



SEATTLE CITY COUNCIL

Legislative Summary

CB 119520

Record No.: CB 119520

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125824

In Control: City Clerk

File Created: 03/25/2019

Final Action: 06/03/2019

Title: AN ORDINANCE granting KR Westlake, LLC, permission to maintain and operate a pedestrian skybridge over the alley in the block bordered by Westlake Avenue North, Terry Avenue North, Thomas Street, and Harrison Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; amending Ordinance 122239; 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:

Drafter: amy.gray@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	04/30/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	04/30/2019	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	05/02/2019	sent for review	Sustainability and Transportation Committee			
Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee							
Notes:							

Legislative Summary Continued (CB 119520)

1	City Council	05/20/2019	referred	Sustainability and Transportation Committee	
1	Sustainability and Transportation Committee	05/21/2019	pass		Pass
	Action Text: The Committee recommends that City Council pass the Council Bill (CB).				
			In Favor: 3	Chair O'Brien, Vice Chair Pacheco, Member Sawant	
			Opposed: 0		
1	City Council	05/28/2019	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 González , Council President Harrell, Councilmember Herbold, Councilmember Juarez, Councilmember O'Brien, Councilmember Pacheco	
			Opposed: 0		
			Absent(NV): 1	Councilmember Sawant	
1	City Clerk	05/30/2019	submitted for Mayor's signature	Mayor	
1	Mayor	05/31/2019	Signed		
1	Mayor	06/03/2019	returned	City Clerk	
1	City Clerk	06/03/2019	attested by City Clerk		
	Action Text: The Ordinance (Ord) was attested by City Clerk.				

CITY OF SEATTLE

ORDINANCE

125824

COUNCIL BILL

119520

AN ORDINANCE granting KR Westlake, LLC, permission to maintain and operate a pedestrian skybridge over the alley in the block bordered by Westlake Avenue North, Terry Avenue North, Thomas Street, and Harrison Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; amending Ordinance 122239; and ratifying and confirming certain prior acts.

WHEREAS, by Ordinance 122239, The City of Seattle ("City") granted permission to Westlake Terry LLC to construct, maintain, and operate a pedestrian skybridge over the alley in the block bounded by Westlake Avenue North, Terry Avenue North, Thomas Street, and Harrison Street; and

WHEREAS, ownership of the skybridge was transferred from Westlake Terry LLC to KR Westlake, LLC in January 2013; and

WHEREAS, KR Westlake, LLC, has applied for permission to maintain and operate a pedestrian skybridge over the alley in the block bordered by Westlake Avenue North, Terry Avenue North, Thomas Street, and Harrison Street; and

WHEREAS, the permission granted by Ordinance 122239 expired on October 24, 2016;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The permission initially granted to Westlake Terry LLC, by Ordinance 122239, and subsequently transferred to KR Westlake Terry, LLC, to maintain and operate a pedestrian skybridge over the alley in the block bordered by Westlake Avenue North, Terry Avenue North, Thomas Street, and Harrison Street, is renewed for a ten-year period starting

October 25, 2016, and ending at 11:59 p.m. on October 24, 2026, upon the terms and conditions set forth in Ordinance 122239, and as further amended by this ordinance.

Section 2. Ordinance 122239 is amended as follows:

Section 1. **Permission.** Subject to the terms and conditions of this ordinance, The City of Seattle ("City") grants permission ((is hereby granted)) (also referred to in this ordinance as a permit) to ((Westlake Terry LLC)) KR Westlake, LLC ("Permittee"), and its successors and assigns as approved by the Director of the Seattle Department of Transportation ("Director") according to Section 14 of this ordinance (the party named above and each such approved successor and assign is referred to as "Permittee"), to maintain and operate a pedestrian skybridge, including all related appurtenances ("pedestrian skybridge") over ((and across)) the alley in the block bordered by Westlake Avenue North, Terry Avenue North, Thomas Street, and Harrison Street ((, for a ten (10) year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted, and providing for acceptance of the permit and conditions)), adjacent in whole or in part to the property legally described as:

PARCEL A:

LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 96, D.T. DENNY'S FIFTH ADDITION TO NORTH SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE(S) 202, IN KING COUNTY WASHINGTON; EXCEPT THE EAST 5 FEET THEREOF CONVEYED TO THE CITY OF SEATTLE FOR STREET PURPOSES BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 7109090363.

PARCEL B:

LOTS 7, 8 AND THE SOUTH OF LOT 9, BLOCK 96, D.T. DENNY'S FIFTH ADDITION TO NORTH SEATTLE ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE(S) 202, IN KING COUNTY, WASHINGTON; EXCEPT THE WEST 12 FEET THEREOF CONDEMNED IN

KING COUNTY SUPERIOR COURT CAUSE NUMBER 47549 FOR
WESTLAKE AVENUE.

PARCEL C:

LOTS 10, 11 AND 12, BLOCK 96, D.T. DENNY'S FIFTH ADDITION TO
NORTH SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN
VOLUME 1 OF PALTS, PAGE(S) 202, IN KING COUNTY, WASHINGTON;
EXCEPT THE WEST 12 FEET THEREOF CONDEMNED IN KING COUNTY
SUPERIOR COURT CAUSE NUMBER 47549 FOR WIDENING OF
WESTLAKE AVENUE.

PARCEL D:

THE NORTH HALF OF LOT 9, BLOCK 96, D.T. DENNY'S 5TH ADDITION
TO NORTH SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED
IN VOLUME 1 OF PLATS, PAGE(S) 202, IN KING COUNTY,
WASHINGTON; EXCEPT THE WEST 12 FEET THEREOF HERETOFORE
CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER
47549, FOR WIDENING OF WESTLAKE AVENUE.

Section 2. **Public benefit.** The permission for the skybridge is conditioned upon the applicant providing a ~~((five-foot))~~ 5-foot setback of the buildings ~~((being))~~ developed ~~((by the current owners, Westlake Terry LLC,))~~ from the property line on Thomas Street and installing art work, landscaping, and a sidewalk within the setback and on the Thomas Street right-of-way, continuing around the corner onto Terry Avenue North, ~~((all))~~ as approved by the Seattle Design Commission. The installation of the art work, landscaping, and sidewalk shall be completed no later than August 31, 2007, and if not ~~((so))~~ completed and maintained for the term of the permit, the Director may order removal of the skybridge in accordance with Section 6 of this ordinance.

Section 3. **Term.** The permission ~~((herein))~~ granted to ~~((the))~~ Permittee ~~((, its successors and assigns, shall be))~~ is for a term of ten ~~((10))~~ years ~~((commencing 30 days after the Mayor's signature,))~~ starting on October 25, 2006 and ~~((terminating))~~ ending at 11:59 p.m. ((ten years thereafter; provided however, that upon)) on October 24, 2016.

