



SEATTLE CITY COUNCIL

Legislative Summary

CB 119353

Record No.: CB 119353

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125767

In Control: City Clerk

File Created: 08/17/2018

Final Action: 02/08/2019

Title: AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to the needs of the City Light Department; authorizing the sale of an easement for sidewalk purposes to Snohomish County; and accepting the payment of fair market value for the easement.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Mosqueda

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 – Easement, Att 1 Ex A – Legal Description, Att 1 Ex B – Map of Sidewalk Easement Area

Drafter: Chad.Morrell@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	08/28/2018	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	08/28/2018	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	08/28/2018	sent for review	Housing, Health, Energy, and Workers' Rights Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Housing, Health, Energy, and Workers' Rights Committee						
	Notes:						

Legislative Summary Continued (CB 119353)

1	City Council	09/10/2018	referred	Housing, Health, Energy, and Workers' Rights Committee	
1	Housing, Health, Energy, and Workers' Rights Committee	01/17/2019	pass	01/28/2019	Pass
	Action Text:	The Committee recommends that City Council pass the Council Bill (CB).			
		In Favor: 3 Chair Mosqueda, Vice Chair Juarez, Member Bagshaw			
		Opposed: 0			
1	City Council	01/28/2019	passed		Pass
	Action Text:	The Council Bill (CB) was passed by the following vote, and the President signed the Bill:			
	Notes:				
		In Favor: 8 Councilmember Bagshaw, Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Sawant			
		Opposed: 0			
1	City Clerk	02/01/2019	submitted for Mayor's signature	Mayor	
	Action Text:	The Council Bill (CB) was submitted for Mayor's signature. to the Mayor			
	Notes:				
1	Mayor	02/08/2019	Signed		
1	Mayor	02/08/2019	returned	City Clerk	
1	City Clerk	02/08/2019	attested by City Clerk		
	Action Text:	The Ordinance (Ord) was attested by City Clerk.			
	Notes:				

CITY OF SEATTLE

ORDINANCE

125767

COUNCIL BILL

119353

AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to the needs of the City Light Department; authorizing the sale of an easement for sidewalk purposes to Snohomish County; and accepting the payment of fair market value for the easement.

WHEREAS, the City Light Department ("City Light") owns certain real property in fee simple in Snohomish County, Washington at the intersection of 161st Street Southeast and Sunset Road that is a portion of City Light's electric transmission corridor immediately south of City Light's Bothell Substation ("City Light Property"); and

WHEREAS, Snohomish County wishes to construct a sidewalk within the City Light Property as part of its Sunset Road Pedestrian Improvement Project; and

WHEREAS, Snohomish County has offered to purchase an easement for sidewalk purposes from City Light for \$500, which represents its fair market value; and

WHEREAS, the granting of a sidewalk easement to Snohomish County will not interfere with City Light's ability to access, construct, operate, or maintain its electric transmission corridor or structures; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to the provisions of RCW 35.94.040 and after a public hearing, certain rights in the City Light Property are no longer needed for The City of Seattle's utility purposes over the City Light Property and are declared surplus to the City's needs.

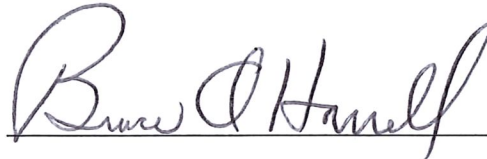
Section 2. The General Manager and Chief Executive Officer of the City Light Department, or designee, is authorized to execute as easement document granting an easement for sidewalk purposes on the City Light Property to Snohomish County, substantially in the form

as attached to this ordinance as Attachment 1, and to record it with the Snohomish County Auditor's Office.

Section 3. The General Manager and Chief Executive Officer of the City Light Department, or designee, is authorized to accept payment of \$500 for sale of the easement and deposit the payment into the General Light Fund.

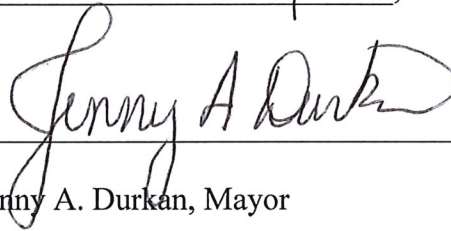
Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 28th day of January, 2019,
and signed by me in open session in authentication of its passage this 28th day of
January, 2019.



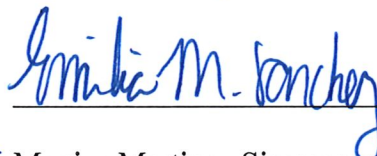
President _____ of the City Council

Approved by me this 0th day of February, 2019.



