



SEATTLE CITY COUNCIL

Legislative Summary

CB 118789

Record No.: CB 118789

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125219

In Control: City Clerk

File Created: 06/27/2016

Final Action: 12/16/2016

Title: AN ORDINANCE vacating the remaining north 40 feet of the alley in Block 18, being the remaining portion of the alley in the block lying between East Cherry Street on the north and East Jefferson Street on the south, the alley being located approximately 140 feet west of 12th Avenue, on the petition of Seattle University (Clerk File 305367).

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: amy.gray@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	08/09/2016	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	08/09/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	08/12/2016	sent for review	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee						
	Notes:						

Legislative Summary Continued (CB 118789)

1	Full Council	09/06/2016	referred	Sustainability and Transportation Committee	
1	Sustainability and Transportation Committee	12/06/2016	pass		Pass
	Action Text: The Committee recommends that Full Council pass the Council Bill (CB).				
	Notes:				
			In Favor: 2	Chair O'Brien, Vice Chair Johnson	
			Opposed: 0		
1	Full Council	12/12/2016	passed		Pass
	Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:				
			In Favor: 8	Councilmember Bagshaw, Councilmember Burgess, Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant	
			Opposed: 0		
1	City Clerk	12/14/2016	submitted for Mayor's signature	Mayor	
1	Mayor	12/16/2016	Signed		
1	Mayor	12/16/2016	returned	City Clerk	
1	City Clerk	12/16/2016	attested by City Clerk		
	Action Text: The Ordinance (Ord) was attested by City Clerk.				
	Notes:				

CITY OF SEATTLE

ORDINANCE 125219

COUNCIL BILL 118789

AN ORDINANCE vacating the remaining north 40 feet of the alley in Block 18, being the remaining portion of the alley in the block lying between East Cherry Street on the north and East Jefferson Street on the south, the alley being located approximately 140 feet west of 12th Avenue, on the petition of Seattle University (Clerk File 305367).

WHEREAS, in 1922, in Ordinance 43433, the City Council granted the vacation of the southern portion of the alley in Block 18, and a portion of East James Street on the petition of Seattle School District No. 1; and

WHEREAS, subsequently the City Council granted numerous vacations including portions of 10th Avenue, 11th Avenue, East James Street and various alleys which resulted in a large contiguous parcel bounded by East Cherry Street, 12th Avenue, East Jefferson Street, Broadway, and East James Way; and

WHEREAS, following these vacations, the north 40 feet of the alley in Block 18 are the remaining right-of-way in the consolidated parcel; and

WHEREAS, in 2003, Seattle University filed a petition under Clerk File 305367 to vacate the remaining north 40 feet of the alley in Block 18, described as the remaining portion of the alley in the block bounded by East Cherry Street, 12th Avenue, East James Street as vacated in City of Seattle Ordinance 43433, and 11th Avenue as vacated in City of Seattle Ordinance 112623, for the expansion of Seattle University's existing sports field ("Logan Sports Field"), and reorientation of access to the sports field block, additional landscaping and clearer entry; and

1 WHEREAS, Clerk File 305367 also included the vacation of the alley in Block A, the alley in
2 the block bounded by 12th Avenue, East Cherry Street, 13th Avenue, and East James
3 Court, for a student housing project with retail and below-grade parking; and

4 WHEREAS, following a September 5, 2003, public hearing on the petition, the Seattle City
5 Council ("City Council") conditionally granted the petition; and

6 WHEREAS, in 2008, Seattle University requested and City Council granted an extension of time
7 to complete its work on these projects; and

8 WHEREAS, Seattle University completed work on Block A and paid a vacation fee of \$300,000
9 for the alley in Block A which was vacated in Ordinance 123924 in 2012; and

10 WHEREAS, as provided for in RCW 35.79.030 and Seattle Municipal Code Chapter 15.62, the
11 Petitioner has paid to the City a vacation fee of \$121,600 on August 11, 2015, that is the
12 full appraised value of the alley in Block 18 property; and

13 WHEREAS, Seattle University has met all the conditions imposed by the City Council in
14 connection with the vacation petition; and

15 WHEREAS, vacating the remaining north 40 feet of Block 18, the remaining portion of the alley
16 in the block bounded by East Cherry Street, 12th Avenue, and East James Street, is in the
17 best interests of the public; NOW, THEREFORE,

18 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

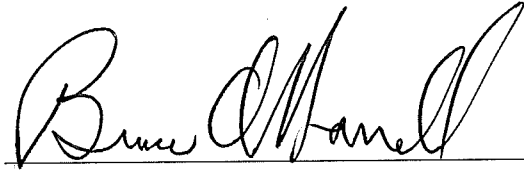
19 Section 1. The remaining north 40 feet of the alley described below are vacated:

20 The remaining north 40 feet of the alley in Block 18, Eastern Addition to the Town of
21 Seattle, as recorded in Volume 1 of Plats, page 43, Records of King County, Washington,
22 being the portion of the alley lying south of the south margin of East Cherry Street and
23 terminating at the north line of the portion of the alley in said Block 18 vacated by City of
24 Seattle Ordinance 43433, in the block bounded by East Cherry Street, 12th Avenue, East
25 James Street as vacated in City of Seattle Ordinance 43433, and 11th Avenue as vacated
26 in City of Seattle Ordinance 112623.

