



SEATTLE CITY COUNCIL

Legislative Summary

CB 119614

Record No.: CB 119614

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125961

In Control: City Clerk

File Created: 07/17/2019

Final Action: 10/11/2019

Title: AN ORDINANCE vacating Carr Place North between North 34th Street and North 35th Street, on the petition of Seattle Public Utilities (Clerk File 312535).

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Ex 1 - Carr PI N Vacation PUDA

Drafter: amy.gray@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	07/30/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	07/30/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	08/01/2019	sent for review	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee						
1	City Council	09/03/2019	referred	Sustainability and Transportation Committee			
	Action Text: The Council Bill (CB) was referred. to the Sustainability and Transportation Committee						
1	Sustainability and Transportation Committee	09/20/2019	pass				Pass
	Action Text: The Committee recommends that City Council pass the Council Bill (CB).						

In Favor: 1 Chair O'Brien

Opposed: 0

1 City Council 09/30/2019 passed Pass

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

In Favor: 8 Councilmember Bagshaw, Council President Harrell, Councilmember Herbold, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Pacheco, Councilmember Sawant

Opposed: 0

1 City Clerk 10/03/2019 submitted for Mayor
Mayor's signature

1 Mayor 10/04/2019 Signed

Action Text: The Council Bill (CB) was Signed.

1 Mayor 10/11/2019 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

1 City Clerk 10/11/2019 attested by City Clerk

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

CITY OF SEATTLE

ORDINANCE 125961

COUNCIL BILL 119614

AN ORDINANCE vacating Carr Place North between North 34th Street and North 35th Street, on the petition of Seattle Public Utilities (Clerk File 312535).

WHEREAS, Seattle Public Utilities ("Petitioner") filed a petition under Clerk File 312535 to

vacate Carr Place North between North 34th Street and North 35th Street; and

WHEREAS, following an April 9, 2013, public hearing on the petition, the Seattle City Council

("City Council") conditionally granted the petition on April 15, 2013; and

WHEREAS, a Property Use and Development Agreement recorded on April 24, 2019, with the

King County Recorder's Office under Recording No. 20190424000204 commits the

Petitioner and its successors to fulfill ongoing public-benefit obligations required as part

of the vacation; and

WHEREAS, Ordinance 121661 provides that City departments are exempt from paying vacation

fees; therefore, no fee was paid; and

WHEREAS, the Petitioner has met all conditions imposed by the City Council in connection

with the vacation petition; and

WHEREAS, vacating this portion of Carr Place North is in the public interest;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Carr Place North described below is vacated:

That portion of Carr Place North as dedicated in the Plat of the Edgewater Addition to Seattle, recorded under Volume 3, page 141, Records of King County, Washington described as follows:

1 All that portion of Carr Place North lying between the north margin of North 34th Street
2 and the south margin of North 35th Street.

3 Section 2. The Property Use and Development Agreement, King County Recording No.

4 20190424000204, attached as Exhibit 1 to this ordinance is accepted.

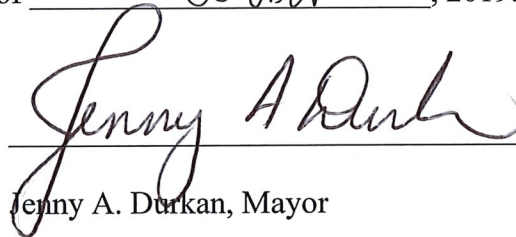
Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 30th day of September, 2019,
and signed by me in open session in authentication of its passage this 30th day of
September, 2019.

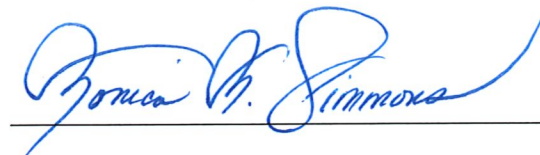


President _____ of the City Council

Approved by me this 4th day of October, 2019.


