

#10

S. DeWayne Ticeson
SPU UW Easement ORD
July 8, 2014
Version #1

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CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL 118170

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, The Board of Regents of the University of Washington (UW) petitioned the City of Seattle and requested to relocate a City sanitary sewer to allow for the construction of new UW campus buildings at 1101 Northeast Campus Parkway; and

WHEREAS, portions of sanitary sewer easement described as "Parcel C," in document #8103020644, records of King County, and accepted in City of Seattle Ordinance 110306, and portions of the sanitary sewer easement described in document #20110721000320, records of King County, and accepted in City of Seattle Ordinance 123875, have been determined by the City of Seattle to be surplus to the City's utility needs; and

WHEREAS, an easement is required for the installation, maintenance and operation of a replacement sanitary sewer facility for the sewer facility originally constructed in portions of 11th Avenue NE and NE 40th Street, but to be relocated within the UW property known as King County Parcel No. 1142001950 to accommodate said construction of new UW campus buildings; and

WHEREAS, Seattle Public Utilities determined the interests of the City, the Utility and its customers are best served by relinquishing the existing sewer facility easements and accepting from the UW a new easement to accommodate the relocated sanitary sewer in the same property; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:



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Section 1. Pursuant to the provisions of RCW 35.94.040, and after public hearing, portions of easement rights to construct, maintain and operate sanitary sewer utilities in University of Washington property, accepted by Ordinances 110306 and 123875 are hereby found and declared no longer required for municipal utility purposes and 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 partial relinquishment of easements to the University of Washington legally described and as shown in Attachments 1 and 2.

Section 3. The Director of Seattle Public Utilities, or his designee, is authorized to accept for and on behalf of the City of Seattle a new easement for a relocated sanitary sewer facility granted by the University of Washington as legally described and as shown in Attachments 3 and 4.

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



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

4 Passed by the City Council the ____ day of _____, 2014, and
5 signed by me in open session in authentication of its passage this
6 ____ day of _____, 2014.

7
8 _____
9 President _____ of the City Council

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11 Approved by me this ____ day of _____, 2014.

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13 _____
14 Edward B. Murray, Mayor

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16 Filed by me this ____ day of _____, 2014.

17
18 _____
19 Monica Martinez Simmons, City Clerk

20 (Seal)

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23 Attachment 1: Legal Description of Relinquishment
24 Attachment 2: Map of Relinquishment
25 Attachment 3: Legal Description of Easement Area A
26 Attachment 4: Legal Description of Easement Area B



Attachment 1

LEGAL DESCRIPTION FOR RELINQUISHMENT OF PORTIONS OF SANITARY SEWER EASEMENTS

THAT PORTION OF "PARCEL C" OF THE SANITARY SEWER EASEMENT RECORDED UNDER RECORDING NO. 8103020644, RECORDS OF KING COUNTY, WASHINGTON, LYING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., SAID COUNTY AND STATE, AND WITHIN THE BROOKLYN ADDITION TO SEATTLE AS RECORDED IN VOLUME 7 OF PLATS, PAGE 32, RECORDS OF SAID COUNTY AND WITHIN THE VACATED RIGHT-OF-WAY OF 11TH AVENUE NORTHEAST, DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID EASEMENT LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE;

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

THENCE NORTH 87°53'01" WEST, ALONG THE CENTERLINE OF SAID NORTHEAST 40TH STREET, A DISTANCE OF 279.96 FEET TO THE INTERSECTION WITH THE CENTERLINE OF VACATED 11TH AVENUE NORTHEAST;

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

THENCE NORTH 87°53'22" WEST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE;

THENCE SOUTH 87°53'22" EAST A DISTANCE OF 10.00 FEET TO THE TERMINUS OF SAID LINE.

SAID EASEMENT PORTION ALSO GENERALLY DESCRIBED AS A 10.00 FOOT WIDE STIP OF LAND LYING 5.00 FEET ON EACH SIDE OF THE CENTERLINE OF VACATED 11TH AVENUE NORTHEAST AND LYING SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST CAMPUS PARKWAY AND NORTHERLY OF THE HEREIN DESCRIBED LINE, SAID EASEMENT CENTERLINE PORTION GENERALLY BEARING NORTH 02°06'38" EAST A DISTANCE OF 165.22 FEET.

