



SEATTLE CITY COUNCIL

Legislative Summary

CB 119417

Record No.: CB 119417

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125755

In Control: City Clerk

File Created: 08/28/2018

Final Action: 01/11/2019

Title: AN ORDINANCE relating to the South Lander Street Grade Separation project; authorizing the Director of the Seattle Department of Transportation to acquire, accept, and record, on behalf of The City of Seattle, a warranty deed from the Seattle School District No. 1, a municipal corporation of the State of Washington, located in a portion of Blocks 291, 294, and 316 of the unrecorded plat of Seattle Tide Lands, also known as Parcel D, City of Seattle Lot Boundary Adjustment Number 2207829, recorded under King County Recording Number 20040527900005; a warranty deed from The Bailey Family Limited Partnership, a Washington limited partnership, located in a portion of Lot 1, Block 296, Plat of Seattle Tidelands; a warranty deed from PacWest Energy, LLC, a Delaware limited liability company, located in a portion of Lot 11, Block 295, Plat of Seattle Tidelands, and a quit claim deed from Rabanco, Ltd., a Washington corporation, located in a portion of Lot 1, Block 297, Plat of Seattle Tidelands; placing the real property rights and interests conveyed by such deeds under the jurisdiction of the Seattle Department of Transportation and laying them off as right-of-way; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A - Recorded Warranty Deed (Seattle School District No. 1), Att B - Recorded Warranty Deed (Bailey Family Limited Partnership), Att C - Recorded Warranty Deed (PacWest Energy), Att D - Recorded Quit Claim Deed (Rabanco, Ltd.)

Drafter: gretchen.haydel@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:
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Legislative Summary Continued (CB 119417)

1	Mayor	10/09/2018	Mayor's leg transmitted to Council	City Clerk	
1	City Clerk	10/09/2018	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	10/17/2018	sent for review	Sustainability and Transportation Committee	
	Action Text:	The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee			
	Notes:				
1	City Council	12/03/2018	referred	Sustainability and Transportation Committee	
1	Sustainability and Transportation Committee	12/18/2018	pass		Pass
	Action Text:	The Committee recommends that City Council pass the Council Bill (CB).			
	Notes:				
		In Favor: 2 Chair O'Brien, Vice Chair Johnson			
		Opposed: 0			
1	City Council	01/07/2019	passed		Pass
	Action Text:	The Council Bill (CB) was passed by the following vote, and the President signed the Bill:			
	Notes:				
		In Favor: 5 Councilmember Bagshaw, Council President Harrell, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien			
		Opposed: 0			
1	City Clerk	01/11/2019	submitted for Mayor's signature	Mayor	
1	Mayor	01/11/2019	Signed		
1	Mayor	01/11/2019	returned	City Clerk	
1	City Clerk	01/11/2019	attested by City Clerk		
	Action Text:	The Ordinance (Ord) was attested by City Clerk.			
	Notes:				

CITY OF SEATTLE

ORDINANCE

125755

COUNCIL BILL

119417

AN ORDINANCE relating to the South Lander Street Grade Separation project; authorizing the Director of the Seattle Department of Transportation to acquire, accept, and record, on behalf of The City of Seattle, a warranty deed from the Seattle School District No. 1, a municipal corporation of the State of Washington, located in a portion of Blocks 291, 294, and 316 of the unrecorded plat of Seattle Tide Lands, also known as Parcel D, City of Seattle Lot Boundary Adjustment Number 2207829, recorded under King County Recording Number 20040527900005; a warranty deed from The Bailey Family Limited Partnership, a Washington limited partnership, located in a portion of Lot 1, Block 296, Plat of Seattle Tideland; a warranty deed from PacWest Energy, LLC, a Delaware limited liability company, located in a portion of Lot 11, Block 295, Plat of Seattle Tideland, and a quit claim deed from Rabanco, Ltd., a Washington corporation, located in a portion of Lot 1, Block 297, Plat of Seattle Tideland; placing the real property rights and interests conveyed by such deeds under the jurisdiction of the Seattle Department of Transportation and laying them off as right-of-way; and ratifying and confirming certain prior acts.

WHEREAS, the South Lander Street Grade Separation project ("Lander Project") is a high priority project in the Seattle Freight Master Plan and in the 2015 Plan to Move Seattle, a 10-year City of Seattle ("City") strategic plan for increasing safety, reducing congestion, and balancing multimodal needs; and

WHEREAS, the Lander Project also supports the Industrial Areas component of the Seattle Comprehensive Plan and was identified as a Tier 1 project by the Seattle Industrial Freight Access Project created by the City and the Port of Seattle; and

WHEREAS, these plans have elevated the Lander Project as a City priority not only because of its safety, congestion, and multimodal access benefits, but also because of its important role in the regional freight network; and

WHEREAS, South Lander Street is an essential east-west corridor that is heavily used by freight and commuter traffic as well as pedestrians, bicycles, and transit, and serves one of the

largest manufacturing and industrial centers in the State of Washington, including the
Port of Seattle's seaport terminals; and

WHEREAS, the South Lander Street corridor is also heavily impacted by event traffic from
Safeco Field, CenturyLink Field, pedestrians passing to and from the adjacent SODO
light rail station, and Starbucks headquarters traffic; and

WHEREAS, South Lander Street currently intersects with four BNSF Railway Company's
("BNSF") tracks at an at-grade crossing located between Occidental Avenue South and
3rd Avenue South ("Train Crossing"); and

WHEREAS, available data indicate that more than half of the BNSF rail cars that move through
Washington go through this Train Crossing, contributing to vehicular delays averaging
over 4.5 hours per day; and

WHEREAS, these delays affect freight, commuters, local businesses, and the general public; and

WHEREAS, the Lander Project builds a bridge on South Lander Street between 1st Avenue
South and 4th Avenue South to provide a grade-separated crossing over the BNSF
railroad tracks that will improve local traffic circulation and safety in the City's SODO
neighborhood; and

WHEREAS, it is critical that the City accept the property rights necessary for construction of the
overpass to improve public safety and connectivity, alleviate traffic congestion, and
substantially reduce vehicular delays due to railway activity; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Warranty Deed from the Seattle School District No. 1, a municipal
corporation of the State of Washington, dated December 4, 2017 and recorded under King
County Recording Number 20180104001398, attached as Attachment A and incorporated into

1 this ordinance, is accepted for street purposes, placed under the jurisdiction of the Department of
2 Transportation, and laid off, opened, widened, extended, and established as right-of-way (a
3 portion of tax parcel number 766620-5235).

4 Section 2. The Warranty Deed from The Bailey Family Limited Partnership, a
5 Washington limited partnership, dated December 15, 2017 and recorded under King County
6 Recording Number 20180108001311, attached as Attachment B and incorporated into this
7 ordinance, is accepted for street purposes, placed under the jurisdiction of the Department of
8 Transportation, and laid off, opened, widened, extended, and established as right-of-way (a
9 portion of tax parcel number 766620-5290).

10 Section 3. The Warranty Deed from PacWest Energy, LLC, a Delaware limited liability
11 company, dated December 15, 2017 and recorded under King County Recording Number
12 20180118001035, attached as Attachment C and incorporated into this ordinance, is accepted for
13 street purposes, placed under the jurisdiction of the Department of Transportation, and laid off,
14 opened, widened, extended, and established as right-of-way (a portion of tax parcel number
15 766620-5280).

16 Section 4. The Quit Claim Deed from Rabanco, Ltd., a Washington corporation, dated
17 May 18, 2018 and recorded under King County Recording Number 20180723000599, attached
18 as Attachment D and incorporated into this ordinance, is accepted for street purposes, placed
19 under the jurisdiction of the Department of Transportation, and laid off, opened, widened,
20 extended, and established as right-of-way (a portion of tax parcel number 766620-5336).

21 Section 5. Funding for the Lander Project, including the property acquisitions, comes
22 from City funds, Federal and State funding, and funding from the Port of Seattle and BNSF.

1 Section 6. Any act consistent with this ordinance taken prior to its effective date is
2 ratified and confirmed.

3

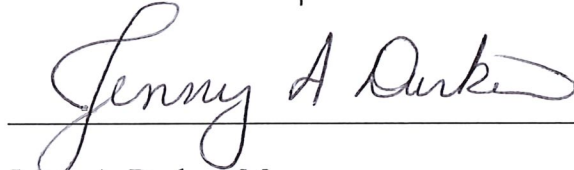
Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 7th day of January, 2019,
and signed by me in open session in authentication of its passage this 7th day of January, 2019.