Jenny A. Durkan, Mayor

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



Monica Martinez Simmons, City Clerk

(Seal)



Attachments:

Exhibit 1 – Carr Pl N Vacation Property Use and Development Agreement

When Recorded, Return to:

The City of Seattle
Office of the City Clerk
600 4th Avenue, 3rd Floor
PO Box 94728
Seattle, WA 98124-4728



20190424000204

AGREEMENT Rec: \$103.00
4/24/2019 9:44 AM
KING COUNTY, WA

Grantor:	The City of Seattle, acting through its Seattle Public Utilities department
Grantee:	The City of Seattle
Legal Description (abbr):	Portion vacated Carr Place N; Blocks 4 & 5, Edgewater Add (Vol 3, Pg 141) and adj vacated street and alleys; portion Blocks 62 and 71 Lake Union Add (Vol 1, Pg 238)
Assessor's Tax Parcel ID:	408330-6050, 408330-6055, 408330-6930, 226450-0450
Reference Nos. of Documents Released or Assigned:	NA

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS INSTRUMENT is executed this date in favor of the City of Seattle, a municipal corporation ("City"), by Seattle Public Utilities ("SPU"), a City of Seattle department.

WHEREAS, SPU is vested in fee simple title in the real property situated in King County, Washington, described on Exhibit A (the "Property"), which is part of the North Transfer Station Campus; and

WHEREAS, SPU filed petition C.F. 312535 for the vacation of the portion of Carr Place North between North 34th Street and North 35th Street in the South Wallingford Planning Area of Seattle described as: Carr Place North from the north margin of North 34th Street to the south margin of North 35th Street; and

WHEREAS, the street proposed for vacation includes approximately 11,035 square feet of right-of-way, which petition was considered under Chapter 35.79 of the Revised Code of Washington and Chapter 15.62 of the Seattle Municipal Code; and

WHEREAS, on April 9th, 2013, the Transportation Committee of the Seattle City Council held a public hearing on the vacation petitions; and

WHEREAS, on April 15th, 2013, the Seattle City Council granted approval of the vacation petitions, subject to conditions; and

WHEREAS, executing a Property Use and Development Agreement ("PUDA") is desired to ensure compliance with any on-going conditions of the vacation approval after passage of the vacation ordinance;

NOW, THEREFORE, SPU covenants and agrees on behalf of itself, its successors, and assigns:

Section 1. Addressed below, the vacation approval conditions that require on-going responsibility of SPU could not be met before passage of the vacation ordinance.

A. SPU shall maintain the following features that it installed as public benefits for the street vacation:

1. Viewing Room: construct a viewing gallery of the tipping building, located in the administration building, to educate visitors and schoolchildren about solid waste management and recycling. The 225 square foot viewing room shall include informational signs and interactive displays allowing hands-on learning for children. Restrooms shall be provided.
2. Enhanced Pedestrian Street Crossings: Design and construct four curb bulbs on the east and west sides of the intersection of N 34th Street and Woodlawn Avenue N, and two curb bulbs and a crosswalk on N 35th Street, west of Woodlawn Avenue N.
3. East Buffer Open Space: Design and maintain an approximately 32,000 square foot, publicly-accessible-park-like area in the 65-foot buffer of the transfer station building along Woodlawn Avenue N. Open space elements shall include one 3,600 square foot multi-sport court, seven seating/table/climbing structures, two benches, one play lawn, one Olmstedian public access walk, and two fitness stations. In the southeast corner SPU shall built one 990 square-foot plaza gathering area with twelve benches and five seating/table/climbing structures.

4. Public Park-like Open Space north of 35th Street, between Carr Place North and Woodlawn Avenue North: Design, install, and maintain one approximately 13,680 square foot area that shall include a lawn and landscaping, two picnic table sets, seven benches, numerous climbing rocks and logs, two children's climbing play structures, and play features integrated into the natural and built topography.
5. North Buffer Open Space: Design, construct, and maintain one publicly-accessible, approximately 10,000 square foot, park-like area in the 20-foot building setback along North 35th Street that shall include four fitness and parkour elements.

- B. The replacement of any of the public amenities shall be of similar quality in design and materials as the original. Significant changes to the streetscape or public amenities shall require prior approval by the Seattle Department of Transportation.

Section 2. This Agreement may be amended or modified by agreement between SPU and the City; provided the amended Agreement shall be subject to approval by the City Council by ordinance.

Section 3: Notwithstanding the covenants in this Agreement, nothing in the Agreement shall constitute a public dedication of any portion of the Property.

