



SEATTLE CITY COUNCIL

Legislative Summary

CB 118879

Record No.: CB 118879

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125235

In Control: City Clerk

File Created: 10/20/2016

Final Action: 12/21/2016

Title: AN ORDINANCE relating to the City Light Department; declaring as surplus and authorizing the General Manager and Chief Executive Officer of the City Light Department to partially release three easements for electrical service in King County, Washington; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Sawant

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 - Partial Release of Easement - SCL P.M. No. 230324-4-009, Att 2 - Partial Release of Easement - SCL P.M. No. 230407-4-029, Att 3 - Partial Release of Easement - SCL P.M. No. 240422-2-020B

Drafter: Dave.Barber@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	11/08/2016	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	11/08/2016	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	11/16/2016	sent for review	Energy and Environment Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Energy and Environment Committee						
	Notes:						
1	Full Council	12/12/2016	referred	Energy and Environment Committee			

1 Energy and Environment 12/13/2016 pass Pass
Committee

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).

Notes: A public hearing was held

In Favor: 3 Chair Sawant, Vice Chair Juarez, Member González

Opposed: 0

1 Full Council 12/16/2016 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:

In Favor: 7 Councilmember Bagshaw, Councilmember Burgess, Councilmember
González , Council President Harrell, Councilmember Johnson,
Councilmember Juarez, Councilmember O'Brien

Opposed: 0

Absent(NV): 1 Councilmember Herbold

1 City Clerk 12/20/2016 submitted for Mayor
Mayor's signature

1 Mayor 12/21/2016 Signed

1 Mayor 12/21/2016 returned City Clerk

1 City Clerk 12/21/2016 attested by City
Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 125235

COUNCIL BILL 118879

AN ORDINANCE relating to the City Light Department; declaring as surplus and authorizing the General Manager and Chief Executive Officer of the City Light Department to partially release three easements for electrical service in King County, Washington; and ratifying and confirming certain prior acts.

WHEREAS, the owners of three properties have requested that The City of Seattle partially release the City's easements for electrical service on their properties in order to facilitate the future development of these properties; and

WHEREAS, portions of the easements for electrical service on these properties are no longer needed for electrical distribution purposes and are no longer required or useful for City Light Department purposes; and

WHEREAS, the General Manager and Chief Executive Officer of the City Light Department has recommended partial releases of these three easements; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to RCW 35.94.040 and after public hearing, the following described portions of easements are found to be surplus to the City's needs and no longer required for providing public utility service:

- 1) A portion of an easement acquired from John H. Gregory and Helen F. Gregory, husband and wife, Grantors, dated January 31, 1952, and recorded under King County Auditor's File No. 4206799, said portion more fully described as:

The east 132.02 feet of the north 10 feet of that portion of Government Lot 1 in Section 24, Township 23 North, Range 3 East, W.M., in King County, Washington, described as follows:

Beginning on the east line of 21st Avenue SW at a point S 89°02'08" E, for a distance of 30.02 feet and N 01°17'24" W, for a distance of 253.32 feet from the SW

corner of said Government Lot 1 to the true point of beginning; thence N 01°17'24" W along said east line for a distance of 74.20 feet; thence N 88°49'42" E for a distance of 142.02 feet; thence S 01°17'24" E to a point from which the point of beginning bears N 89°02'08" W; thence N 89°02'08" W for a distance of 142.02 feet to the true point of beginning. (SCL P.M. No. 230324-4-009)

- 2) A portion of an easement acquired from Elizabeth A. Bailey, Grantor, dated September 29, 2004, and recorded under King County Auditor's File No. 20041005000102, said portion more fully described as:

The north 5.00 feet of the south 23.57 feet of Lot 3, of King County Short Plat No. L98S0053, as recorded under King County Auditor's File No. 20020723900014. (SCL P.M. No. 230407-4-029)

- 3) A portion of an easement acquired from Howland Homes, LLC, and Grantor, dated May 1, 2007, and recorded under King County Auditor's File No. 20070507001717, said portion more fully described as:

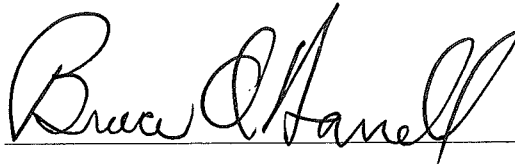
The east 17.66 feet of Parcels F, G, H, and I, City of Seattle Short Subdivision No. 3003045, as recorded under King County Auditor's File No. 20060524900006. (SCL P.M. No. 240422-2-020B)

Section 2. The General Manager and Chief Executive Officer of the City Light Department, or designee, is authorized to execute "Partial Release of Easement" documents, for the portions of easements described in Section 1 of this ordinance, substantially in the forms shown in Attachments 1, 2 and 3 to this ordinance.

