Daniel Bretzke
FAS Legal Correction to ORD 122519 ORD
December 10, 2012
Version #1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 117705

AN ORDINANCE relating to the Department of Finance and Administrative Services; amending Ordinance 122519 regarding the proposed sale of three parcels of City property, in order to correct typographical errors in the legal descriptions of those properties.

WHEREAS, on October 1, 2007, Council passed Ordinance 122519, which declared three parcels of City property to be surplus, approving the sale of the properties by public bid; authorizing execution of a Quit Claim Deed with respect to each such property; and designating the disposition of sales proceeds; and

WHEREAS, the City offered the property for sale but no bids were received; and

WHEREAS, it was subsequently discovered that unintentional typographical errors were made in the legal descriptions set forth in Ordinance 122519, which require correction; and

WHEREAS, the real estate market has improved, and the Department of Finance and Administrative Services now seeks to reoffer the property for sale, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 1 of Ordinance 122519 is hereby amended to read as follows:

The following described Properties in King County, Washington:

PMA 1609:

((~~Lot 8, Block 1, Brents Street Addition to the City of Columbia, as recorded in Volume 15 of Plats, page 18, records of King County;~~))

Lot 21, Block 5, South Haven Addition to West Seattle, as recorded in Volume 3 of Plats, page 17, records of King County, Washington;

PMA 1610:

((~~Parcels A, B and C of City of Seattle Short Plat 82 - 8342, recorded 8304200462, a.k.a. Lot 13, Block 33, C. D. Hillman's Meadow Gardens, Div. 4, recorded in Vol. 12 of Plats, at page 99, records of King County, Washington;~~))

Lot 22, Block 5, South Haven Addition to West Seattle, as recorded in Volume 3 of Plats, page 17, records of King County, Washington;

PMA 4325:

((~~Lot 9, Block 15, Madison Street Addition, as recorded in Vol. 2 of Plats, Page 85, records of King County, Washington;~~))

That portion of a Lot 4 and the south 25 feet of Lot 3, measured along the west Line thereof, Block 20, Gamma Poncin's Addition to the City of Seattle, as recorded in Volume 20 of Plats, page 51, records of King County, Washington; except the west 20 feet thereof, taken for street under Ordinance No. 84354;

are hereby found and declared to be no longer required for municipal purposes and are hereby declared surplus to the City's needs.

* * *

Section 2. 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 _____, 2013, and signed by me in open session in authentication of its passage this _____ day of _____, 2013.

_____

President _____of the City Council

Approved by me this ____ day of _____, 2013.

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

_____

Monica Martinez Simmons, City Clerk

(Seal)

Daniel Bretzke
FAS Legal Correction to ORD 122519 FISC
December 10, 2012
Version #1

Form revised: December 6, 2011

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Finance and Administrative Services	Daniel Bretzke 733-9882	Jennifer Devore 615-1328

Legislation Title: AN ORDINANCE relating to the Department of Finance and Administrative Services; amending Ordinance 122519 regarding the proposed sale of three parcels of City property, in order to correct typographical errors in the legal descriptions of those properties.

Summary of the Legislation:
This legislation corrects the legal description of three real properties in Ordinance 122519, identified as PMA 1609 and PMA 1610, which are located at 4009 and 4011 21st Avenue S.W., and PMA 4325, which is located at 200 Martin Luther King, Jr. Way South.

Proceeds from the property sale will be used to reimburse costs incurred and paid by the Department of Finance and Administrative Services (FAS) in connection with the sale, and the remainder will be deposited in the Unrestricted Subaccount of the Cumulative Reserve Subfund (00164) in accordance with SMC 5.80.030.

Background:
Each of the three properties is under FAS's jurisdiction and was originally acquired either for General Municipal Purpose (typically as excess land in relation to a right-of-way project) or to protect City assessment liens on Local Improvement Districts that are now closed out. These properties are vacant lots located in residential zoned neighborhoods.

In 2007, Ordinance 122519 declared these properties surplus to the needs of the City, and authorized their sale in a bid process that included a minimum price set by FAS. The properties were advertised but no bids were received. Given the downturn in the economy, no attempt was made to re-advertise the properties. The Seattle real estate market is now improving and the sale of properties is possible. However, FAS recently discovered that the adopted ordinance 122519 included incorrect legal descriptions for the properties. In order to sell the properties, the legal descriptions must be corrected.

These properties are zoned single family and are located in single family neighborhoods. PMA 1609 and PMA 1610 are two small separate tax lots with some sloping topography. Development constraints will likely result in one house being built on the combined parcels. PMA 4325 is also a small lot with some slopes and would support the construction of a residential house. The estimated value of these lots is expected to be at the lower end of the range for Seattle residential building lots (currently between $50,000 and $200,000). The total estimated proceeds from the sale of these parcels is between $120,000 and $170,000, with the net sales price determined after

real estate commissions and closing costs are deducted.

_X___ This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2012 Appropriation	2013 Anticipated Appropriation
TOTAL				

Appropriation Notes: No appropriations are being made as a direct result of this legislation.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2012 Revenue	2013 Revenue
Unrestricted Subaccount of the Cumulative Reserve Subfund (00164)	Finance and Administrative Services	Sale Proceeds		$135,000*
Facility Services Subfund (50330)	Finance and Administrative Services	Sale Proceeds		$5,000*
TOTAL				**$140,000***

*Revenue/Reimbursement Notes: The estimated net revenue from sale of the properties is at the lower end of a range between $120,000 and $170,000.

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2012 Positions	2012 FTE	2013 Positions*	2013 FTE*
TOTAL			0	0	0	0	0

Position Notes: Disposition will be handled by existing FAS Real Estate Services staff and use of a consultant real estate broker who will be paid from the property sale proceeds.

Do positions sunset in the future? NA

Spending/Cash Flow:

Fund Name & #	Department	Budget Control Level*	2012 Expenditures	2013 Anticipated Expenditures
TOTAL				

Spending/Cash Flow Notes: None.

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?** Yes. In addition to direct revenues in 2013 from the sale of the properties, returning the properties to the tax roll will also increase long-term tax revenues.

b) **What is the financial cost of not implementing the legislation?** Without this legislation to correct the legal descriptions, these surplus properties cannot be sold. As a result the City would lose tax revenues on the property and on any future improvements. Holding the property incurs maintenance costs from tree and landscape upkeep.

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?** The legal description in the ordinance must be corrected prior to any sale of the properties.

e) **Is a public hearing required for this legislation?** No. This correction ordinance does not significantly modify the intent of the original ordinance, which did not require a public hearing.

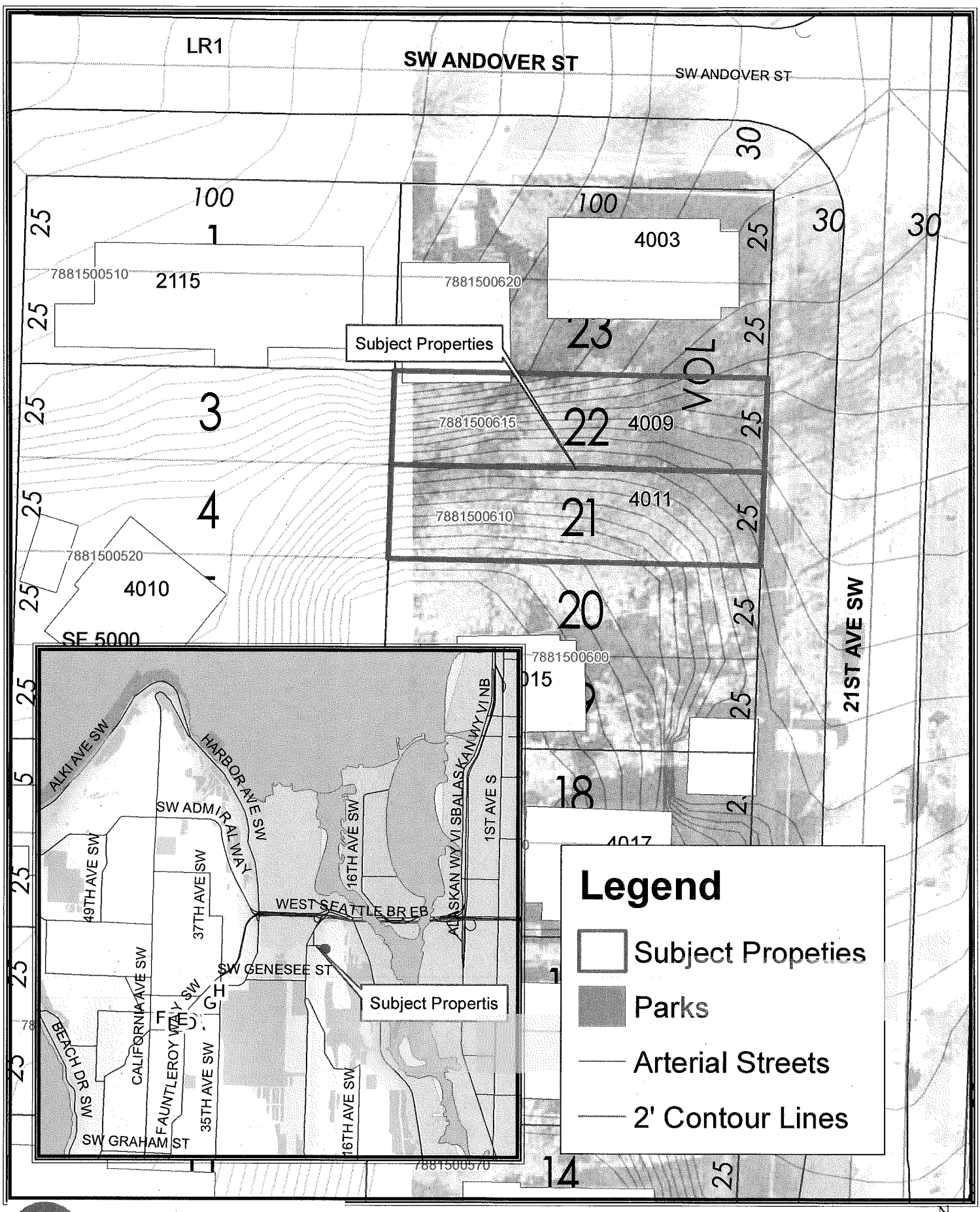
f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** No

