



# 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

Version:	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			
	<b>Action Text:</b>		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			
	<b>Action Text:</b>		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			
	<b>Action Text:</b>		The Council Bill (CB) was referred. to the Sustainability and Transportation Committee				
1	Sustainability and Transportation Committee	09/20/2019	pass				Pass
	<b>Action Text:</b>		The Committee recommends that City Council pass the Council Bill (CB).				

Legislative Summary Continued (CB 119614)

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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.

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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.

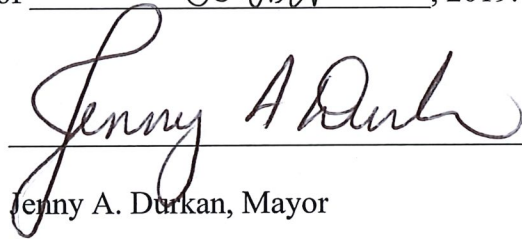
1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 30<sup>th</sup> day of September, 2019,  
5 and signed by me in open session in authentication of its passage this 30<sup>th</sup> day of  
6 September, 2019.

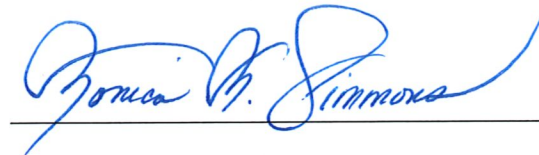
7 

8 President \_\_\_\_\_ of the City Council

9 Approved by me this 4<sup>th</sup> day of October, 2019.

10   
11 Jenny A. Durkan, Mayor

12 Filed by me this 11<sup>th</sup> day of OCTOBER, 2019.

13   
14 Monica Martinez Simmons, City Clerk

15 (Seal)



16 Attachments:  
17 Exhibit 1 – Carr PI N Vacation Property Use and Development Agreement

*When Recorded, Return to:*

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



**20190424000204**

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

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<b>Grantor:</b>	The City of Seattle, acting through its Seattle Public Utilities department
<b>Grantee:</b>	The City of Seattle
<b>Legal Description (abbr):</b>	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)
<b>Assessor's Tax Parcel ID:</b>	408330-6050, 408330-6055, 408330-6930, 226450-0450
<b>Reference Nos. of Documents Released or Assigned:</b>	NA

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### 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 34<sup>th</sup> Street and North 35<sup>th</sup> Street in the South Wallingford Planning Area of Seattle described as: Carr Place North from the north margin of North 34<sup>th</sup> Street to the south margin of North 35<sup>th</sup> 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 34<sup>th</sup> Street and Woodlawn Avenue N, and two curb bulbs and a crosswalk on N 35<sup>th</sup> 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.





**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.