



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118500

Record No.: CB 118500

Type: Ordinance (Ord)

Status: Passed

Version: 1

124864

In Control: City Clerk

File Created: 08/20/2015

Final Action: 09/29/2015

**Title:** AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to acquire, through negotiation or condemnation, land and other necessary property rights commonly known as portions of 12754 and 13002 NE Riviera Place for open space, park, and recreation purposes, and to execute, accept, and record deeds and convenient documents and agreements deemed by the Superintendent to be necessary to this transaction on behalf of the City; placing conveyed real property under the jurisdiction of the Department of Parks and Recreation; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Godden

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: adam.schaefer@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	08/25/2015	Mayor's leg transmitted to Council	City Clerk			
	<b>Action Text:</b>		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	<b>Notes:</b>						
1	City Clerk	08/25/2015	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 08/27/2015 sent for review Parks, Seattle Center, Libraries, and Gender Pay Equity Committee  
**Action Text:** The Council Bill (CB) was sent for review. to the Parks, Seattle Center, Libraries, and Gender Pay Equity Committee  
**Notes:**
- 1 Full Council 09/08/2015 referred Parks, Seattle Center, Libraries, and Gender Pay Equity Committee
- 1 Parks, Seattle Center, Libraries, and Gender Pay Equity Committee 09/15/2015 pass Pass  
**Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).  
In Favor: 4 Chair Godden, Vice Chair Harrell, Member Rasmussen, Burgess  
Opposed: 0
- 1 Full Council 09/21/2015 passed Pass  
**Action Text:** The Council Bill (CB) was passed by the following vote and the President signed the Bill:  
**Notes:**  
In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant  
Opposed: 0
- 1 City Clerk 09/22/2015 submitted for Mayor's signature Mayor  
**Action Text:** The Council Bill (CB) was submitted for Mayor's signature. to the Mayor  
**Notes:**
- 1 Mayor 09/29/2015 Signed  
**Action Text:** The Council Bill (CB) was Signed.  
**Notes:**
- 1 Mayor 09/29/2015 returned City Clerk  
**Action Text:** The Council Bill (CB) was returned. to the City Clerk  
**Notes:**
- 1 City Clerk 09/29/2015 attested by City Clerk  
**Action Text:** The Ordinance (Ord) was attested by City Clerk.  
**Notes:**
-

**CITY OF SEATTLE**

**ORDINANCE** 124864

**COUNCIL BILL** 118500

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to acquire, through negotiation or condemnation, land and other necessary property rights commonly known as portions of 12754 and 13002 NE Riviera Place for open space, park, and recreation purposes, and to execute, accept, and record deeds and convenient documents and agreements deemed by the Superintendent to be necessary to this transaction on behalf of the City; placing conveyed real property under the jurisdiction of the Department of Parks and Recreation; and ratifying and confirming certain prior acts.

WHEREAS, Resolution 29370 adopted policies to guide the development of public access improvements to shoreline street ends, which led to the 2008 draft of a Shoreline Street End Master Plan with identified implementation projects for the City's 149 identified street ends; and

WHEREAS, NE 130<sup>th</sup> Street's end was designated as one of Seattle's 149 street ends by the Seattle Department of Transportation (SDOT) and its predecessor organizations; and

WHEREAS, the Seattle Department of Parks and Recreation has partnered with SDOT to implement street end improvement projects; and

WHEREAS, from the early 1920s, when NE 130<sup>th</sup> Street was first platted and the neighborhood established, until very recently, when title to the street end was quieted to the abutting property owners pursuant to judgment in King County Superior Court Case No. 12-2-21-21156-6 SEA and affirmed by the Court of Appeals, Division I of the State of Washington, the NE 130<sup>th</sup> Street end served as a community beach and provided public access to Lake Washington; and

WHEREAS, the NE 130<sup>th</sup> Street end provides the only water access north of NE 95<sup>th</sup> Street; and

1 WHEREAS, the City's goal is to provide water access at least every 2 miles throughout the  
2 City's shorelines; and

3 WHEREAS, acquisition of these properties would restore water access to this part of Seattle;

4 NOW, THEREFORE,

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

6 Section 1. That public convenience and necessity require that the following described real  
7 property, situated in The City of Seattle, County of King, State of Washington, and commonly  
8 known as portions of 12745 and 13002 Riviera Place NE (the "Property"), together with all  
9 rights, privileges, and other property pertaining thereto, be acquired through negotiation and use  
10 of eminent domain (condemnation) if necessary for open space, park, and recreation purposes:

11 THE NORTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT  
12 PORTION OF LAND, APPROXIMATELY SIXTY FEET IN WIDTH, LYING  
13 EAST OF THE NORTHERN PACIFIC RIGHT-OF-WAY BETWEEN TRACT  
14 12, BLOCK 1 AND TRACT 1, BLOCK 2, CEDAR PARK LAKE FRONT, AS  
15 PER PLAT RECORDED IN VOLUME 29 OF PLATS, PAGE 47 RECORDS OF  
16 KING COUNTY AUDITOR; SITUATE IN THE CITY OF SEATTLE,  
17 COUNTY OF KING, STATE OF WASHINGTON; SUBJECT TO AN  
18 EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC  
19 UTILITIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012  
20 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.