1 Upon written application ((of)) made by the Permittee at least ((thirty (30))) 180 days
2 before expiration of the term, the Director or the City Council may renew the permit ((for
3 two (2))) twice, each time for a successive ((ten (10))) ten-year term((s, provided further
4 that the total term of the permission as originally granted and thus extended)) subject to
5 the right of the City to require the removal of the pedestrian skybridge or to revise by
6 ordinance any of the terms and conditions of the permission granted by this ordinance.
7 The total term of the permission, including renewals, shall not exceed ((thirty (30))) 30
8 years ((, subject to the right of The City of Seattle ("City") by ordinance to then revise
9 any of the terms and conditions contained herein)). The Permittee shall submit any
10 application for a new permission no later than 180 days prior to the expiration of the
11 then-existing term.

12 Section 4. **Protection of utilities.** The permission granted is ((hereby)) subject to
13 the Permittee bearing the expense of any protection, support, or relocation of existing
14 utilities deemed necessary by the owners of the ((utility)) utilities, and ((shall be done at
15 Permittee's expense with)) the Permittee being responsible for any ((subsequent))
16 damage to the utilities due to the construction, repair, reconstruction, maintenance, ((of))
17 operation, or removal of ((said)) the pedestrian ((bridge)) skybridge and for any
18 consequential damages that may result from any damage to utilities or interruption in
19 service caused by any of the foregoing.

20 Section 5. **Removal for public use or for cause.** The permission granted
21 ((hereby)) is subject to ((primary and secondary)) use ((by the public)) of the street right-
22 of-way or other public place (collectively, public place) ((for travel and utility purposes,
23 and)) by the City and the public for travel, utility purposes, and other public uses or

1 benefits. The City expressly reserves the right to deny renewal, or terminate the
2 permission at any time prior to expiration of the initial term or any renewal term, and
3 require the Permittee to remove ((said)) the pedestrian skybridge, or any part thereof or
4 installation on the public place, at the Permittee's sole cost and expense ((in the event
5 that)) if:

6 (a) The City Council determines((;)) by ordinance((;)) that the space
7 occupied by the pedestrian skybridge is necessary for any ((primary or secondary)) public
8 use or benefit((;)) or that ((said)) the pedestrian skybridge interferes with any ((primary or
9 secondary)) public use or benefit; or

10 (b) The Director determines that use of the pedestrian skybridge has been
11 abandoned; or

12 (c) The Director determines that any term or condition of this ordinance
13 has been violated, and ((such)) the violation ((is)) has not been corrected by the Permittee
14 by the compliance date after ((notice of violation has been given by the City)) a written
15 request by the City to correct the violation (unless a notice to correct is not required due
16 to an immediate threat to the health or safety of the public).

17 A City Council determination that the space is ((necessary for a primary or
18 secondary)) needed for, or the pedestrian skybridge interferes with a public use or benefit
19 ((shall be)) is conclusive and final without any right of the Permittee to resort to the
20 courts to adjudicate the matter.

21 Section 6. **Permittee's obligation to remove and restore.** ((In the event that)) If
22 the permission ((hereby)) granted ((extends to its termination in thirty (30) years, or the
23 City orders removal of said pedestrian skybridge pursuant to the terms of this

ordinance;)) is not renewed at the expiration of a term, or if the permission expires without an application for a new permission being granted, or if the City terminates the permission, then within ((ninety (90))) 90 days after ((such)) the expiration((;)) or termination of the permission, or ((order of removal, or)) prior to ((the)) any earlier date stated in an ((“Order to Remove”, as the case may be,)) ordinance or order requiring removal of the pedestrian skybridge, the Permittee shall, at its own expense, remove ((said)) the pedestrian ((bridge)) skybridge and ((shall)) all of the Permittee’s equipment and property from the public place and replace and restore all portions of the ((street)) public place that may have been disturbed for any part of ((said)) the pedestrian skybridge((;)) in as good condition for public use as ((it was)) existed prior to construction of ((said)) the pedestrian ((bridge)) skybridge((;)) and in at least as good condition in all respects as the abutting portions ((thereof.)) of the public place as required by Seattle Department of Transportation (SDOT) right-of-way restoration standards.

Failure to remove the pedestrian skybridge as required by this section is a violation of Chapter 15.90 of the Seattle Municipal Code (SMC) or successor provision; however, applicability of Chapter 15.90 does not eliminate any remedies available to the City under this ordinance or any other authority. If the Permittee does not timely fulfill its obligations under this section, the City may in its sole discretion remove the pedestrian skybridge and restore the public place at the Permittee’s expense, and collect such expense in any manner provided by law.

Upon the Permittee’s completion of removal and restoration in accordance with this section, or upon the City’s completion of the removal and restoration and the

1 Permittee's payment to the City for the City's removal and restoration costs, the ((The))
2 Director shall then issue a ((certificate discharging)) certification that the Permittee
3 ((from responsibility under this ordinance for occurrence after the date of such
4 discharge)) has fulfilled its removal and restoration obligations under this ordinance.
5 Upon prior notice to the Permittee and entry of written findings that it is in the public
6 interest, the Director may, in the Director's sole discretion, conditionally or absolutely
7 excuse the Permittee from compliance with all or any of the Permittee's obligations under
8 this section.

9 Section 7. **Repair or reconstruction.** The pedestrian skybridge shall remain the
10 exclusive responsibility of the Permittee and the Permittee shall maintain the pedestrian
11 skybridge in good and safe condition for the protection of the public. The Permittee shall
12 not ((commence reconstruction, readjustment or repair of said)) reconstruct or repair the
13 pedestrian ((bridge)) skybridge except ((under the supervision of, and)) in strict
14 accordance with((;)) plans and specifications approved by the Director. The Director
15 may, in ((his/her)) the Director's judgment, ((may)) order ((such reconstruction,
16 relocation, readjustment or repair of said)) the pedestrian skybridge reconstructed or
17 repaired at the Permittee's ((own)) cost and expense because of: the deterioration or
18 unsafe condition of ((said)) the pedestrian skybridge((, grade separations, or)); the
19 installation, construction, reconstruction, maintenance, operation, or repair of any ((and
20 all)) municipally-owned public utilities((;)); or ((for)) any other cause.

21 Section 8. **Failure to correct unsafe condition.** After written notice to the
22 Permittee((;)) and failure of the Permittee to correct ((said)) an unsafe ((or risk prone))
23 condition within the time stated in ((such)) the notice, the Director may order ((said)) the

1 pedestrian skybridge be closed or removed at the Permittee's expense if the Director
2 deems that ~~((it))~~ the pedestrian skybridge has become unsafe or creates a risk of injury to
3 the public. ~~((In a situation in which))~~ If there is an immediate threat to the health or safety
4 of the public, a notice to correct is not required.