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 4. 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 16th day of December, 2016,
and signed by me in open session in authentication of its passage this 16th day of
December, 2016.



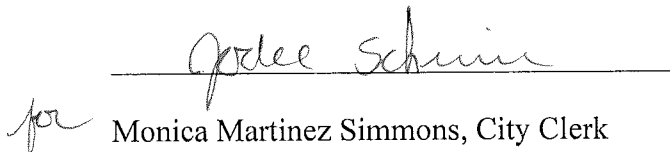
President _____ of the City Council

Approved by me this 21st day of December, 2016.



Edward B. Murray, Mayor

Filed by me this 21st day of December, 2016.


for Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 – Partial Release of Easement – SCL P.M. No. 230324-4-009

Attachment 2 – Partial Release of Easement – SCL P.M. No. 230407-4-029

Attachment 3 – Partial Release of Easement – SCL P.M. No. 240422-2-020B

Attachment 1

When recorded, return to:
SEATTLE CITY LIGHT
Real Estate Services
700 Fifth Avenue, SMT 3338
P.O. Box 34023
Seattle, WA 98124-4023

PARTIAL RELEASE OF EASEMENT

SCL P.M. No.:	230324-4-009
King County Tax Parcel No.:	242303-9131
Short Legal Description:	Ptn. G.L. 1, Sec. 24, Twp. 23 N, Rge. 3 E
Reference No.:	4206799

THE CITY OF SEATTLE, a Washington municipal corporation, hereinafter called the City, is the owner of an easement acquired from John H. Gregory and Helen F. Gregory, husband and wife, Grantors, dated January 31, 1952 and recorded under King County Auditor's File Number 4206799.

The City does hereby release, abandon, and relinquish all rights acquired under said easement over the following portion of said easement:

THE EAST 132.02 FEET OF THE NORTH 10 FEET OF THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 24, TOWNSHIP 23 NORTH, RANGE 3 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING ON THE EAST LINE OF 21ST AVENUE SW AT A POINT S 89°02'08" E, FOR A DISTANCE OF 30.02 FEET AND N 01°17'24" W, FOR A DISTANCE OF 253.32 FEET FROM THE SW CORNER OF SAID GOVERNMENT LOT 1 TO THE TRUE POINT OF BEGINNING; THENCE N 01°17'24" W ALONG SAID EAST LINE FOR A DISTANCE OF 74.20 FEET; THENCE N 88°49'42" E FOR A DISTANCE OF 142.02 FEET; THENCE S 01°17'24" E TO A POINT FROM WHICH THE POINT OF BEGINNING BEARS N 89°02'08" W; THENCE N 89°02'08" W FOR A DISTANCE OF 142.02 FEET TO THE TRUE POINT OF BEGINNING.

The City does hereby retain all rights acquired under said easement over the following portion of said easement:

THE WEST 10 FEET OF THE NORTH 10 FEET OF THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 24, TOWNSHIP 23 NORTH, RANGE 3 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING ON THE EAST LINE OF 21ST AVENUE SW AT A POINT S 89°02'08" E, FOR A DISTANCE OF 30.02 FEET AND N 01°17'24" W, FOR A DISTANCE OF 253.32 FEET FROM THE SW CORNER OF SAID GOVERNMENT LOT 1 TO THE TRUE POINT OF BEGINNING; THENCE N 01°17'24" W ALONG SAID EAST LINE FOR A DISTANCE OF 74.20 FEET; THENCE N 88°49'42" E FOR A DISTANCE OF 142.02 FEET; THENCE S 01°17'24" E TO A POINT FROM WHICH THE POINT OF BEGINNING BEARS N 89°02'08" W; THENCE N 89°02'08" W FOR A DISTANCE OF 142.02 FEET TO THE TRUE POINT OF BEGINNING.

IN WITNESS WHEREOF, the City has caused this instrument to be executed and delivered this _____ day of _____, 20 _____.

For THE CITY OF SEATTLE, a Washington municipal corporation,
Acting by and through its CITY LIGHT DEPARTMENT,

By: _____

Printed Name

Title

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this _____ day of _____, 20 _____, before me personally appeared _____, to me known to be the _____ of Seattle City Light, the municipal corporation that executed the within and foregoing instrument, and acknowledged that said instrument was the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated the _____ was authorized to execute said instrument on behalf of the City of Seattle.

Given under my hand and official seal the day and year in this certificate above written.