21 and  
22

23 THE SOUTH ONE-HALF OF THE FOLLOWING PARCEL: ALL  
24 THAT PORTION OF LAND, APPROXIMATELY SIXTY FEET IN WIDTH,  
25 LYING EAST OF THE NORTHERN PACIFIC RIGHT-OF-WAY BETWEEN  
26 TRACT 12, BLOCK 1 AND TRACT 1, BLOCK 2, CEDAR PARK LAKE  
27 FRONT, AS PER PLAT RECORDED IN VOLUME 29 OF PLATS, PAGE 47  
28 RECORDS OF KING COUNTY AUDITOR; SITUATE IN THE CITY OF  
29 SEATTLE, COUNTY OF KING, STATE OF WASHINGTON; SUBJECT TO  
30 AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC  
31 UTILITIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012  
32 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.  
33

1           Section 2. The Superintendent of Parks and Recreation, or the Superintendent's  
2 designee, is authorized on behalf of the City to negotiate and enter into agreements to acquire the  
3 Property, and upon payment of just compensation, to accept and record deeds and other  
4 necessary instruments on behalf of the City.

5           Section 3. The Seattle City Attorney is authorized to commence and prosecute  
6 proceedings in the manner provided by law to condemn, take, damage, and appropriate in fee  
7 simple the real property or other property rights described in Section 1, after just compensation  
8 has been paid into court for the owners thereof in the manner provided by law. The Seattle City  
9 Attorney is further authorized to stipulate for the purpose of minimizing damages.


10          Section 4. The entire costs of acquiring the Property provided for by this ordinance shall  
11 be paid using Real Estate Excise Tax proceeds from the Cumulative Reserve fund, or from such  
12 general fund of The City of Seattle as may be provided by law.

13          Section 5. The Property, when acquired by the City, shall be placed under the  
14 jurisdiction of the Seattle Department of Parks and Recreation and accepted for open space, park,  
15 and recreation purposes.

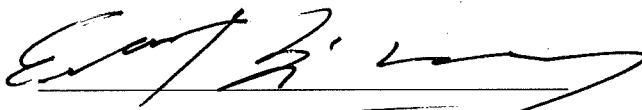
16          Section 6. Any act consistent with the authority of this ordinance and prior to its  
17 effective date is ratified and confirmed.

1 Section 7. 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.

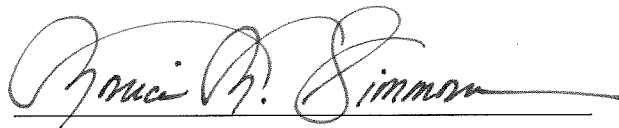
4 Passed by the City Council the 21<sup>st</sup> day of September, 2015, and  
5 signed by me in open session in authentication of its passage this  
6 21<sup>st</sup> day of September, 2015.

7  
8   
9 \_\_\_\_\_  
10 President \_\_\_\_\_ of the City Council

11 Approved by me this 29 day of September, 2015.

12  
13   
14 \_\_\_\_\_  
15 Edward B. Murray, Mayor

16 Filed by me this 29<sup>th</sup> day of September, 2015.

17  
18   
19 \_\_\_\_\_  
20 Monica Martinez Simmons, City Clerk

21  
22 (Seal)

# The Seattle Times

Seattle Dept Of Parks & Recreation  
Lise Ward  
800 Maynard Ave S 3rd Fl

Seattle, WA 98134

Re: Advertiser Account # 107207

Agency Account #: 0

Ad #: 577354

Agency Name:

## Affidavit of Publication

STATE OF WASHINGTON  
Counties of King and Snohomish

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

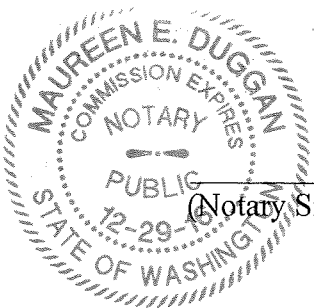
Newspaper and Publication Date(s)	
Seattle Times	09/04/15
Seattle Times	09/11/15

Agent Sharon Seligman

Signature Sharon Seligman

Subscribed and sworn to before me on September 11, 2015  
DATE

Maureen E Duggan MAUREEN E DUGGAN  
(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle



# The Seattle Times

Re: Advertiser Account # 107207

Ad #: 577354

Agency Account #: 0

Agency Name:

## AD TEXT

**SEATTLE PARKS AND RECREATION**  
Intent to Acquire Ownership of 12754 Riviera Place NE, Seattle, WA 98125 (ptn of King County Tax Parcel 145950065) and 13002 Riviera Place NE, Seattle, WA 98125 (ptn of King County Tax Parcel 145950066)

The City of Seattle intends to acquire ownership of portions of the above properties located in Seattle, WA using its power of eminent domain (condemnation) for public use. The properties are legally described as:

The south one-half of the following parcel:  
All that portion of land, sixty feet in width, lying east of the Northern Pacific Right-of-Way between Tract 12, Block 1 and Tract 1, Block 2, Cedar Park Lake Front as per plat recorded in volume 29 of plats, page 47 records of King County Auditor; situate in the City of Seattle, County of King, State of Washington; and

The north one-half of the following parcel:  
All that portion of land, sixty feet in width, lying east of the Northern Pacific Right-of-Way between Tract 12, Block 1 and Tract 1, Block 2, Cedar Park Lake Front as per plat recorded in volume 29 of plats, page 47 records of King County Auditor; situate in the City of Seattle, County of King, State of Washington.

The proposed ordinance authorizing these acquisitions will be presented to the Seattle City Council, Council Chambers in City Hall, 600 Fourth Avenue, Seattle, 2nd floor, as follows:

**Seattle City Council Parks, Seattle Center, Libraries and Gender Pay Equality Committee**

Public Hearing, Committee Discussion and Vote

Tuesday, September 15, 2015, 9:30 a.m.

City Council (final action; adoption)

Monday, September 21, 2015, 2:00 p.m.

All sessions are open to the public.