5 Section 9. **Continuing obligations.** Notwithstanding termination or expiration of
6 the permission granted, or closure or removal of ~~((said))~~ the pedestrian skybridge, the
7 Permittee shall remain bound by all of its obligations under this ordinance until~~((:~~

8 a) ~~said pedestrian skybridge and all of its equipment and property are~~
9 ~~removed from the street;~~

10 b) ~~the area is cleared and restored in a manner and to a condition~~
11 ~~satisfactory to the Director; and~~

12 c) ~~The Director certifies that the Permittee has discharged its obligations~~
13 ~~herein.~~

14 ~~Provided that upon prior notice to the Permittee and entry of written~~
15 ~~findings that such is in the public interest, the Director may, in his/her sole discretion,~~
16 ~~excuse the Permittee, conditionally or absolutely, from compliance with all or any of the~~
17 ~~Permittee's obligations to remove said pedestrian skybridge and its property, and restore~~
18 ~~disturbed areas.))~~ the Director has issued a certification that the Permittee has fulfilled its
19 removal and restoration obligations under Section 5 of this ordinance. Notwithstanding
20 the issuance of that certification, the Permittee shall continue to be bound by the
21 obligations in Section 5 of this ordinance and shall remain liable for any unpaid fees
22 assessed under Section 15 of this ordinance.

Section 10. Release, hold harmless, indemnification, and duty to defend.

~~((Said pedestrian skybridge shall remain the exclusive responsibility of the Permittee. The Permittee, by acceptance of the terms set forth in this ordinance and the permission hereby granted, releases the City from any and all claims resulting from damage or loss to its own property and does covenant and agree for itself, its successors and assigns, with the City, to at all times protect and save harmless the City from all claims, actions, suits, liability, loss, costs, expense or damages of every kind and description (excepting only such damages that may result from the negligence of the City), which may accrue to, or be suffered by, any person or persons and/or property or properties, including without limitation, damage or injury to the Permittee, its officers, agents, employees, contractors, invitees, tenants and tenants' invitees, licensees or its successors and assigns, by reason of the maintenance, operation or use of said pedestrian skybridge, or any portion thereof, or by reason of anything that has been done, or may at any time be done, by the Permittee, its successors or assigns, by reason of this ordinance, or by reason of the Permittee, its successors or assigns, failing or refusing to strictly comply with each and every provision of this ordinance; and if any such suit, action or claim be filed, instituted or begun against the City, the Permittee, its successors or assigns, shall, upon notice thereof from the City, defend the same at its or their sole cost and expense, and in case judgment shall be rendered against the City in any suit or action, the Permittee, its successors or assigns, shall fully satisfy said judgment within ninety (90) days after such action or suit shall have been finally determined, if determined adversely to the City. Provided that if it is determined by a court of competent jurisdiction that RCW 4.24.115~~

1 ~~applies to this ordinance, then in the event claims or damages are caused by or result~~
2 ~~from concurrent negligence of:~~

3 ~~a) the City, its agents, contractors or employees; and~~

4 ~~b) The Permittee, its agents, contractors, employees or its successors or~~
5 ~~assigns, this indemnity provision shall be valid and enforceable only to the extent of the~~
6 ~~negligence of the Permittee or the Permittee's agents, contractors, employees or its~~
7 ~~successors or assigns.)) The Permittee, by accepting the terms of this ordinance, releases~~
8 ~~the City, its officials, officers, employees, and agents from any and all claims, actions,~~
9 ~~suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and~~
10 ~~description arising out of or by reason of the pedestrian skybridge or this ordinance,~~
11 ~~including but not limited to claims resulting from injury, damage, or loss to the Permittee~~
12 ~~or the Permittee's property.~~

13 The Permittee agrees to at all times defend, indemnify, and hold harmless the
14 City, its officials, officers, employees, and agents from and against all claims, actions,
15 suits, liability, loss, costs, expense, attorneys' fees, or damages of every kind and
16 description, excepting only damages that may result from the sole negligence of the City,
17 that may accrue to, be asserted by, or be suffered by any person or property including,
18 without limitation, damage, death, or injury to members of the public or to the
19 Permittee's officers, agents, employees, contractors, invitees, tenants, tenants' invitees,
20 licensees, or successors and assigns, arising out of or by reason of:

21 (a) The existence, condition, construction, reconstruction, modification,
22 maintenance, operation, use, or removal of the pedestrian skybridge or any portion

1 thereof, or the use, occupation, or restoration of the public place or any portion thereof by
2 the Permittee or any other person or entity;

3 (b) Anything that has been done or may at any time be done by the
4 Permittee by reason of this ordinance; or

5 (c) The Permittee failing or refusing to strictly comply with every
6 provision of this ordinance; or arising out of or by reason of the pedestrian skybridge or
7 this ordinance in any other way.

8 If any suit, action, or claim of the nature described in this section is filed,
9 instituted, or begun against the City, the Permittee shall upon notice from the City defend
10 the City, with counsel acceptable to the City, at the sole cost and expense of the
11 Permittee, and if a judgment is rendered against the City in any suit or action, the
12 Permittee shall fully satisfy the judgment within 90 days after the action or suit has been
13 finally determined, if determined adversely to the City. If it is determined by a court of
14 competent jurisdiction that Revised Code of Washington (RCW) 4.24.115 applies to this
15 ordinance, then if claims or damages are caused by or result from the concurrent
16 negligence of the City, its agents, contractors, or employees, and the Permittee, its agents,
17 contractors, or employees, this indemnity provision shall be valid and enforceable only to
18 the extent of the negligence of the Permittee or the Permittee's agents, contractors, or
19 employees.

20 Section 11. **Insurance.** For as long as the Permittee(~~(, its successors and assigns,~~
21 ~~shall exercise))~~ exercises any permission granted by this ordinance and until (~~said~~
22 ~~pedestrian skybridge is entirely removed from its location as described in Section 1 or~~
23 ~~until discharged by order of))~~ the Director (~~(as provided in Section 6 of this ordinance,))~~)

1 has issued a certification that the Permittee has fulfilled its removal and restoration
2 obligations under Section 5 of this ordinance, the Permittee shall obtain and maintain in
3 full force and effect, at its own expense, insurance ((policies which fully protect)) and/or
4 self-insurance that protects the Permittee and the City from ((any and all)) claims and
5 risks of any loss from perils ((which)) that can be insured against under commercial
6 general liability (CGL) insurance ((contracts and fire insurance contracts, including any
7 extended coverage endorsements thereto which are customarily available from time to
8 time,)) policies in conjunction with:

9 (a) ((construction)) Construction, reconstruction, modification, operation,
10 maintenance, use, ((or)) existence, or removal of ((said)) the pedestrian skybridge
11 ((permitted by this ordinance and of)) or any and all portions thereof, as well as
12 restoration of any disturbed areas of the public place in connection with removal of
13 ((said)) the pedestrian skybridge;

14 (b) The Permittee's activity upon((;)) or the use or occupation of((;)) the
15 ((area)) public place described in Section 1 of this ordinance((;)) ; and

16 (c) ((any and all claims)) Claims and risks in connection with ((and
17 activity)) activities performed by the Permittee by virtue of the permission granted by this
18 ordinance.