Jenny A. Durkan, Mayor

Filed by me this 8th day of February, 2019.



for Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1 – Easement
Exhibit A – Legal Description
Exhibit B – Map of Sidewalk Easement Area

After recording return document to:
Snohomish County Public Works
Engineering Services - ROW M/S 607
3000 Rockefeller Ave
Everett WA 98201-4046

EASEMENT

Reference Number:

Grantor: The City of Seattle

Grantee: Snohomish County

Legal Description: Ptn. SE-SW-4-27N-5E

Assessor's Tax Parcel Number: 27050400302800

In The Matter Of: Sunset Road Pedestrian Improvements

The Grantor, **The City of Seattle, a Washington municipal corporation**, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, hereby conveys and grants unto the Grantee, **Snohomish County, a political subdivision of the State of Washington**, its successors and assigns, an easement as described in Exhibits A and B attached hereto and incorporated herein by this reference over, upon and across the "Public Walkway Area" described in Exhibit A for the purpose of sidewalk; said lands being situated in Snohomish County, in the State of Washington.

Grantor hereby agrees to grant the rights herein conveyed upon receipt of payment from the Grantee.

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon Snohomish County, State of Washington unless and until accepted and approved in writing by the Snohomish County Director of Public Works or County Engineer and unless and until authorized by ordinance passed by The City of Seattle City Council.

The covenants set forth herein shall run with the land and bind the Grantor(s) and Grantor(s)' heirs, successors and assigns.

Dated this _____ day of _____, 20____

GRANTOR:

THE CITY OF SEATTLE, acting by and through its CITY LIGHT DEPARTMENT

By: _____

Print Name: _____

Title: _____

Approval Rec'm

COUNTY OF SNOHOMISH
Public Works Department

PW Right of Way Supervisor

By: _____
Douglas W. McCormick, P.E.,
County Engineer

Checked By: _____

Date: _____

DOCUMENT TEMPLATE
REVIEWED AND APPROVED:
Gordon W. Sivley
Deputy Prosecuting Attorney
Date: 8/24/12

STATE OF Washington)

COUNTY OF King) ss.
)

On this _____ day of _____, 2017, before me personally appeared _____, to me known to be the _____ of Seattle City Light, a department of the City of Seattle, the Washington 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 that she was authorized to execute said instrument on behalf of the City of Seattle.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

(Notary seal)

Signature: _____

Print name: _____
Notary Public in and for the State of Washington
Residing at: _____
My commission expires: _____

EXHIBIT A

Legal Description

All that real property in the Southeast quarter of the Southwest quarter of Section 4, Township 27 North, Range 5 East, W.M., being portions of that strip of land conveyed by Deed recorded under Auditor's File No. 481974, in the County of Snohomish, State of Washington, described as follows:

Temporary Construction Area 'A': (see Exhibit 'B')

COMMENCING at a found punch in a 1 ¾" brass disk stamped "LS 29608" in a 4" square concrete monument at the intersection of 161st Street SE and Sunset Road, from which point a punch in a 1 ¾" brass disk in a 4" square concrete monument, at the point of curvature on the centerline of 161st Street SE, bears North 88°50'03" West a distance of 639.41 feet;
Thence, from **POINT OF COMMENCEMENT**, along the right-of-way centerline of 161st Street SE, North 88°50'03" West a distance of 130.50 feet;
Thence, leaving said centerline, South 15°45'52" East a distance of 31.36 feet to a point on the southerly margin of 161st Street SE, being the intersection of said margin with the easterly line of the Coleman Short Plat recorded at AF# 201608105003, and the **POINT OF BEGINNING (POB 'A')**;
Thence, along said easterly line of said Short Plat, South 15°45'52" East a distance of 45.91 feet;
Thence, leaving said easterly line, North 10°51'18" East a distance of 44.56 feet to the southerly margin of 161st St SE;
Thence, along said southerly margin, North 88°50'03" West a distance of 20.87 feet to the **POINT OF BEGINNING**;

Containing an area of 458 square feet, more or less;