For further information, contact:

Donald Harris

Manager, Property and Acquisition Services, Department of Parks and Recreation

[donald.harris@seattle.gov](mailto:donald.harris@seattle.gov)

Voice: (206) 684-8018 Fax: (206) 233-7038



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STATE OF WASHINGTON -- KING COUNTY

--SS.

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328141

No. 12754 RIVIERA PL

SEATTLE PARKS & RECREATION

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

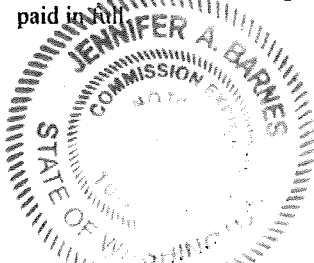
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:INTENT TO ACQUIRE

was published on

09/03/15 09/10/15

The amount of the fee charged for the foregoing publication is the sum of \$186.00 which amount has been paid in full



*[Signature]*  
\_\_\_\_\_  
Subscribed and sworn to before me on  
09/10/2015  
*[Signature]*  
\_\_\_\_\_

Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication

## State of Washington, King County

### City of Seattle

**Intent to Acquire Ownership of 12754  
Riviera Place NE, Seattle, WA 98125 (ptn  
of King County Tax Parcel 1459500055)  
and 18002 Riviera Place NE, Seattle, WA  
98125 (ptn of King County Tax Parcel  
1459500060)**

The City of Seattle intends to acquire ownership of portions of the above properties located in Seattle, WA using its power of eminent domain (condemnation) for public use. The properties are legally described as:

The south one-half of the following parcel:

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Donald Harris

Manager, Property and Acquisition  
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Recreation

[donald.harris@seattle.gov](mailto:donald.harris@seattle.gov)

Voice: (206) 684-8018 Fax: (206) 233-7038

Dates of publication in the Seattle Daily  
Journal of Commerce, September 3 and 10,  
2015.

**9/10(828141)**

**UNDER COMPLETE THIS SECTION**

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:  
 KEITH L. HOLMQUIST  
 49 A. BUDNE HOLMQUIST  
 13002 RIVIERA PL NE  
 SEATTLE, WA 98125



Transfer from service label)  
 Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7011 2000 0001 8272 0290

Domestic Return Receipt 102595-02-M-1540

INTERNATIONAL  
 414 6TH AVE S  
 SEATTLE  
 WA  
 981042959  
 5476270016

09/01/2015 5:09 PM

Product Description	Sale Qty	Final Price
First-Class Mail Large Envelope (Domestic) (SEATTLE, WA 98125) (Weight:0 Lb 1.90 Oz) (Expected Delivery Day) (Friday 09/04/2015)	1	\$1.20
Certified (@USPS Certified Mail #) (70112000000182720290)	1	\$3.45
Return Receipt (@USPS Return Receipt #) (9590952106150038340213)	1	\$2.80
<b>Total</b>		<b>\$7.45</b>
Debit Card Remit'd (Card Name:Debit Card) (Account #:XXXXXXXXXXXX1699) (Approval #:304527) (Transaction #:346) (Receipt #:002500) (Debit Card Purchase:\$7.45) (Cash Back:\$0.00)		\$7.45

For tracking or inquiries go to USPS.com or call 1-800-222-1811.

\*\*\*\*\*  
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 \*\*\*\*\*

7011 2000 0001 8272 0290

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

SEATTLE, WA 98125

Postage	\$ 3.45
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$7.45

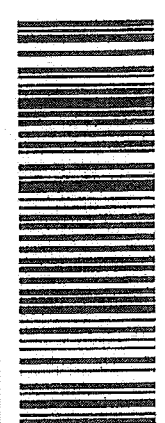
Postmark Here: SEP 01 2015

Sent To: KEITH L. HOLMQUIST / BUDNE HOLMQUIST  
 Street, Apt. No., or PO Box No.: 13002 RIVIERA PL NE  
 City, State, ZIP+4: SEATTLE, WA 98125

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><b>X</b></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">KEITH L. HOLMQUIST KAY A. BULDINE HOLMQUIST 13002 RIVERA PL NE SEATTLE, WA 98125</p>	<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p style="text-align: center;">7011 2000 0001 8272 0290</p>
<p>PS Form 3811, February 2004 <span style="margin-left: 150px;">Domestic Return Receipt</span> <span style="float: right;">102595-02-M-1540</span></p>	

CERTIFIED MAIL



7011 2000 0001 8272 0290  
7011 2000 0001 8272 0290

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Postage \$	Purchase Here
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Timed Receipt Fee (if requested)	
Restricted Delivery Fee (if requested)	
Total Postage & Fees \$	

Send To: **KEITH L. HOLMQUIST / KAY A. BULDINE HOLMQUIST**

Street Apt. No. & PO Box No: **13002 RIVERA PL NE**

City, State ZIP+4: **SEATTLE, WA 98125**

7011 2000 0001 6272 0290

**U.S. Postal Service**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

SEATTLE, WA 98125

Postage	\$ 3.45	
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 7.45	

Sent To: KEITH C. HOLMQUIST / 09/01/2015  
 Street, Apt. No., or PO Box No. 13002 BILVERLY PL NE  
 City, State, ZIP+4 SEATTLE, WA 98125

PS Form 3800, August 2009 See Reverse for Instructions

INTERNATIONAL  
 414 6TH AVE S  
 SEATTLE  
 WA  
 981042959  
 5476270016

09/01/2015 5:05 PM

Product Description	Sale Qty	Final Price
First-Class Mail Large Envelope (Domestic) (SEATTLE, WA 98125) (Weight:0 Lb 1.90 Oz) (Expected Delivery Day) (Friday 09/04/2015)	1	\$1.20
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<b>Total</b>		<b>\$7.45</b>
Debit Card Remit'd (Card Name:Debit Card) (Account #:XXXXXXXXXX1699) (Approval #:304527) (Transaction #:346) (Receipt #:002500) (Debit Card Purchase:\$7.45) (Cash Back:\$0.00)		\$7.45

For tracking or inquiries go to  
 USPS.com or call 1-800-222-1811.