19 Minimum insurance requirements ((shall be a policy of comprehensive
20 commercial general liability of a form acceptable to the City)) are CGL insurance written
21 on an occurrence form at least as broad as the Insurance Services Office (ISO) CG 00 01.
22 The City ((will require)) requires insurance coverage to be placed with ((a company)) an
23 insurer admitted and licensed to conduct business in Washington State((, except that if it

1 is infeasible to obtain such a policy, the City may approve an alternative company)) or
2 with a surplus lines carrier pursuant to chapter 48.15 RCW. If coverage is placed with
3 any other insurer or is partially or wholly self-insured, such insurer(s) or self-insurance is
4 subject to approval by the City's Risk Manager.

5 Minimum ((policy)) limits of liability shall be ((Two Million Dollars
6))\$2,000,000(()) per (())occurrence; ((and Four Million Dollars))\$4,000,000((
7 annual aggregate each period)) General Aggregate; \$2,000,000 Products/Completed
8 Operations Aggregate, including Premises Operation; Personal/Advertising Injury;
9 Contractual Liability. Coverage shall ((specifically name said pedestrian skybridge
10 exposure. Liability coverage shall add by endorsement)) include the "City of Seattle, its
11 ((elected and appointed)) officers, officials, employees and agents" as additional insureds
12 for primary and non-contributory limits of liability subject to a Separation of Insureds
13 clause. ((Coverage shall contain a Separation of Insured's clause indicating essentially
14 that "except with respect to the limits of insurance, and any rights or duties specifically
15 assigned this coverage part of the first named insured, this insurance applies as if each
16 named insured were the only named insured, and separately to each insured against
17 whom claim is made or suit is brought". They City will not accept a certificate of
18 insurance as evidence of current coverage.

19 Evidence of current coverage shall be submitted to the City in the form of a
20 photocopy of the insurance policy declaration page, indicating all endorsements attached
21 hereto, and is a condition of the validity of this permit.

22 Whenever in the judgment of the Risk Manager of the City of Seattle, such
23 insurance filed pursuant to the provisions hereof shall be deemed insufficient to fully

1 ~~protect the City of Seattle, the Permittee shall, upon demand by the Risk Manager,~~
2 ~~furnish additional insurance in such amount as may be specified by the Risk Manager.))~~

3 Within 60 days after the effective date of the ordinance introduced as Council Bill
4 _____ , the Permittee shall provide to the City, or cause to be provided, certification of
5 insurance coverage including an actual copy of the blanket or designated additional
6 insured policy provision per the ISO CG 20 12 endorsement or equivalent. The insurance
7 coverage certification shall be delivered or sent to the Director or to SDOT at an address
8 as the Director may specify in writing from time to time. The Permittee shall provide a
9 certified complete copy of the insurance policy to the City promptly upon request.

10 If the Permittee is self-insured, a letter of certification from the Corporate Risk
11 Manager may be submitted in lieu of the insurance coverage certification required by this
12 ordinance, if approved in writing by the City's Risk Manager. The letter of certification
13 must provide all information required by the City's Risk Manager and document, to the
14 satisfaction of the City's Risk Manager, that self-insurance equivalent to the insurance
15 requirements of this ordinance is in force. After a self-insurance certification is approved,
16 the City may from time to time subsequently require updated or additional information.
17 The approved self-insured Permittee must provide 30 days' prior notice of any
18 cancellation or material adverse financial condition of its self-insurance program. The
19 City may at any time revoke approval of self-insurance and require the Permittee to
20 obtain and maintain insurance as specified in this ordinance.

21 If the Permittee assigns or transfers the permission granted by this ordinance, the
22 Permittee shall maintain in effect the insurance required under this section until the
23 Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

1 Section 12. **Contractor insurance.** The Permittee shall contractually require that
2 any and all of its contractors performing ~~((construction))~~ work on ~~((the))~~ any premises
3 ~~((as))~~ contemplated by this permit~~((;))~~ name the “City of Seattle, its officers, officials,
4 employees and agents” as ~~((an))~~ additional insureds ~~((on all policies of public liability~~
5 insurance, and)) for primary and non-contributory limits of liability on all CGL,
6 Automobile and Pollution liability insurance and/or self-insurance. The Permittee shall
7 also include in all contract documents ~~((a))~~ with its contractors a third-party beneficiary
8 provision extending to the City construction indemnities and warranties granted to the
9 Permittee ~~((to the City as well)).~~

10 Section 13.

11 **A. Performance bond.** Within ~~((sixty-60((;)))~~ 60 days after the effective date of
12 ~~((this))~~ the ordinance introduced as Council Bill , the Permittee shall deliver to the
13 Director for filing with the City Clerk a ~~((good and))~~ sufficient bond executed by a surety
14 company authorized and qualified to do business in the State of Washington that is: in the
15 ~~((sum))~~ amount of ~~((Five Hundred Thousand Dollars (\$500,000.00)))~~ \$30,000, ~~((executed~~
16 by a surety company authorized and qualified to do business in the State of Washington))
17 and conditioned with a requirement that the Permittee ~~((will))~~ shall comply with ~~((each~~
18 and)) every provision of this ordinance and with ~~((each and))~~ every order ~~((of))~~ the
19 Director ~~((pursuant thereto; provided, that if the Mayor of the City in his/her judgment~~
20 shall deem any bond or bonds filed to be insufficient and demand a new or additional
21 bond, the Permittee shall furnish a new or additional bond in such amount as the Mayor
22 may specify to be necessary to fully protect the City. Said bond shall remain in effect
23 until such time as said pedestrian skybridge is entirely removed from its location as

described in Section 1, or until discharged by order of the Director as provided in Section 6 of this ordinance)) issues under this ordinance. The Permittee shall ensure that the bond remains in effect until the Director has issued a certification that the Permittee has fulfilled its removal and restoration obligations under Section 5 of this ordinance. An irrevocable letter of credit approved by the Director in consultation with the City Attorney's Office may be substituted for the bond. If the Permittee assigns or transfers the permission granted by this ordinance, the Permittee shall maintain in effect the bond or letter of credit required under this section until the Director has approved the assignment or transfer pursuant to Section 14 of this ordinance.

B. Adjustment of insurance and bond requirements. The Director may adjust minimum liability insurance levels and surety bond requirements during the term of this permission. If the Director determines that an adjustment is necessary to fully protect the interests of the City, the Director shall notify the Permittee of the new requirements in writing. The Permittee shall, within 60 days of the date of the notice, provide proof of the adjusted insurance and surety bond levels to the Director.

