

#8
C.B. 117799

When Recorded, Return to:
The City Clerk
First Floor, Municipal Building
600 4th Avenue
Seattle, WA 98104

1st AMENDMENT TO
PROPERTY USE AND DEVELOPMENT AGREEMENT

GRANTOR: SEATTLE HOUSING AUTHORITY, a Washington
municipal corporation

GRANTEE: CITY OF SEATTLE, a Washington municipal corporation

LEGAL DESCRIPTION: See Attachment 1 for Legal Description of Property (High
Point Garden Community, 6550 32nd Avenue SW,
generally bounded by SW Juneau Street on the north, 35th
Avenue SW on the west, SW Myrtle Street on the south
and the hillside above Longfellow Creek on the east)

ASSESSOR'S TAX PARCEL ID: 252403-9051-09, 252403-9049-04

RELATED DOCUMENTS: 20030617002439, Property Use and Development
Agreement

This First Amendment ("Amendment") amends the Original Property Use and Development Agreement recorded under King County Recording Number 20030617002439 ("PUDA"). This Amendment is executed by the Seattle Housing Authority ("Owner"), a Washington municipal corporation and owner of the property legally described herein ("Property"), in favor of the City of Seattle, a Washington municipal corporation.

All terms not defined herein shall have the same meaning as in the PUDA.

1. A new Section 6 is added to the PUDA to read as follows:

Section 6. Notwithstanding the ten-year expiration provision in Section 2, the covenants herein are extended for a period of two years from the effective date of the ordinance accepting this Amendment and extending the rezone.

SIGNED 12th day of June, 2013.

By: David K. Loefer, Acting Executive Director
for Andrew J. Lofton, Executive Director

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 12th day of June, 2013.

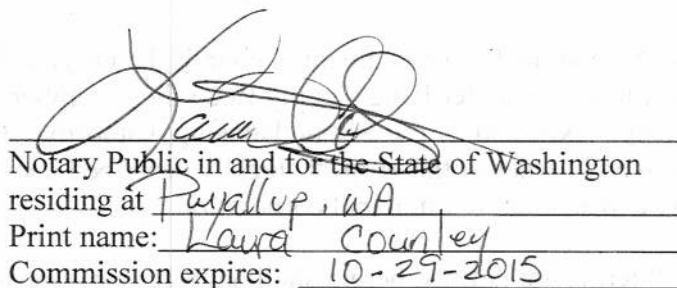


EXHIBIT A

ORDINANCE _____

AN ORDINANCE approving the extension of a Property Use and Development Agreement and a contract rezone approved by Ordinance 121164 for Seattle Housing Authority's High Point Community Garden housing development located at 6550 – 32nd Avenue SW.

WHEREAS, on May 23, 2003 the City Council adopted Ordinance 121164, approving a contract rezone for Seattle Housing Authority ("SHA") for their High Point Community Garden housing development ("property") located at 6550 – 32nd Avenue SW, and accepting a Property Use and Development Agreement ("PUDA"), signed by the Mayor on June 4, 2003; and

WHEREAS, the PUDA imposed conditions and covenants concerning the extent of new development that was authorized under the rezone, including the adoption of a ten-year term for the PUDA and rezone; and

WHEREAS, SHA seeks to extend the date by which the PUDA and related zoning designation expires; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Notwithstanding the time limit imposed by Ordinance 121164 § 4, the zoning designation established by Ordinance 121164 § 2 is extended for a period of two years from the effective date of this ordinance, and is subject to the terms and conditions described in Ordinance 121164 § 3 and in Section 2 of this ordinance.

Section 2. The amendment to the PUDA accepted by Ordinance 121164, which amendment is attached as Exhibit A to this ordinance, is hereby accepted

Section 3. The City Clerk is hereby authorized and directed to file said PUDA amendment at the King County Records and Elections Division; to file, upon return of the recorded amendment from the King County Records and Elections Division, the original of said amendment with this Ordinance at the City Clerk's Office; and to deliver copies of the same to the Director of the Department of Planning and Development and to the King County Assessor's Office.



1 Section 4. This Ordinance, effectuating a quasi-judicial decision of the City Council and
2 not subject to mayoral approval or disapproval, shall take effect and be in force upon its passage
3 by the Council.

4 Section 5. If Section 4 of this ordinance shall be declared by any court of competent
5 jurisdiction to be contrary to law: Section 4 shall be severed from the rest of the ordinance; all
6 other provisions of this ordinance shall remain valid; this ordinance shall be deemed effective
7 retroactive to July 3, 2013; and any act consistent with the authority of this ordinance taken prior
8 to this retroactive effective date is ratified and confirmed.

9
10 Passed by the City Council the ____ day of _____, 2013, and
11 signed by me in open session in authentication of its passage this ____ day of
12 _____, 2013.

13
14
15 _____
16 President _____ of the City Council

17 Filed by me this ____ day of _____, 2013.

18
19
20 _____
21 City Clerk

22 (Seal)



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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Michael Jenkins, 5-1674	NA

Legislation Title:

AN ORDINANCE approving the extension of a Property Use and Development Agreement and a contract rezone approved by Ordinance 121164 for Seattle Housing Authority's High Point Community Garden housing development located at 6550 – 32nd Avenue SW.

Summary of the Legislation:

This legislation authorizes a two-year extension of a Property Use and Development Agreement (PUDA) approved by Ordinance 121164, that authorized rezones at Seattle Housing Authority's High Point Garden Community.

Background:

This bill approves a petitioner-generated extension of a PUDA subject to the Council's rules for quasi-judicial decisions. The original petition, Department of Planning and Development recommendation and related documents are contained in Clerk's File 312974.

- *Please check one of the following:*

X This legislation does not have any financial implications.