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 \*\*\*\*\*

UNITED STATES POSTAL SERVICE



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USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

(ISE WAR)  
SEATTLE DEPARTMENT OF PARKS &  
RECREATION  
900 MAYNARD AVE S.  
3RD FLOOR  
SEATTLE, WA 98134

**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years.

**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail, or Priority Mail.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add appropriate postage to cover the fee. Embossed on each Return Receipt is a unique ID to request a duplicate if a duplicate return receipt is required.
- For an additional fee, delivery may be obtained to the addressee or addressee's authorized agent. Attach the card or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail is not needed, please proceed to a window at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix it back onto package and seal.

**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3811, dated August 2006. PSN 7530-01-000-9037

UNITED STATES POSTAL SERVICE

WA 980

02 SEP '15

PM 6 L



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

LISE WARD  
SEATTLE DEPARTMENT OF PARKS &  
RECREATION  
800 MAYNARD AVE S.  
3RD FLOOR  
SEATTLE, WA 98134



**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KATH L. HOLMQUIST  
849 A. BUDWIG HOLMQUIST  
13002 RIVERBAY PL NE  
SEATTLE, WA 98125



**COMPLETE THIS SECTION ON DELIVERY**

A. Signature		<input type="checkbox"/> Agent
X		<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from Item 1? <input type="checkbox"/> Yes		
If YES, enter delivery address below: <input type="checkbox"/> No		
3. Service Type		
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail	
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise	
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes

7011 2000 0001 8272 0290

(Transfer from service label)



**City of Seattle**  
Parks and Recreation

September 1, 2015

BY CERTIFIED MAIL

Keith L. Holmquist  
Kay A. Burdine Holmquist  
13002 Riviera Place NE  
Seattle, WA 98125  
Tax Parcel: portion of #1459500060

**Notice of Seattle City Council Final Action to Adopt an Ordinance Authorizing Condemnation (Eminent Domain) of real property commonly known as a portion of 13002 Riviera Place NE (King County Tax Parcel 1459500060) in the City of Seattle, Washington**

Dear Mr. and Mrs. Holmquist:

The purpose of this Notice is to inform you that the City of Seattle City Council is expected to vote on an ordinance authorizing the acquisition of a portion of your real property located at 13002 Riviera Place NE in the City of Seattle, Washington. A copy of the proposed ordinance and a map depicting the project location are enclosed for your information. This ordinance, if adopted, will contain authorization for the City to acquire your property through negotiation, or if necessary, condemnation.

You are identified in the tax rolls of King County as the owner of property whose rights may be affected by this legislation. The City is required by RCW 8.25.290 to provide each property owner affected by the ordinance with formal written notice before the City takes final action authorizing condemnation of property. The time, date, and place of the final action to approve the ordinance are described below:

The City will take public comment and discuss the ordinance at the Seattle City Council Parks, Seattle Center, Libraries and Gender Pay Equality Committee as a regular part of the committee meeting beginning at 9:30 a.m. on Tuesday, September 15, 2015, in the City Council Chambers, located at 600 4<sup>th</sup> Avenue, 2<sup>nd</sup> Floor, Seattle, WA 98104. The Council's chambers and offices are physically accessible, and print and communications accesses are provided on request. Call 206-684-8888 (TDD: 206-233-0025) for further information.

Lise A. Ward, Senior Real Property Agent  
Parks and Recreation  
800 Maynard Avenue South  
Third Floor  
Seattle, WA 98134

Tel (206) 733-9106  
Fax (206) 233-7038  
TDD (206) 233-7061  
lise.ward@seattle.gov



Page Two

If you attend the meeting, you will have the opportunity to express your views on the ordinance during the public comment period. You may also submit comments in writing to Committee Chair Jean Godden at [jean.godden@seattle.gov](mailto:jean.godden@seattle.gov) or mail to Jean Godden; Seattle City Council, 600 4<sup>th</sup> Avenue; Seattle, WA 98104.

If you have questions about the committee meeting format, the agenda for the meeting, or the public comment section, please contact Bailey Bauhs of Councilmember Godden's office (206) 386-9010, or visit the Committee's website at <http://www.seattle.gov/council/committees/parks/default.htm> If the Committee approves the ordinance, it will be forwarded to the full City Council for final action.

#### Final Action

Should the Parks, Seattle Center, Libraries and Gender Pay Equality Committee pass the Council Bill on to the City Council, the ordinance authorizing condemnation of your property will be presented for final action (adoption) to the Seattle City Council on Monday September 21 at 2:00 p.m., in the City Council Chambers, located at 600 4<sup>th</sup> Avenue, 2<sup>nd</sup> Floor, Seattle, WA 98104. After approval of the ordinance the City of Seattle will be authorized to acquire your property through voluntary negotiation or it may use its powers of eminent domain to condemn your property.

Please contact the undersigned at (206) 733-9106 with any questions.