g) **Does this legislation affect a piece of property?** Yes. Maps of the three parcels are attached.

h) **Other Issues:** None

List attachments to the fiscal note below:

Attachment 1 Map of PMA 1609 and 1610
Attachment 2 Map of PMA 4325
Attachment 3 Ordinance 122519



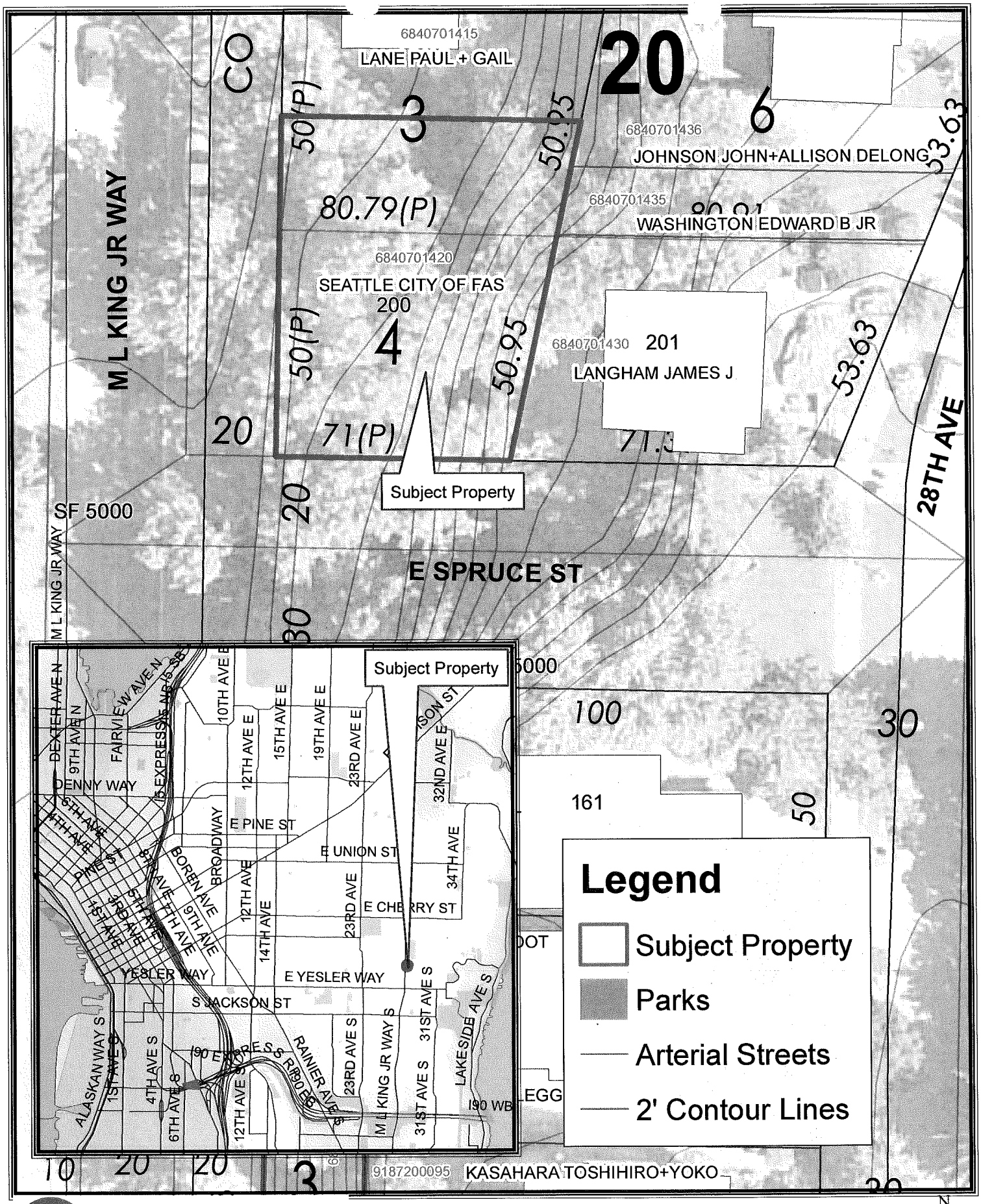
City of Seattle 4009 & 4011 21st Ave SW

0 40 Feet

N

Produced by the City of Seattle FAS, Real Estate Services, D,Bretzke

FAS Legal Correct to ORD 122519 FISC Att1 V1.pdf



City of Seattle

200 M. L. King Jr. Way

Produced by the City of Seattle FAS, Real Estate Services, D,Bretzke

FAS Legal Correction to ORD 122519 FISC Att 2 V1

David Hemmelgarn/DH
FFD Sales Group4 - Ord.doc
6/12/07
Version #1b

ORDINANCE 122519

AN ORDINANCE declaring three properties under the jurisdiction of the Fleets and Facilities Department to be surplus to the City's needs; approving the sale of the properties by public bid; authorizing execution of a Quit Claim Deed with respect to each such property; and designating the disposition of sales proceeds.

WHEREAS, Resolution 29799, adopted August, 1998, provided Procedures for the Evaluation of the Reuse and Disposal of the City's Real Property, including procedures for notifying other City departments or other government agencies of the potential availability of property that is excess to the jurisdictional department's needs; and

WHEREAS, after being notified that three real properties, two of which are located at 21st Avenue S.W. and S.W. Andover Street, and one South of 210-212 Martin Luther King, Jr., Way were potentially available, no other City department or government agency requested jurisdiction over, or proposed a public use for, any of those properties; and

WHEREAS, Resolution 30862, adopted May, 2006, amended Resolution 29799 to include additional procedures for notifying adjacent property owners and other members of the public with respect to the disposal or reuse of City real property; and

WHEREAS, in compliance with Resolution 30862, the Fleets and Facilities Department solicited comments from neighbors in the vicinity of each of the three Properties regarding potential future uses and the disposition of each property; and

WHEREAS, the Fleets and Facilities Department, evaluated the potential use of each property in accordance with the criteria adopted under Resolution 29799 and recommended that the three properties be offered for sale by public bid; and

WHEREAS, the Real Estate Oversight Committee has concurred with that Fleets and Facilities Department recommendation; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The following described Properties in King County, Washington:

PMA 1609:
Lot 8, Block 1, Brents Street Addition to the City of Columbia, as recorded in Volume 15 of Plats, page 18, records of King County;

CITY CLERK

PMA 1610:
Parcels A, B and C of City of Seattle Short Plat 82 - 8342, recorded 8304200462, a.k.a. Lot 13, Block 33, C. D. Hillman's Meadow Gardens, Div. 4, recorded in Vol. 12 of Plats, at page 99, records of King County, Washington;

PMA 4325:
Lot 9, Block 15, Madison Street Addition, as recorded in Vol. 2 of Plats, Page 85, records of King County, Washington;

are hereby found and declared to be no longer required for municipal purposes and are hereby declared surplus to the City's needs.

Section 2. The Fleets and Facilities Department Director is authorized to offer the Properties for sale by public bid, pursuant to the Public Bid Procedure for Disposing of Surplus City-Owned Property outlined in "Exhibit A" and, subject to the Director's approval, to accept the highest offer for the purchase of each such property and to execute and deliver, for and on behalf of The City of Seattle, a Quit Claim Deed ("Deed") in substantially the form attached hereto as "Exhibit B", pursuant to which the Properties will be conveyed to the highest bidder for each such property.