Section 14. **Consent for and conditions of assignment or transfer.** When the Property is transferred, ((F))the permission granted by this ordinance shall be assignable and/or transferable by operation of law pursuant to this section. Prior to transfer, the successor owner of the Property shall accept in writing all of the terms and conditions of the permission granted by this ordinance and the new owner of the Property shall be conferred with the rights and obligations of Permittee by this ordinance. Other than a transfer to a new owner of the Property, Permittee((- its successors and assigns,)) shall not ((assign or)) transfer, assign, mortgage, pledge, or encumber the same ((any

1 ~~privileges conferred by this ordinance))~~ without the Director's consent ~~((of the City~~
2 ~~Council by resolution. Notwithstanding anything contained herein to the contrary,~~
3 ~~consent of the City Council shall not be required for any transfer or assignment of the~~
4 ~~privileges conferred by this ordinance by way of mortgage, pledge or encumbrance or by~~
5 ~~way of foreclosure or deed in lieu of foreclosure of any mortgage, pledge or~~
6 ~~encumbrance. If permission is granted, the assignee or transferee shall be bound by all~~
7 ~~terms and conditions of this ordinance))~~ , which the Director shall not unreasonably
8 refuse. The Director may approve assignment or transfer of the permission granted by
9 this ordinance to a successor entity only if the successor or assignee: has accepted in
10 writing all of the terms and conditions of the permission granted by this ordinance; has
11 provided, at the time of the acceptance, the bond and certification of insurance coverage
12 required under this ordinance; and has paid any fees due under Section 15 of this
13 ordinance. Upon the Director's approval of an assignment or transfer, the rights and
14 obligations conferred on the Permittee by this ordinance shall be conferred on the
15 successors and assigns. Any person or entity seeking approval for an assignment or
16 transfer of the permission granted by this ordinance shall provide the Director with a
17 description of the current and anticipated use of the pedestrian skybridge.

18 Section 15.

19 A. Inspection fees. The Permittee~~((, its successors and assigns,))~~ shall, as
20 provided by SMC Chapter 15.76 or successor provision, pay ((to)) the City ((such)) the
21 amounts ((as may be justly chargeable)) charged by the City ((as costs of inspection of
22 said)) to inspect the pedestrian skybridge during construction, reconstruction, repair,
23 annual ((structural)) safety inspections, and at other times deemed necessary ((to ensure

1 ~~the safety of said pedestrian skybridge, under the direction of the Director, as provided by~~
2 ~~Municipal Code Section 15.76)) by the City. An inspection or approval of the pedestrian~~
3 ~~skybridge by the City shall not be construed as a representation, warranty, or assurance to~~
4 ~~the Permittee or any other person as to the safety, soundness, or condition of the pedestrian~~
5 ~~skybridge. Any failure by the City to require correction of any defect or condition shall not~~
6 ~~in any way limit the responsibility or liability of the Permittee.~~

7 **B. Inspection reports.** The Permittee shall submit to the Director, or to SDOT at
8 an address specified by the Director, an inspection report that:

9 (a) describes the physical dimensions and condition of all load-bearing
10 elements;

11 (b) describes any damages or possible repairs to any element of the
12 pedestrian skybridge;

13 (c) prioritizes all repairs and establishes a timeframe for making repairs;
14 and

15 (d) is stamped by a professional structural engineer licensed in the State of
16 Washington.

17 A report meeting the foregoing requirements shall be submitted within 60 days
18 after the effective date of the ordinance introduced as Council Bill 119520. In the event
19 of a natural disaster or other event that may have damaged the pedestrian skybridge, the
20 Director may require that additional reports be submitted by a date established by the
21 Director. The Permittee has the duty of inspecting and maintaining the pedestrian
22 skybridge. The responsibility to submit structural inspection reports required by the
23 Director does not waive or alter any of the Permittee's other obligations under this

1 ordinance. The receipt of any reports by the Director shall not create any duties on the
2 part of the Director. Any failure by the Director to require a report, or to require action
3 after receipt of any report, shall not waive or limit the obligations of the Permittee.

4 C. Annual fee. Beginning on October 25, 2016, and annually thereafter, the
5 Permittee shall ~~((also))~~ promptly pay to the City ~~((in advance))~~ , upon statements
6 ~~((rendered))~~ or invoices issued by the Director, an annual fee ~~((for the privileges granted~~
7 ~~and exercised hereunder of Six Thousand Five Hundred Ninety Three Dollars(\$6,593.00)~~
8 ~~beginning the effective date of this ordinance and annually thereafter))~~ of \$13,440 or as
9 adjusted annually thereafter, for the privileges granted by this ordinance.

10 Adjustments to the annual fee ~~((amount))~~ shall be made in accordance with a term
11 permit fee schedule adopted by the City Council ~~((by ordinance))~~ and may be ~~((adjusted))~~
12 made every year. In the absence of ~~((such))~~ a schedule, the Director may only increase or
13 decrease the previous year's fee ~~((amount annually))~~ to reflect any inflationary changes so
14 as to charge ~~((said))~~ the fee in constant dollar terms. This adjustment will be calculated
15 by adjusting the previous year's fee ~~((amount))~~ by the percentage change between the
16 two most recent year-end values available ~~((of))~~ for the Consumer Price Index for the
17 Seattle-Tacoma-~~((Bremerton))~~Bellevue Area, All Urban Consumers, All ~~((Products))~~
18 Items, ~~((and))~~ Not Seasonally Adjusted. All payments shall be made to the City Finance
19 Director for credit to the Transportation ~~((Operating))~~ Fund.

20 Section 16. Compliance with other laws. ~~((The Permittee shall not discriminate~~
21 ~~against any (1) employee, (2) applicant for employment, or (3) person with respect to the~~
22 ~~award or referral of a contract or with respect to the conditions, terms, price or~~
23 ~~performance standards, or other provisions of a contract in connection with the design,~~

1 ~~architectural or structural engineering work or the construction, repair, or maintenance of~~
2 ~~said pedestrian skybridge permitted to be erected and/or operated pursuant to this~~
3 ~~ordinance, on the basis of race, religion, creed, color, sex, marital status, sexual~~
4 ~~orientation, gender identity, political ideology, ancestry, age, national origin, or the~~
5 ~~presence of any sensory, mental or physical handicap unless based upon bona fide~~
6 ~~occupational qualification. The Permittee shall:~~

7 a) ~~post in conspicuous places available to such employees and applicants~~
8 ~~for such employment, notices setting forth the provisions of this non-discrimination~~
9 ~~clause; and~~

10 b) ~~insert in any contract for work undertaken in connection with the~~
11 ~~design, architectural or structural engineering work or the repair, construction,~~
12 ~~maintenance or operation of said pedestrian skybridge referenced in this ordinance~~
13 ~~language substantially similar to the language contained in this Section 16 and which~~
14 ~~requires any person or entity entering into such contract to comply with the non~~
15 ~~discrimination provisions of this Section.)) Permittee shall construct, maintain, and~~
16 ~~operate the pedestrian skybridge in compliance with all applicable federal, state, County,~~
17 ~~and City laws and regulations. Without limitation, in all matters pertaining to the~~
18 ~~pedestrian skybridge, the Permittee shall comply with the City's laws prohibiting~~
19 ~~discrimination in employment and contracting including the Seattle Fair Employment~~
20 ~~Practices Ordinance, SMC Chapter 14.04, and the Fair Contracting Practices code, SMC~~
21 ~~Chapter 14.10 (or successor provisions).~~

22 Section 17.

1 **A. Acceptance of terms and conditions.** The Permittee shall deliver to the
2 Director its written signed acceptance of the ~~((permission conferred by))~~ terms of this
3 ordinance ~~((and its terms and conditions to the Director))~~ within ~~((sixty (60)))~~ 60 days
4 after the effective date of ~~((this))~~ the ordinance introduced as Council Bill 119520. The
5 ~~((acceptance))~~ Director shall ~~((be filed))~~ file the written acceptance with the City Clerk.
6 If no such acceptance is received ~~((by then))~~ within that 60-day period, the privileges
7 ~~((provided))~~ conferred by this ordinance shall be deemed declined or abandoned~~((;))~~ and
8 the permission ~~((extended, contingent upon its acceptance,))~~ granted deemed lapsed and
9 forfeited, and the Permittee shall, at its own expense, remove the pedestrian skybridge
10 and all of the Permittee's equipment and property and replace and restore all portions of
11 the public place as provided in Section 5 of this ordinance.