Section 4. The legal description of where the Property is located is included in Exhibit 1, which is incorporated by reference. An executed copy of this PUDA shall be recorded in the records of King County and the PUDA covenants shall attach to and run with the Property.

Section 5. This PUDA is made for the benefit of the City and the public.

Section 6. If any covenant, condition, or restriction in this instrument or any portion is invalidated or voided, the invalidity or voidness shall in no way affect any other covenant, condition, or restriction.

DATED this 9th day of April 2019.

SEATTLE PUBLIC UTILITIES, A DEPARTMENT OF THE CITY OF SEATTLE

By: Mami Hara
Mami Hara

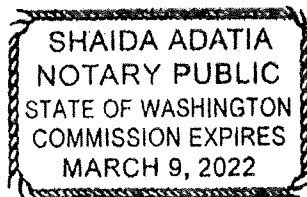
Its: General Manager and Chief Executive Officer

STATE OF WASHINGTON)
COUNTY OF KING)

SS.

I certify that I know or have satisfactory evidence that Mami Hara personally appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the General Manager and Chief Executive Officer of Seattle Public Utilities, a department of The City of Seattle, a municipal corporation of the State of Washington, to be the free and voluntary act and deed of the entity for the uses and purposes addressed in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9th day of April, 2019.



Shaída Adatia

SHAIDA ADATIA
(print or type name)

NOTARY PUBLIC in and for the State of Washington, residing at 3231 NE 25th St
My Commission expires: 3/9/2022

SA Renton WA 98056

EXHIBIT A
TO PROPERTY USE AND DEVELOPMENT AGREEMENT
Legal Description of Property

That portion of vacated Carr Place North as dedicated in the Plat of the Edgewater Addition to Seattle, recorded under Volume 3, Page 141, Records of King County, Washington, situate in the SW 1/4 of the SE 1/4 of Section 18, Township 25 North, Range 4 E, W.M. described as follows:

All that portion of Carr Place North lying between the north margin of North 34th Street and the south margin of North 35th Street.

AND

Blocks 4 and 5 of Edgewater Addition to Seattle, as recorded in Volume 3 of Plats, Page 141, Records of King County, Washington, situated in the SW 1/4 of the SE 1/4 of Section 18, Township 25 N, Range 4 East, W.M., and vacated Interlaken Avenue North adjacent to said Blocks 4 and 5 and vacated alleys within said Blocks 4 and 5.

AND

Lots 1, 2, 3, 4, 5 and 6, Block 71 of Lake Union Addition to the City of Seattle, according to the plat thereof recorded in Volume 1 of Plats, Page 238, Records of King County, Washington, situated in the SW 1/4 of the SE 1/4 of Section 18, Township 25 N, Range 4 East, W.M.

AND

Lots 6 and 7, Block 62 of Lake Union Addition to the City of Seattle, according to the plat thereof recorded in Volume 1 of Plats, Page 238, Records of King County, Washington situated in the SW 1/4 of the SE 1/4 of Section 18, Township 25 N, Range 4 East, W.M.

STATE OF WASHINGTON -- KING COUNTY

--SS.

379066

No. TITLE ONLY

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.

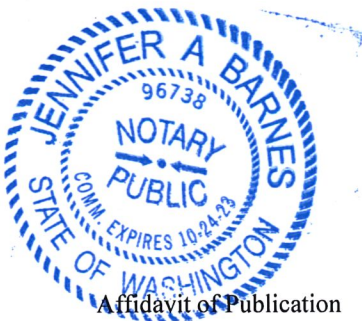
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

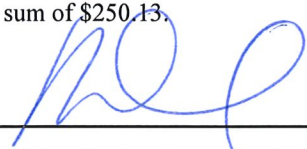
CT:125949-961.865219

was published on

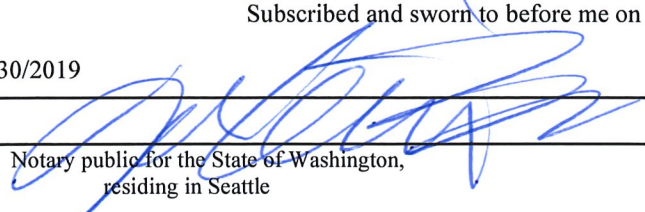
10/30/19

The amount of the fee charged for the foregoing publication is the sum of \$250.13.