Sincerely,

Lise A. Ward  
Senior Real Property Agent

Enclosure

cc: Councilmember Jean Godden

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CITY OF SEATTLE  
ORDINANCE \_\_\_\_\_  
COUNCIL BILL \_\_\_\_\_

..title  
AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to acquire, through negotiation or condemnation, land and other necessary property rights commonly known as portions of 12754 and 13002 NE Riviera Place for open space, park, and recreation purposes, and to execute, accept, and record deeds and convenient documents and agreements deemed by the Superintendent to be necessary to this transaction on behalf of the City; placing conveyed real property under the jurisdiction of the Department of Parks and Recreation; and ratifying and confirming certain prior acts.

..body  
WHEREAS, Resolution 29370 adopted policies to guide the development of public access improvements to shoreline street ends, which led to the 2008 draft of a Shoreline Street End Master Plan with identified implementation projects for the City's 149 identified street ends; and

WHEREAS, NE 130<sup>th</sup> Street's end was designated as one of Seattle's 149 street ends by the Seattle Department of Transportation (SDOT) and its predecessor organizations; and

WHEREAS, the Seattle Department of Parks and Recreation has partnered with SDOT to implement street end improvement projects; and

WHEREAS, from the early 1920s, when NE 130<sup>th</sup> Street was first platted and the neighborhood established, until very recently, when title to the street end was quieted to the abutting property owners pursuant to judgment in King County Superior Court Case No. 12-2-21-21156-6 SEA and affirmed by the Court of Appeals, Division I of the State of Washington, the NE 130<sup>th</sup> Street end served as a community beach and provided public access to Lake Washington; and

WHEREAS, the NE 130<sup>th</sup> Street end provides the only water access north of NE 95<sup>th</sup> Street; and

1 WHEREAS, the City's goal is to provide water access at least every 2 miles throughout the  
2 City's shorelines; and

3 WHEREAS, acquisition of these properties would restore water access to this part of Seattle;

4 NOW, THEREFORE,

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

6 Section 1. That public convenience and necessity require that the following described real  
7 property, situated in The City of Seattle, County of King, State of Washington, and commonly  
8 known as portions of 12745 and 13002 Riviera Place NE (the "Property"), together with all  
9 rights, privileges, and other property pertaining thereto, be acquired through negotiation and use  
10 of eminent domain (condemnation) if necessary for open space, park, and recreation purposes:

11 THE NORTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT  
12 PORTION OF LAND, APPROXIMATELY SIXTY FEET IN WIDTH, LYING  
13 EAST OF THE NORTHERN PACIFIC RIGHT-OF-WAY BETWEEN TRACT  
14 12, BLOCK 1 AND TRACT 1, BLOCK 2, CEDAR PARK LAKE FRONT, AS  
15 PER PLAT RECORDED IN VOLUME 29 OF PLATS, PAGE 47 RECORDS OF  
16 KING COUNTY AUDITOR; SITUATE IN THE CITY OF SEATTLE,  
17 COUNTY OF KING, STATE OF WASHINGTON; SUBJECT TO AN  
18 EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC  
19 UTILITIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012  
20 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.

21  
22 and

23 THE SOUTH ONE-HALF OF THE FOLLOWING PARCEL: ALL  
24 THAT PORTION OF LAND, APPROXIMATELY SIXTY FEET IN WIDTH,  
25 LYING EAST OF THE NORTHERN PACIFIC RIGHT-OF-WAY BETWEEN  
26 TRACT 12, BLOCK 1 AND TRACT 1, BLOCK 2, CEDAR PARK LAKE  
27 FRONT, AS PER PLAT RECORDED IN VOLUME 29 OF PLATS, PAGE 47  
28 RECORDS OF KING COUNTY AUDITOR; SITUATE IN THE CITY OF  
29 SEATTLE, COUNTY OF KING, STATE OF WASHINGTON; SUBJECT TO  
30 AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC  
31 UTILITIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012  
32 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.  
33

1           Section 2. The Superintendent of Parks and Recreation, or the Superintendent's  
2           designee, is authorized on behalf of the City to negotiate and enter into agreements to acquire the  
3           Property, and upon payment of just compensation, to accept and record deeds and other  
4           necessary instruments on behalf of the City.

5           Section 3. The Seattle City Attorney is authorized to commence and prosecute  
6           proceedings in the manner provided by law to condemn, take, damage, and appropriate in fee  
7           simple the real property or other property rights described in Section 1, after just compensation  
8           has been paid into court for the owners thereof in the manner provided by law. The Seattle City  
9           Attorney is further authorized to stipulate for the purpose of minimizing damages.

10          Section 4. The entire costs of acquiring the Property provided for by this ordinance shall  
11          be paid using Real Estate Excise Tax proceeds from the Cumulative Reserve fund, or from such  
12          general fund of The City of Seattle as may be provided by law.

13          Section 5. The Property, when acquired by the City, shall be placed under the  
14          jurisdiction of the Seattle Department of Parks and Recreation and accepted for open space, park,  
15          and recreation purposes.

16          Section 6. Any act consistent with the authority of this ordinance and prior to its  
17          effective date is ratified and confirmed.