Section 3. Proceeds from the sales authorized herein shall be used first to reimburse costs incurred and paid by the Fleets and Facilities Department in connection with the sale. The remaining proceeds shall be deposited in the Unrestricted Subaccount of the Cumulative Reserve Subfund (00164) in accordance with SMC 5.80.030.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

2005 CITY CLERK

Passed by the City Council the 1st day of October, 2007, and signed by me in open session in authentication of its passage this 1st day of October, 2007.

President ~~of the City~~ Council

Approved by me this 11th day of October, 2007.

Gregory J. Nickels, Mayor

Filed by me this 11th day of October, 2007.

City Clerk

Exhibit A: Public Bid Procedure for Disposing of Surplus City Owned Property
Exhibit B: Quit Claim Deed Form

(Seal)

EXHIBIT A

Public Bid Procedure for Disposing of Surplus City Owned Property

- The Fleets and Facilities Department (FFD) Real Estate Services Division has notified City departments and other public agencies of the property's availability and made a determination resolving any potential use proposed by a department or agency.

- Notice of the proposed offering is given to property owners and residents within a one thousand (1000)-foot radius of each site and to neighborhood organizations. Comments are solicited about possible uses and the recommendation to sell the property prior to seeking authorization to sell. This notice and comment procedure is implemented in accordance with Council Resolution 30862.

- The basis for disposing of property shall be by competitive bid. Each property is to be conveyed AS-IS, WHERE-IS, WITH-ALL-FAULTS, AND WITHOUT ANY WARRANTY WHATSOEVER, EXPRESS OR IMPLIED AS TO ITS CONDITION, ENVIRONMENTAL OR OTHERWISE, OR ITS SUITABILITY OR SUFFICIENCY FOR THE PURCHASER'S INTENDED USES AND PURPOSES. The City makes no representation or warranty whatsoever as to the condition of the property to be conveyed to the purchaser.

- FFD shall prepare the form of a Quit Claim Deed, subject to Law Department review.

- Bid packets shall include a brief description of each property offered, a neighborhood map, an Offer/Bid Sheet and a Quit Claim Deed. Copies of the bid packet and other related documents shall be available to prospective bidders on request.

- Notice of the sale shall be given in general media publications including but not limited to the Seattle Daily Journal of Commerce and appropriate neighborhood newspapers, and further to all interested parties, by such means as determined to be reasonable, fair, and effective for the marketing of the property, including posted "For Sale" signs on each site.

- Bidders will be required to submit a written bid no later than a clearly specified deadline date. The bid must be accompanied by bid deposit by cashier's or bank check in a reasonable amount to be determined by FFD. This bid deposit will be returned to unsuccessful bidders.

- An acceptable price shall be a price above a threshold set by FFD below which it may reject any and all bids. The threshold will be based on an opinion of value expressed as a range, and will not be made public prior to the bid opening.

- The successful bidder shall be the one offering the highest, acceptable price and agreeing to the terms of the Quit Claim Deed. The bid deposit of the successful bidder will be held by FFD. It will be applied to the purchase price at closing of the sale. If the successful bidder fails to complete purchase of the property, the bid deposit may be forfeited at the City's discretion. FFD may elect to sell the property to the next highest bidder above the acceptable price threshold.

- If the FFD Director determines that a competitive environment did not exist for any property, the bid or bids may be rejected. FFD will evaluate whether to re-advertise or hold the property.

- Bid documents will clearly state that the City reserves the right to cancel and all sales, to reject any and all Offers to Purchase or bids, and to discontinue the disposition process at anytime.

- Sales will be completed within sixty (60) days after acceptance of the bid.

CITY CLERK

EXHIBIT B

After recording, return to:

_____
_____
_____

QUIT CLAIM DEED
(Unimproved Property)

Reference number of related documents:

Grantor: The City of Seattle

Grantee: _____

Legal Description:

1. Abbreviated Form:
2. Additional legal description is on Page __ of document.

Assessor's Property Tax Parcel Account Number(s):

Grant. The City of Seattle, a Washington municipal corporation ("Grantor"), hereby conveys and quit claims to _____, ("Grantee"), for and in consideration of the sum of _____ _____ Dollars ($_____.00), and subject to the COVENANT set forth below that certain real property located in the City of Seattle, King County, Washington, and legally described as follows:

COVENANT REGARDING ENVIRONMENTAL CONDITIONS

The Property described herein is conveyed AS-IS, WHERE-IS, WITH-ALL-FAULTS, AND WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, EXPRESS OR IMPLIED, AS TO ITS CONDITION, ENVIRONMENTAL OR OTHERWISE, OR ITS SUITABILITY OR SUFFICIENCY FOR THE GRANTEE'S INTENDED USES AND PURPOSES. Grantee acknowledges that adverse physical,

CITY CLERK

economic or other conditions (including without limitation, adverse environmental soils and ground-water conditions), either latent or patent, may exist on the Property and assumes Grantor's responsibility for all environmental conditions of the Property, known or unknown, including but not limited to responsibility, if any, for investigation, removal or remediation actions relating to the presence, release or threatened release of any Hazardous Substance or other environmental contamination relating to the Property. Grantee also releases and shall indemnify, defend, and hold Grantor and its past, present and future officials, employees, and agents, harmless from and against any and all claims, demands, penalties, fees, damages, losses, expenses (including but not limited to regulatory agencies, attorneys, contractors and consultants' fees and costs), and liabilities arising out of, or in any way connected with, the condition of the Property including but not limited to any alleged or actual past, present or future presence, release or threatened release of any Hazardous Substance in, on, under or emanating from the Property, or any portion thereof or improvement thereon, from any cause whatsoever; it being intended that Grantee shall so indemnify Grantor and such personnel without regard to any fault or responsibility of Grantor or Grantee. The obligation to complete all environmental investigation, removal or remediation of the Property and the acknowledgement, release and indemnification touch and concern the Property, restrict the use of the Property, constitute an assessment against the Property and are intended to run with the land and bind Grantee and Grantee's heirs, successors and assigns, and inure to the benefit of Grantor and its successors and assigns.

For purposes of this COVENANT, the term "Hazardous Substance" shall mean petroleum products and compounds containing them; flammable materials; radioactive materials; polychlorinated biphenyls ("PCBs") and compounds containing them; asbestos or asbestos-containing materials in any friable form; underground or above-ground storage tanks; or any substance or material that is now or hereafter becomes regulated under any federal, state, or local statute, ordinance, rule, regulation, or other law relating to environmental protection, contamination or cleanup.

Grantee's release shall include both claims by Grantee against Grantor and cross-claims against Grantor by Grantee based upon claims made against Grantee by any and all third parties. The obligation to indemnify and defend shall include, but not be limited to, any liability of Grantor to any and all federal, state or local regulatory agencies or other persons or entities for remedial action costs and natural resources damages claims. The obligation to complete all environmental investigation, removal or remediation of the Property and the acknowledgement, release and indemnification touch and concern the Property, restrict the use of the Property, constitute an assessment against the Property and are intended to run with the land and bind Grantee and Grantee's heirs, successors and assigns, and inure to the benefit of Grantor and its successors and assigns. This release means that Grantee accepts the Property "as-is, where-is and with-all-faults," and that Grantee assumes all responsibility of Grantor to investigate, remove and remediate

CITY CLERK

any environmental conditions on the Property and has no recourse against Grantor or any of its officers, employees or agents for any claim or liability with respect to the Property.

Grantor shall have the right to defend itself and seek from Grantee recovery of any damages, liabilities, settlement awards and defense costs and expenses incurred by Grantor if Grantee does not accept unconditionally Grantor's tender to Grantee of the duty to investigation, remove and/or remediate environmental conditions on the Property and/or defend and indemnify Grantor against any such claim, suit, demand, penalty, fee, damages, losses, cost or expense. This Covenant shall apply regardless of whether or not Grantee is culpable, negligent or in violation of any law, ordinance, rule or regulation. This Covenant is not intended, nor shall it, release, discharge or affect any rights or causes of action that Grantor or Grantee may have against any other person or entity, except as otherwise expressly stated herein, and each of the parties reserves all such rights including, but not limited to, claims for contribution or cost recovery relating to any Hazardous Substance in, on, under or emanating from the Property.

Executed this ____day of _____, 200__, pursuant to Ordinance _____ of The City of Seattle.

THE CITY OF SEATTLE

By:_____
Fleets & Facilities Director

Approved as to form by Purchaser:

By: _____

Print Name: _____

Print Title: _____

CITY CLERK

EXHIBIT B

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this ____ day of _____, 200__, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Brenda Bauer, to me known to be the Fleets & Facilities Director of THE CITY OF SEATTLE, the municipal corporation on behalf of which the within and foregoing instrument was executed, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the day and year in this instrument above written.