12 **B. Obligations run with the Property.** The obligations and conditions imposed
13 on the Permittee by this ordinance are covenants that bind the Permittee's heirs,
14 successors, and assigns regardless of whether the Director has approved an assignment or
15 transfer of the permission granted by this ordinance. The Permittee shall, within 60 days
16 of the effective date of the ordinance introduced as Council Bill 119520, and prior to
17 conveying any interest in the encroachments or improvements that are the subject of this
18 ordinance, deliver to the Director on a form supplied by the Director, a covenant
19 agreement imposing the obligations and conditions in this ordinance, signed and
20 acknowledged by the Permittee, and recorded with the King County Recorder's Office.
21 The Director shall file the recorded covenant agreement with the City Clerk. The
22 covenant agreement shall reference this ordinance by its ordinance number.

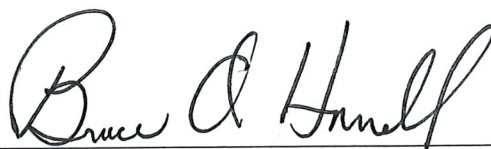
1 Section 17.1. **Section titles.** Section titles are for convenient reference only and
2 do not modify or limit the text of a section.

3 * * *

4 Section 3. **Ratify and confirm.** Any act consistent with the authority of this ordinance
5 taken after its passage and prior to its effective date is ratified and confirmed.

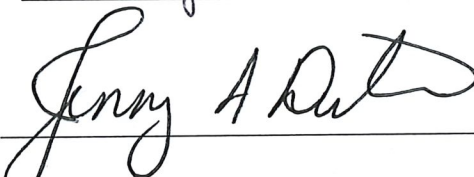
Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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



President _____ of the City Council

Approved by me this 31st day of May, 2019.



Jenny A. Durkan, Mayor

Filed by me this 3rd day of June, 2019.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Seattle Department of Transportation	Amy Gray/206-386-4638	Christie Parker/206-684-5211

1. BILL SUMMARY

Legislation Title:

AN ORDINANCE granting KR Westlake, LLC, permission to maintain and operate a pedestrian skybridge over the alley in the block bordered by Westlake Avenue North, Terry Avenue North, Thomas Street, and Harrison Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; amending Ordinance 122239; and ratifying and confirming certain prior acts.

Summary and background of the Legislation:

This legislation will allow KR Westlake, LLC to continue maintain and operating the existing skybridge over and across the alley south of Harrison Street, North of Thomas Street, east of Westlake Avenue North, and west of Terry Avenue North. The skybridge permit is for a period of ten years, commencing on the expiration of the last term on October 24, 2016. The permit may be extended for a successive 10-year term. The legislation specifies the conditions under which permission is granted.

The City originally granted permission for the skybridge by Ordinance 122239 in October 2006. The ratify and confirm clause is required in order to grant permission for the existing skybridge retroactively to October 25, 2016.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? X Yes ___ No

Appropriation change (\$):	General Fund \$		Other \$	
	2019	2020	2019	2020
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2019	2020	2019	2020

			2016 fee: \$13,440 2017 fee: \$15,411.20 2018 fee: \$20,608 2019 fee: \$24,729.60	TBD
Positions affected:	No. of Positions		Total FTE Change	
	2019	2020	2019	2020

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.

Is there financial cost or other impacts of *not* implementing the legislation?
If the legislation is not enacted by City Council, the City of Seattle will not receive the 2016, 2017, 2018, and 2019 fees.

3.d. Appropriations

 This legislation adds, changes, or deletes appropriations.

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	2019 Revenue	2020 Estimated Revenue
Transportation Fund	SDOT	Annual Fee	2016 fee: \$13,440 2017 fee: \$15,411.20 2018 fee: \$20,608 2019 fee: \$24,729.60	TBD
TOTAL			\$74,188.80	

Is this change one-time or ongoing?
On-going

Revenue/Reimbursement Notes:

The 2016, 2017, 2018, and 2019 annual fees are based on the assessed land value by King County. The 2020 annual fee will be based on the 2020 assessed land value by King County. Fee revenue will be deposited into the Transportation Fund.

3.f. Positions

_____ This legislation adds, changes, or deletes positions.

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 KR Westlake, LLC is located at 321 Terry Avenue North, as legally described in Section 1 of the Council Bill.

- 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 perceived implications for the principles of the Race and Social Justice Initiative. This legislation does not impact 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).

N/A

List attachments/exhibits below:

Summary Attachment A – KR Westlake, LLC Skybridge Area Map

Summary Attachment B – KR Westlake, LLC Skybridge Photo

Summary Attachment C – KR Westlake, LLC Annual Fee Assessment

STATE OF WASHINGTON -- KING COUNTY

--SS.

375242

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.

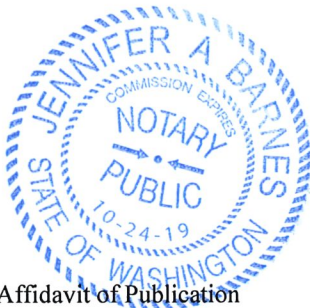
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125823-125832 TITLE

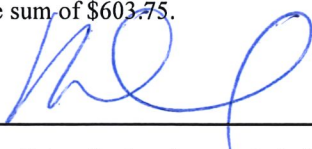
was published on

06/25/19

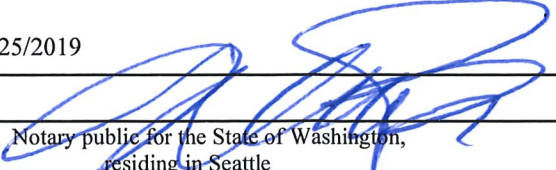
The amount of the fee charged for the foregoing publication is the sum of \$603.75.



Affidavit of Publication


Subscribed and sworn to before me on

06/25/2019


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 May 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 125823

Council Bill 119532

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

Ordinance 125824

Council Bill 119520

AN ORDINANCE granting KR Westlake, LLC, permission to maintain and operate a pedestrian skybridge over the alley in the block bordered by Westlake Avenue North, Terry Avenue North, Thomas Street, and Harrison Street, for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; providing for the acceptance of the permit and conditions; amending Ordinance 122239; and ratifying and confirming certain prior acts.