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Section 7. 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 \_\_\_\_ day of \_\_\_\_\_, 2015, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_

Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

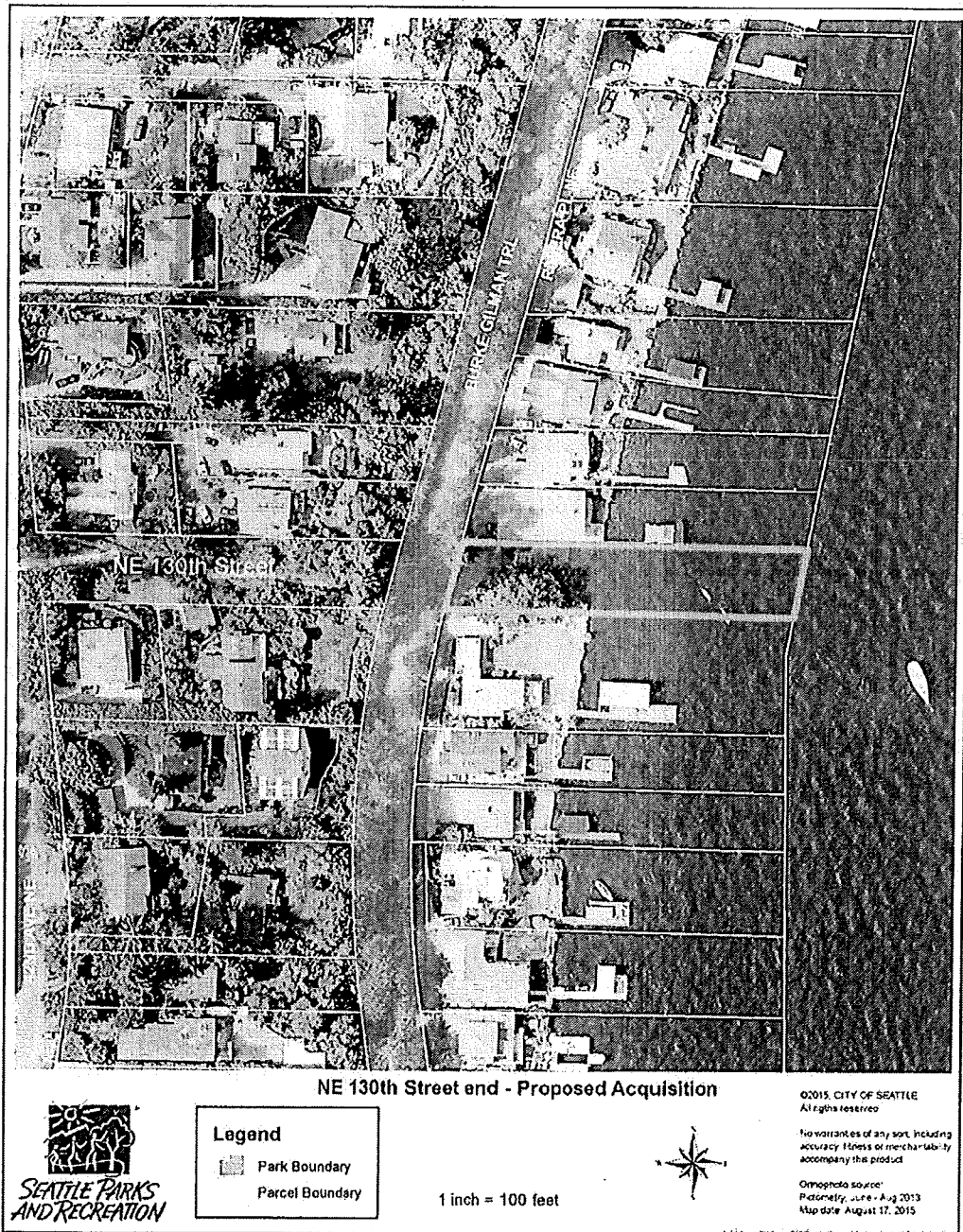
\_\_\_\_\_

Monica Martinez Simmons, City Clerk

(Seal)

# ATTACHMENT A: E 130th Street End – Proposed Acquisition

## Map of Portions of 12745 and 13002 Riviera Place NE



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

# The Seattle Times

Seattle Dept Of Parks & Recreation  
Lise Ward  
800 Maynard Ave S 3rd Fl

Seattle, WA 98134

Re: Advertiser Account # 107207

Agency Account #: 0

Ad #: 577354

Agency Name:

## Affidavit of Publication

STATE OF WASHINGTON  
Counties of King and Snohomish

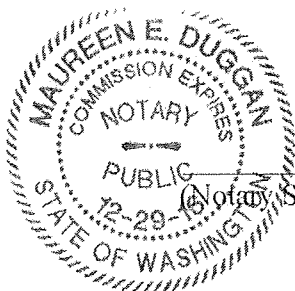
The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

Newspaper and Publication Date(s)	
Seattle Times	09/04/15
Seattle Times	09/11/15

Agent Sharon Seligman

Signature *Sharon Seligman*



Subscribed and sworn to before me on September 11, 2015  
DATE

*Maureen E Duggan* MAUREEN E DUGGAN  
(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle

# The Seattle Times

Re: Advertiser Account # 107207

Ad #: 577354

Agency Account #: 0

Agency Name:

## AD TEXT

**SEATTLE PARKS AND RECREATION**  
Intent to Acquire Ownership of 12754 Riviera Place NE, Seattle, WA 98125 (ptn of King County Tax Parcel 145950065) and 13002 Riviera Place NE, Seattle, WA 98125 (ptn of King County Tax Parcel 145950066)

The City of Seattle intends to acquire ownership of portions of the above properties located in Seattle, WA using its power of eminent domain (condemnation) for public use. The properties are legally described as:

The south one-half of the following parcel:  
All that portion of land, sixty feet in width, lying east of the Northern Pacific Right-of-Way between Tract 12, Block 1 and Tract 1, Block 2, Cedar Park Lake Front as per plat recorded in volume 29 of plats, page 47 records of King County Auditor; situate in the City of Seattle, County of King, State of Washington; and

The north one-half of the following parcel:  
All that portion of land, sixty feet in width, lying east of the Northern Pacific Right-of-Way between Tract 12, Block 1 and Tract 1, Block 2, Cedar Park Lake Front as per plat recorded in volume 29 of plats, page 47 records of King County Auditor; situate in the City of Seattle, County of King, State of Washington.