1 Section 2. Seattle University accepts as ongoing obligations for the life of Seattle
2 University's Logan Sports Field expansion project to: maintain a landscaped pedestrian entry at
3 12th Avenue and East Cherry Street that enhances the pedestrian character of 12th Avenue; and
4 ensure that the pedestrian entry and the existing green space at East Jefferson receive regular
5 maintenance.

Section 3. 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 12th day of December, 2016,
and signed by me in open session in authentication of its passage this 12th day of
December, 2016.



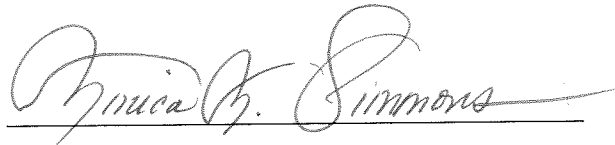
President _____ of the City Council

Approved by me this 16th day of December, 2016.



Edward B. Murray, Mayor

Filed by me this 16th day of December, 2016.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE

Department:	Contact Person/Phone:	Executive Contact/Phone:
Seattle Department of Transportation	Amy Gray/386-4638	Christie Parker/684-5211

1. BILL SUMMARY

Legislation Title: AN ORDINANCE vacating the remaining north 40 feet of the alley in Block 18, being the remaining portion of the alley in the block lying between East Cherry Street on the north and East Jefferson Street on the south, the alley being located approximately 140 feet west of 12th Avenue, on the petition of Seattle University (Clerk File 305367).

Summary and background of the Legislation: This Council Bill completes the vacation process for the remaining north 40 feet of the alley in Block 18 on the petition of Seattle University.

The Petitioner sought the vacation for the sports field expansion that included a landscaped pedestrian entry at 12th Avenue and East Cherry Street that enhances the pedestrian character of 12th Avenue. Following a September 5, 2003, public hearing on the petition, the City Council conditionally granted the petition.

2. CAPITAL IMPROVEMENT PROGRAM

☐ This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

☒ This legislation does not have direct financial implications.

4. OTHER IMPLICATIONS

a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?

This legislation does not accept or appropriate funds. The Seattle Department of Transportation received a vacation fee of \$121,600 in August of 2015, at which time 50 percent was deposited in the CRS Unrestricted Subaccount and 50 percent in the CRS Street Vacation Subaccount.

b) Is there financial cost or other impacts of not implementing the legislation?

The vacation petition, already approved by the Seattle City Council, obligates the City to complete the vacation process, provided that the Petitioner meets all the conditions imposed by the City Council. The Petitioner has met all the conditions. By not implementing this legislation, the City could be in violation of its obligations, which

could have financial implications.

c) Does this legislation affect any departments besides the originating department?

No. As part of the initial vacation review process, all interested departments were notified of the vacation petition and asked to comment. Any identified issues were resolved prior to the approval of this final legislation.

d) Is a public hearing required for this legislation?

No.

e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

g) Does this legislation affect a piece of property?

Yes, it completes the alley vacation of right-of-way.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

There are no perceived RSJI implications of this piece of legislation.