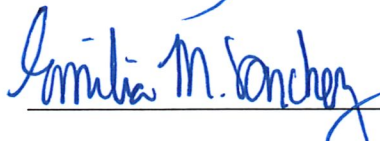
President _____ of the City Council

Approved by me this 11th day of JANUARY, 2019.



Jenny A. Durkan, Mayor

Filed by me this 11th day of January, 2019.



Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A – Recorded Warranty Deed from the Seattle School District No. 1

Attachment B – Recorded Warranty Deed from The Bailey Family Limited Partnership

Attachment C – Recorded Warranty Deed from PacWest Energy, LLC

Attachment D – Recorded Quit Claim Deed from Rabanco, Ltd.

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Department of Transportation	Gretchen M. Haydel/206 233-5140	Christie Parker/206 684-5211

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

1. Legislation Title:

AN ORDINANCE relating to the South Lander Street Grade Separation project; authorizing the Director of the Seattle Department of Transportation to acquire, accept, and record, on behalf of The City of Seattle, a warranty deed from the Seattle School District No. 1, a municipal corporation of the State of Washington, located in a portion of Blocks 291, 294, and 316 of the unrecorded plat of Seattle Tide Lands, also known as Parcel D, City of Seattle Lot Boundary Adjustment Number 2207829, recorded under King County Recording Number 20040527900005; a warranty deed from The Bailey Family Limited Partnership, a Washington limited partnership, located in a portion of Lot 1, Block 296, Plat of Seattle Tidelands; a warranty deed from PacWest Energy, LLC, a Delaware limited liability company, located in a portion of Lot 11, Block 295, Plat of Seattle Tidelands, and a quit claim deed from Rabanco, Ltd., a Washington corporation, located in a portion of Lot 1, Block 297, Plat of Seattle Tidelands; placing the real property rights and interests conveyed by such deeds under the jurisdiction of the Seattle Department of Transportation and laying them off as right-of-way; and ratifying and confirming certain prior acts.

2. Summary and background of the Legislation:

This legislation accepts three warranty deeds and a quit claim deed, places them under the jurisdiction of the Seattle Department of Transportation, designates the deeds as right-of-way, and ratifies and confirms prior acts.

The South Lander Grade Separation project ("Lander Project") will construct a bridge over the railroad tracks on South Lander Street between 1st Avenue South on the west and 4th Avenue South on the east. Both these roadways serve as major north-south arterials in the existing surface street network. The four-lane grade-separated bridge will accommodate traffic volumes through the year 2040. This overpass will provide a roadway unimpeded by rail operations, improve safety and connectivity, and relieve congestion in Seattle's SODO neighborhood.

The City of Seattle ("City"), along with other state, local, and regional agencies, envisioned the Lander Project more than 20 years ago. The Lander Project is one of the original Freight Action Strategy for Seattle-Tacoma (FAST) Corridor Partnership projects established in 1998 to pursue funding for 25 high-priority projects for transportation

improvements along the Puget Sound Corridor between Everett and Tacoma. Its goals are to improve mainline rail capacity and connectivity, eliminate roadway chokepoints where rail and arterial roads intersect, provide safe rail crossings, and establish reliable truck links between ports, rail yards, and freight distribution centers. To date, 19 of the projects have been completed.

Every day Lander Street serves 13,000 vehicles (approximately 16% of which are trucks) and 1,400 pedestrians. Many of the pedestrians are passing to and from the adjacent SODO light rail station.

Lander Street is closed over 4.5 hours each day for train crossings. This leads to travel delays, lost revenues, increased idling and carbon dioxide emissions, and safety risks. In addition, this crossing ranks in the top 0.5% nationwide for highest risk at grade crossings by the Federal Rail Administration and there have been 3 pedestrian fatalities since 2011 resulting from train impact.

The primary purpose of the Lander Project is to provide a grade separation between the roadway and the BNSF Railway Company's ("BNSF") tracks to reduce delays and improve safety for all users. Several safety features are being added in the project's design including lighting, barriers, graffiti coatings, and fencing. In addition to these safety features, this overpass will increase public safety by separating trains from people driving, walking, and bicycling, and creates an unimpeded route for emergency responders.

The Lander Project will enhance mobility and connectivity in this critical freight corridor. It will also provide relief for commuters between regional transit hubs and employment centers.

The Lander Project is the most significant freight investment in the City's 2018-2023 Adopted Capital Improvement Program which identifies \$36 million of City funds to support this project. The Lander Project is also expected to receive nearly \$58 million in Federal funding, \$14 million in State funds, and \$17.5 million from the Port of Seattle and BNSF.

2. CAPITAL IMPROVEMENT PROGRAM

- a. Does this legislation create, fund, or amend a CIP Project? ☐ Yes ☒ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

- a. Does this legislation amend the Adopted Budget? ☐ Yes ☒ No
- b. Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

Yes. The cost of the four property acquisitions is \$109,700.

c. Is there financial cost or other impacts of *not* implementing the legislation?

Yes. Not implementing the legislation would result in the need to redesign a significant portion of the Lander Project. The cost to redesign would most likely exceed the acquisition cost and delay the Project.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No.

b. Is a public hearing required for this legislation?

No.

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

No.

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

No.

e. Does this legislation affect a piece of property?

Yes. The City is accepting property as right-of-way as depicted in Exhibit 1 attached hereto.

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

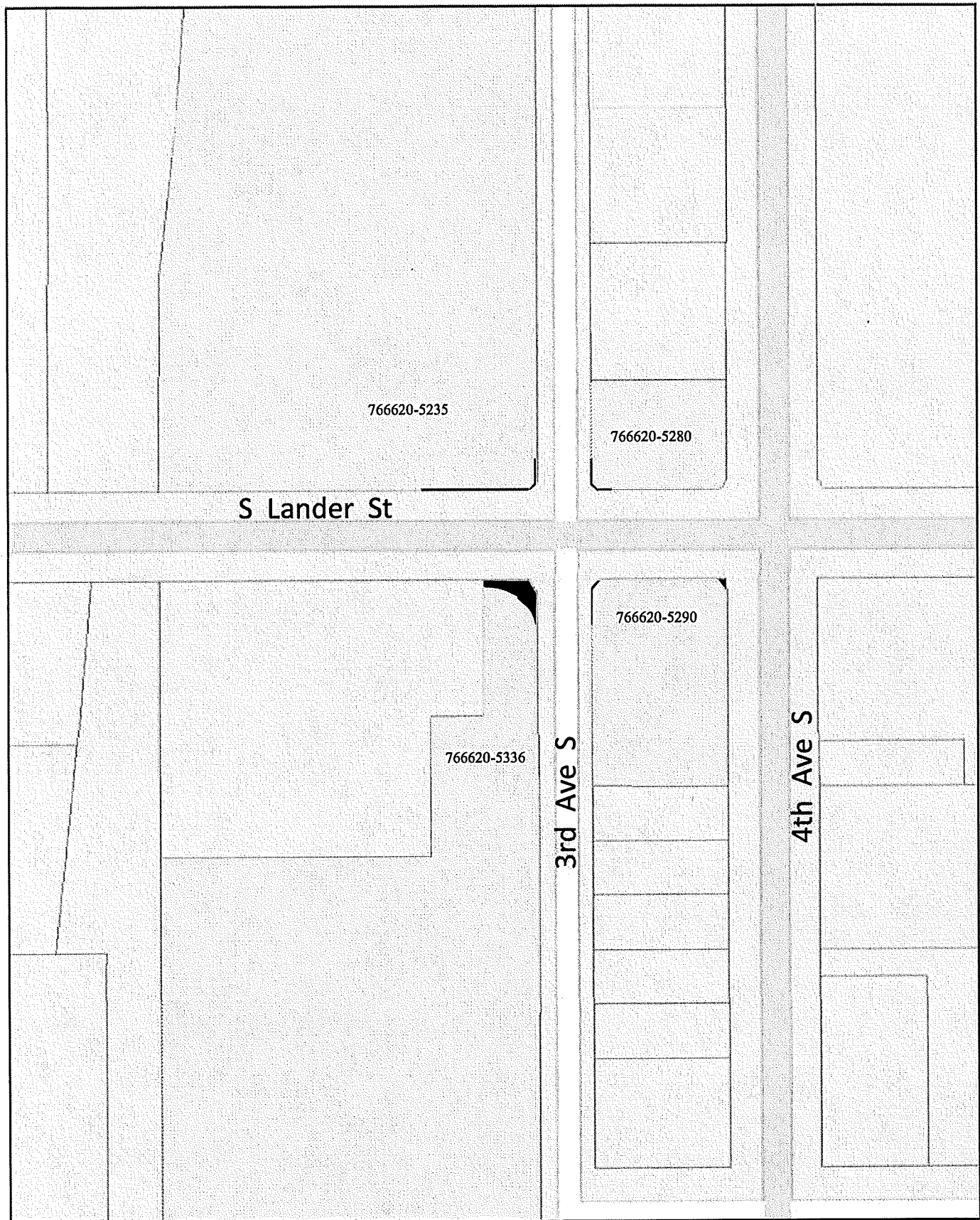
There are no known impacts to vulnerable or historically disadvantaged communities.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

This legislation does not include a new initiative or a major programmatic expansion.