Signature: _____

Print Name: _____

Notary Public in and for the State of: _____

Residing at: _____

My commission expires: _____

(notary seal)

Attachment 2

When recorded, return to:
SEATTLE CITY LIGHT
Real Estate Services
700 Fifth Avenue, SMT 3338
P.O. Box 34023
Seattle, WA 98124-4023

PARTIAL RELEASE OF EASEMENT

SCL P.M. No.:	230407-4-029
King County Tax Parcel No.:	6341000013
Short Legal Description:	Lot 3, KCSP #L98S0053, AF #20020723900014
Reference No.:	20041005000102

THE CITY OF SEATTLE, a Washington municipal corporation, hereinafter called the City, is the owner of an easement acquired from Elizabeth A. Bailey, Grantor, dated September 29, 2004 and recorded under King County Auditor's File Number 20041005000102, over the following described real property:

LOTS 1 AND 3, TOGETHER WITH TRACT B, OF KING COUNTY SHORT PLAT NO. L98S0053, AS RECORDED UNDER KING COUNTY AUDITOR'S FILE NO. 20020723900014.

By recording this Partial Release of Easement, the City does hereby release, abandon and relinquish all rights acquired under said easement over the following portion of the above-described real property:

THE NORTH 5 FEET OF THE SOUTH 23.57 FEET OF SAID LOT 3.

THE EASEMENT RIGHTS OF THE CITY OVER THE SOUTH 18.57 FEET OF SAID LOT 3, AS WELL AS THE RIGHTS OVER LOT 1 AND TRACT B, REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, the City has caused this instrument to be executed and delivered this _____ day of _____, 20 _____.

For THE CITY OF SEATTLE, a Washington municipal corporation,
Acting by and through its CITY LIGHT DEPARTMENT,

By: _____

Printed Name

Title

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this _____ day of _____, 20 _____, before me personally appeared _____, to me known to be the _____ of Seattle City Light, the municipal corporation that executed the within and foregoing instrument, and acknowledged that said instrument was the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated the _____ was authorized to execute said instrument on behalf of the City of Seattle.

Given under my hand and official seal the day and year in this certificate above written.

Signature: _____

Print Name: _____

Notary Public in and for the State of: _____

Residing at: _____

My commission expires: _____

(notary seal)

Attachment 3

When recorded, return to:
SEATTLE CITY LIGHT
Real Estate Services
700 Fifth Avenue, SMT 3338
P.O. Box 34023
Seattle, WA 98124-4023

PARTIAL RELEASE OF EASEMENT

SCL P.M. No.: 240422-2-020B
King County Tax Parcel Nos.: 9344100420; 9344100190
Short Legal Description: PCLS A & B, SEATTLE LBA #3014703
REC #20140219900007
Reference No.: 20060524900006

THE CITY OF SEATTLE, a Washington municipal corporation, hereinafter called the City, is the owner of an easement acquired from Howland Homes, LLC, Grantor, dated May 1, 2007 and recorded under King County Auditor's File Number 20070507001717 over the following described real property:

THE EAST 17.66 FEET OF PARCELS C, D, E, F, G, H, AND I, CITY OF SEATTLE
SHORT SUBDIVISION NO. 3003045, AS RECORDED UNDER KING COUNTY
AUDITOR'S FILE NO. 20060524900006.

By recording this Partial Release of Easement, the City does hereby release, abandon and relinquish all rights acquired under said easement over the following portion of the above-described real property:

THE EAST 17.66 FEET OF PARCELS F, G, H, AND I, CITY OF SEATTLE SHORT
SUBDIVISION NO. 3003045, AS RECORDED UNDER KING COUNTY AUDITOR'S
FILE NO. 20060524900006.

THE EASEMENT RIGHTS OF THE CITY OVER THE EAST 17.66 FEET OF
PARCELS C, D, AND E, CITY OF SEATTLE SHORT SUBDIVISION NO. 3003045,
AS RECORDED UNDER KING COUNTY AUDITOR'S FILE NO. 20060524900006,
REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, the City has caused this instrument to be executed and delivered this _____ day of _____, 20 _____.

For THE CITY OF SEATTLE, a Washington municipal corporation,
Acting by and through its CITY LIGHT DEPARTMENT,

By: _____

Printed Name

Title

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this _____ day of _____, 20 _____, before me personally appeared _____, to me known to be the _____ of Seattle City Light, the municipal corporation that executed the within and foregoing instrument, and acknowledged that said instrument was the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated the _____ was authorized to execute said instrument on behalf of the City of Seattle.

Given under my hand and official seal the day and year in this certificate above written.

Signature: _____

Print Name: _____

Notary Public in and for the State of: _____

Residing at: _____

My commission expires: _____

(notary seal)

STATE OF WASHINGTON -- KING COUNTY

--SS.

345135

No.

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.

