written approval.

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.

Grantor shall indemnify, defend and hold harmless Grantee, its officers, employees and agents from any and all liabilities, losses, damages, costs, expenses or claims of any kind or nature (including, without limitation, reasonable attorneys' fees and any liability for costs of investigation, abatement, remediation, cleanup, fines, penalties, or other damages arising under any environmental laws) from and against any third party claims, including but not limited to regulatory agency enforcement action, arising out of the disposal, release or discharge, by Grantor, of hazardous materials or substances, as that term may be defined by applicable local, state or federal law to the Easement Area, that occurs any time after the completion of the sanitary sewer line constructed for the Grantor's benefit, except to the extent caused by Grantee's operations for the purposes set forth herein.

The covenants herein contained shall run with the land and shall be binding on the parties, their successors and assigns forever. In the event the sanitary sewer line is abandoned all covenants and rights shall be relinquished.

Dated this 14th day of July, 2011.

THE BOARD OF REGENTS OF THE
UNIVERSITY OF WASHINGTON, a
state institution of higher education and
an agency of the State of Washington

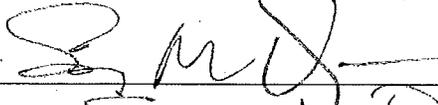
By: JL Henderson
Jeanette L. Henderson
Director of Real Estate

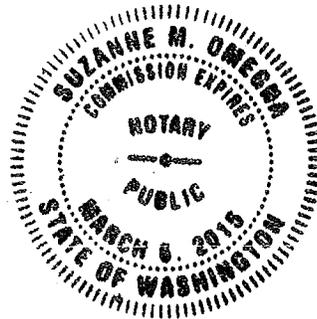


Effie K. Moody
SPU UW Easements ORD ATT 2
November 7, 2011
Version 1

STATE OF WASHINGTON)
COUNTY OF KING)

On this 14th day of July, 2011, before me personally appeared Jeanette L. Henderson, to me known as the Director of Real Estate of the Real Estate Office of the University of Washington, who on oath stated that she was authorized to execute this instrument and acknowledged it to be the free and voluntary act and deed of said University of Washington as approved by **THE BOARD OF REGENTS OF THE UNIVERSITY OF WASHINGTON**, a state institution of higher education and an agency of the state of Washington, for the uses and purposes mentioned in the instrument.

Signature: 
Printed Name: Suzanne M. Omega
Notary Public in and for the State of Washington
Residing at: Everett WA, Pierce County
My Commission expires on: March 6, 2015



SANITARY SEWER EASEMENT DESCRIPTION

A 12.00 FOOT WIDE STRIP OF LAND ALONG AN EXISTING SEATTLE PUBLIC UTILITIES SANITARY SEWER LINE IN BLOCK 28, BROOKLYN ADDITION TO SEATTLE, AS RECORDED IN KING COUNTY BOOK OF PLATS, VOLUME 7, PAGE 32, AND VACATED NORTHEAST 40TH STREET AND NORTHEAST PACIFIC AVENUE PER CITY OF SEATTLE ORDINANCE NO. 110306, IN THE EAST HALF OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, LYING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED EASEMENT CENTERLINE:

COMMENCING AT THE INTERSECTION OF CENTERLINES OF RIGHT OF WAY OF SAID NORTHEAST 40TH STREET AND VACATED 12TH AVENUE NORTHEAST, PER CITY OF SEATTLE ORDINANCE NO. 110306;
THENCE NORTH 87°53'01" WEST ALONG SAID CENTERLINE OF NORTHEAST 40TH STREET, A DISTANCE OF 279.96 FEET TO THE INTERSECTION WITH THE CENTERLINE OF VACATED 11TH AVENUE NORTHEAST, PER CITY OF SEATTLE ORDINANCE NO. 88629;
THENCE NORTH 02°06'38" EAST ALONG SAID CENTERLINE OF 11TH AVENUE NORTHEAST, A DISTANCE OF 33.92 FEET;
THENCE NORTH 62°17'20" WEST A DISTANCE OF 2.67 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT CENTERLINE;

THENCE SOUTH 62°17'20" EAST A DISTANCE OF 115.82 FEET;
THENCE SOUTH 22°16'28" WEST A DISTANCE OF 179.18 FEET;
THENCE NORTH 70°08'06" WEST A DISTANCE OF 20.00 FEET;
THENCE SOUTH 84°47'17" WEST A DISTANCE OF 59.66 FEET;
THENCE SOUTH 18°32'10" WEST A DISTANCE OF 45.75 FEET TO THE INTERCEPTION WITH AN EXISTING KING COUNTY METRO TRUNK SEWER LINE, AND TERMINUS OF SAID EASEMENT CENTERLINE;

THE SIDELINES OF THIS EASEMENT TO BE SHORTENED OR LENGTHENED TO TERMINATE AT SOUTHERLY RIGHT OF WAY MARGIN OF NORTHEAST PACIFIC AVENUE;