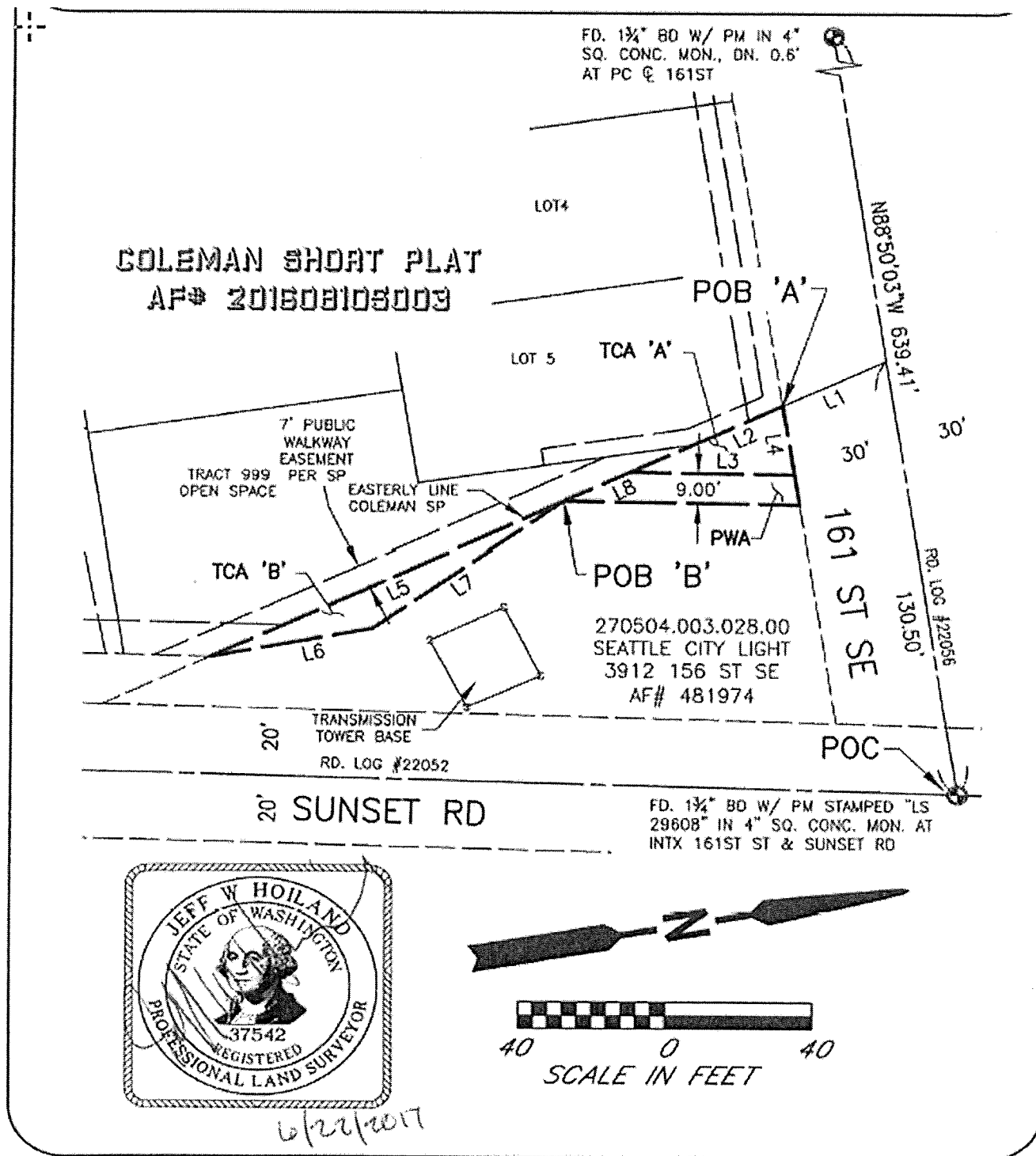
Public Walkway Area:

All that portion of said parcel conveyed by above stated Deed, being a strip 9.00 feet in width, the westerly line of which is coincident with the easterly line of said Temporary Construction Area 'A' described above;

Containing an area of 489 square feet, more or less;

EXHIBIT B

Map of Sidewalk Easement Area



This map is intended for informational purposes only and is not intended to modify anything in the legislation.

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle City Light	Lynn Best / 386-4586	Greg Shiring / 386-4085

** 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 City Light Department; declaring certain real property rights surplus to the needs of the City Light Department; authorizing the sale of an easement for sidewalk purposes to Snohomish County; and accepting the payment of fair market value for the easement.

2. Summary and background of the Legislation:

This ordinance declares certain real property rights that are no longer necessary for transmission line purposes surplus to the needs of the City Light Department, authorizes grant of an easement to Snohomish County, and accepts payment for the easement.

Seattle City Light owns certain real property in fee simple at the intersection of 161st Street Southeast and Sunset Road in Snohomish County, Washington. The real property is part of City Light's transmission corridor located immediately south of City Light's Bothell Substation.

Snohomish County is improving Sunset Road under its Sunset Road Pedestrian Improvement Project. Snohomish County needs to purchase an easement for sidewalk purposes over a small portion of the City Light property. The sidewalk must be routed through the City Light property because of the location of one of City Light's electric towers. Granting a sidewalk easement to Snohomish County will not impede City Light's ability to access, construct, operate, or maintain its transmission corridor, lines, or structures.

This legislation is necessary because all grants of easements must be authorized by legislation passed by City Council.