List attachments/exhibits below:

Summary Exhibit 1 – Vicinity Map of Acquisition Areas

Exhibit 1**LEGEND:**

 Fee Aquisition



After recording return document to:

City of Seattle
Department of Transportation
700 5th Avenue – Suite 3800
P.O. Box 34996
Seattle, WA 98124-4996
Attn: Mary Jung



20180104001398

WARRANTY DEED Rec: \$79.00
1/4/2018 1:51 PM
KING COUNTY, WA

E2909514

EXCISE TAX AFFIDAVITS
1/4/2018 1:51 PM KING COUNTY, WA
Tax Amount:\$10.00

Document Type: Warranty Deed

Reference Number of Related Document: N/A

Grantor(s): Seattle School District No. 1

Grantee: City of Seattle

Legal Description (abbreviated): Ptn of Blks 291, 294, and 316 of the unrecorded plat of Seattle Tide Lands lying in the East half of SEC 8 TWP 24N RGE 4E, W.M. King County, WA. also known as Parcel D, LBA No. 2207829, recording number 20040527900005.

Assessor's Tax Parcel Number: 766620-5235

WARRANTY DEED

Project: South Lander Street Grade Separation

The Grantor, **SEATTLE SCHOOL DISTRICT NO. 1**, a municipal corporation of the State of Washington, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, hereby conveys and warrants to the **CITY OF SEATTLE**, a municipal corporation of the State of Washington, the hereinafter real estate as described on Exhibit A attached hereto, situated in King County, State of Washington, to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington.

As provided by RCW 84.60.070, the Grantor herein requests the lien of taxes owing shall be set over to the property retained by the Grantor.

WARRANTY DEED

SEATTLE SCHOOL DISTRICT NO. 1,
a municipal corporation of the State of Washington

By: *JoLynn Berge*
JoLynn Berge
Associate Superintendent

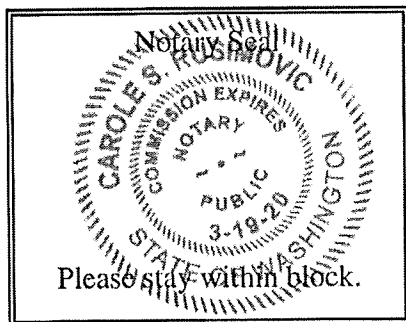
Date: Nov 20, 2017

STATE OF WASHINGTON)

County of King) §

On this 20th day of November, 2017, I certify that I know or have satisfactory evidence that JOLYNN BERGE is the person who appeared before me and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute this instrument as the Associate Superintendent of SEATTLE SCHOOL DISTRICT NO. 1, a municipal corporation of the State of Washington, and acknowledged it to be the free and voluntary act of such party for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.



Carole S. Rusimovic
Notary (print name) Carole S. Rusimovic
Notary Public in and for the State of Washington,
residing at Auburn, WA
My Appointment expires 3/19/2020

WARRANTY DEED

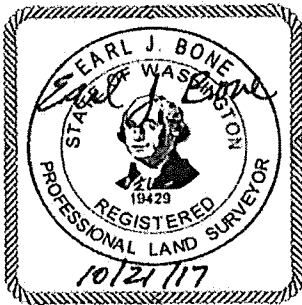
EXHIBIT A

THAT PORTION OF PARCEL "D", CITY OF SEATTLE LOT BOUNDARY ADJUSTMENT NUMBER 2207829, AS FILED UNDER RECORDING NUMBER 20040527900005, RECORDS OF KING COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF SOUTH LANDER STREET AND 3RD AVENUE SOUTH; THENCE NORTH $01^{\circ}06'40''$ EAST, ALONG THE CENTERLINE OF SAID 3RD AVENUE SOUTH, A DISTANCE OF 85.22 FEET; THENCE AT RIGHT ANGLES NORTH $88^{\circ}53'20''$ WEST A DISTANCE OF 30.00 FEET TO THE WEST MARGIN OF SAID 3RD AVENUE SOUTH AND **THE POINT OF BEGINNING**;

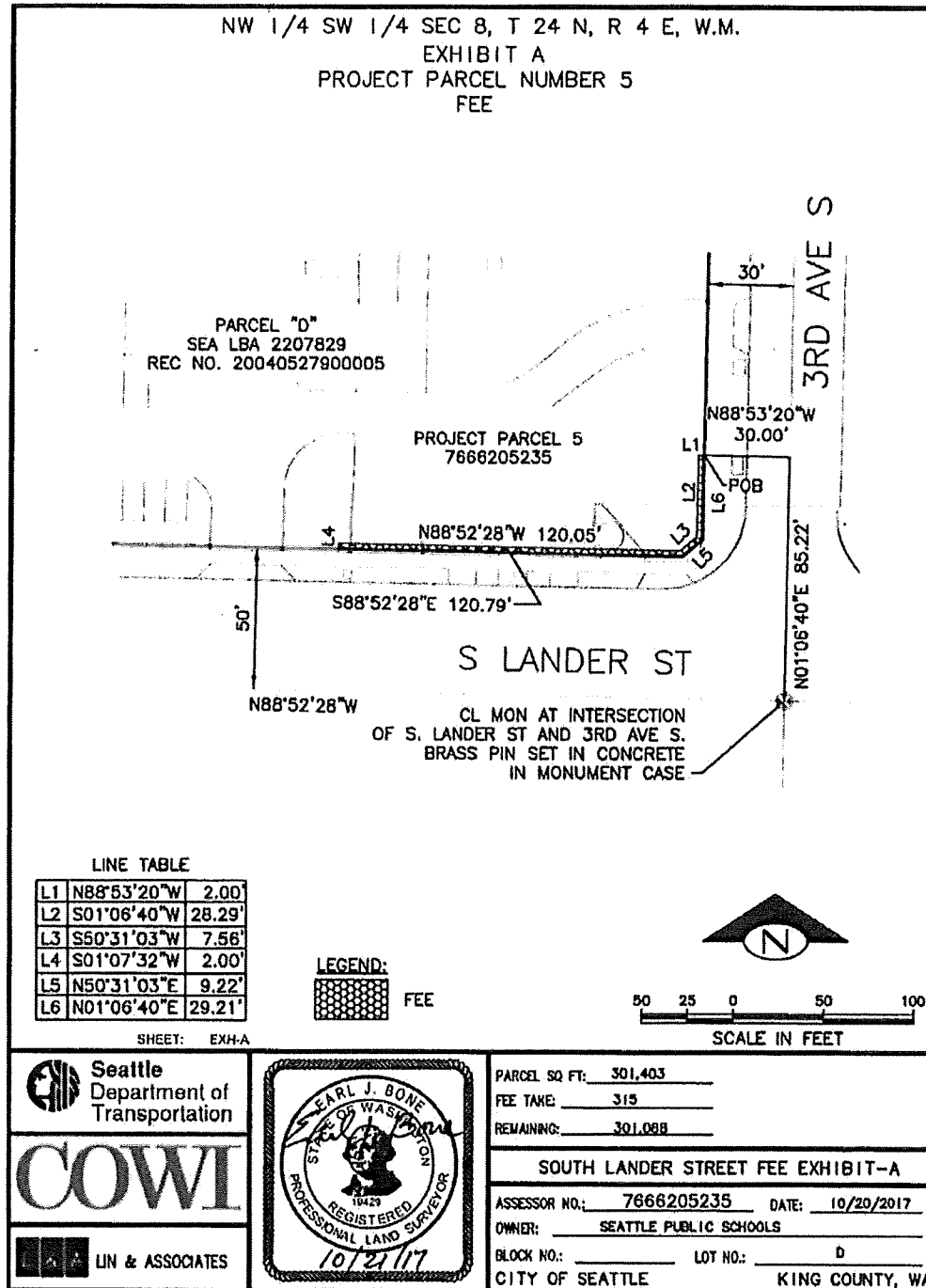
THENCE CONTINUING NORTH $88^{\circ}53'20''$ WEST A DISTANCE OF 2.00 FEET; THENCE SOUTH $01^{\circ}06'40''$ WEST, PARALLEL WITH SAID WEST MARGIN, A DISTANCE OF 28.29 FEET TO A POINT 2.00' NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM THE NORTHERLY LINE OF SOUTH LANDER STREET PURSUANT TO SEATTLE ORDINANCE NO. 99840; THENCE SOUTH $50^{\circ}31'03''$ WEST, PARALLEL WITH SAID NORTHERLY MARGIN A DISTANCE OF 7.56 FEET; THENCE NORTH $88^{\circ}52'28''$ WEST, PARALLEL WITH AND 2.00 FEET NORTHERLY MEASURED AT RIGHT ANGLES FROM THE NORTH MARGIN OF SOUTH LANDER STREET, A DISTANCE OF 120.05 FEET; THENCE SOUTH $01^{\circ}07'32''$ WEST, A DISTANCE OF 2.00 FEET TO SAID NORTH MARGIN; THENCE SOUTH $88^{\circ}52'28''$ EAST, ALONG SAID MARGIN, A DISTANCE OF 120.79 FEET; THENCE NORTH $50^{\circ}31'03''$ EAST, ALONG THE NORTHERLY MARGIN PER SAID ORDINANCE NO. 99840, A DISTANCE OF 9.22 FEET TO THE WEST MARGIN OF 3RD AVENUE; THENCE NORTH $01^{\circ}06'40''$ EAST, ALONG SAID MARGIN, A DISTANCE OF 29.21 FEET TO THE POINT OF BEGINNING.