THE ABOVE DESCRIBED PARCEL CONTAINING 5,045 SQUARE FEET (0.1158 ACRE), MORE OR LESS;

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



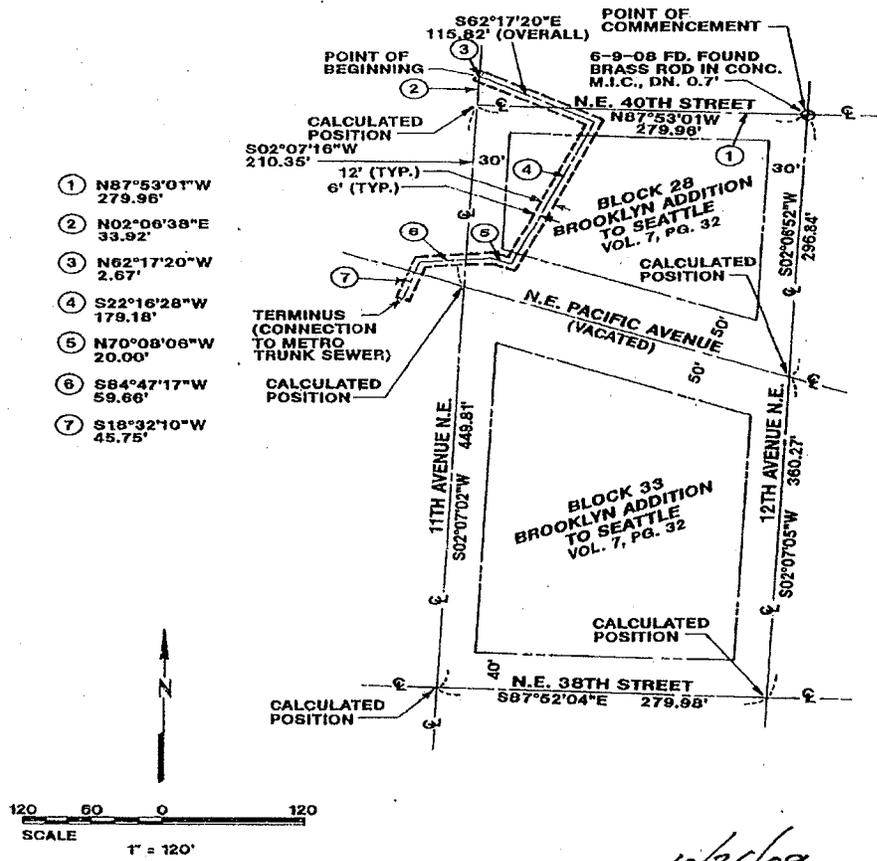
COUGHLIN PORTER LUNDBEN
UNIVERSITY OF WASHINGTON
PROJECT #202467
JAMES M. HARPER, P.L.S.
BRH JOB NO. 2009034.00
OCTOBER 15, 2009

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

Effie K. Moody
 SPU UW Easements ORD ATT 2
 November 7, 2011
 Version 1

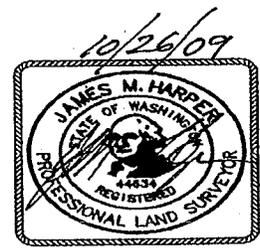
Recording Requested By And
 When Recorded Mail To:

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



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 CIVIL ENGINEERS & LAND SURVEYORS
 2009 MINOR AVE. E. (206) 323-4144
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8-17-09
 REVISED 9-15-09
 REVISED 9-16-09
 REVISED 10-22-09



SANITARY SEWER EXHIBIT
 PREPARED FOR: COUGHLIN PORTER LUNDEEN
 PROJECT: UNIVERSITY OF WASHINGTON #202467



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Public Utilities	Effie K. Moody/4-5970	Karen Grove/4-5805

Legislation Title:

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer facility easements within the campus of the University of Washington as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and accept a new easement grant from the University of Washington for a City-owned sanitary sewer facility; and ratifying and confirming certain prior acts.

Summary of the Legislation:

This legislation authorizes the relinquishment of easement rights no longer needed by the City and acceptance of an easement for a City sanitary sewer facility.

Background:

The City of Seattle sold water, sanitary sewer and drainage facilities to the University of Washington in the 1980s. While those facilities were sold, the property rights allowing the City to own and operate the facilities were not transferred or relinquished. A sanitary sewer facility was retained by the City of Seattle and re-routed around a new University building without an easement to the City. The City and the University would like to resolve these outstanding issues and remove unnecessary encumbrances on the properties.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has 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?**
Each time City personnel are called to review, research, deduce and conclude required actions on these easements, unnecessary time to revisit these property rights and money is spent. These issues need to be resolved in order that both agencies may move forward with plans for the future.
- 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 exist. Easements must be relinquished by ordinance.

e) Is a public hearing required for this legislation?

Yes. A Public Hearing is required for the City to relinquish property or property rights and in accordance to RCW 35.94.040. A public hearing will be held before a City Council meeting, as designated by Council during public comment period.