2. CAPITAL IMPROVEMENT PROGRAM

a. Does this legislation create, fund, or amend a CIP Project? ___ Yes ___X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

- a. Does this legislation amend the Adopted Budget? ___ Yes ___ X 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?
No
- c. Is there financial cost or other impacts of *not* implementing the legislation?

The City will forego income of \$500.00 for the grant of the easement.

3.e. Revenues/Reimbursements

 X This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2018 Revenue	2019 Estimated Revenue
City Light Fund	SCL	Sale of Easement	\$500.00	
TOTAL				

Is this change one-time or ongoing?

One time

Revenue/Reimbursement Notes: None.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
No
- b. Is a public hearing required for this legislation?
Yes. A Public hearing is required pursuant to RCW 35.94.040
- 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. A map of the property showing the Seattle City Light property and the location of the sidewalk easement is provided as Exhibit B to Attachment 1 to the Ordinance.

- 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?**

No

- 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).**

N/A

List attachments/exhibits below:

None

STATE OF WASHINGTON -- KING COUNTY

--SS.

370538

No. 125760,61,62,64,65,66,67

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:TITLE ONLY ORDINANCES

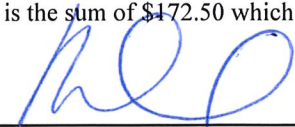
was published on

02/20/19

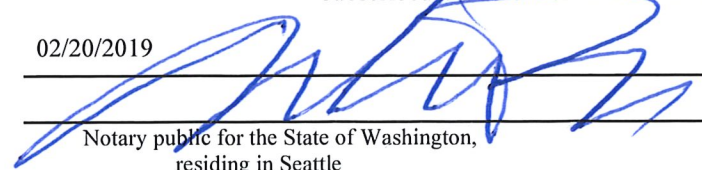
The amount of the fee charged for the foregoing publication is the sum of \$172.50 which amount has been paid in full.



Affidavit of Publication


Subscribed and sworn to before me on

02/20/2019


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 28, 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 125760

Council Bill 119447

AN ORDINANCE relating to the Central Waterfront Improvement Program and the LID Improvements identified herein; establishing Local Improvement District No. 6751 ("Waterfront LID") and ordering the carrying out of the proposed LID Improvements, as a component of the Seattle Central Waterfront Improvement Program in accordance with Resolution 31812; providing that payment for the LID Improvements be made in part by special assessments upon the property in the Waterfront LID, payable by the mode of "payment by bonds"; creating a local improvement fund; authorizing the issuance of local improvement bonds; and providing for inter-fund loans and for the issuance and sale of short-term financing instruments, and ratifying and confirming certain prior acts, all by a two-thirds vote of the City Council at a regular meeting.

Ordinance 125761

Council Bill 119448

AN ORDINANCE relating to the funding, operations, and management for Central Waterfront improvements; identifying philanthropic funding for construction and operations and maintenance and safety and security of public spaces on the Central Waterfront; identifying a timeline for philanthropic fundraising and contributions; authorizing the Seattle Department of Transportation and the Department of Parks and Recreation to execute a two-year pilot agreement in preparation for a long-term agreement with Friends of Waterfront Seattle to operate and manage public spaces on the Central Waterfront; dissolving the Central Waterfront Steering Committee; and creating the Central Waterfront Oversight Committee.

Ordinance 125762

Council Bill 119449

AN ORDINANCE relating to a protest waiver agreement between and among the City, the Waterfront Park Conservancy, and certain property owners affected by the proposed Waterfront Local Improvement District; approving the agreement and authorizing the Director of the Office of the Waterfront and Civic Projects and the Superintendent of the Department of Parks and Recreation to execute the agreement and implement its terms.

Ordinance 125764

Council Bill 119451

AN ORDINANCE relating to land use and zoning; adopting a moratorium on the filing, acceptance, processing, and/or approval of applications for development in areas currently used as mobile home parks; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

Ordinance 125765

Council Bill 119452

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

Ordinance 125766

Council Bill 119446

AN ORDINANCE relating to the Department of Parks and Recreation and Seattle Public Utilities; transferring partial jurisdiction of portions of park land and park boulevards within Discovery Park from

the Department of Parks and Recreation to Seattle Public Utilities for maintenance, repair, replacement, and operation of public water and sanitary sewer infrastructure, associated underground pipes, hydrants, and limited surface ancillary facilities; and finding that transfer of partial jurisdiction meets the requirements of Ordinance 118477, which adopted Initiative 42.

Ordinance 125767

Council Bill 119353

AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to the needs of the City Light Department; authorizing the sale of an easement for sidewalk purposes to Snohomish County; and accepting the payment of fair market value for the easement.

Date of publication in the Seattle Daily Journal of Commerce, February 20, 2019.

2/20(370538)