_____ _____
(Signature) (Print or Type Name)

NOTARY PUBLIC in and for the State of Washington, residing at _____.
My commission expires _____.

_____, the Grantee(s)/Purchaser(s) herein, does/do hereby acknowledge and accept all of the terms, conditions and provisions of the foregoing Covenant Regarding Environmental Conditions.

Date: _____ 200__ By:_____

EDS CITY CLERK

David Hemmelgarn
FFD_Sales Group 4_FN.doc
6/12/07
Version #2a

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Fleets & Facilities	David Hemmelgarn 4-0701	Ellen Schroer 3-9841

Legislation Title:

An ordinance declaring three properties under the jurisdiction of the Fleets and Facilities Department to be surplus to the City's needs; approving the sale of the properties by public bid; authorizing execution of a Quit Claim Deed with respect to each such property; and designating the disposition of sales proceeds.

- **Summary of the Legislation**: This legislation declares three real properties, identified in the City's real property database as PMA 1609 (located at 21st Avenue S.W. and S.W. Andover Street), PMA 1610 (located at 21st Avenue S.W. and S.W. Andover Street), and PMA 4325 (located South of 210-212 Martin Luther King, Jr. Way), as surplus and authorizes the Fleets and Facilities Department (FFD) Director to offer these properties for sale by public bid. Sale proceeds will be used to reimburse costs incurred and paid by the Fleets & Facilities Department (FFD) in connection with the sale, and the remainder will be deposited in the Unrestricted Subaccount of the Cumulative Reserve Subfund (00164) in accordance with SMC 5.80.030.

- **Anticipated Bid Process**: If the legislation is approved, FFD will advertise the sale of the property through a variety of media and notify parties who have expressed interest in purchasing surplus City-owned property. Property owners and residents in the immediate vicinity of each site have been notified about the proposed sale and have had several opportunities to comment.

  FFD will evaluate bids against a value threshold (based on FFD opinion of value) and accept the highest bid within or above that value threshold. If no bid on a particular property is at or above its value threshold, FFD will reject the bids for that property and evaluate whether to re-advertise it or hold the property until a time when the real estate market is more likely to bring a good financial return to the City. The advertising period is anticipated to allow bids to be opened within sixty (60) days after legislation is adopted, with property sales completed within sixty (60) days after bid acceptance.

- **Background**: Each of the three properties is under FFD jurisdiction and was originally acquired either for General Municipal Purpose (typically as excess land in relation to a right-of-way project) or to protect City assessment liens on Local Improvement Districts that are now closed out. The FFD Real Estate Services Division has determined that each property is now excess to City needs.

CITY CLERK

These properties have been vacant and unused for many years. In accordance with Resolution 29799, FFD notified other City departments and public agencies of the potential availability of the properties. No requests for jurisdiction over, or proposed public uses for, the properties were received. In accordance with Resolution 30862, notice of property potential availability was also given to community groups and others interested in the neighborhood, as well as owners and residents within 1,000 feet of each subject property. No neighborhood plan issues were identified. Attachment 2 *Preliminary Report* documents the evaluation of reuse and disposal options for each property.

This legislation has financial implications.

Appropriations:

Fund Name and Number	Department	Budget Control Level*	2007 Appropriation	2008 Anticipated Appropriation
TOTAL				

Notes: No appropriations are being made as a direct result of this legislation.

CITY CLERK

Anticipated Revenue/Reimbursement: Resulting From This Legislation:

Fund Name and Number	Department	Revenue Source	2007 Revenue	2008 Revenue
Unrestricted Subaccount of the Cumulative Reserve Subfund (00164)	Fleets and Facilities	Sale Proceeds	$270,000	
Facility Services Subfund (50330)	Fleets and Facilities	Sale Proceeds	$5,000	
TOTAL			**$275,000**	

Notes: Estimated revenue is based on the current assessed value of all three properties combined. Assessed value generally lags behind market value, and FFD anticipates that bids will exceed assessed value.

The estimated $275,000 revenue is gross revenue before reimbursement to FFD for its costs of sale. Those costs are estimated at $5,000.00, and the estimated net revenue to the Cumulative Reserve Subfund is estimated at $270,000.

Total Regular Positions Created Or Abrogated Through This Legislation, Including FTE Impact:

Position Title and Department*	Fund Name	Fund Number	Part-Time/ Full Time	2007 Positions	2007 FTE	2008 Positions**	2008 FTE**
TOTAL			**0**	**0**	**0**	**0**	**0**

Notes: None. Disposition will be handled by existing FFD Real Estate Services staff.

- **Do positions sunset in the future?** N/A

CITY CLERK

Spending/Cash Flow:

Fund Name and Number	Department	Budget Control Level*	2007 Expenditures	2008 Anticipated Expenditures
TOTAL				

** See budget book to obtain the appropriate Budget Control Level for your department.*

Notes: N/A

- **What is the financial cost of not implementing the legislation?**
  The financial cost of not implementing the legislation is the potential loss of revenue generated by the sale. The other financial cost is the ongoing expense to the City for periodic trash removal and vegetation management for the properties.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
  This legislation's objective is to sell unused surplus property at fair market value and return the properties to the tax rolls. For the subject properties, there are no alternatives that could produce revenue.

- **Is the legislation subject to public hearing requirements:**

  No. However, Council at its own discretion can schedule a public hearing. Regardless, in accordance with Council Resolution 30862, when the legislation is transmitted to Council, residents and community members who previously submitted comments will receive notification of the pending legislation, an outline of the steps in the legislative process, and advice on how to submit additional comments.

  Other Issues

  None

Please list attachments to the fiscal note below:

Attachment 1: Three Surplus Properties
Attachment 2: Preliminary Report Evaluation of Reuse and Disposal Options for PMA Nos. 1609, 1610, and 4325
Attachment 3: Report on Public Involvement Process
Attachment 4: PMA Maps

CITY CLERK

ATTACHMENT 1 – THREE SURPLUS PROPERTIES

PMA #	KING COUNTY TAX ACCOUNT NUMBER	SIZE SQ. FT.	ZONING	ASSESSED VALUE
1609	788150-0610	2,500	SF 5000	$ 40,000
1610	788150-0615	2,500	SF 5000	$ 40,000
4325	684070-1420	4,350	SF 5000	$181,000

BHS CITY CLERK

PRELIMINARY REPORT
EVALUATION OF REUSE AND DISPOSAL OPTIONS FOR
PMA Nos. 1609 & 1610

Resolution 29799 directs that the Executive is to make its recommendations on the reuse or disposal of excess property on a case by case basis, using *the Procedures for Evaluation of the Reuse and Disposal of the City's Real Property* adopted by that resolution. Additionally, the Resolution identifies guidelines, which are to be considered in making a recommendation. This report addresses each of the guidelines outlined in Resolution 29799 in support of the recommendation. This report also follows those provisions of Resolution 30862, adopted May 1, 2006, that amended Resolution 29799.

Property Management Area: **PMA Nos. 1609 and 1610 – Vacant Parcels on 21st Ave SW, south of the intersection of 21st Ave. SW & SW Andover Street**

BACKGROUND INFORMATION

Legal Description: Lots 21 and 22, Block 5, South Haven Addition to West Seattle, as recorded in Volume 3 of Plats, Page 17, Records of King County, Washington.

Physical Description and Related Factors: These two parcels are being reviewed together since they are adjacent properties with similar features and would likely be sold together. PMA No. 1609 is identified by the King County Assessor as Property Tax I.D. No. 788150-0615. It is rectangular in shape with an area of 2500 square feet. It is located immediately to the north of PMA No. 1610 and has 25 feet of frontage on the east along 21st Ave. SW. 21st Ave. SW is a narrow paved two-lane residential access street. Of the two parcels, PMA No. 1609 has a more moderate slope down running south to north. PMA No. 1610 is identified by the King County Assessor as Property Tax I.D. No. 788150-0610. While it is likewise rectangular in shape with an area of 2500 square feet and 25 feet of frontage along 21st Ave. SW, it is very steeply sloped down from South to the North. Both of the parcels have sloped areas and are wooded with variable groundcover. Both properties are within a single-family residential (SF 5000) zone and are surrounded mostly by single-family homes.

GUIDELINE A: CONSISTENCY

The analysis should consider the purpose for which the property was originally acquired, funding sources used to acquire the property, terms and conditions of original acquisition, the title or deed conveying the property, or any other contract or instrument by which the City is bound or to which the property is subject, and City, state or federal ordinances, statues and regulations.

PMA No. 1609 was foreclosed upon for unpaid LID assessments and a judgment entered in 1958 in King County Superior Court Cause No. 522379. The city of Seattle purchased the property at public sale in 1959 and received a Local Improvement Assessment Deed from the City Treasurer in 1961 under recording # 5279127.