i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

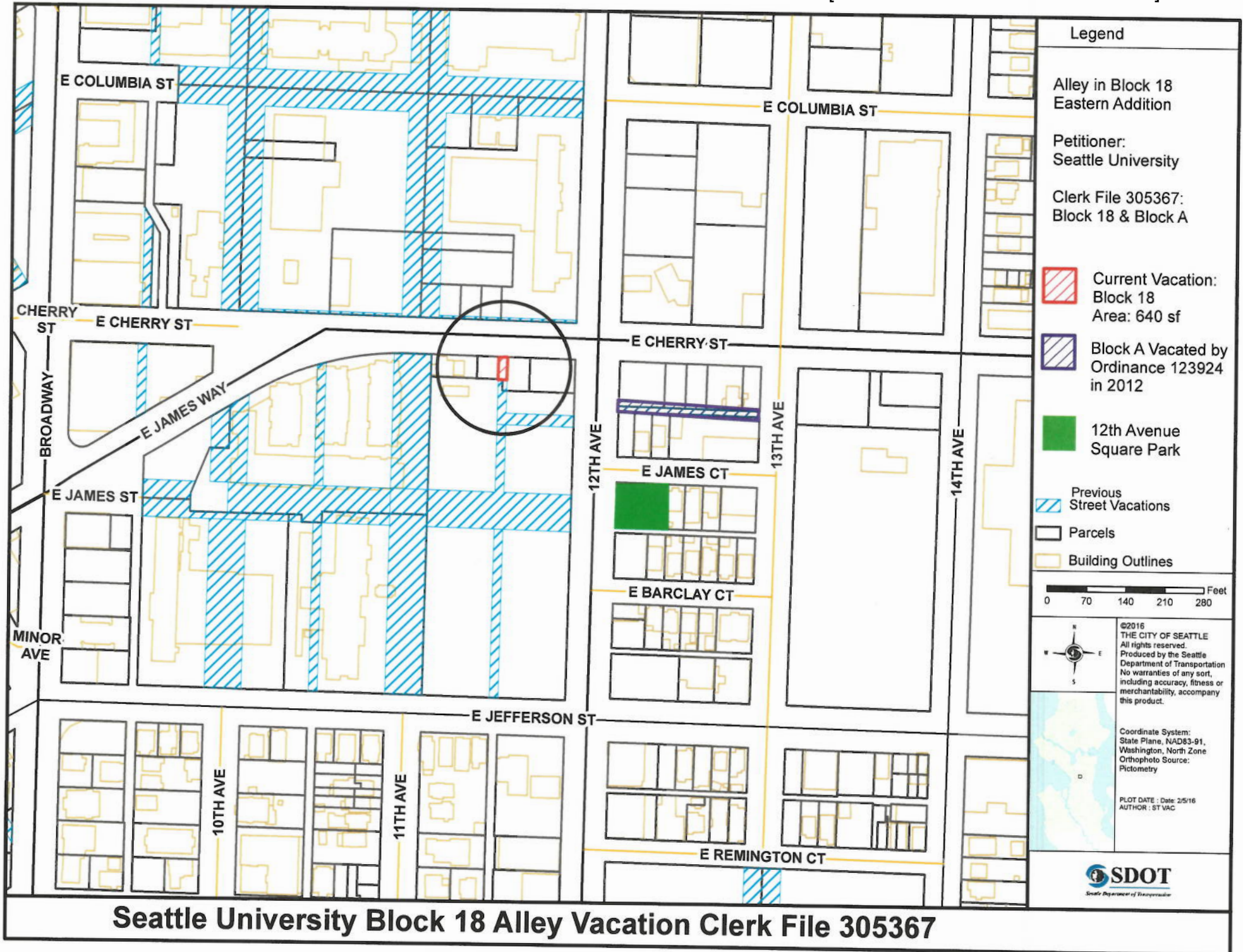
This legislation is not a new initiative nor a major programmatic expansion.

j) Other Issues:

N/A

List attachments/exhibits below:

Attachment A - Seattle University Block 18 Alley Vacation Area Map



STATE OF WASHINGTON -- KING COUNTY

--SS.

345054

No. 22,23,24

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 125219,20,21

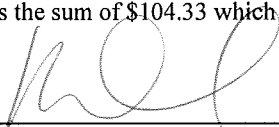
was published on

01/10/17

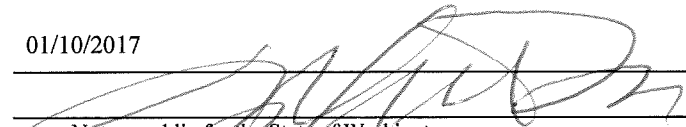
The amount of the fee charged for the foregoing publication is the sum of \$104.33 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

01/10/2017


Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on October 3, 2016, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125219

AN ORDINANCE vacating the remaining north 40 feet of the alley in Block 18, being the remaining portion of the alley in the block lying between East Cherry Street on the north and East Jefferson Street on the south, the alley being located approximately 140 feet west of 12th Avenue, on the petition of Seattle University (Clerk File 305367).

Ordinance 125220

AN ORDINANCE relating to street and sidewalk use; amending Section 11.40.250 of the Seattle Municipal Code to authorize the Play Street program as an allowable use of the public place.

Ordinance 125221

AN ORDINANCE relating to the Department of Parks and Recreation and the Office of the Waterfront; authorizing submission of application(s) for grant funding assistance for a Boating Facilities Program project (Pier 62 Boat Dock) to the State's Recreation and Conservation Funding Board as provided in chapter 79A.25 RCW and WAC 286; authorizing acceptance of the grant if awarded; authorizing entry into a project agreement if the grant is awarded; and ratifying and confirming certain prior acts.

Ordinance 125222

AN ORDINANCE relating to residential rental properties; amending Sections 7.24.020, 7.24.030, 7.24.040, 7.24.050, 7.24.060, 7.24.070, and 7.24.080 of the Seattle Municipal Code (SMC); adding new Sections 7.24.035, 7.24.036, 7.24.038, 7.24.110, 7.24.120, 7.24.130, 7.24.140, 7.24.150, 7.24.160, 7.24.170, 7.24.180, 7.24.190, 7.24.200, and 7.24.210 to the SMC; and repealing Section 7.24.090 of the SMC; all to limit the amount of security deposits and non-refundable move-in fees, to allow residential tenants to pay security deposits, non-refundable move-in fees, and last month's rent in installments, and to establish enforcement provisions for Chapter 7.24.

Ordinance 125223

AN ORDINANCE vacating the alley in Block 14, Heirs of Sarah A. Bell's Addition, bounded by Westlake Avenue, Virginia Street, 6th Avenue, Lenora Street, and 7th Avenue, on the petition of Acorn Development LLC (Clerk File 312260).

Ordinance 125224

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, January 10, 2017.

1/10(345054)