The proposed ordinance authorizing these acquisitions will be presented to the Seattle City Council, Council Chambers in City Hall, 600 Fourth Avenue, Seattle, 2nd floor, as follows:

Seattle City Council Parks, Seattle Center, Libraries and Gender Pay Equality Committee

Public Hearing, Committee Discussion and Vote

Tuesday, September 15, 2015, 9:30 a.m.

City Council (final action; adoption)

Monday, September 21, 2015, 2:00 p.m.

All sessions are open to the public.

For further information, contact:

Donald Harris

Manager, Property and Acquisition Services, Department of Parks and Recreation

[donald.harris@seattle.gov](mailto:donald.harris@seattle.gov)

Voice: (206) 684-8018 Fax: (206) 233-7038



---

STATE OF WASHINGTON -- KING COUNTY

--SS.

---

328141  
SEATTLE PARKS & RECREATION

No. 12754 RIVIERA PL

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

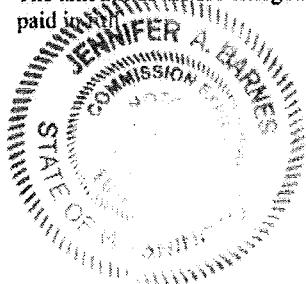
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

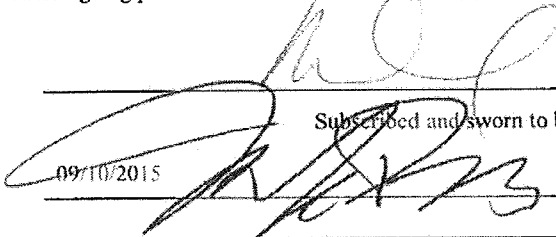
CT:INTENT TO ACQUIRE

was published on

09/03/15 09/10/15

The amount of the fee charged for the foregoing publication is the sum of \$186.00 which amount has been paid in



  
Subscribed and sworn to before me on

09/10/2015

Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication

## State of Washington, King County

### City of Seattle

**Intent to Acquire Ownership of 12754  
Riviera Place NE, Seattle, WA 98135 (ptn  
of King County Tax Parcel 1489300063)  
and 13002 Riviera Place NE, Seattle, WA  
98125 (ptn of King County Tax Parcel  
1489300060)**

The City of Seattle intends to acquire ownership of portions of the above properties located in Seattle, WA using its power of eminent domain (condemnation) for public use. The properties are legally described as:

**The south one-half of the following parcel:**

All that portion of land, sixty feet in width, lying east of the Northern Pacific Right-of-Way between Tract 12, Block 1 and Tract 1, Block 2, Cedar Park Lake Front as per plat recorded in volume 20 of plats, page 47 records of King County Auditor; situate in the City of Seattle, County of King, State of Washington; and

**The north one-half of the following parcel:**

All that portion of land, sixty feet in width, lying east of the Northern Pacific Right-of-Way between Tract 12, Block 1 and Tract 1, Block 2, Cedar Park Lake Front as per plat recorded in volume 29 of plats, page 47 records of King County Auditor; situate in the City of Seattle, County of King, State of Washington.

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**Seattle City Council Parks, Seattle  
Center, Libraries and Gender Pay  
Equality Committee**

**Public Hearing, Committee Discussion  
and Vote**

Tuesday, September 15, 2015, 9:30 a.m.

**City Council (final action; adoption)**

Monday, September 21, 2015, 2:00 p.m.

All sessions are open to the public.

For further information, contact:

Donald Harris

Manager, Property and Acquisition  
Services, Department of Parks and  
Recreation

[donald.harris@seattle.gov](mailto:donald.harris@seattle.gov)

Voice: (206) 684-8018 Fax: (206) 233-7038

Dates of publication in the Seattle Daily  
Journal of Commerce, September 3 and 10,  
2015.

9/10(328141)

7011 2000 0001 8272 0184

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Postage	\$	\$3.45	
Certified Fee		\$2.80	
Return Receipt Fee (Endorsement Required)		\$0.00	
Restricted Delivery Fee (Endorsement Required)		\$0.00	
		\$0.00	
Total Postage & Fees	\$	\$7.45	

Sent To: **FREDERICK KASEBUZZ**  
 Street, Apt. No., or PO Box No.: **12754 RIVIERA AVE**  
 City, State, ZIP+4: **SEATTLE, WA 98125**

PS Form 3800, August 2006 See Reverse for Instructions

INTERNATIONAL  
 414 6TH AVE S  
 SEATTLE  
 WA  
 981042959  
 5476270016

09/01/2015 5:12 PM

Product Description	Sale Qty	Final Price
First-Class Mail Large Envelope (Domestic) (SEATTLE, WA 98125) (Weight:0 Lb 1.90 Oz) (Expected Delivery Day) (Friday 09/04/2015)	1	\$1.20
Certified (@@USPS Certified Mail #) (70112000000182720184)	1	\$3.45
Return Receipt (@@USPS Return Receipt #) (9590952106150038340220)	1	\$2.80
<b>Total</b>		<b>\$7.45</b>
Debit Card Remit'd (Card Name:Debit Card) (Account #:XXXXXXXXXX1699) (Approval #:304835) (Transaction #:347) (Receipt #:002501) (Debit Card Purchase:\$7.45) (Cash Back:\$0.00)		\$7.45

For tracking or inquiries go to [USPS.com](http://USPS.com) or call 1-800-222-1811.