TOGETHER WITH THAT PORTION OF THE SANITARY SEWER EASEMENT RECORDED UNDER RECORDING NO. 20110721000320, RECORDS OF KING COUNTY, WASHINGTON, LYING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., SAID COUNTY AND STATE, AND WITHIN BROOKLYN ADDITION TO SEATTLE AS RECORDED IN VOLUME 7 OF PLATS, PAGE 32, RECORDS OF SAID COUNTY, AND WITHIN THE VACATED RIGHTS-OF-WAY OF 11TH AVENUE NORTHEAST AND NORTHEAST 40TH STREET, DESCRIBED AS FOLLOWS:



Attachment 1
(continued)

A 12.00 FOOT WIDE STRIP OF LAND LYING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;
COMMENCING AT THE INTERSECTION OF THE RIGHT-OF-WAY CENTERLINES OF SAID VACATED NORTHEAST 40TH STREET AND VACATED 12TH AVENUE NORTHEAST;
THENCE NORTH 87°53'01" WEST, ALONG THE CENTERLINE OF SAID NORTHEAST 40TH STREET, A DISTANCE OF 279.96 FEET TO THE INTERSECTION WITH THE CENTERLINE OF SAID VACATED 11TH AVENUE NORTHEAST;
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.
THENCE SOUTH 62°17'20" EAST A DISTANCE OF 81.19 FEET, MORE OR LESS, TO THE CENTERLINE OF SAID NORTHEAST 40TH STREET AND THE TERMINUS OF THE HEREIN DESCRIBED CENTERLINE.

THE SIDELINES OF THE HEREIN DESCRIBED STRIP OF LAND ARE TO BE LENGTHENED OR SHORTENED AS NECESSARY TO CLOSE UPON THE CENTERLINE OF SAID NORTHEAST 40TH STREET.

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



UNIVERSITY OF WASHINGTON
TERRY/MAPLE STUDENT HOUSING
LAWRENCE M. KNAAPP, P.L.S.
BRH JOB NO. 2010029.08
MAY 16, 2013

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



Attachment 3

UTILITY EASEMENT DESCRIPTION

A SIX (6) FOOT WIDE STRIP OF LAND OVER THAT PORTION OF LOT 9 AND 10, BLOCK 20, BROOKLYN ADDITION TO SEATTLE, RECORDED IN VOLUME 7 OF PLATS, PAGE 32, RECORDS OF KING COUNTY, STATE OF WASHINGTON AND VACATED ALLEY, VACATED UNDER CITY OF SEATTLE VACATION ORDINANCE 90687 IN SAID BLOCK 20;

COMMENCING AT A 1/4" SPACES ROD, IN CASE AT THE INTERSECTION OF CENTERLINES OF VACATED NORTHEAST 40TH STREET AND VACATED 11TH AVENUE NORTHEAST;

THENCE NORTH 87°21'38" WEST, ALONG THE CENTERLINE OF SAID NORTHEAST 40TH STREET, FORMERLY KNOWN AS CHESTER STREET, AS SHOWN ON SAID PLAT, AND VACATED UNDER CITY OF SEATTLE VACATION ORDINANCE NUMBER 110306, A DISTANCE OF 131.27 FEET TO THE SOUTHERLY EXTENSION OF A LINE BEING 2.00 FEET EASTWARD AS MEASURED PERPENDICULAR TO THE EAST MARGIN OF THE ALLEY IN BLOCK 20 OF SAID PLAT;

THENCE NORTH 02°06'35" EAST, ALONG SAID LINE, A DISTANCE OF 133.63 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID LINE, NORTH 02°06'30" EAST, A DISTANCE OF 66.42 FEET TO THE NORTH LINE OF SAID LOT 9;

THENCE NORTH 27°52'48" WEST, ALONG SAID NORTH LINE AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 6.10 FEET;

