



SEATTLE CITY COUNCIL

Legislative Summary

CB 119177

Record No.: CB 119177

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125514

In Control: City Clerk

File Created: 09/01/2017

Final Action: 01/19/2018

Title: AN ORDINANCE relating to the Department of Parks and Recreation and Seattle Public Utilities; transferring partial jurisdiction of real property within Block 1, Plat of Yesler Terrace Community, as recorded in Volume 267, page 59 of plats; for maintenance, repair, replacement, and operation of the existing combined drainage and sewer facility.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: bob.hennessey@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	10/09/2017	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	10/10/2017	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	11/08/2017	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			

Legislative Summary Continued (CB 119177)

Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee

Notes:

- | | | | | | |
|---|---|------------|----------|---|------|
| 1 | Full Council | 01/08/2018 | referred | Civil Rights,
Utilities,
Economic
Development, and
Arts Committee | |
| 1 | Civil Rights, Utilities,
Economic Development,
and Arts Committee | 01/09/2018 | pass | | Pass |

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

Notes:

In Favor: 3 Chair Herbold, Vice Chair Sawant, Member O'Brien

Opposed: 0

- | | | | | | |
|---|--------------|------------|--------|--|------|
| 1 | Full Council | 01/16/2018 | passed | | Pass |
|---|--------------|------------|--------|--|------|

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

Notes:

In Favor: 9 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Johnson,
Councilmember Juarez, Councilmember Mosqueda, Councilmember
O'Brien, Councilmember Sawant

Opposed: 0

- | | | | | | |
|---|------------|------------|------------------------------------|------------|--|
| 1 | City Clerk | 01/17/2018 | submitted for
Mayor's signature | Mayor | |
| 1 | Mayor | 01/19/2018 | Signed | | |
| 1 | Mayor | 01/19/2018 | returned | City Clerk | |
| 1 | City Clerk | 01/19/2018 | attested by City Clerk | | |

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

Notes:

CITY OF SEATTLE

ORDINANCE 125514

COUNCIL BILL 119177

AN ORDINANCE relating to the Department of Parks and Recreation and Seattle Public Utilities; transferring partial jurisdiction of real property within Block 1, Plat of Yesler Terrace Community, as recorded in Volume 267, page 59 of plats; for maintenance, repair, replacement, and operation of the existing combined drainage and sewer facility.

WHEREAS, in 2014 Seattle Public Utilities (SPU) constructed a combined drainage and sewer conveyance pipe, approximately 325.14 linear feet in length and 18 inches in diameter, within Block 1, Plat of Yesler Terrace Community, Volume 267, page 59 of plats – Tax Parcel Number 9822000010 (the “SPU Facility”); and

WHEREAS, Seattle Housing Authority (SHA) transferred the property containing the same combined drainage and sewer pipe to the Department of Parks and Recreation (DPR) in December 2016; and

WHEREAS, DPR and SPU determined it would be to their mutual benefit to transfer partial jurisdiction of the area occupied by the SPU Facility (the “Use Area”) from DPR to SPU to facilitate efficient operation, maintenance, repair, and replacement of the SPU Facility through the Use Area and have furthermore determined the benefits to the servient property approximate in value and rights and privileges to be transferred to Seattle Public Utilities; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Such limited and partial transfer of jurisdiction of the following described real property (the “Use Area”) as shall be necessary for the continued use, maintenance, repair, replacement, and operation of the combined drainage and sewer conveyance pipe within Block 1, Plat of Yesler Terrace Community (the “SPU Facility”) is hereby transferred from the

Department of Parks and Recreation (DPR) to Seattle Public Utilities (SPU) on the conditions that: (a) SPU shall give DPR at least 72 hours' notice of intent to access the area occupied by the Use Area for maintenance and or repair of the SPU Facility, except in the case of emergency; (b) after any maintenance and repair of all or any portion of the SPU Facility, SPU will restore the Use Area as nearly as possible to the condition existing immediately prior to such maintenance and repair at SPU's expense; and (c) SPU shall not use any DPR land outside of the Use Area, except for access purposes for such maintenance or repair as permitted in Section 2 of this ordinance, without the prior written approval of DPR:

USE AREA within parcel PIN#9822000010;

A portion of Block 1, Plat of Yesler Terrace Community, as recorded in Volume 267, Page 59 of plats, King County, Washington, described as follows:

Beginning at the northwest corner of said Block 1, said point of beginning also being the intersection of the easterly margin of 8th Avenue and the southerly margin of Yesler Way; thence along said southerly margin and the northerly line of said Block 1 South 88°43'47" East, 287.17 feet to the TRUE POINT OF BEGINNING; thence continuing along said southerly margin South 88°43'47" East, 22.24 feet; thence leaving said southerly margin South 24°40'17" East, 250.21 feet to a point on the northerly margin of S. Washington Street as established by said Plat of Yesler Terrace Community; thence along said northerly margin North 88°43'47" West, 22.24 feet; thence leaving said northerly margin North 24°40'17" West, 250.21 feet to the TRUE POINT OF BEGINNING, containing 5,004 square feet, more or less.

Basis of Bearings: Centerline for Yesler Way, Plat of Yesler Terrace Community, Recording No.20141209001425, records of King County, Washington.

Section 2. To assure access the Use Area, Parks or its successor department or agency shall have reasonable pedestrian access across the adjacent DPR land, or vehicular access if required, for maintenance or repair, but only on surfaces capable of supporting the weight of the vehicles, so as not to damage DPR land, vegetation, or improvements. SPU shall restore any DPR land, vegetation, or improvements damaged by such access as nearly as possible to the condition existing immediately prior to such maintenance and repair at SPU's expense.

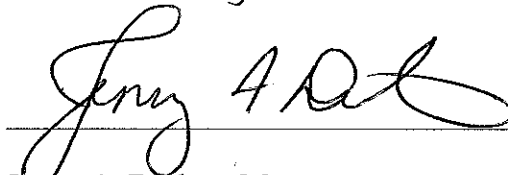
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 16th day of January, 2018,
and signed by me in open session in authentication of its passage this 16th day of
January, 2018.



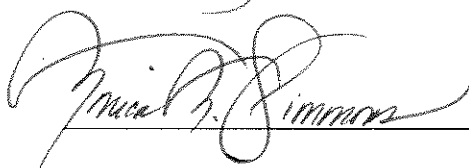
President _____ of the City Council

Approved by me this 19th day of January, 2018.



Jenny A. Durkan, Mayor

Filed by me this 19th day of January, 2018.



Monica Martinez Simmons, City Clerk

(Seal)

STATE OF WASHINGTON -- KING COUNTY

--SS.

358243

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.

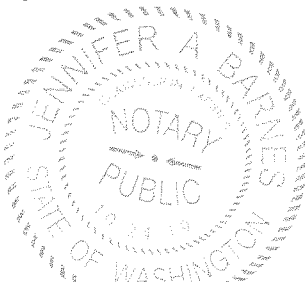
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125513-516 TITLE ONLY

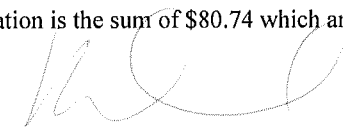
was published on

02/05/18

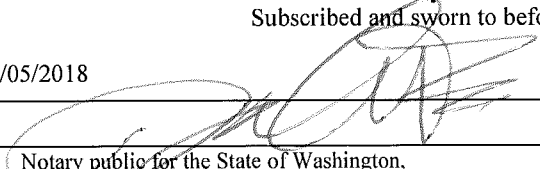
The amount of the fee charged for the foregoing publication is the sum of \$80.74 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

02/05/2018


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 January 16, 2018, 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 125513

Council Bill 119180

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

Ordinance 125514

Council Bill 119177

AN ORDINANCE relating to the Department of Parks and Recreation and Seattle Public Utilities; transferring partial jurisdiction of real property within Block 1, Plat of Yesler Terrace Community, as recorded in Volume 267, page 59 of plats; for maintenance, repair, replacement, and operation of the existing combined drainage and sewer facility.

Ordinance 125515

Council Bill 119179

AN ORDINANCE relating to housing regulations; amending Sections 14.09.020 and 14.09.025 of the Seattle Municipal Code as adopted in Ordinance 125393 to correct references and clarify notice provisions.

Ordinance 125516

Council Bill 119178

AN ORDINANCE relating to the regulation of marijuana businesses; amending Sections 6.500.020, 6.500.030, 6.500.040, 6.500.050, 6.500.060, 6.500.070, 6.500.080, 6.500.110, 6.500.160, and 6.500.170 of the Seattle Municipal Code; adding a new Section 6.500.143 to the Seattle Municipal Code; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, February 5, 2018.

2/5(358243)