Ordinance 125825

Council Bill 119521

AN ORDINANCE accepting various deeds for street or alley purposes; laying off, opening, widening, extending, and establishing portions of rights-of-way; placing the real property conveyed by said deeds under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights-of-way: the alley in Block 85, D. T. Denny's Home Addition to the City of Seattle; the alley in Block J, Bell's 5th Addition to the City of Seattle; the alley in Block 34, Second Addition to the Town of Seattle as laid off by the Heirs of Sarah A. Bell (deceased) (Commonly known as Heirs of Sarah A. Bell's 2nd Addition to the City of Seattle); the alley in Block 4, Pettit's University Addition to the City of Seattle; the alley in Block 106, David T. Denny's First Addition to North Seattle; the alley in Block 12, North Seattle; the alley in Block 4, South Park; the alley in Block "G," 4th Addn to the City of Seattle as laid off by Wm. N. Bell; the alley in Block 5, Denny-Fuhrman Addition to the City of Seattle; North 135th Street abutting Parcel X, Short Subdivision No. 3023564, under King County Recording Number 20160825900002; the alley in Block 55, Second Addition to the Town of Seattle as laid off by the Heirs of Sarah A. Bell (deceased) (Commonly known as Heirs of Sarah A. Bell's 2nd Addition to the City of Seattle); 1st Avenue Northeast abutting Parcel Y and Parcel Z, City of Seattle Lot Boundary Adjustment Number 3020600, under King County Recording Number 20150903900008; the alley in Block 12, Cowen's University Park; the alley in Parcel B, Lot Boundary Adjustment Number 3019664, under King County Recording Number 20160224900011; the alley in Block 4, Brooklyn Addition to Seattle; the alley in Block 8, The Byron Addition to the City of Seattle; West Blaine Street abutting Replat of Blocks 7 and 8, James Addition, and Block 132, Seattle Tide Lands and that portion of Van Buren Ave., vacated by Ord. 13616; 1st Avenue North and Denny Way abutting Block 29, North Seattle; East Marginal Way South and South Michigan Street abutting Block 3, Joseph R. McLaughlin's Water Front Addition to the City of Seattle; and 4th Avenue South and South Michigan Street abutting Block 14, Joseph R. McLaughlin's Water Front Addition to the City of Seattle.)

Ordinance 125826

Council Bill 119522

AN ORDINANCE accepting twenty limited purpose easements for public sidewalk, street, or street and alley turn-around, and

traffic signal purposes; placing the real property conveyed by such easements under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights of way: the sidewalk adjoining Block 5, Cedar Park; the sidewalk adjoining Block 27, Addition to the Town of Seattle, as laid out by A. A. Denny (Commonly known as A. A. Denny's 6th Addition to the City of Seattle); the street turn-around adjoining Lots 1 and 2, Replat of Blocks 7 and 8, James Addition and Block 132, Seattle Tide Lands and that portion of Van Buren Avenue vacated by Ordinance 13616; the sidewalk adjoining a portion of the Northwest quarter of the Southwest quarter of Section 11, Township 24, Range 3 East, W. M., the sidewalk adjoining Block 98, D. T. Denny's 5th Addition to North Seattle; the sidewalk adjoining Block 15, University Park Addition to the City of Seattle; the sidewalk adjoining Parcel X, City of Seattle Short Subdivision Number 3023564, recorded under King County Recording No. 20160825900002; the sidewalk and alley turn-around adjoining Parcels A, B, and C, City of Seattle Lot Boundary Adjustment Number 3017558, recorded under King County Recording Number 20160921900020; the sidewalk adjoining the Southeast quarter of the Northwest quarter of the Southeast quarter of Section 31, Township 26 North, Range 4 East, W. M.; the sidewalk adjoining Block 1, Hulsten's Addition; the sidewalk adjoining Block 3, Witt's Addition to the City of Seattle; the alley turn-around adjoining Parcel B, City of Seattle Lot Boundary Adjustment Number 3022694, recorded under King County Recording No. 20160915900002; the sidewalk adjoining Parcel A, City of Seattle Lot Boundary Adjustment Number 3020008, recorded in Book 337 of Surveys, pages 111 through 113, records of King County, Washington; the sidewalk adjoining Block 6, Addition to the Town of Seattle as laid out by A. A. Denny (Commonly known as A. A. Denny's 2nd Addition to the City of Seattle); the sidewalk adjoining Block 2, Cowen's University Park; the sidewalk adjoining Block 79, Maple Leaf Addition to Green Lake Circle; the sidewalk adjoining Block 46, Replat of Blocks 44 to 53 inclusive Mercer's Second Addition to North Seattle; Eastlake Avenue East abutting Block 42, Denny-Fuhrman Addition to the City of Seattle; and North 34th Street abutting Parcel C, City of Seattle Lot Boundary Adjustment No. 8700157, recorded under King County Recording No. 9706050452.)

Ordinance 125827

Council Bill 119523

AN ORDINANCE accepting various deeds for street or alley purposes; laying off, opening, widening, extending, and establishing portions of rights-of-way; placing the real property conveyed by said deeds under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights-of-way: the alley in Block 22, Second Addition to the part of the City of Seattle, as laid off by A. A. Denny and W. N. Bell (Commonly known as Bell & Denny's 2nd Addition to the City of Seattle); the alley in Block 27, Addition to the Town of Seattle, as laid out by A. A. Denny (Commonly known as A. A. Denny's 6th Addition to the City of Seattle); the alley in Block 47, Addition to the Town of Seattle, as laid out by A. A. Denny (Commonly known as A. A. Denny's 6th Addition to the City of Seattle); the alley in Block 26, Gilman's Addition to the City of Seattle; the alley in Block 9, Addition to the Town of Seattle as laid out by the Heirs of Sarah A. Bell (deceased) (Commonly known as Heirs of Sarah A. Bell's Addition to the City of Seattle); the alley in Block 3, Munson & Custer's Addition

to Green Lake Circle; the alley in Block 1, Garland's First Addition to the City of Seattle; Southwest 105th Street abutting the Southeast quarter of Section 2, Township 23 North, Range 3 East, Willamette Meridian; the alley in Block 2, Norris' Addition to West Seattle; the alley in Block 29, North Seattle; the alley in Lot 5, The Longfellow Addition to the City of Seattle; the alley in Block 3, Elbert Place Addition to the City of Seattle; the alley in Block 28, Woodlawn Addition to Green Lake; the alley in Block 2, Dunlap's Supplemental to the City of Seattle; the alley in Block 44, Denny & Hoyt's Addition to the City of Seattle; and South Charleston Street and Courtland Place South abutting Block 23, York Addition to Seattle.)