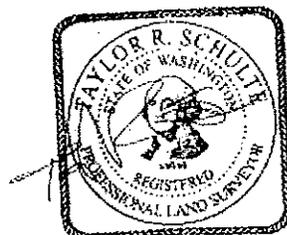
THENCE SOUTH 02°06'10" WEST, PARALLEL WITH SAID EAST MARGIN OF ALLEY IN BLOCK 20, A DISTANCE OF 36.75 FEET TO THE NORTHERLY MARGIN OF CITY OF SEATTLE ACCEPTANCE ORDINANCE NUMBER 90844, SAID MARGIN BEING A NON TANGENT CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 83.00 FEET AND A RADIUS POINT TO WHICH BEARS SOUTH 81°10'46" WEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 31°40'46", AN ARC DISTANCE OF 11.17 FEET TO SAID EAST MARGIN OF ALLEY IN BLOCK 20;

THENCE SOUTH 91°21'19" EAST, A DISTANCE OF 2.00 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING AN AREA OF 176 SQUARE FEET, MORE OR LESS

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



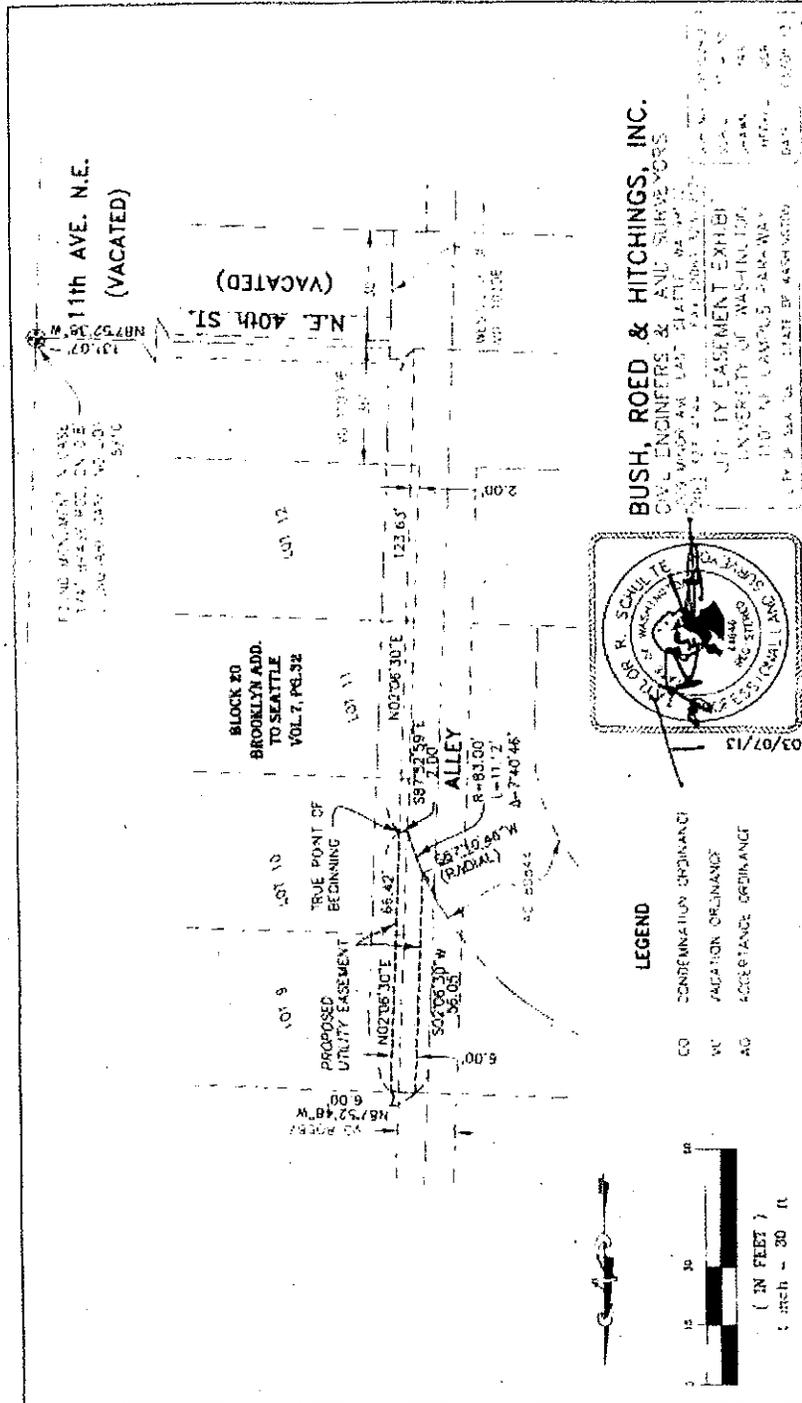
02/01/13

UNIVERSITY OF WASHINGTON
1101 MY TAMPOC PARKWAY
TAYLOR R. SCHULTE, P.L.S. 14046
BRE JOB NO. 2010-03-07
MARCH 6, 2013

BUNN, ROBB & BISHOP, INC.
1029 NINEAVE AVENUE EAST
SEATTLE, WA 98102
206-322-4134



Attachment 3
 (continued)



Attachment 4

UTILITY EASEMENT DESCRIPTION

A TWELVE (12) FOOT WIDE STRIP OF LAND LYING SIX (6) FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE OVER THAT PORTION OF VACATED NE 40TH STREET, VACATED UNDER CITY OF SEATTLE VACATION ORDINANCE NUMBER 110306, SAID STREET IS PREVIOUSLY KNOWN AS CHESTER STREET, SHOWN ON BROOKLYN ADDITION TO SEATTLE, RECORDED IN VOLUME 7 OF PLATS, PAGE 32, RECORDS OF KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/4" BRASS ROD, IN CASE AT THE INTERSECTION OF CENTERLINES OF VACATED NORTHEAST 40TH STREET AND VACATED 11TH AVENUE NORTHEAST;