PMA No. 1610 was also foreclosed upon for unpaid LID assessments and a judgment was entered in 1955 in King County superior Court Cause No. 485465. The City of Seattle purchased the property at public sale in 1956 and received a Local Improvement Assessment Deed from the City Treasurer in 1959 as recorded under # 4896345.

CITY CLERK

The funds for purchase derived from the Property Tax Sales Fund and the properties, once under the jurisdiction of the Finance Department, have been transferred to the Fleets and Facilities Department. Proceeds from the disposition of these properties will accrue to the General Fund. The City is not bound by any other contract or instrument to which the property is subject. There are no extraordinary ordinances, laws, or regulations that apply to these properties.

GUIDELINE B: COMPATIBILITY AND SUITABILITY

The recommendation should reflect an assessment of the potential for use of the property in support of adopted Neighborhood Plans, as or in support of low-income housing, in support of economic development, in support of affordable housing, for park or open space; in support of Sound Transit Link Light Rail station area development; as or in support of child care facilities, and in support of other priorities reflected in adopted City policies.

Context.

These property parcels are located within the Delridge Neighborhood Planning Area within the City of Seattle. While not specifically identified in the Delridge Neighborhood Plan as a site needed for the implementation of community goals, these parcels were once considered for a Housing Design Demonstration Program. The potential for affordable housing uses has decreased as other sites have been developed and lot values have appreciated. These parcels have not been identified as candidates for park and open space use and are not located within a Sound Transit station area development. They have not been noted as a site to be used as or in support of childcare facilities or in support of other priorities adopted in support of city policies.

Range of Options.

The options for disposition of these parcels include sale by public bid, negotiated sale, long-term ground lease, or retention by the city. These properties have been circulated three times – July 1998, March 2002, and December 2005 – to assess other city department and public entity interest in use of the property. No city department has identified any current or future use or need for the properties. Therefore, neither a long-term lease nor retention of the properties is within the city's best interests. Several adjoining property owners have expressed interest in acquiring the property. Sale by public bid is the most reasonable, fair, and equitable manner of selling this property. All abutting owners will be given notice of the bid sale and an opportunity to submit an offer.

GUIDELINE C: OTHER FACTORS

The recommendation should consider the highest and best use of the property, compatibility of the proposed use with the physical characteristics of the property and with surrounding uses, timing and term of the proposed use, appropriateness of the consideration to be received, unique attributes that make the property hard to replace, potential for consolidation with adjacent public property to accomplish future goals and objectives, conditions in the real estate market, and known environmental factors that make affect the value of the property.

Highest and Best Use:

Both parcels are zoned SF 5000- Single Family Residential. The best use of the parcels would be to combine them for the construction of a single family residence.

Compatibility with the physical characteristics:

The site does contain several areas of steep-sloping topography, particularly on the southerly parcel, PMA No. 1609. However, the site could be engineered to make the land suitable for residential construction.

CITY CLERK

Compatibility with surrounding uses:
The most appropriate use of the two lots is either for development of a single family home or for incorporation into an existing adjacent residence for use as additional yard space.

Timing and Term of Proposed Use:
The City of Seattle proposes no specific use or design for this property. It would be offered for sale by public bid with no conditions on use or development by the successful bidder other than those mandated by the Land Use and Building Codes.

Appropriateness of the consideration:
The property would be sold to the highest successful bidder in accordance with procedures as approved by the City Council. A minimum bid threshold would be set by the Real Estate Services Division. Legislation would authorize the Real Estate Services Division of the Fleets and Facilities Department to accept the best competitive offer and to reject any and all bids that are deemed to be non-competitive.

Unique Attributes:
These parcels have no unique attributes that make them irreplaceable or features that require preservation.

Potential for Consolidation with adjacent public property:
There are no public properties immediately adjacent to the subject properties. The nearest public property is Seattle City Light's Andover Substation, PMA No. 572, a still energized facility, zoned L-1(Residential multifamily Low-rise), and once viewed as a potential site for affordable housing development. It is situated to the north across SW Andover from these properties. There is no practical reason or potential for consolidation since there are no other publicly owned properties in the immediate area.

Conditions in the real estate market:
The real estate market in Seattle remains strong even as interest rates start to rise. Property continues to appreciate because of the scarcity of undeveloped land in Seattle.

Known environmental factors:
A review of property files and physical inspections of the site have been completed. There is no evidence to suggest that further environmental assessments, studies, or investigations are warranted. The property is steeply sloped in a few areas on the southern half of PMA No. 1610

GUIDELINE D: SALE
The recommendation should evaluate the potential for selling the property to non-City public entities and to members of the general public.

Non-city public entities were notified concerning the excess nature of this property in circulations occurring in 1998, 2002, and 2005. None expressed an interest in acquiring it for their needs. Adjoining property owners that have expressed interest in purchasing the property as an addition to their yards would be provided an opportunity to bid on the property as part of the bid-sale process.

bnS CITY CLERK

A public bid process would provide a fair, equitable and competitive method for identifying a purchaser for this property. Notice of the public bid process would be sent to the owners and occupants in the immediate neighborhood.

PUBLIC INVOLVEMENT

In accordance with Resolution No. 30862, a notice concerning disposition or other use of this property was sent to all residences and owners within a 1000-foot radius of the subject properties and to community council representatives in June 2006. A total of 345 notices were mailed. This mailing generated seven responses or comments from the community. Four of the callers wanted additional information about how to purchase the property. One respondent thought the land was too steep for building and should only be offered to adjoining owners. One thought it could be a community garden if not sold. One caller did not care what happened on the land as long as transitional housing is not sited there.

A large format Notice of Recommendation sign was installed on the property on August 25, 2006. In response to the preliminary recommendation that the property be sold by public competitive bid, three additional parties submitted comments. One favored a small park; one adjoining owner was interested in purchase, and one thought it would be a difficult site for single-family construction, but wanted to kept informed if an opportunity to purchase occurred.

RECOMMENDATION

The Real Estate Services Division of the Fleets and Facilities Department recommends that PMA Nos. 1609 and 1610 be offered for sale through a public competitive bid process to be approved by the City Council. This proposed disposition is classified as a "simple" transaction for purposes of Disposal review. The Real Estate Oversight Committee concurred with this recommendation in October 2006.

CITY CLERK

PROPERTY REVIEW PROCESS DETERMINATION FORM

Property Name:	Vacant parcels at 21st Avenue SW and SW Andover St.		
Address:	21st Avenue SW and SW Andover St.		
PMA ID:	PMA Nos. 1609 & 1610	Subject Parcel #;s:	1752; 1753
Dept./Dept ID:	Fleets and Facilities	Current Use:	None: Excess
Area (Sq. Ft.):	5000 SF	Zoning: SF 5000	
Est. Value:	$ 92,000	Assessed Value: $80,000	

PROPOSED USES AND RECOMMENDED USE

Department/Governmental Agencies: None	*Proposed Use: N/A*
Other Parties wishing to acquire: Adjoining Landowners and other parties	*Proposed Use: Additional yard/Housing Development*

RES'S RECOMMENDED USE:
Sell by public bid to highest bidder in accordance with approved sale process

PROPERTY REVIEW PROCESS DETERMINATION (circle appropriate response)

1.) Is more than one City dept/Public Agency wishing to acquire?	(No) / Yes	15
2.) Are there any pending community proposals for Reuse/ Disposal?	(No) / Yes	15
3.) Have citizens, community groups and/or other interested parties contacted the City regarding any of the proposed options?	No / (Yes)	15
4.) Will consideration be other than cash?	(No) / Yes	10
5.) Is Sale or Trade to a private party being recommended?	No / (Yes)	25
6.) Will the proposed use require changes in zoning/other regulations?	(No) / Yes	20
7.) Is the estimated Fair Market Value between $250,000-$1,000,000?	(No) / Yes	10
8.) Is the estimated Fair Market Value over $1,000,000?	(No) / Yes	45
Total Number of Points Awarded for "Yes" Responses:		40

Property Classification for purposes of Disposal review: (Simple) / Complex (circle one) (a score of 45+ points results in "Complex" classification.

Signature: David C. Hemmelgarn Department: FFD Date: 03/15/07

BOS CITY CLERK

PRELIMINARY REPORT

EVALUATION OF REUSE & DISPOSAL OPTIONS FOR
PMA No. 4325 – MLK, Jr. Way and unopened E. Spruce Street

Resolution 29799 directs that the Executive is to make its recommendations on the reuse or disposal of excess property on a case by case basis, using *the Procedures for Evaluation of the Reuse and Disposal of the City's Real Property* adopted by that resolution. Additionally, the Resolution identifies guidelines, which are to be considered in making a recommendation. This report addresses each of the guidelines outlined in Resolution 29799 in support of the recommendation. This report also follows and includes those provisions of Resolution 30862, adopted May 1, 2006, that amended Resolution 29799.

Property Management Area: NE Corner of unopened E. Spruce Street and Martin Luther King, Jr. Way. It is located directly south of the duplex property identified by the street address of 210-212 Martin Luther King, Jr. Way.