ALL CONTAINING 315 SQUARE FEET, MORE OR LESS.



WARRANTY DEED

EXHIBIT A (Continued)



Instrument Number: 20180108001311 Document: WD Rec: \$80.00 Page-1 of 7
Excise Docs: 2909975 Selling Price: \$10.00 Tax Amount: \$10.00 Record Date: 1/8/2018 2:59 PM
Electronically Recorded King County, WA

① FIRST AMERICAN 2769730

After recording return document to:

City of Seattle
Department of Transportation
700 5th Avenue - Suite 3800
P.O. Box 34996
Seattle, WA 98124-4996
Attn: Michelle Talbot

Document Type: Warranty Deed

Reference Number of Related Document: N/A

Grantor(s): The Bailey Family Limited Partnership and William C. Bailey and Janis C. Bailey, Trustees of the William C. and Janis C. Bailey Trust

Grantee: City of Seattle

Legal Description (abbreviated): Ptn of Lots 1, 2 and 3, Block 296, Plat of Seattle Tidelands, King County, Washington

Assessor's Tax Parcel Number: 766620-5290

WARRANTY DEED

Project: South Lander Street Grade Separation

The Grantor, **THE BAILEY FAMILY LIMITED PARTNERSHIP**, a Washington limited partnership, under the agreement dated March 22, 1995, **WILLIAM C. BAILEY**, Successor General Partner and **WILLIAM C. BAILEY AND JANIS C. BAILEY, TRUSTEES OF THE WILLIAM C. AND JANIS C. BAILEY TRUST**, Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, hereby conveys and warrants to the **CITY OF SEATTLE**, a municipal corporation of the State of Washington, the hereinafter real estate as described on Exhibit A attached hereto, situated in King County, State of Washington, to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington.

As provided by RCW 84.60.070, the Grantor herein requests the lien of taxes owing shall be set over to the property retained by the Grantor.

Tax Parcel 766620-5290

WARRANTY DEED

WILLIAM C. BAILEY AND JANIS C. BAILEY, TRUSTEES OF THE WILLIAM
C. AND JANIS C. BAILEY TRUST

By: William C. Bailey
William C. Bailey
Trustee

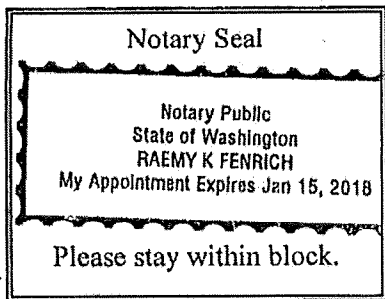
Date: 12/1, 2017

STATE OF WASHINGTON)

County of King) §

On this 1 day of December, 2017, I certify that I know or have satisfactory evidence that WILLIAM C. BAILEY, is the person who appeared before me and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute this instrument as Trustee of the WILLIAM C. AND JANIS C. BAILEY, TRUSTEES OF THE WILLIAM C. AND JANIS C. BAILEY TRUST, and acknowledged it to be the free and voluntary act of such party for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.



Raemy K Fenrich
Notary (print name) Raemy K Fenrich
Notary Public in and for the State of Washington,
residing at Lake Stevens
My Appointment expires 1-15-2018

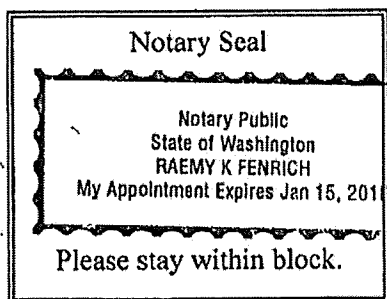
WILLIAM C. BAILEY AND JANIS C. BAILEY, TRUSTEES OF THE WILLIAM C. AND JANIS C. BAILEY TRUST

Date: December 1, 2017

STATE OF WASHINGTON)
County of King) §

On this 1st day of December, 2017, I certify that I know or have satisfactory evidence that JANIS C. BAILEY, is the person who appeared before me and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute this instrument as Trustee of the WILLIAM C. AND JANIS C. BAILEY, TRUSTEES OF THE WILLIAM C. AND JANIS C. BAILEY TRUST, and acknowledged it to be the free and voluntary act of such party for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.



Notary (print name) James C. Ferrell
Notary Public in and for the State of Washington,
residing at 1416 Stevens
My Appointment expires 1-5-2018

~~CITY OF SEATTLE~~

Dated: 12/15/17, 2017

On this 15 day of December, 2017, before me personally appeared SCOTT KUBLY, to me known to be the Director of the Seattle Department of Transportation of the City of Seattle, a Washington Municipal Corporation, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

Notary Seal



Michelle Talbot
COMMISSION EXPIRES
NOTARY
PUBLIC
02-15-20
STATE OF WASHINGTON

Please Stamp within block.

Tax Parcel 766620-5290.

EXHIBIT "A"

FEE

**PROJECT PARCEL NO. 9
KING COUNTY PARCEL NO. 7666205290
CITY OF SEATTLE**

FEE:

THAT PORTION OF LOT 1, BLOCK 296, PLAT OF SEATTLE TIDELANDS, ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS, OLYMPIA, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 88°51'08" EAST ALONG THE NORTH LINE OF SAID LOT A DISTANCE OF 7 FEET TO THE SOUTH MARGIN OF SOUTH LANDER STREET PURSUANT TO SEATTLE ORDINANCE NO. 99840, AS COVEYED TO THE CITY OF SEATTLE BY DEED RECORDED UNDER RECORDING NUMBER 6559920, BEING THE POINT OF BEGINNING;

THENCE SOUTH 42°19'41" WEST, ALONG SAID SOUTHERLY MARGIN, A DISTANCE OF 10.63 FEET TO THE EAST MARGIN OF 3RD AVENUE SOUTH, THE SAME BEING THE WEST LINE OF SAID LOT 1; THENCE SOUTH 01°07'21" WEST, ALONG SAID MARGIN, A DISTANCE OF 41.14 FEET; THENCE AT RIGHT ANGLES SOUTH 88°52'39" EAST A DISTANCE OF 1.00 FEET; THENCE NORTH 01°07'21" EAST, PARALLEL WITH SAID EAST MARGIN, A DISTANCE OF 39.24 FEET TO A POINT DISTANT 2.00 FEET SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM THE SOUTHERLY MARGIN OF SOUTH LANDER STREET PER SAID ORDINANCE NO. 99840; THENCE NORTH 42°19'41" EAST, PARALLEL WITH SAID MARGIN, A DISTANCE OF 13.15 FEET TO THE SOUTH MARGIN OF SOUTH LANDER STREET, THE SAME BEING THE NORTH LINE OF SAID LOT 1; THENCE NORTH 88°51'08" WEST ALONG SAID MARGIN A DISTANCE OF 2.66 FEET THE POINT OF BEGINNING;

