



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119353

Record No.: CB 119353

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125767

In Control: City Clerk

File Created: 08/17/2018

Final Action: 02/08/2019

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

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Mosqueda

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

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

Drafter: Chad.Morrell@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	08/28/2018	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	08/28/2018	sent for review	Council President's Office			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Council President's Office						
	<b>Notes:</b>						
1	Council President's Office	08/28/2018	sent for review	Housing, Health, Energy, and Workers' Rights Committee			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Housing, Health, Energy, and Workers' Rights Committee						
	<b>Notes:</b>						

**Legislative Summary Continued (CB 119353)**

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

ORDINANCE 125767

COUNCIL BILL 119353

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

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

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

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

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

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

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

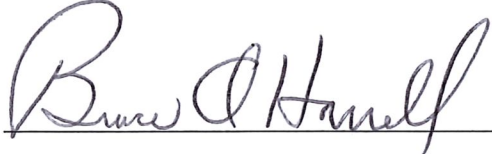
Section 2. The General Manager and Chief Executive Officer of the City Light Department, or designee, is authorized to execute as easement document granting an easement for sidewalk purposes on the City Light Property to Snohomish County, substantially in the form

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

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

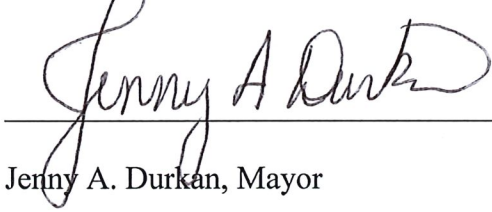
1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 28<sup>th</sup> day of January, 2019,  
5 and signed by me in open session in authentication of its passage this 28<sup>th</sup> day of  
6 January, 2019.

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\_\_\_\_\_

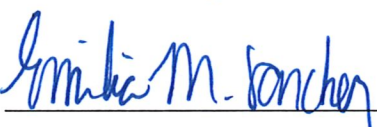
8 President \_\_\_\_\_ of the City Council

9 Approved by me this 0<sup>th</sup> day of February, 2019.

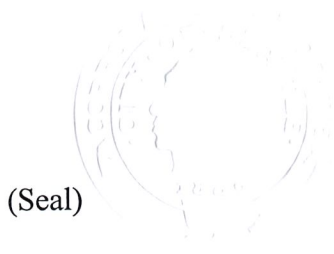
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\_\_\_\_\_

11 Jenny A. Durkan, Mayor

12 Filed by me this 8<sup>th</sup> day of February, 2019.

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\_\_\_\_\_

14 for Monica Martinez Simmons, City Clerk



15 (Seal)

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- 20 Attachment 1 – Easement
- 21 Exhibit A – Legal Description
- 22 Exhibit B – Map of Sidewalk Easement Area

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

**EASEMENT**

*Reference Number:*

*Grantor: The City of Seattle*

*Grantee: Snohomish County*

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

*Assessor's Tax Parcel Number: 27050400302800*

*In The Matter Of: Sunset Road Pedestrian Improvements*

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

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

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

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

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

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Approval Rec'm

COUNTY OF SNOHOMISH  
Public Works Department

\_\_\_\_\_  
PW Right of Way Supervisor

By: \_\_\_\_\_  
Douglas W. McCormick, P.E.,  
County Engineer

Checked By: \_\_\_\_\_

Date: \_\_\_\_\_

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

STATE OF Washington)

COUNTY OF King ) ss.  
)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017, before me personally appeared \_\_\_\_\_, to me known to be the \_\_\_\_\_ of Seattle City Light, a department of the City of Seattle, the Washington municipal corporation that executed the within and foregoing instrument, and acknowledged that said instrument was the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the City of Seattle.

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

(Notary seal)

Signature: \_\_\_\_\_

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



EXHIBIT A

Legal Description

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

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

COMMENCING at a found punch in a 1 3/4" brass disk stamped "LS 29608" in a 4" square concrete monument at the intersection of 161<sup>st</sup> Street SE and Sunset Road, from which point a punch in a 1 3/4" brass disk in a 4" square concrete monument, at the point of curvature on the centerline of 161<sup>st</sup> Street SE, bears North 88°50'03" West a distance of 639.41 feet;  
Thence, from POINT OF COMMENCEMENT, along the right-of-way centerline of 161<sup>st</sup> Street SE, North 88°50'03" West a distance of 130.50 feet;  
Thence, leaving said centerline, South 15°45'52" East a distance of 31.36 feet to a point on the southerly margin of 161<sup>st</sup> Street SE, being the intersection of said margin with the easterly line of the Coleman Short Plat recorded at AF# 201608105003, and the POINT OF BEGINNING (POB 'A');  
Thence, along said easterly line of said Short Plat, South 15°45'52" East a distance of 45.91 feet;  
Thence, leaving said easterly line, North 10°51'18" East a distance of 44.56 feet to the southerly margin of 161<sup>st</sup> St SE;  
Thence, along said southerly margin, North 88°50'03" West a distance of 20.87 feet to the POINT OF BEGINNING;