THENCE SOUTH 02°07'16" WEST, ALONG THE CENTERLINE OF SAID 11TH AVENUE NORTHEAST, A DISTANCE OF 1.85 FEET TO THE TRUE POINT OF BEGINNING;
SIPHON

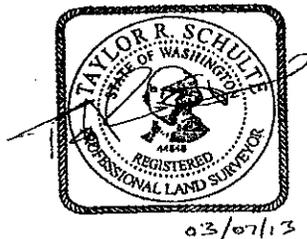
THENCE SOUTH 87°52'38" EAST, A DISTANCE OF 60.90 FEET TO THE WEST LINE OF AN EXISTING SANITARY SEWER EASEMENT, RECORDED UNDER RECORDING NUMBER 20110721000320, RECORDS OF KING COUNTY, WASHINGTON, BEING 1.87 FEET SOUTH, AS MEASURED PERPENDICULAR TO THE CENTERLINE OF SAID NORTHEAST 40TH STREET;

AND

COMMENCING AT A 1/4" BRASS ROD, IN CASE AT THE INTERSECTION OF CENTERLINES OF VACATED NORTHEAST 40TH STREET AND VACATED 11TH AVENUE NORTHEAST;
THENCE SOUTH 02°07'16" WEST, ALONG THE CENTERLINE OF SAID 11TH AVENUE NORTHEAST, A DISTANCE OF 1.85 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 87°52'38" WEST, A DISTANCE OF 125.06 FEET, TO THE WEST LINE OF SAID VACATION ORDINANCE 110306, SAID WEST LINE ALSO BEING 8.00 FEET EAST OF THE SOUTHERLY EXTENSION OF THE EAST MARGIN OF THE ALLEY IN BLOCK 20, BROOKLYN ADDITION TO SEATTLE, RECORDED IN VOLUME 7 OF PLATS, PAGE 32, RECORDS OF KING COUNTY, WASHINGTON, BEING 1.86 FEET SOUTH, AS MEASURED PERPENDICULAR TO THE CENTERLINE OF SAID NORTHEAST 40TH STREET;

THE SIDELINES OF THIS EASEMENT SHALL BE PROLONGED OR SHORTENED TO TERMINATE AT THE SAID WEST LINE OF VACATION ORDINANCE NUMBER 110306 AND AT THE WEST LINE OF SAID EXISTING SANITARY SEWER EASEMENT.