BACKGROUND INFORMATION

Legal Description: All of Lot 4 and the south 25 feet of Lot 3, measured along the west line thereof, Block 20, Gamma Poncin's Addition to the City of Seattle, as recorded in Volume 20 of Plats, page 51, records of King County, Washington; Except the west 20 feet thereof, taken for street under Ordinance No. 84354.

Physical Description and Related Factors: The site is irregular in shape, as is usually seen in property parcels that are left over after acquisitions for the establishment and improvement of street right-of-way. It measures 75 feet along its western boundary that fronts MLK, Jr.Way.
It is 66 feet along its northern boundary and 50 feet along its southern boundary. On its eastern edge, it measures approximately 78 feet as it angles slightly to the northeast before intersecting with the northern line. On its north and east sides it is adjacent to, respectively, a duplex and single family homes. To its south is the 50-foot wide unopened section of E. Spruce Street that lies between 28th Ave. and MLK, Jr. Way. The property's total area is approximately 4350 square feet according to King County Assessor information. The property is located in an area with mostly single-family residences of various styles, shapes, and value. The western half of the property is fairly level, but then the contour begins sloping up at about a 30% grade to its eastern
boundary line. The parcel contains several tall trees and groundcover consisting mostly of blackberry, selal, and ground alder. The City Arborist has been asked to confirm that the trees located on the property are not significant. Its King County Tax Parcel Identification Number is 684070-1420.

GUIDELINE A: CONSISTENCY

The analysis should consider the purpose for which the property was originally acquired, funding sources used to acquire the property, terms and conditions of original acquisition, the title or deed conveying the property, or any other contract or instrument by which the City is bound or to which the property is subject, and City, state or federal ordinances, statues and regulations.

Between 1954 and 1957, the City of Seattle began widening and extending Empire Way, passing several ordinances relating to the project and to the acquisition by condemnation and/or purchase of numerous parcels and portions of property and property rights for street and other purposes. PMA No.

CITY CLERK

4325 was acquired by Warranty Deed from Wilbert and Priscilla Strothers in 1957, pursuant to Ordinance 85354, for General Municipal Purposes.
When the City of Seattle previously offered this property for sale in 1981, the City included a reservation of the right to make necessary slopes for cuts or fills upon the property in the reasonable grading or maintaining of abutting streets and public places. That reservation will not be included in the conveyance if this property is sold.

GUIDELINE B: COMPATIBILITY AND SUITABILITY

The recommendation should reflect an assessment of the potential for use of the property in support of adopted Neighborhood Plans, as or in support of low-income housing, in support of economic development, in support of affordable housing, for park or open space; in support of Sound Transit Link Light Rail station area development; as or in support of child care facilities, and in support of other priorities reflected in adopted City policies.

Context

The property is located within the City of Seattle and also within the boundaries of the Central Area Neighborhood Planning Area. Its irregular shape and adjacency to Martin Luther King, Jr. Way are qualities shared with a number of excess parcels that remained after the laying out and widening of the thoroughfare in the 1950's. The property was not identified by any neighborhood or community group as being desirable or needed for the development or implementation of Neighborhood Plans. It is not particularly suited to meet specific City of Seattle needs as indicated by the complete lack of interest in the property when it was circulated in May 2002. Neither the Parks Department nor the neighborhood community has expressed interest in dedicating the property to parks or open space use.

Range of Options

Options include sale by public bid, sale through a Request for Proposal process, negotiated sale, long-term ground lease, or retention by the City. Given that no City department has identified any current or future use for the property, and given the location of the property, neither the long-term ground lease or retention of the property are in the best interests of the City.

GUIDELINE C: OTHER FACTORS

The recommendation should consider the highest and best use of the property, compatibility of the proposed use with the physical characteristics of the property and with surrounding uses, timing and term of the proposed use, appropriateness of the consideration to be received, unique attributes that make the property hard to replace, potential for consolidation with adjacent public property to accomplish future goals and objectives, conditions in the real estate market, and known environmental factors that make affect the value of the property.

Highest and Best Use

The highest and best use is for the development of single family housing or some other use permitted as a conditional use by the land use code in a Single Family 5000 zone. This 4350 SF site at a minimum would support the construction of a single family home.

Compatibility with the physical characteristics

The site is sloped upward to the east from Martin Luther King, Jr. Way. The physical characteristics of the site would allow the building of a single-family residence.

CITY CLERK

Compatibility with surrounding uses
Sale of this property for development of residential housing is a proposed use that is very compatible with the surrounding neighborhood that is primarily single-family residential.

Timing and Term of Proposed Use
The City of Seattle proposes no specific design or use for this property. It would be offered for sale by public bid with no conditions attached to any legal use or development by the successful bidder.

Appropriateness of the consideration
The property would be sold to the highest successful bidder in accordance with procedures as approved by the City Council. Legislation will authorize the Real Estate Services Division of the Fleets and Facilities Department to accept the highest competitive offer over a minimum threshold established by the City. The city would reserve the right to cancel any and all sales and to reject any and all bids in the bid process.

Unique Attributes:
This property parcel has no unique attributes or qualities that require special attention.

Potential for Consolidation with adjacent public property
There are no public properties immediately adjacent to PMA No. 4325. There are several City-owned properties in the immediate area. To the South and across unopened E. Spruce Street lies PMA No. 3640, a skinny 22-feet wide strip of land that is also a remainder parcel from road construction. Two lots north of PMA No. 4325 lies Powell Barnett Park, PMA No. 345, a 190,000 SF playground and recreation area under the jurisdiction of the Parks Department. These city-owned parcels are neither proximate nor suitable for consolidation with the subject property.

Conditions in the real estate market
The real estate market in Seattle remains healthy. Interest rates have declined but real property is maintaining its value while the rate of appreciation has slowed only moderately. The demand for raw land has sustained its value.

Known environmental factors:
FFD reviewed property files and conducted several inspections of the property. With the exception of the critical sloping portions of the site, there are no known environmental factors or conditions that prevent offering this property for sale or for the construction of housing on its premises.

GUIDELINE D: SALE
The recommendation should evaluate the potential for selling the property to non-City public entities and to members of the general public.

Non-city public entities were notified concerning the excess nature of this property by circulation occurring in the summer of 2002. None expressed an interest in acquiring it for their needs. Nearby property owners that have expressed interest in purchasing the property would be provided an opportunity to bid on the property as part of the bid-sale process.
A public bid process with notice sent to the owners and occupants in the immediate neighborhood would provide an open, fair, and competitive method for identifying a purchaser for this property.

CITY CLERK

PUBLIC INVOLVEMENT

In accordance with Resolution No. 30862, a notice concerning disposition or other use of this property was sent to all residences and owners within a 1000-foot radius of the subject properties and to community council representatives in June 2006. A total of 487 notices were mailed. Six responses were received. Four callers thought sale by the city and construction of housing would be a good use, particularly as it would ensure maintenance of a piece of land that has periodically become an overgrown dumping ground. Two of the callers thought it should be preserved as open space. A large Notice of Recommendation sign was erected on the property on August 25, 2006. In response to the city's recommendation that the property be sold by public competitive bid, one additional comment, from the owner of the duplex located north of PMA No. 4325, was received. She did not support park or open space use and felt that the property should be sold for housing development to a responsible person who would clean, beautify and maintain it.

RECOMMENDATION

The Real Estate Services Division has evaluated responses from public entities and the community mailing and examined the patterns of land use and development along the MLK, Jr. Way arterial. With Powell-Barnett Park located only 200 feet away, additional open space is not needed. The proposed disposition is classified as a "simple" transaction for purposes of disposal review. Therefore the Fleets and Facilities Department recommends that this property be offered for sale through a public competitive bid process. The Real Estate Oversight Committee concurred with this recommendation in October 2006.