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

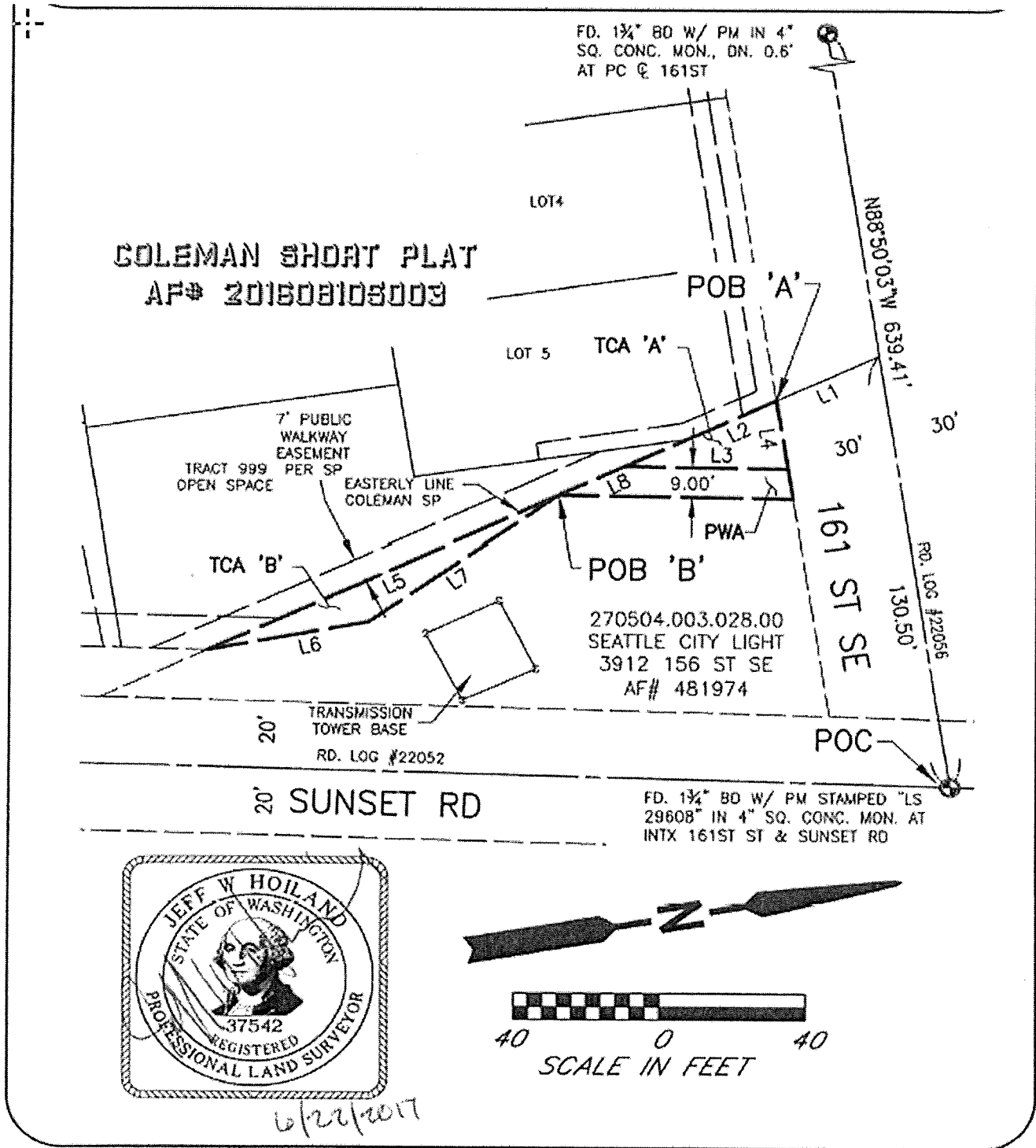
Public Walkway Area:

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

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

EXHIBIT B

Map of Sidewalk Easement Area



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