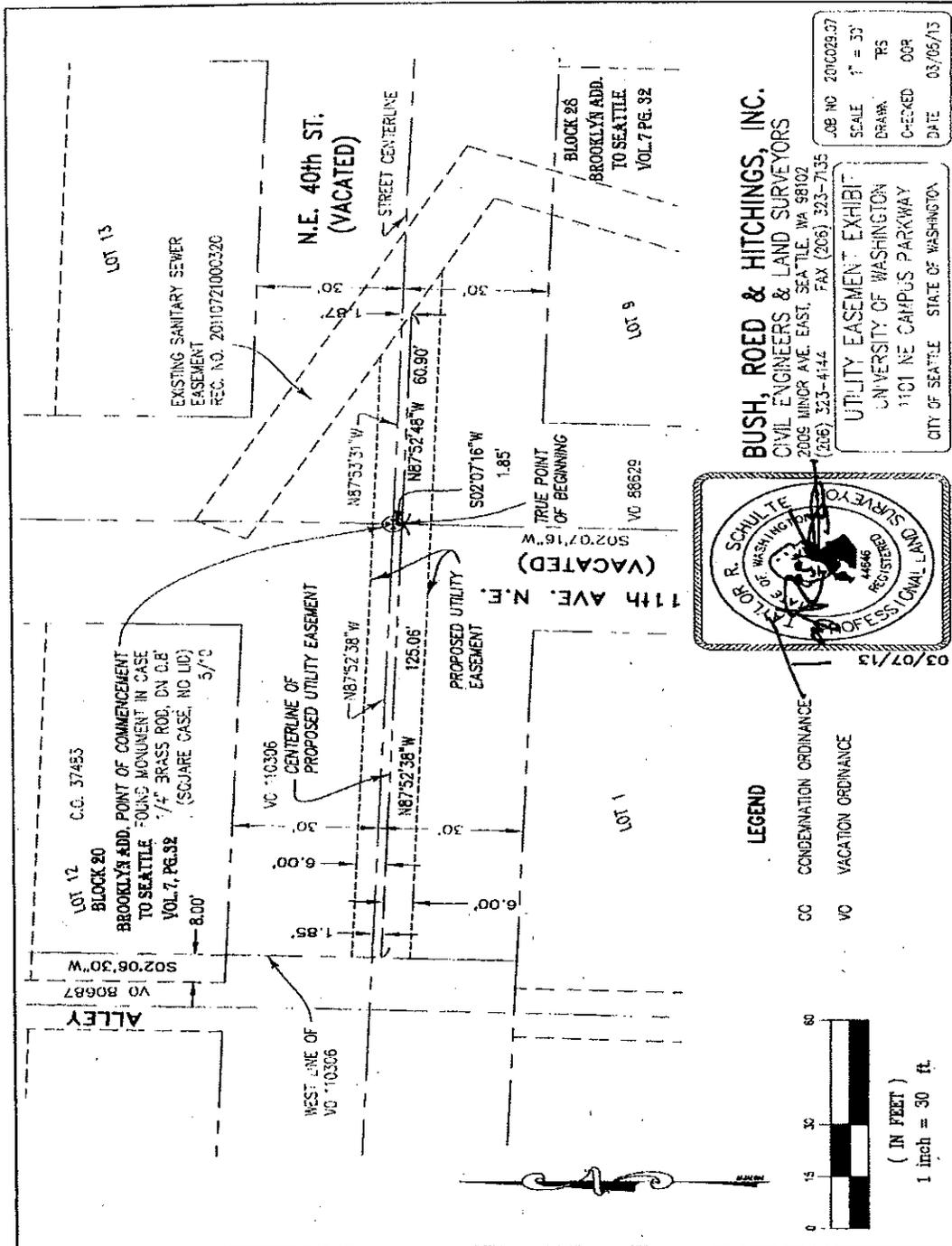


UNIVERSITY OF WASHINGTON
1101 NE CAMPUS PARKWAY
TAYLOR R. SCHULTE, P.L.S. 44646
BRH JOB NO. 2010029.07
MARCH 5, 2013

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



Attachment 4
(continued)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Seattle Public Utilities	S. DeWayne Ticeson/4-7563	Aaron Blumenthal/3-2656

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 would authorize the relinquishment of two utility easements and authorize the acceptance of an easement to access, maintain and operate the relocated sanitary sewer in property owned by the University of Washington.