EDS CITY CLERK

PROPERTY REVIEW PROCESS DETERMINATION FORM

Property Name:	Excess property south of 210-212 Martin Luther King, Jr. Way		
Address:	South of 210-212 Martin Luther King, Jr. Way		
PMA ID:	4325	Subject Parcel #:	1517
Dept./Dept ID:	FFD	Current Use:	vacant
Area (Sq. Ft.):	4350	Zoning:	SF 5000
Est. Value:	$185,000	Assessed Value:	$165,000

PROPOSED USES AND RECOMMENDED USE

Department/Governmental Agencies:	*Proposed Use:*
none	none
Other Parties wishing to acquire:	*Proposed Use:*
Private parties	Residential construction

RES'S RECOMMENDED USE: Sell by public competitive bid

PROPERTY REVIEW PROCESS DETERMINATION (circle appropriate response)

1.) Is more than one City dept/Public Agency wishing to acquire?	(No) / Yes	15
2.) Are there any pending community proposals for Reuse/ Disposal?	(No) / Yes	15
3.) Have citizens, community groups and/or other interested parties contacted the City regarding any of the proposed options?	No / (Yes)	15
4.) Will consideration be other than cash?	(No) / Yes	10
5.) Is Sale or Trade to a private party being recommended?	No / (Yes)	25
6.) Will the proposed use require changes in zoning/other reg's?	(No) / Yes	20
7.) Is the estimated Fair Market Value between $250,000-$1,000,000?	(No) / Yes	10
Notice of the public bid process would be sent to the owners and occupants in the immediate neighborhood. 8.) Is the estimated Fair Market Value over $1,000,000?	(No/ Yes	45
Total Number of Points Awarded for "Yes" Responses:		**40**

Property Classification for purposes of Disposal review: (Simple) Complex (circle one) (a score of 45+ points results in "Complex" classification)

Signature: David Hemmelgarn Department: FFD Date: 03/15/07

EDS CITY CLERK

Report on Public Involvement Process

PMA Nos. 1609 and 1610
South of the Intersection of 21st Ave. SW and SW Andover Street

This report is being submitted to the City Council in accordance with Council Resolution 30862. This property transaction has been designated as a "simple" decision.

Community Comment and Involvement

June, 2006 - **Initial Public Notice** was mailed to 345 residents/owners within 1000-foot radius of the subject property and to community council representatives and other neighborhood associations. The notice described the location of the property, explained the disposition process, and invited comments or suggestions for the use of the property. A 30-day comment period was identified with failure to comment or participate as a possible preclusion from further notice in the process.

July-August 2006 - Seven responses were received. Four of the callers wanted additional information about how to purchase the property. One respondent thought the land was too steep for building and should only be offered to adjoining owners. One thought it could be a community garden if not sold. One caller did not care what happened on the land as long as transitional housing is not sited there.

August 2006 – **Notice of Preliminary Report** and a **Summary of the Preliminary Report** was sent to all persons who submitted comments in response to the Initial Public Notice. This notice advised that comments on the Preliminary Report and Recommendation **that the property be sold through a public competitive bid process** could be submitted through October 2, 2006 to be considered in disposition process. A large format (24" x 36") Notice of Recommendation sign was installed on the property on August 25, 2006.

Three additional parties submitted comments after the posting of the sign. One is an adjoining property owner who thought he might be interested in purchase or that it could be used as a small park. Another is a builder of "unusual modern infill," a term he uses to describe some of his building sites in West Seattle. He views it as a tough site for a house and prefers leaving it in natural state or purchase by adjoining owners. The last party wanted to be notified for an opportunity to purchase if it goes to sale.

In summary, 10 comments were received. Seven parties, including one adjoining owner, expressed interest in purchasing the property. Two thought it should be left in its natural state or become a small park or community garden. One was opposed to any kind of transitional housing.

CITY CLERK

Report on Public Involvement Process

PMA No. 4325
NE Corner of unopened E. Spruce Street and Martin Luther King, Jr. Way

This report is being submitted to the City Council in accordance with Council Resolution 30862. This property transaction has been designated as a "simple" decision.

Community Comment and Involvement

June, 2006 - **Initial Public Notice** was mailed to 487 residents/owners within 1000-foot radius of the subject property and to community council representatives and other neighborhood associations. The notice described the location of the property, explained the disposition process, and invited comments or suggestions for the use of the property. A 30-day comment period was identified with failure to comment or participate as a possible preclusion from further notice in the process.

July-August 2006 - Six responses were received. Four callers thought sale by the city and construction of housing would be a good use, particularly as it would ensure maintenance of a piece of land that has periodically become an overgrown dumping ground. Two of the callers thought it should be preserved as open space.

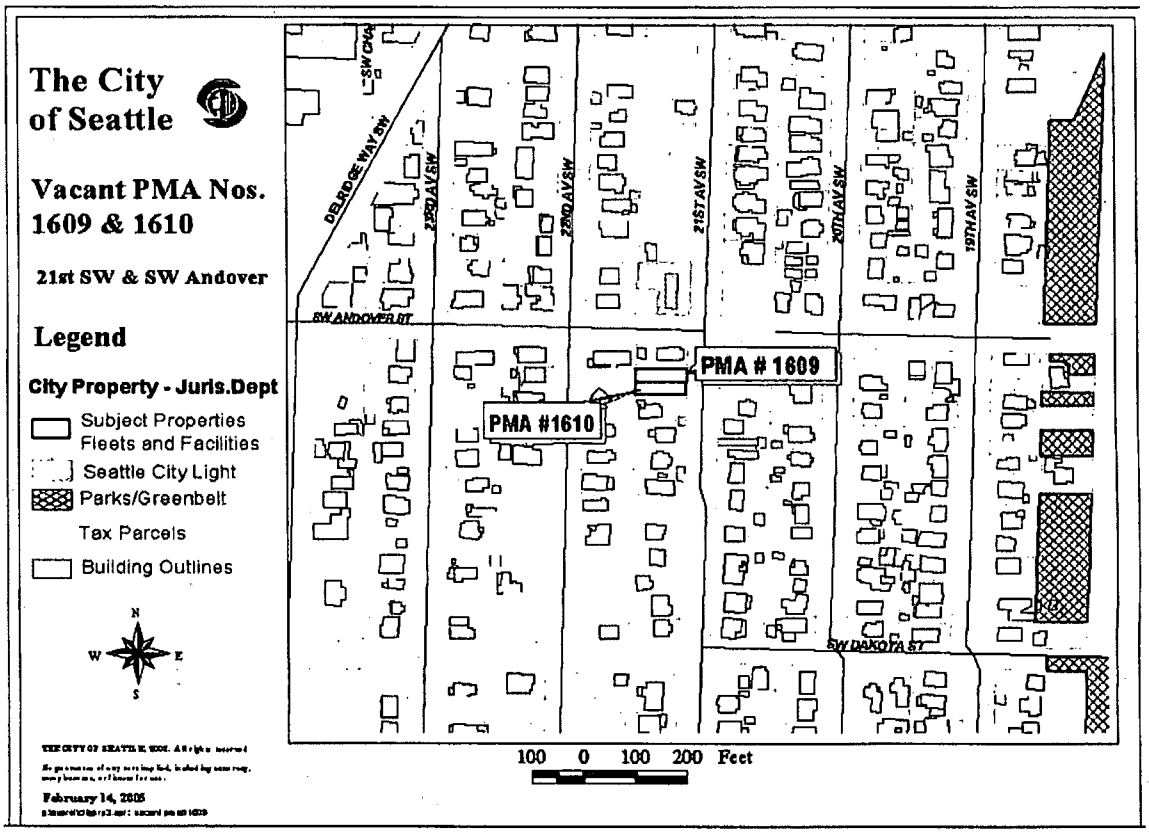
August 2006 – **Notice of Preliminary Report** and a **Summary of the Preliminary Report** was sent to all persons who submitted comments in response to the Initial Public Notice. This notice advised that comments on the Preliminary Report and Recommendation **that the property be sold through a public competitive bid process** could be submitted through October 2, 2006 to be considered in disposition process. A large format (24" x 36") Notice of Recommendation sign was installed on the property on August 25, 2006.

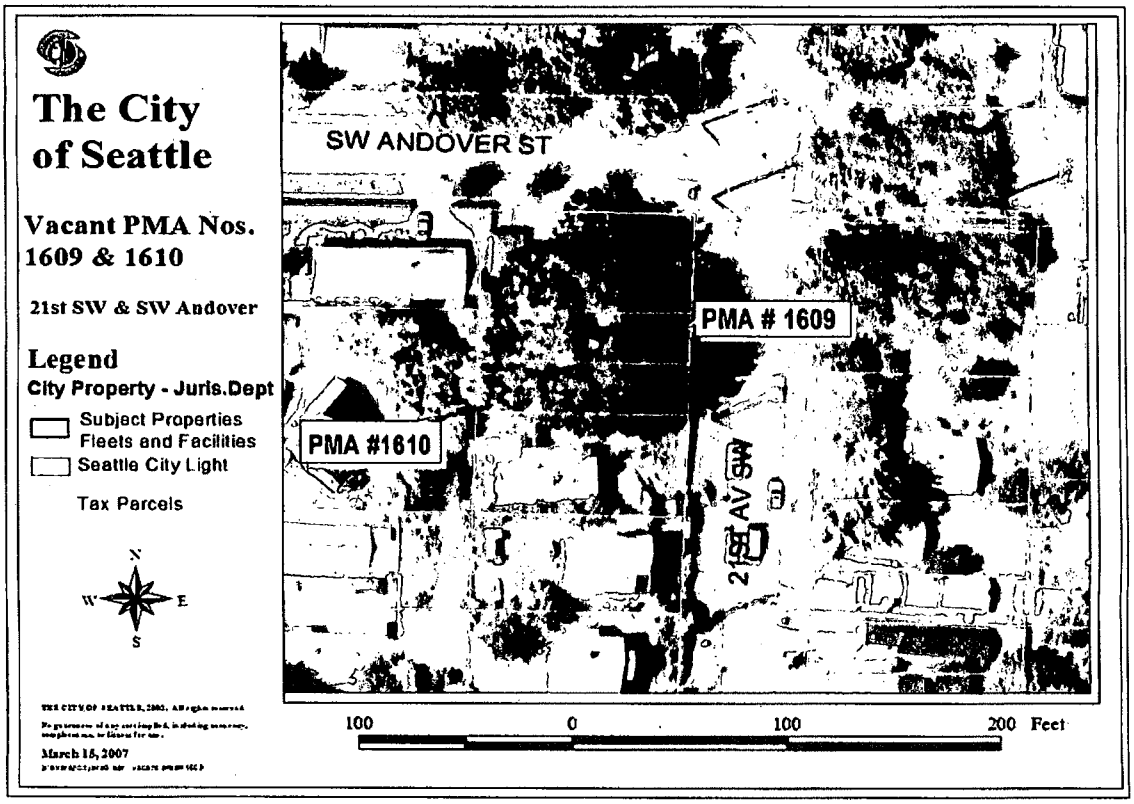
One additional party submitted a comment after the posting of the sign. This respondent owns the duplex located immediately north of the subject property. She does not support the property becoming park or open space. She is interested in acquiring the property or, in the alternative, feels that it should be sold for housing development to a responsible party who will clean, maintain and beautify the property.