Subscribed and sworn to before me on

10/30/2019


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 September 30, 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 125949

Council Bill 119660

AN ORDINANCE appropriating money to pay certain audited claims for the week of September 16, 2019 through September 20, 2019 and ordering the payment thereof.

Ordinance 125950

Council Bill 119606

AN ORDINANCE relating to rental properties; restricting a landlord's ability to limit the number of persons residing in a rental unit; prohibiting the use of conditions that are applied to persons residing in a rental unit who are not tenants; and amending Sections 7.24.020 and 7.24.030 of, and adding new Sections 7.24.031 and 7.24.032 to, the Seattle Municipal Code.

Ordinance 125951

Council Bill 119658

AN ORDINANCE relating to rental agreements; relieving a tenant experiencing domestic violence, sexual assault, unlawful harassment, or stalking from liability for damage to the landlord's property caused by a perpetrator of domestic violence, sexual assault, unlawful harassment, or stalking; creating a landlord mitigation program; and amending Sections 7.24.020, 7.24.030, and 22.206.170 of, and adding new Section 7.24.033 to, the Seattle Municipal Code.

Ordinance 125952

Council Bill 119619

AN ORDINANCE relating to notices to residential rental tenants; requiring certain notices to contain a reference to City landlord-tenant information and resources; and amending Section 22.206.180 of the Seattle Municipal Code.

Ordinance 125953

Council Bill 119620

AN ORDINANCE relating to residential rent payments; requiring receipts and non-electronic payment options; and amending Section 7.24.030 of the Seattle Municipal Code.

Ordinance 125954

Council Bill 119621

AN ORDINANCE relating to termination of residential rental tenancies; requiring compliance with the Rental Registration and Inspection Ordinance before issuing notices to terminate a tenancy; and amending Sections 22.206.160 and 22.214.075 of the Seattle Municipal Code.

Ordinance 125955

Council Bill 119639

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights to be surplus to the needs of Seattle Public Utilities; and authorizing the General Manager/CEO of Seattle Public Utilities to execute an easement agreement with Little Green Valley, LLC, a Washington limited liability company; Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint, The Heirs of Charles Eugene Flint; and Joan H. Zimmerman, allowing the use of certain City of Seattle property in the north half of the southwest quarter of Section 5, Township 22 North, Range 6 East, W.M., in King County Washington for access purposes.

Ordinance 125956

Council Bill 119631

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to execute the NorthernGrid Funding Agreement; authorizing the execution of supplements, extensions, and amendments to such agreement subject to appropriated budget authority; and ratifying and confirming certain prior acts.

Ordinance 125957

Council Bill 119632

AN ORDINANCE relating to the City Light Department; granting authority for the Department to offer term-limited pilot programs to study demand response and low-income assistance programs.

Ordinance 125958

Council Bill 119633

AN ORDINANCE relating to the rates, terms, and conditions for the use and sale of electricity supplied by the City Light Department for 2020; amending Seattle Municipal Code (SMC) Sections 21.49.030, 21.49.052, 21.49.055, 21.49.057, and 21.49.081; adding a new Section 21.49.070 to the SMC; and ratifying and confirming certain prior acts.

Ordinance 125959

Council Bill 119659

AN ORDINANCE relating to emergency assistance for low-income City Light Department and Seattle Public Utilities Department customers; amending Sections 21.49.042 and 21.76.065 of the Seattle Municipal Code to expand and align eligibility and assistance guidelines for emergency assistance programs.

Ordinance 125960

Council Bill 119635

AN ORDINANCE relating to the City Light Department and the Office of Housing; transferring jurisdiction of the former Loyal Heights and Phinney Substation properties from the City Light Department to the Office of Housing for the purpose of developing permanently affordable home ownership.

Ordinance 125961

Council Bill 119614

AN ORDINANCE vacating Carr Place North between North 34th Street and North 35th Street, on the petition of Seattle Public Utilities (Clerk File 312535).

Ordinance 865219

Council Bill None

AN ORDINANCE for testing our passed legislation process

Date of publication in the Seattle Daily Journal of Commerce, October 30, 2019.

10/30(379066)