Background:

The University of Washington asked City to relocate a sanitary sewer to allow for the construction of new campus facilities at 1101 NE Campus Pkwy. The UW's construction project involves demolishing a building and constructing a new building in its place. As part of the project, the University needs to relocate an 12-inch sanitary sewer main within its campus. This proposed legislation would relinquish surplus property rights and accept a new easement for the relocated sanitary sewer main.

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?**
The City would not have the property rights needed to install relocated sewer facilities.
- 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 viable alternatives are known.
- e) **Is a public hearing required for this legislation?**
Yes
- 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 attached.
- h) **Other Issues:** None

List attachments to the fiscal note below:

- Exhibit A – Vicinity Photo
- Exhibit B – Easement Locations Photo

Exhibit A

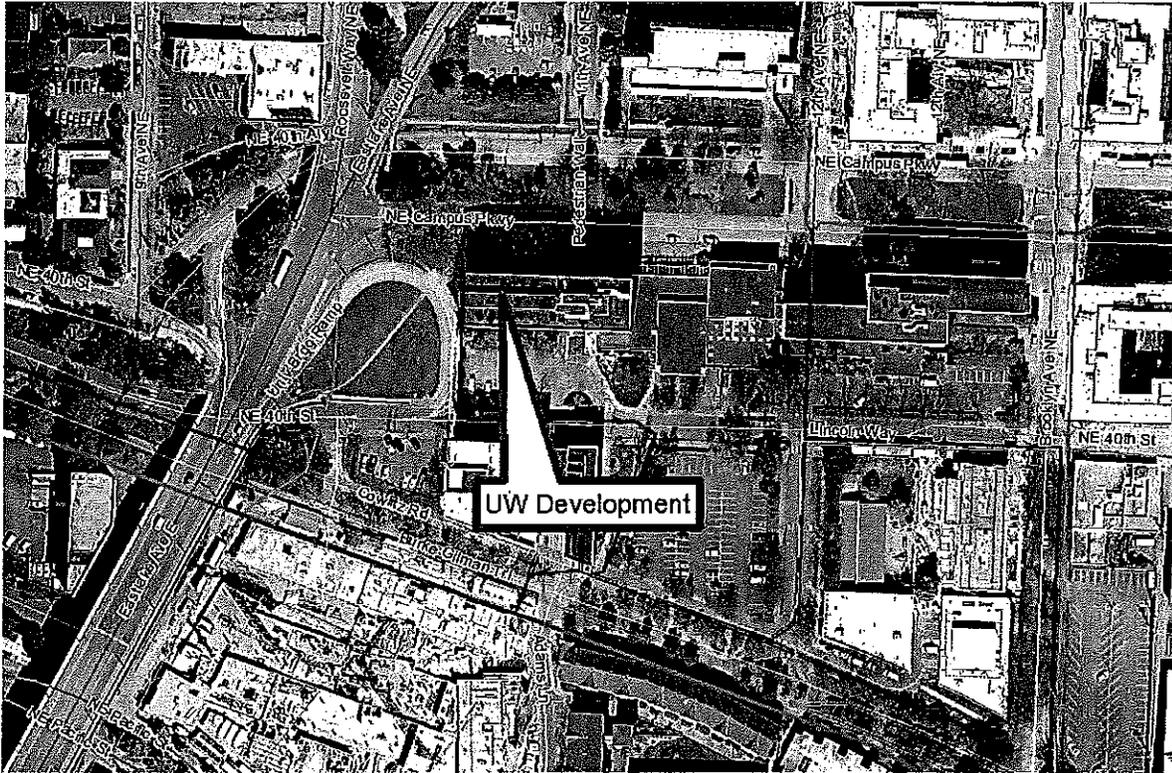
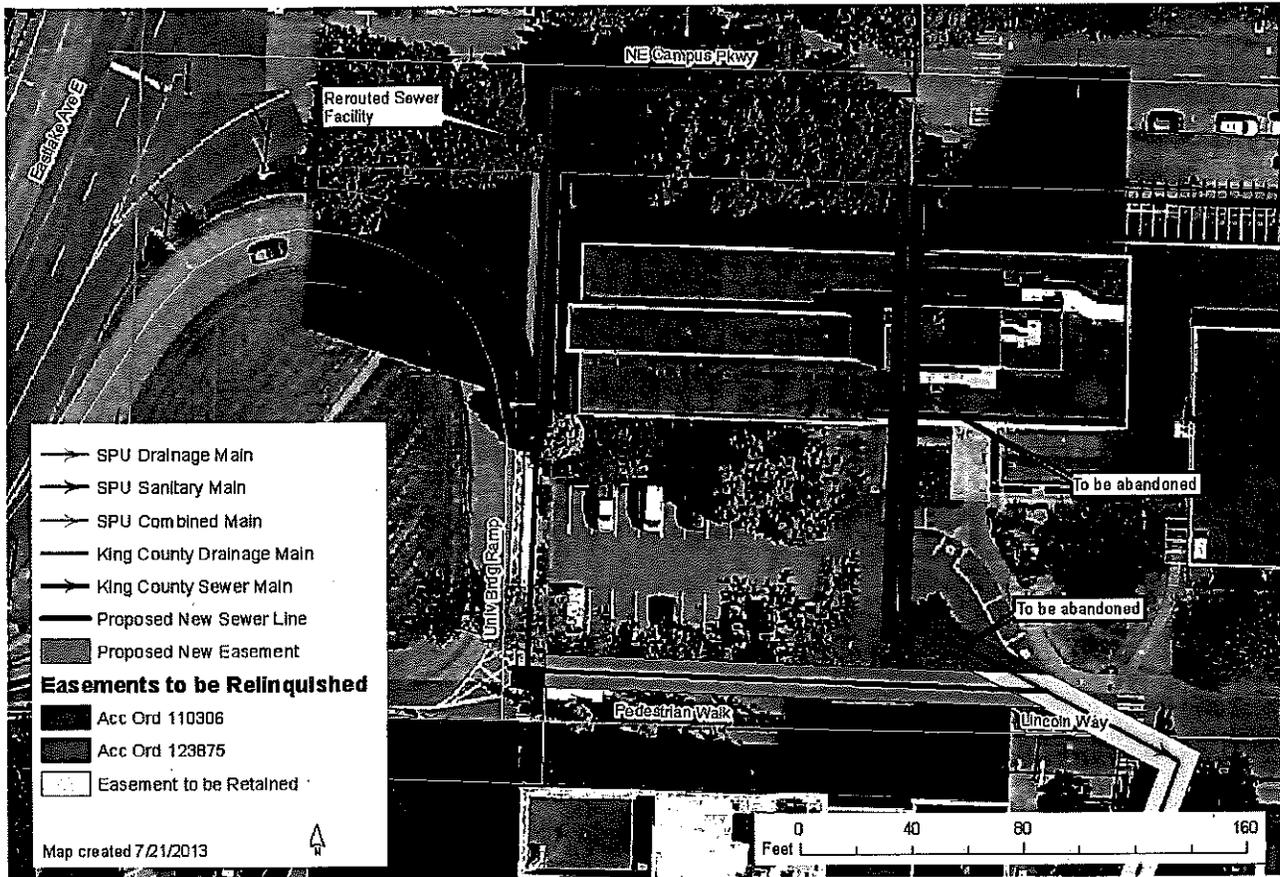


Exhibit B

SPU Easement - UW Ordinance





City of Seattle
Edward B. Murray
Mayor

July 22, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that would authorize Seattle Public Utilities to accept an easement from the University of Washington for a sanitary sewer main and relinquish two easements for sanitary sewer mains to be abandoned.

The University of Washington petitioned the City to relocate a sanitary sewer to allow for the construction of new UW facilities at 1101 NE Campus Parkway. The project involves demolishing an existing building and constructing a new building in its place. In doing this, the UW needs to relocate a 12-inch sewer main within its campus. This proposed legislation will approve relinquishing existing easements in exchange for granting a new easement to allow the future maintenance and operation of the relocated sanitary sewer in UW's property.

Codifying these three property rights transfers is the final remaining task related to this successful UW facility improvement project. Thank you for your consideration of this legislation. Should you have questions, please contact S. DeWayne Ticeson at (206) 684-7563.

Sincerely,

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