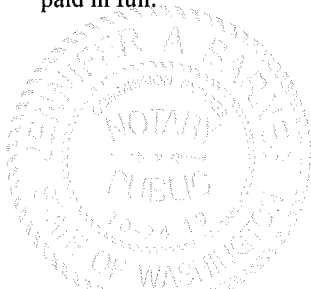
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125224-236 TITLE ONLY

was published on

01/11/17

The amount of the fee charged for the foregoing publication is the sum of \$216.68 which amount has been paid in full.



Affidavit of Publication

A handwritten signature in dark ink, appearing to be "M. J. C.", written over a horizontal line.

Subscribed and sworn to before me on

01/11/2017

A handwritten signature in dark ink, appearing to be "M. J. C.", written over a horizontal line.

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 December 16, 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 125224

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

Ordinance 125225

AN ORDINANCE authorizing, in 2016, acceptance of funding from non-City sources; authorizing the heads of the Executive Department, Department of Education and Early Learning, Department of Parks and Recreation, Human Services Department, Seattle Fire Department, Seattle Police Department, Seattle City Light, and Seattle Department of Transportation to accept specified grants and private funding and to execute, deliver, and perform corresponding agreements; and ratifying and confirming certain prior acts.

Ordinance 125226

AN ORDINANCE amending Ordinance 124927, which adopted the 2016 Budget, including the 2016-2021 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; adding new projects; revising project allocations for certain projects in the 2016-2021 CIP; modifying positions; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Ordinance 125227

AN ORDINANCE relating to the 2016 Budget; amending Ordinance 124927, which adopted the 2016 Budget; changing appropriations to various departments and budget control levels due to changes in City employment compensation; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

Ordinance 125228

AN ORDINANCE relating to housing; amending Sections 14.08.020 and 14.08.050 of the Seattle Municipal Code to add definitions, describe exceptions, and provide a compliance deadline for the first in time provision.

Ordinance 125229

AN ORDINANCE approving and confirming the plat of "Fremont on the Ave" in portions of the Northeast 1/4 of Southwest 1/4 of Section 18, Township 25 North, Range 4 East, W.M. in King County, Washington.

Ordinance 125230

AN ORDINANCE relating to Seattle Public Utilities; authorizing the Director of Seattle Public Utilities to acquire by negotiation land and all other necessary property rights in the Taylor Creek area at 10018 Rainier Avenue South, Seattle, Washington, for addressing the identified need for permanent and temporary construction easements for the new alignment of the culvert crossing Rainier Avenue South, and to execute, accept, and record deeds and convenient documents and agreements deemed by the Director to be necessary to this transaction on behalf of the City; placing the conveyed real properties under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Ordinance 125231

AN ORDINANCE changing the name of the Seattle Lesbian, Gay, Bisexual, Transgender Commission to the Seattle Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Commission; amending Chapter 3.14 and Section 15.52.005 of the Seattle Municipal Code to reflect the name change.

Ordinance 125232

AN ORDINANCE relating to the Seattle Public Utilities Department; authorizing the Director of Seattle Public Utilities to grant the City of Kenmore limited permission to construct and manage a non-motorized, public recreational trail on a portion of utility property in the Tolt Pipeline Right of Way; and authorizing the Director to execute an agreement for this property use.

Ordinance 125233

AN ORDINANCE relating to land use and zoning, expressing City Council's intent for implementation of Chapter 23.58B; amending Sections 23.41.012, 23.58B.010, 23.58B.015, 23.58B.020, 23.58B.025, 23.58B.030, 23.58B.040, 23.58B.050, 23.58B.060, 23.76.006, and 25.05.675 of the Seattle Municipal Code; and repealing Section 23.58B.035 of the Seattle Municipal Code.

Ordinance 125234

AN ORDINANCE relating to the City Light Department; declaring certain real property in Section 16, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington, surplus to utility needs; authorizing the General Manager and Chief Executive Officer to execute a Purchase and Sale Agreement between The City of Seattle and Lennar Northwest, Inc. ("Lennar") for the conveyance of said property to Snohomish County; accepting payment for the true and full value of said property from Lennar; and ratifying and confirming certain prior acts.

Ordinance 125235

AN ORDINANCE relating to the City Light Department; declaring as surplus and authorizing the General Manager and Chief Executive Officer of the City Light Department to partially release three easements for electrical service in King County, Washington; and ratifying and confirming certain prior acts.

Ordinance 125236

AN ORDINANCE related to the City Light Department; authorizing and directing the General Manager and Chief Executive Officer of City Light to execute an Interlocal Agreement with the Kalispel Tribe of Indians.

Date of publication in the Seattle Daily Journal of Commerce, January 11, 2017.
1/11(345135)