In summary, 7 comments were received. Four parties, including one adjoining owner, thought the property should be sold for housing development. Two of the callers favored preserving it as public open space. One caller expressed an interest in purchasing the property.

All persons who commented on this property will receive a notice when this legislation is transmitted to Council. This notice will describe the intent of the legislation, and advise how comments can be submitted on the legislation.

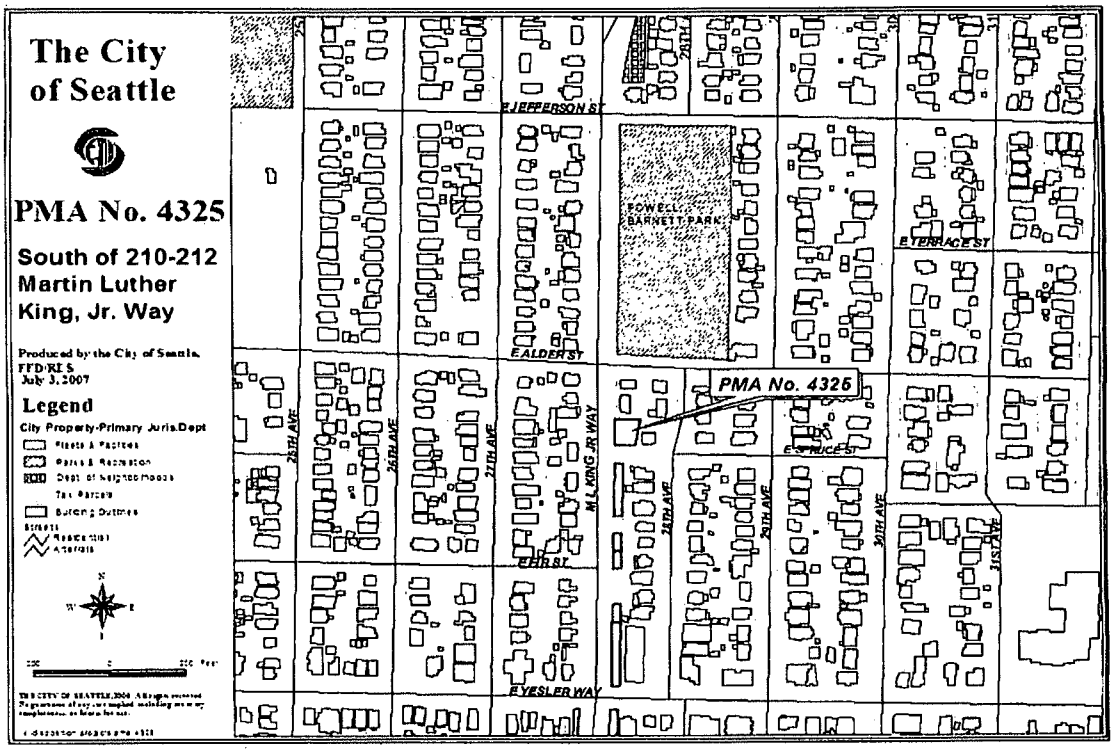
ENS CITY CLERK





EDMS CITY CLERK

Attachment 4 – PMA Maps



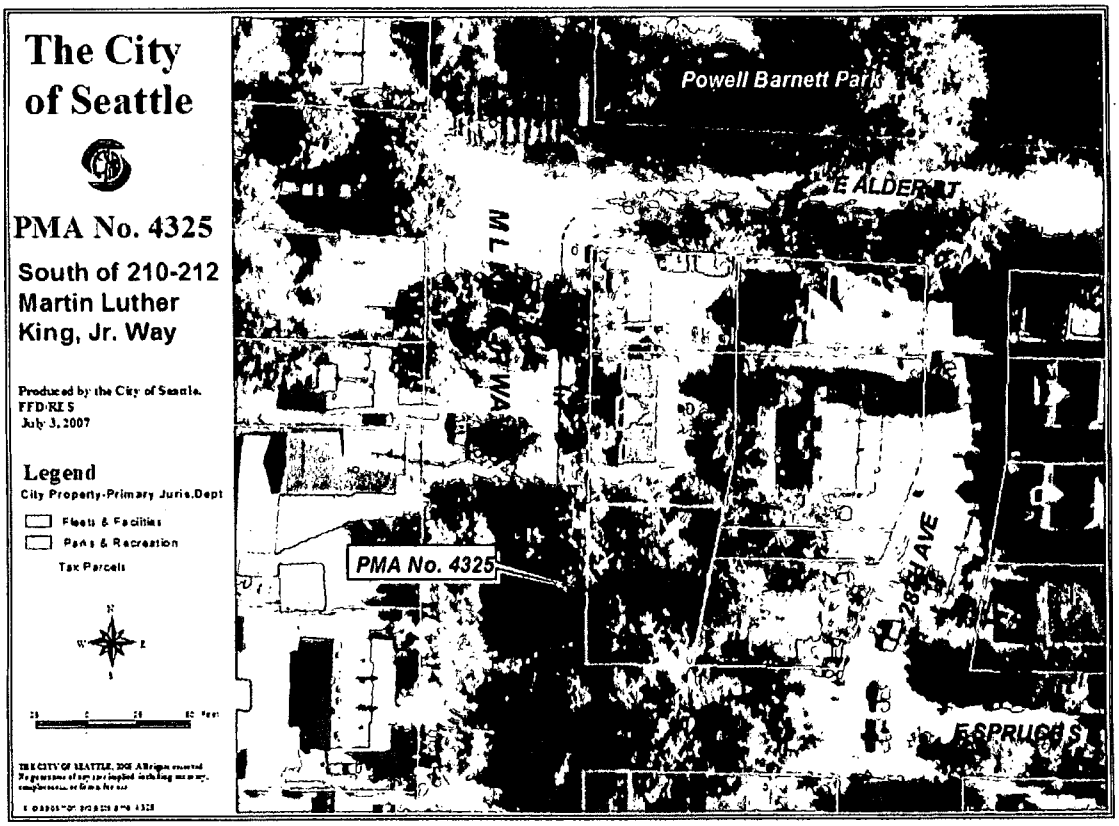


Exhibit CITY CLERK

City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

August 21, 2007

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Licata:

I am pleased to transmit the attached proposed Council Bill that authorizes the Fleets and Facilities Department (FFD) to sell three properties that are surplus to the needs of the City. These properties, two of which are located at 21st Avenue S.W. and S.W. Andover Street, and one South of 210-212 Martin Luther King, Jr. Way, are not needed for any public purpose, and will better serve the public by generating income and property tax revenue for the City.

City departments and public agencies were notified that the three subject properties were potentially available. No agency identified potential public uses for the sites. In addition, each of the three properties was carefully screened against adopted neighborhood plans, and a notice of potential property disposition was sent to all residences within a 1,000 foot radius of each parcel and to community council and neighborhood representatives. No neighborhood plan issues were identified and, therefore, the Real Estate Oversight Committee approved a recommendation to sell the properties through a public competitive bid process.

The properties were originally acquired with General Fund monies, and proceeds from their sales will go back into the General Fund. Thank you for your consideration of this legislation. Should you have questions, please contact Hillary Hamilton in Fleets and Facilities Real Estate Services at 684-0421.

Sincerely,

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council
Ted Maslin, Director, Fleets and Facilities Real Estate Services

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749
Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, Email: mayors.office@seattle.gov
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