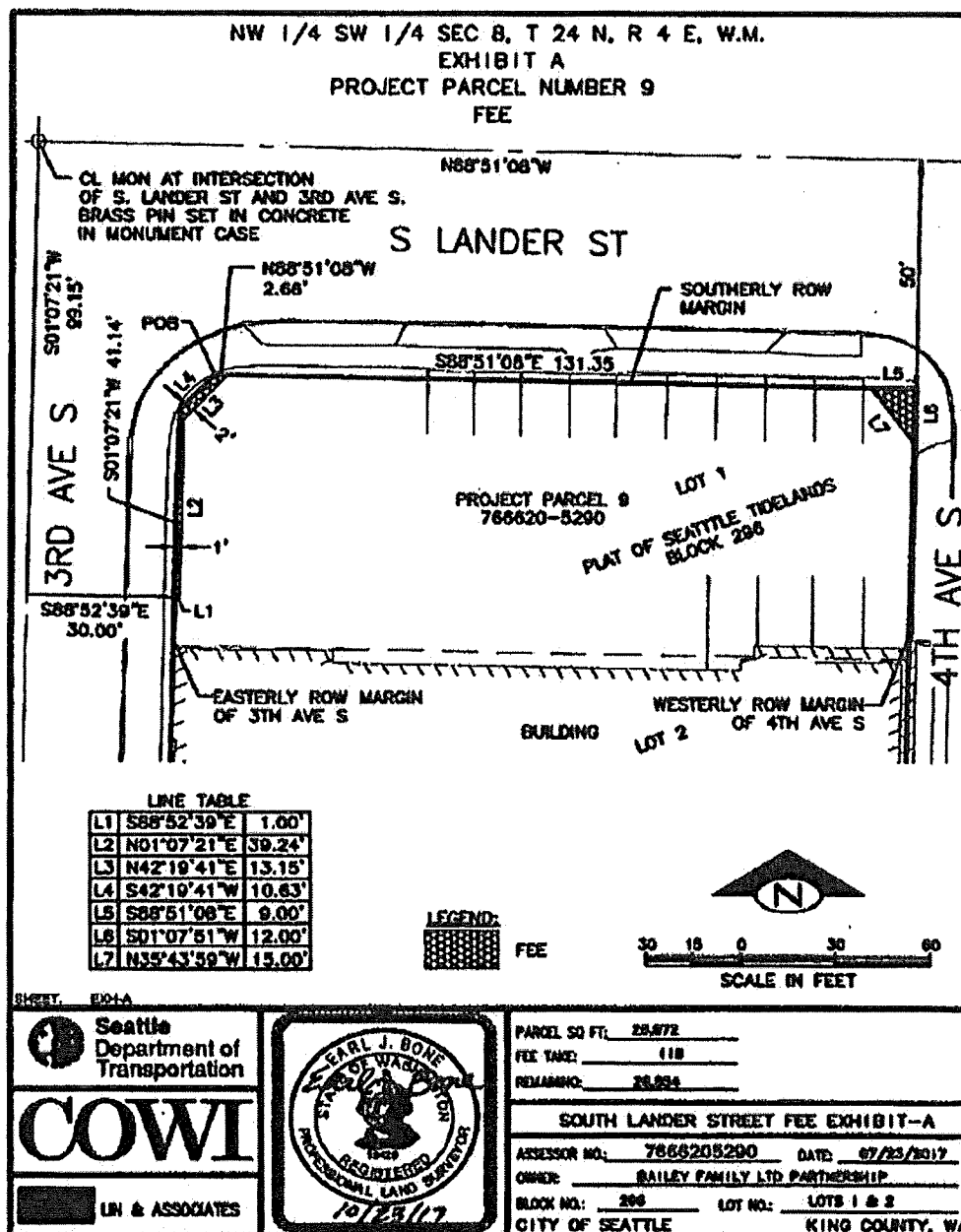
ALSO, THAT PORTION OF SAID LOT 1 LYING NORTHEASTERLY OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTHERLY LINE OF SAID LOT DISTANT 9.00 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID LOT; THENCE SOUTHEASTERLY TO A POINT ON THE EASTERLY LINE OF SAID LOT DISTANT 12.00 FEET SOUTHERLY FROM SAID NORTHEAST CORNER.

ALL CONTAINING 118 SQUARE FEET, MORE OF LESS.



WARRANTY DEED

EXHIBIT A (Continued)



Instrument Number: 20180118001035 Document: W.D Rec: \$82.00 Page-1 of 1
Record Date: 1/18/2018 3:47 PM
King County, WA



20180118001035

WARRANTY DEED Rec: \$82.00
1/18/2018 3:47 PM
KING COUNTY, WA

④182

E2911319

EXCISE TAX AFFIDAVITS
1/18/2018 3:47 PM KING COUNTY, WA
Tax Amount: \$10.00

AFTER RECORDING MAIL TO:

Name: City of Seattle - Dept of Transportation
Address: 700 5th Ave. - Ste. 3800 - PO Box 34996
City/State: Seattle, WA 98124-4996

2769729

Document Title(s):

1. Warranty Deed

Reference Number(s) of Documents Assigned or released:

20171227001714

re-record to correct page 4 + 5

Grantor(s):

1. Pacwest Energy, LLC
2.

[] Additional information on page of document

Grantee(s):

1. City of Seattle
2.

[] Additional information on page of document

Abbreviated Legal Description:

PTNS LOTS 10-11, BLOCK 295, SEATTLE TIDE LANDS, KING COUNTY

Tax Parcel Number(s):

766620528006

[x] Complete legal description is on page 2 of document.

Instrument Number: 20171227001714 Document: WD Rec: \$78.00 Page-1 of 1
Record Date: 12/27/2017 4:40 PM
King County, WA

(S) 2769729
FIRST AMERICAN
78

After recording return document to:

City of Seattle
Department of Transportation
700 5th Avenue - Suite 3800
P.O. Box 34996
Seattle, WA 98124-4996
Attn: Michelle Talbot

20171227001714
WARRANTY DEED Rec: \$78.00
12/27/2017 4:40 PM
KING COUNTY, WA

E2908269
EXCISE TAX AFFIDAVIT
12/27/2017 4:40 PM KING COUNTY, WA
Tax Amount: \$10.00

Document Type: Warranty Deed
Reference Number of Related Document: N/A
Grantor(s): PacWest Energy, LLC
Grantee: City of Seattle
Legal Description (abbreviated): Pin of Lots 10 and 11, Block 295, Plat of Seattle Tide
Lands, King County, Washington
Assessor's Tax Parcel Number: 766620-3280

WARRANTY DEED

Project: South Lander Street Grade Separation

The Grantor, PACWEST ENERGY, LLC, a Delaware limited liability company, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, hereby conveys and warrants to the CITY OF SEATTLE, a municipal corporation of the State of Washington, the hereinafter real estate as described on Exhibit A attached hereto, situated in King County, State of Washington, to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington.

As provided by RCW 84.60.070, the Grantor herein requests the lien of taxes owing shall be set over to the property retained by the Grantor.

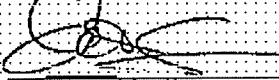
Instrument Number: 20171227001714 Document: WD Rec: \$78.00 Page-2 of 2
Record Date: 12/27/2017 4:40 PM King County, WA

WARRANTY DEED

PACWEST ENERGY, LLC
a Delaware limited liability company

By: Jacksons Food Stores, Inc.
a Nevada corporation

Its: Manager

By: 

Its: John D. Jackson
CEO / President

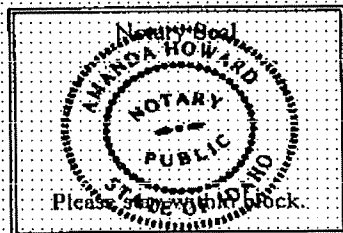
Date: December 12, 2017

IDAHO
STATE OF WASHINGTON

County of King ADA

On this 12th day of December, 2017, I certify that I know or have satisfactory evidence that John D. Jackson is the person who appeared before me and said person acknowledged that he/she signed this instrument on oath stated that he/she was authorized to execute this instrument as the CEO / President of JACKSONS FOOD STORES, INC., a Nevada corporation, the manager of PACWEST ENERGY, LLC, a Delaware limited liability company, and acknowledged it to be the free and voluntary act of such party for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.