Ordinance 125828

Council Bill 119524

AN ORDINANCE accepting twenty limited purpose easements for public sidewalk, alley, or street and alley turn-around purposes; placing the real property conveyed by such easements under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights-of-way: the sidewalk adjoining Block 47, A. A. Denny's 6th Addition to the City of Seattle; the sidewalk adjoining Block 55, Second Addition to the Town of Seattle as laid off by the Heirs of Sarah A. Bell, (deceased) (Commonly known as Heirs of Sarah A. Bell's 2nd Addition to the City of Seattle); the sidewalk adjoining Block 13, Lake View Addition to the City of Seattle; the sidewalk adjoining Block 3, Munson and Custer's Addition to Green Lake Circle (also being known as that portion of Parcel A, City of Seattle Lot Boundary Adjustment No. 3022189, King County Recording Number 20161026900005); the sidewalk adjoining Tract 15, Frye's Addition to Columbia; the alley in Block 3, York 2nd Addition to the City of Seattle and Block 44, C. D. Hillman's Rainier Boulevard Garden Addition; the alley in a portion of Unit A, Urban Terrace Condominium, declaration recorded under King County Recording Number 20060417001456; the sidewalk adjoining Block 24, Hill Tract Addition to the City of Seattle; the sidewalk adjoining Wilson Court Condominium, declaration recorded under King County Recording Number 199104180603; the sidewalk adjoining Block 40, Compton's 1st Addition to the City of Seattle and Block 1, William's Addition to the City of Seattle; the street turn-around adjoining Block 5, McArthur's Addition to the City of Seattle; the sidewalk adjoining Block 54, Woodlawn Addition to Green Lake; the street turn-around adjoining Parcel B, City of Seattle, Lot Boundary Adjustment Number 3018894, King County Recording Number 20160106900003; the sidewalk adjoining Block 3, Seaboard Addition to the City of Seattle; the sidewalk adjoining Block 46, Supplemental Plat of Blocks 7, 8, 10, 11, 27, 28, 30, 45, and 46 of Wallingford's Park Division of Green Lake Addition to the City of Seattle; the sidewalk of Block 8, Brooklyn Addition to Seattle; the sidewalk adjoining Unit Lot A, City of Seattle Unit Lot Subdivision Number 3029542, recorded in Block 378 of Surveys, pages 175 through 181, under King County Recording Number 20180201900004; the alley turn-around adjoining Parcel B, Lot Boundary Adjustment No. 3022244, recorded under King County Recording Number 20160803900008; and the sidewalk adjoining Block 86, D. T. Denny's Park Addition to North Seattle.)

Ordinance 125829

Council Bill 119525

AN ORDINANCE accepting various deeds for street or alley purposes; laying off, opening, widening, extending, and establishing portions of rights-of-way; placing the real property conveyed by said deeds under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights-of-way: the alley in Block 4, South Park; the alley in Block 2, May Addition to the City of Seattle; the alley in Block 7, Francies R. Day's LaGrande; the alley in Block 17, Denny-

Fuhrman Addition to the City of Seattle; the alley in Block 25, Gilman Park; the alley in Block 75, D. T. Denny's Home Addition to the City of Seattle; the alley in Block 91, D. T. Denny's 5th Addition to North Seattle; Northeast 88th Street abutting Parcel B, City of Seattle Lot Boundary Adjustment No. 9602207, recorded under King County Recording Number 9709259002; the alley in Block 12, Squire's Lakeside Addition to the City of Seattle; the alley in Block 27, Gilman's Addition to the City of Seattle; the alley in Block 6, University Park Addition to the City of Seattle; the alley in Block 8, Brooklyn Addition to Seattle; the alley in Block 2, Replat of a Portion of Stewart's First Addition to West Seattle; 25th Avenue South abutting Block 2 and Block 5, McArthur's Addition to the City of Seattle; South Raymond Street abutting Block 2, Raymond Addition to the City of Seattle; the alley in Block 18, Second Addition to the Town of Seattle as laid off by the Heirs of Sarah A. Bell (deceased) (Commonly known as Heirs of Sarah A. Bell's 2nd Addition to the City of Seattle); the alley in Block 75, D. T. Denny's Home Addition to the City of Seattle; the alley in Block 55, Boston Co's Plat of West Seattle; and the alley in Block 1, Greenwood Park 2nd Add. to the City of Seattle.)

Ordinance 125830

Council Bill 119526

AN ORDINANCE accepting various deeds for street or alley purposes; laying off, opening, widening, extending, and establishing portions of rights-of-way; placing the real property conveyed by said deeds under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights-of-way: the alley in Block 38, Mercer's 2nd Addition to North Seattle; South Alaska Street and 38th Avenue South abutting Block 1, Replat of Block 1 and N. 1/2 of Block 2, Kramer Heights Add. to the City of Seattle; Southwest Charleston Street abutting Block 3, Seaboard Addition to the City of Seattle; the alley in Block 5, University Scenic Addition to the City of Seattle; the alley in Block 3, Seaboard Addition to the City of Seattle; Aurora Avenue North abutting Block 3, Aurora Heights; the alley in Block 3, Stewart's First Addition to West Seattle, and Block 2, Replat of a portion of Stewart's First Addition to West Seattle; the alley in Block 23, Commercial Street Steam Motor Addition to the City of Seattle; the alley in Parcel B and Parcel C, City of Seattle Lot Boundary Adjustment Number 3028767, recorded under King County Recording Number 20180104900004, as amended under City of Seattle Lot Boundary Adjustment Number 3031344 under King County Recording Number 20180323900002 (also known as Block 1, Meadow Park Addition to Columbia City); the alley in Block 34, Woodlawn Addition to Green Lake; the alley in Block 158, Replat of Blocks 65, 66, 158, 159, 160, 161, and 163, Gilman Park; the alley in Block 95, David T. Denny's First Addition to North Seattle; the alley in Block 5, The Byron Addition to the City of Seattle; the alley in Block 15, The Byron Addition to the City of Seattle; the alley in Block 4, South Park; the alley in Block 48, Replat of the Green Lake Home Addition to the City of Seattle; the alley in Block 27, Hill Tract Addition to the City of Seattle; the alley in Block 5, Burke & Farrar's Fifth Addition to the City of Seattle; and the alley in Block 6, Hillman City Addition to the City of Seattle, Division No. 1.)

Ordinance 125831

Council Bill 119527

AN ORDINANCE vacating the alley in Block 19, Heirs of Sarah A. Bell's Second Addition, in the block bounded by 6th Avenue, Blanchard Street, 7th Avenue, and Lenora Street, on the petition of Acorn Development LLC (Clerk File 312261).

Ordinance 125832

Council Bill 119512

AN ORDINANCE relating to the City's 2019 Budget; authorizing acceptance of funding from non-city sources; authorizing the heads of the Seattle Department of

Transportation and Seattle Center to accept specified grants and to execute, deliver, and perform corresponding agreements for and on behalf of the City; amending Ordinance 125724, which adopted the 2019 Budget, including the 2019-2024 Capital Improvement Program (CIP); changing appropriations to the Seattle Department of Transportation in various budget control levels, and from various funds in the 2019 Budget; adding new projects to the 2019-2024 CIP; revising project allocations for certain projects in the 2019-2024 CIP; making cash transfers between the General Fund and the Transportation Fund; and ratifying and confirming certain prior acts; all by a 3/4 vote of the City Council.

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