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. Please see map exhibit attached.

h) Other Issues:

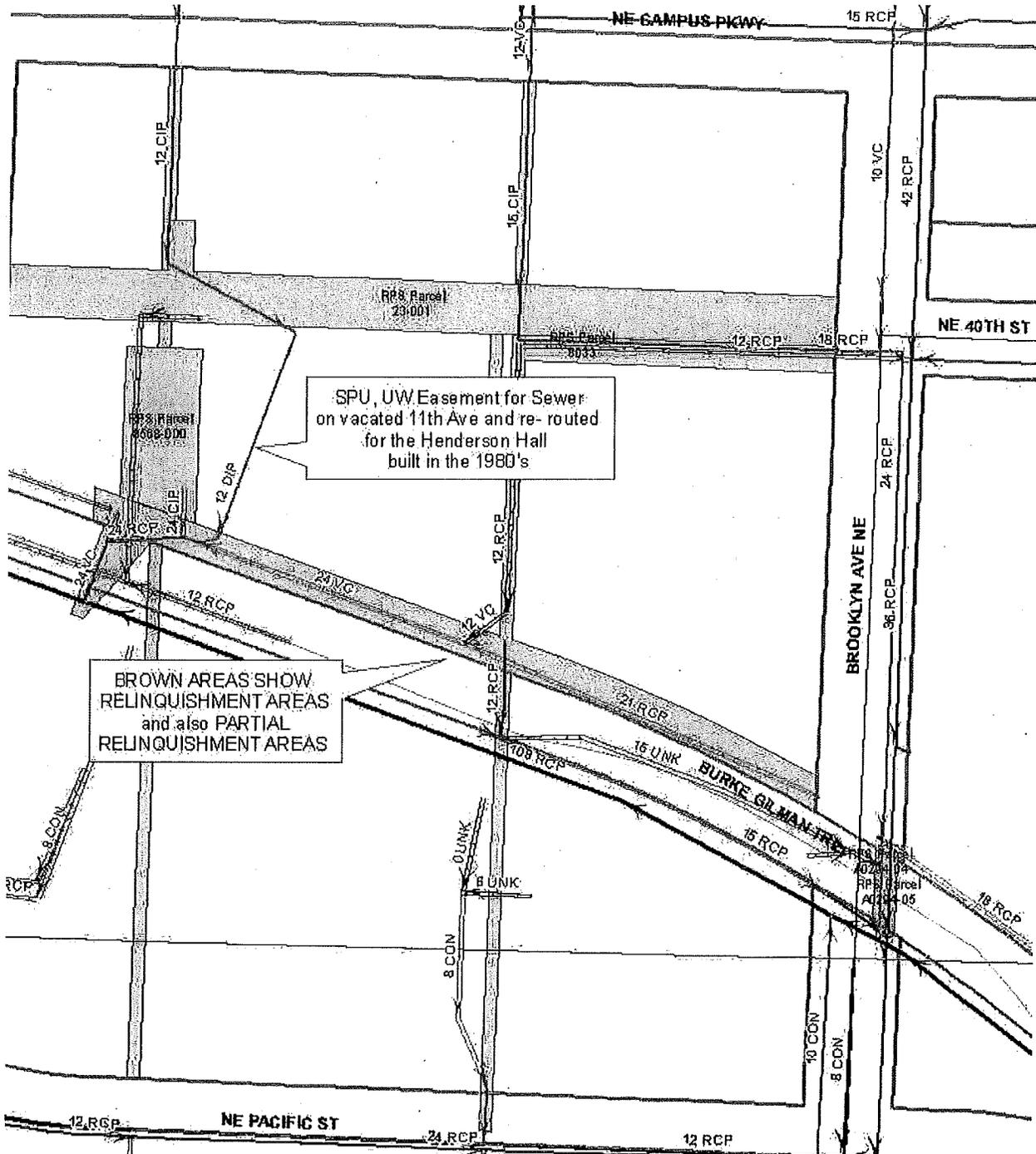
None

List attachments to the fiscal note below:

Exhibit A – Vicinity Map of Easement Area



Exhibit A to Fiscal Note
SPU UW Easements ORD





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 which would authorize Seattle Public Utilities to accept an easement for a City-owned sewer line on the University of Washington campus. The legislation would also relinquish easements for drainage and sewer facilities the City sold the University in 1981.

During a recent review of expansion and renovation plans on the University of Washington campus, SPU and UW staff determined when the City sold sewer lines to the UW in 1981 it failed to transfer the easement rights accompanying the facilities. In addition, the City retained a sewer line and re-routed it around a new University building without an easement to the City for operation and maintenance. This legislation would authorize SPU to relinquish easement rights no longer needed by the City and accept an easement for the re-routed sanitary sewer line.

This proposed legislation is the result of many months of work with the University and removes encumbrances on the UW property, which allows campus improvement projects to move forward. Thank you for your consideration of this legislation. Please contact Effie K. Moody at 684-5970 if you have any questions.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
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