Amanda Howard
Notary (print name) Amanda Howard
Notary Public in and for the State of Washington, Idaho
residing at BOISE, ID
My Appointment expires 10/07/21

Instrument Number: 20171227001714 Document: WD Rec: \$78.00 Page-3 of 3
Record Date: 12/27/2017 4:40 PM King County, WA

WARRANTY DEED

Approved and Accepted By:
CITY OF SEATTLE

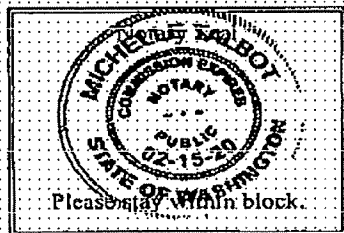
By: [Signature]
Scott Kubly, Director
Seattle Department of Transportation

Dated: 12/15, 2017

STATE OF WASHINGTON)
County of King)

On this 15 day of December, 2017, before me personally appeared SCOTT KUBLY, to me known to be the Director of the Seattle Department of Transportation of the City of Seattle, a Washington Municipal Corporation, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.



[Signature]
Notary (print name): Michelle Talbot
Notary Public in and for the State of Washington,
residing at Anacortes
My Appointment expires 2/15/20

WARRANTY DEED

EXHIBIT "A"

FEE

PROJECT PARCEL NO. 8

KING COUNTY PARCEL NO. 7666205280

CITY OF SEATTLE

FEE:

THAT PORTION OF LOT 11, BLOCK 295, PLAT OF SEATTLE TIDELANDS, ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS, OLYMPIA, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 88°51'08" EAST ALONG THE NORTH LINE OF SAID LOT A DISTANCE OF 7 FEET TO THE NORTH MARGIN OF SOUTH LANDER STREET PURSUANT TO SEATTLE ORDINANCE NO. 97995, AS CONVEYED TO THE CITY OF SEATTLE BY DEED RECORDED UNDER RECORDING NUMBER 6551880, BEING THE POINT OF BEGINNING;

THENCE NORTH 48°17'31" WEST, ALONG SAID NORTHERLY MARGIN, A DISTANCE OF 9.23 FEET TO THE WEST EAST MARGIN OF 3RD AVENUE SOUTH; THE SAME BEING THE WEST LINE OF SAID LOT 11; THENCE NORTH 01°06'40" EAST, ALONG SAID EAST MARGIN, A DISTANCE OF 29.24 FEET; THENCE AT RIGHT ANGLES SOUTH 88°53'20" EAST A DISTANCE OF 2.00 FEET; THENCE SOUTH 01°06'40" WEST, PARALLEL WITH SAID EAST MARGIN, A DISTANCE OF 28.32 FEET TO A POINT DISTANT 2.00 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM THE NORTHERLY MARGIN OF SOUTH LANDER STREET PURSUANT TO SAID ORDINANCE NO. 97995; THENCE SOUTH 48°17'31" EAST, PARALLEL WITH SAID NORTHERLY MARGIN, A DISTANCE OF 7.57 FEET; THENCE SOUTH 88°51'08" EAST, PARALLEL WITH AND 2.00 FEET NORTHERLY MEASURED AT RIGHT ANGLES FROM THE NORTH MARGIN OF SOUTH LANDER STREET, A DISTANCE OF 16.25 FEET; THENCE AT RIGHT ANGLES SOUTH 01°08'52" WEST A DISTANCE OF 2.00 FEET TO THE NORTH MARGIN OF SOUTH LANDER STREET, THE SAME BEING THE SOUTH LINE OF SAID LOT 11; THENCE NORTH 88°51'08" WEST, ALONG SAID MARGIN, A DISTANCE OF 16.89 FEET TO THE POINT OF BEGINNING.

ALL CONTAINING 108 SQUARE FEET MORE OR LESS.



Instrument Number: 20171227001714 Document: WD Rec: \$78.00 Page: 4 of 4
Record Date: 12/27/2017 4:40 PM King County, WA

WARRANTY DEED

EXHIBIT "A"
FEE
PROJECT PARCEL NO. 8
KING COUNTY PARCEL NO. 7666205280
CITY OF SEATTLE

FEE:

THOSE PORTIONS OF LOTS 10 AND 11, BLOCK 295, PLAT OF SEATTLE TIDELANDS, ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS, OLYMPIA, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF SOUTH LANDER STREET AND 3RD AVENUE SOUTH, BEING A BRASS PIN SET IN A FIVE-INCH CIRCULAR CONCRETE MONUMENT SET IN CASE; THENCE NORTH 01°06'40" EAST, ALONG THE MONUMENTED CENTERLINE OF SAID 3RD AVENUE SOUTH, A DISTANCE OF 85.22 FEET; THENCE SOUTH 88°53'20" EAST, A DISTANCE OF 30.00 FEET TO THE EASTERLY RIGHT-OF-WAY MARGIN OF SAID 3RD AVENUE SOUTH AND THE POINT OF BEGINNING;

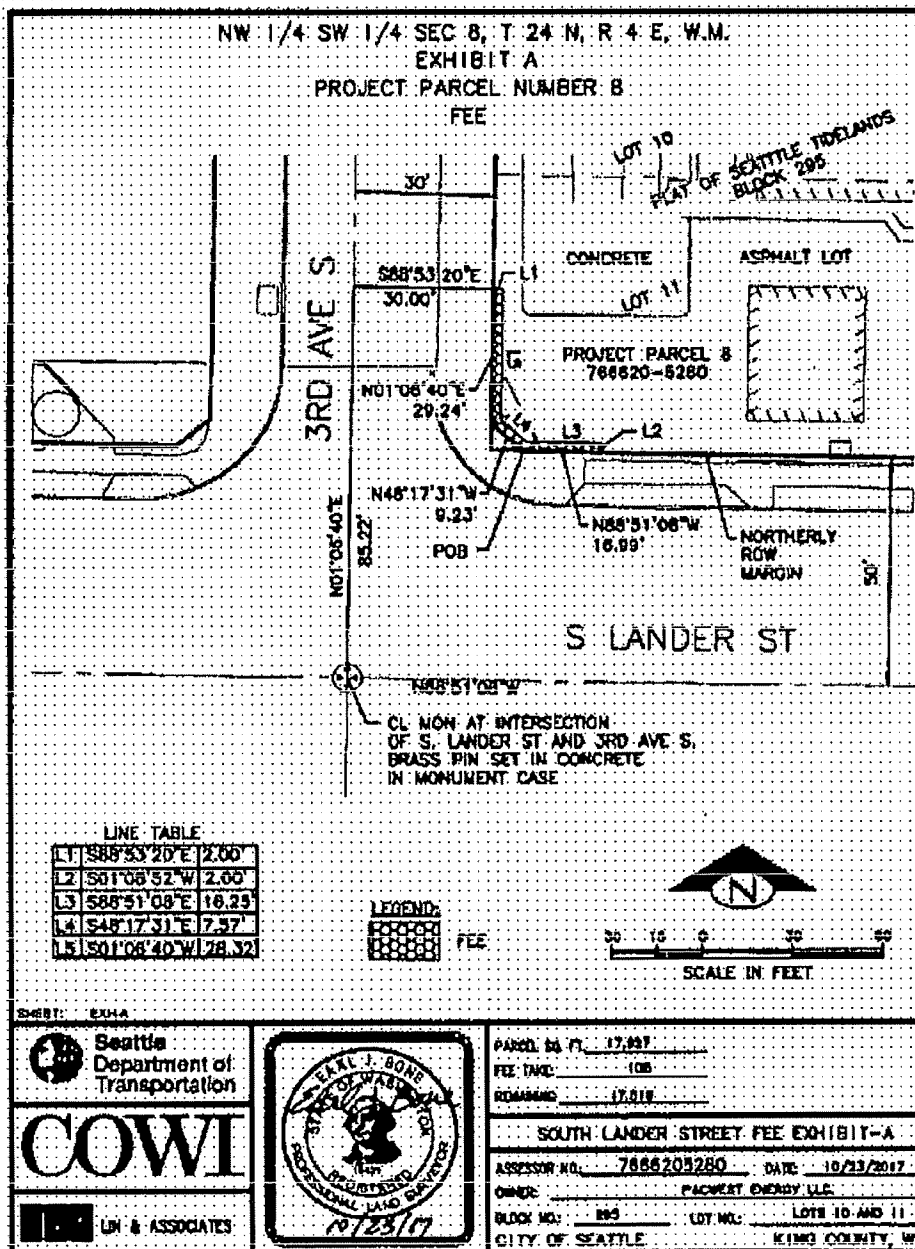
THENCE SOUTH 88°53'20" EAST, A DISTANCE OF 2.00 FEET; THENCE SOUTH 01°06'40" WEST, A DISTANCE OF 28.32 FEET; THENCE SOUTH 48°17'31" EAST, A DISTANCE OF 7.57 FEET; THENCE SOUTH 88°51'08" EAST, A DISTANCE OF 16.25 FEET; THENCE SOUTH 01°08'52" WEST, A DISTANCE OF 2.00 FEET TO THE NORTHERLY RIGHT-OF-WAY MARGIN OF SAID SOUTH LANDER STREET; THENCE NORTH 88°51'08" WEST, ALONG SAID NORTHERLY MARGIN, A DISTANCE OF 16.99 FEET; THENCE NORTH 48°17'31" WEST, ALONG SAID NORTHERLY MARGIN, A DISTANCE OF 9.23 FEET TO SAID EASTERLY MARGIN; THENCE NORTH 01°06'40" EAST, ALONG SAID EASTERLY MARGIN, A DISTANCE OF 29.24 FEET TO THE POINT OF BEGINNING.

ALL CONTAINING 108 SQUARE FEET MORE OR LESS.



WARRANTY DEED

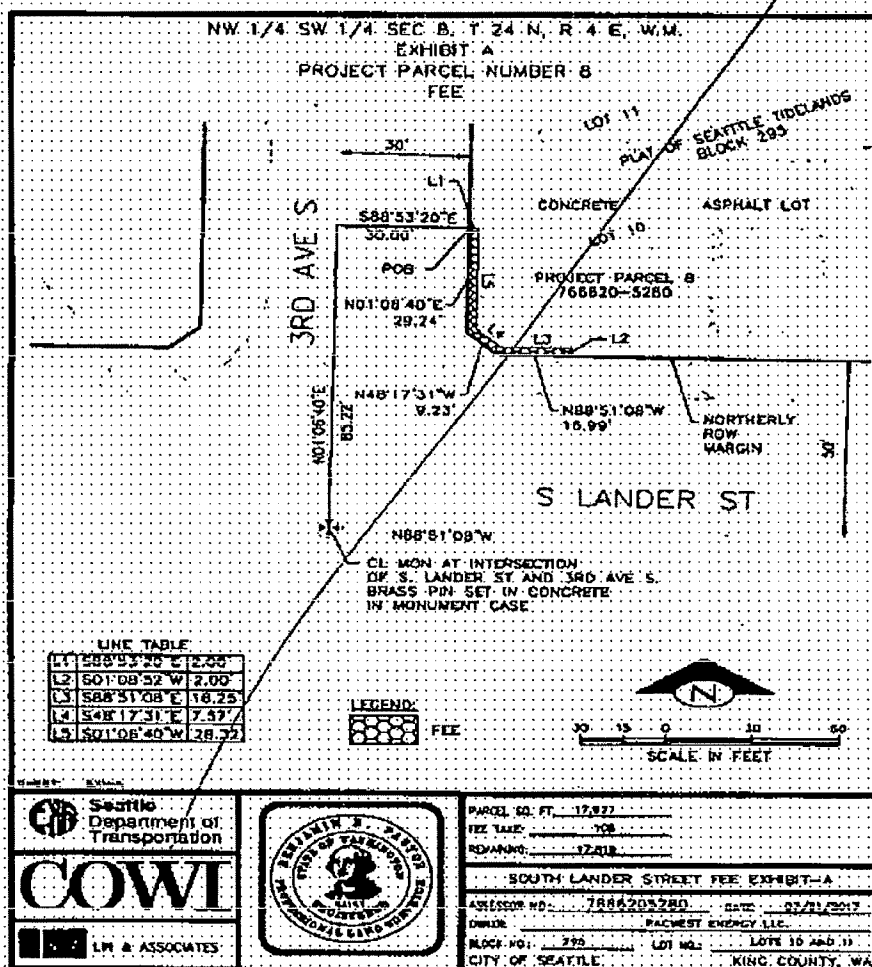
EXHIBIT A (Continued)



Instrument Number: 20171227001714 Document: WD Rec: \$78.00 Page-5 of 5
Record Date: 12/27/2017 4:40 PM King County, WA

WARRANTY DEED

EXHIBIT A (Continued)





The Director of Records & Licensing,
King County, State of Washington do
hereby certify the foregoing document
is a true and correct copy of the
document recorded in our office.

Director of Records & Licensing.

By

Deputy

On this Day of 1/17/2018 at 9:16 AM



20180723000599

QUIT CLAIM DEED Rec: \$103.00
7/23/2018 1:28 PM
KING COUNTY, WA

After recording return document to:

City of Seattle
Department of Transportation
700 5th Avenue – Suite 3800
P.O. Box 34996
Seattle, WA 98124-4996
Attn: Barret Aldrich

E2943228

EXCISE TAX AFFIDAVITS
7/23/2018 1:28 PM KING COUNTY, WA
Tax Amount:\$10.00

Document Type: Quit Claim Deed

Reference Number of Related Document: N/A

Grantor(s): RABANCO, LTD.

Grantee: City of Seattle

Legal Description (abbreviated): Ptn of Sec 8 TWP 24N RGE 4E, Seattle Tidelands, in King County, WA, known as lots 1-14, blk 297 & part of lots 1-14, BLK 313, Seattle Tidelands

Assessor's Tax Parcel Number: 766620-5336

QUIT CLAIM DEED

Project: South Lander Street Grade Separation

The grantor **RABANCO, LTD.**, a Washington corporation, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged and received, hereby conveys and quitclaims to the **CITY OF SEATTLE**, a municipal corporation of the State of Washington, all interests now and after acquired, in the following described property legally described on Exhibit A attached hereto, situated in the county of King, state of Washington. Dated this 18 day of May, 2018.

QUIT CLAIM DEED

IN WITNESS WHEREOF, Grantor has executed this Deed as of the day and year set forth above.

RABANCO, LTD.,
a Washington corporation

By: _____

Gregg Brummer
Vice President

Date: May 18, 2018

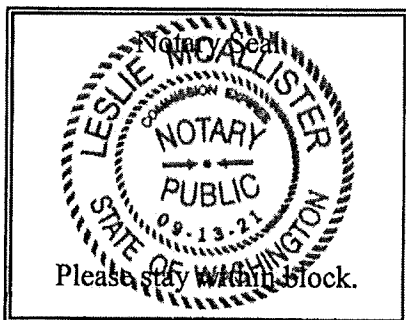
STATE OF WASHINGTON)

: §

County of King)

On this 18th day of May, 2018, I certify that I know or have satisfactory evidence that GREGG BRUMMER is the person who appeared before me and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute this instrument as the Vice President of RABANCO, LTD., a Washington corporation, and acknowledged it to be the free and voluntary act of such party for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.



Leslie McAllister
Notary (print name) Leslie McAllister
Notary Public in and for the State of Washington,
residing at 2186 140th PL SE, Bellevue WA 98007
My Appointment expires 09-13-21

QUIT CLAIM DEED

EXHIBIT A

FEE

PROJECT PARCEL NO. 7
KING COUNTY PARCEL NO. 7666205336
CITY OF SEATTLE

FEE:

THAT PORTION OF LOT 1, BLOCK 297, PLAT OF SEATTLE TIDELANDS, ACCORDING TO THE OFFICIAL MAPS ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS AT OLYMPIA, WASHINGTON, DESCRIBED AS FOLLOWS:

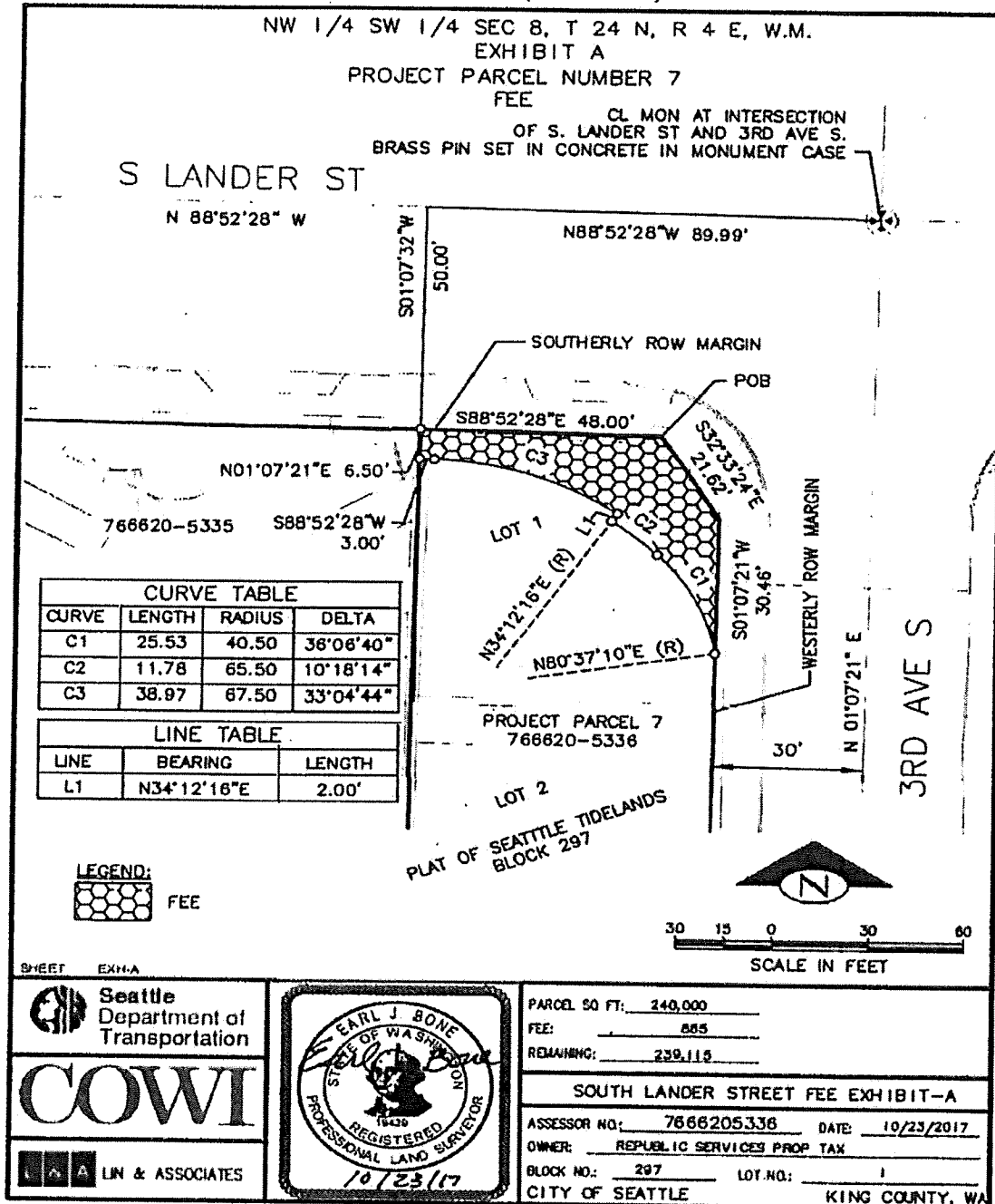
COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 88°52'28" WEST ALONG THE NORTH LINE THEREOF A DISTANCE OF 12 FEET TO THE SOUTHERLY MARGIN OF SOUTH LANDER STREET PURSUANT TO SEATTLE ORDINANCE NO. 97975, AS CONVEYED TO THE CITY OF SEATTLE BY DEED RECORDED UNDER RECORDING NUMBER 6551884, AND BEING THE POINT OF BEGINNING;
THENCE SOUTH 32°33'24" EAST, ALONG SAID SOUTHERLY MARGIN, A DISTANCE OF 21.62 FEET TO THE EAST LINE OF SAID LOT 1, THE SAME BEING THE WESTERLY MARGIN OF 3RD AVENUE SOUTH; THENCE SOUTH 01°07'21" WEST, ALONG SAID MARGIN MARGIN, A DISTANCE OF 30.46 FEET TO THE CUSP OF A NON-TANGENT CURVE HAVING A RADIUS OF 40.50 FEET, TO WHICH POINT A RADIAL LINE BEARS NORTH 80°37'10" EAST; THENCE NORTHWESTERLY, TO THE LEFT ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°06'40", A DISTANCE OF 25.53 FEET TO THE BEGINNING OF A COMPOUND CURVE HAVING A RADIUS OF 65.50 FOOT; THENCE NORTHWESTERLY, TO THE LEFT ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°18'14", A DISTANCE OF 11.78 FEET; THENCE RADIALY FROM SAID CURVE NORTH 34°12'16" EAST, A DISTANCE OF 2.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE HAVING A RADIUS OF 67.50 FEET, TO WHICH POINT A RADIAL LINE BEARS NORTH 34°12'16" EAST; THENCE NORTHWESTERLY, TO THE LEFT ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°04'44", A DISTANCE OF 38.97 FEET; THENCE NORTH 88°52'28" WEST A DISTANCE OF 3.00 FEET TO THE WEST LINE OF THE EAST 60' OF SAID LOT 1 AS MEASURED ALONG THE NORTH LINE THEREOF; THENCE NORTH 01°07'21" EAST, ALONG SAID WEST LINE, A DISTANCE OF 6.50 FEET TO THE NORTH LINE OF SAID LOT 1, THE SAME BEING THE SOUTH MARGIN OF SOUTH LANDER STREET; THENCE SOUTH 88°52'28" EAST, ALONG SAID MARGIN, A DISTANCE OF 48.00 FEET TO THE POINT OF BEGINNING.

ALL CONTAINING 885 SQUARE FEET, MORE OF LESS.



QUIT CLAIM DEED

EXHIBIT A (Continued)



STATE OF WASHINGTON -- KING COUNTY

--SS.

369945

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:125749-755 TITLE ONLY

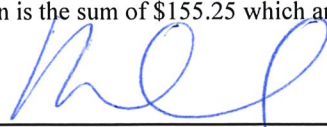
was published on

01/31/19

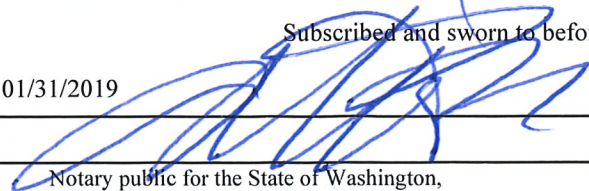
The amount of the fee charged for the foregoing publication is the sum of \$155.25 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

01/31/2019


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 07, 2019, 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 125749

Council Bill 119435

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

Ordinance 125750

Council Bill 119436

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

Ordinance 125751

Council Bill 119438

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

Ordinance 125752

Council Bill 119427

AN ORDINANCE relating to the regulation of the for-hire industry; removing certain considerations between an exclusive driver representative and the Director of Finance and Administrative Services; amending Section 6.310.735 of the Seattle Municipal Code; and repealing rules and regulations to the extent they are inconsistent with this ordinance.

Ordinance 125753

Council Bill 119415

AN ORDINANCE relating to City streets; changing the name of the portion of NW 113th Street between 1st Avenue NW and 2nd Avenue NW to NW 112th Place; naming the alley in Blocks 52, 53, and 54, D. S. Maynard's Plat of Seattle, as Canton Alley S; naming the alley in Blocks 48, 49, 50, and 51, D. S. Maynard's Plat of Seattle, as Maynard Alley S; and superseding Ordinance 102981 to the extent inconsistent.

Ordinance 125754

Council Bill 119416

AN ORDINANCE relating to the State Route 520 Project; authorizing the Mayor to execute an agreement with the State of Washington to set forth roles and responsibilities and establish a method for reimbursing costs, where applicable, to operate and maintain the infrastructure constructed as part of the State of Washington's State Route 520 Project.

Ordinance 125755

Council Bill 119417

AN ORDINANCE relating to the South Lander Street Grade Separation project; authorizing the Director of the Seattle Department of Transportation to acquire, accept, and record, on behalf of The City of Seattle, a warranty deed from the Seattle School District No. 1, a municipal corporation of the State of Washington, located in a portion of Blocks 291, 294, and 316 of the unrecorded plat of Seattle Tide Lands, also known as Parcel D, City of Seattle Lot Boundary Adjustment Number 2207829, recorded under King County Recording Number 20040527900005; a warranty deed from The Bailey Family Limited Partnership, a Washington limited partnership, located in a portion of Lot 1, Block 296, Plat of Seattle Tidelands; a warranty deed from PacWest Energy, LLC, a Delaware limited liability company, located in a portion of Lot 11, Block 295, Plat of Seattle Tidelands, and a quit claim deed from Rabanco, Ltd., a Washington corporation, located in a portion

of Lot 1, Block 297, Plat of Seattle Tidelands; placing the real property rights and interests conveyed by such deeds under the jurisdiction of the Seattle Department of Transportation and laying them off as right-of-way; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, January 31, 2019.

1/31(369945)