\*\*\*\*\*  
 BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.  
 \*\*\*\*\*

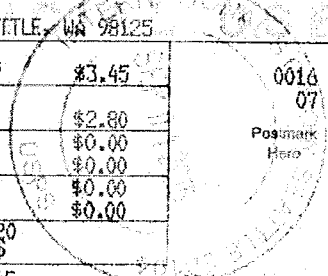
After delivery use this tracking

7011 2000 0001 8272 0184

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*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

SEATTLE, WA 98125

Postage	\$ 33.45	
Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$37.25	

Sent to: FREDERICK KASPER  
 09/01/2015  
 Street, Apt. No. or PO Box No.: 18754 CIVIC CENTER  
 City, State, ZIP+4: SEATTLE WA 98148

PS Form 3800, August 2008 See Reverse for Instructions

INTERNATIONAL  
 414 6TH AVE S  
 SEATTLE  
 WA  
 981042959  
 5476270016

09/01/2015 5:12 PM

Product Description	Sale Qty	Final Price
First-Class Mail Large Envelope (Domestic) (SEATTLE, WA 98125) (Weight:0 Lb 1.90 Oz) (Expected Delivery Day) (Friday 09/04/2015)	1	\$1.20
Certified (@USPS Certified Mail #) (70112000000182720184)	1	\$3.45
Return Receipt (@USPS Return Receipt #) (9590952106150038340220)	1	\$2.80

Total \$7.45

Debit Card Remit'd \$7.45  
 (Card Name:Debit Card)  
 (Account #:XXXXXXXXXXXX1699)  
 (Approval #:304835)  
 (Transaction #:347)  
 (Receipt #:002501)  
 (Debit Card Purchase:\$7.45)  
 (Cash Back:\$0.00)

For tracking or inquiries go to  
 USPS.com or call 1-800-222-1811.

\*\*\*\*\*  
 BRIGHTEN SOMEONE'S MAILBOX, Greeting  
 cards available for purchase at select  
 Post Offices.  
 \*\*\*\*\*

After delivery use this tracking

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

FREDERICK KASEB26  
12754 RIVIERA PL NE  
SEATTLE, WA 98125

2. Article Number  
(Transfer from service label)

7011 2000 0001 8272 0184

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
**X**  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

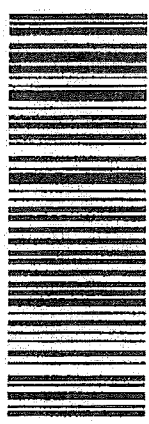
3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



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7011 2000 0001 8272 0184

**U.S. Postal Service™**  
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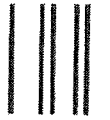
For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: FREDERICK KASEB26  
 Street, Apt. No., or PO Box No.: 12754 RIVIERA PL NE  
 City, State, ZIP+4: SEATTLE, WA 98125

PS Form 3800, August 2000 See Reverse for Instructions



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

LISE WARD  
SEATTLE DEPARTMENT OF PARKS &  
RECREATION  
500 MAYNARD AVE S.  
3RD FLOOR  
SEATTLE, WA 98134

**Certified Mail Provides:**

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- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

**Important Reminders:**

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

**IMPORTANT: Save this receipt and present it when making an inquiry.**



**City of Seattle**  
Parks and Recreation

September 1, 2015

BY CERTIFIED MAIL

Frederick Kaseburg  
12754 Riviera Place NE  
Seattle, WA 98125  
Tax Parcel: portion of #1459500065

**Notice of Seattle City Council Final Action to Adopt an Ordinance Authorizing Condemnation (Eminent Domain) of real property commonly known as a portion of 12754 Riviera Place NE (King County Tax Parcel 1459500065) in the City of Seattle, Washington**

Dear Mr. Kaseburg:

The purpose of this Notice is to inform you that the City of Seattle City Council is expected to vote on an ordinance authorizing the acquisition of a portion of your real property located at 12754 Riviera Place NE in the City of Seattle, Washington. A copy of the proposed ordinance and a map depicting the project location are enclosed for your information. This ordinance, if adopted, will contain authorization for the City to acquire your property through negotiation, or if necessary, condemnation.

You are identified in the tax rolls of King County as the owner of property whose rights may be affected by this legislation. The City is required by RCW 8.25.290 to provide each property owner affected by the ordinance with formal written notice before the City takes final action authorizing condemnation of property. The time, date, and place of the final action to approve the ordinance are described below.

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Lise A. Ward, Senior Real Property Agent  
Parks and Recreation  
800 Maynard Avenue South  
Third Floor  
Seattle, WA 98134

Tel (206) 733-9106  
Fax (206) 233-7038  
TDD (206) 233-7061  
lise.ward@seattle.gov

Page Two

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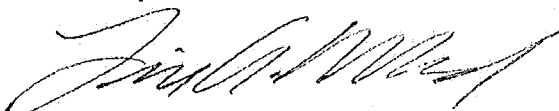
If you have questions about the committee meeting format, the agenda for the meeting, or the public comment section, please contact Bailey Bauhs of Councilmember Godden's office (206) 386-9010, or visit the Committee's website at <http://www.seattle.gov/council/committees/parks/default.htm> If the Committee approves the ordinance, it will be forwarded to the full City Council for final action.

Final Action

Should the Parks, Seattle Center, Libraries and Gender Pay Equality Committee pass the Council Bill on to the City Council, the ordinance authorizing condemnation of your property will be presented for final action (adoption) to the Seattle City Council on Monday September 21 at 2:00 p.m., in the City Council Chambers, located at 600 4<sup>th</sup> Avenue, 2<sup>nd</sup> Floor, Seattle, WA 98104. After approval of the ordinance the City of Seattle will be authorized to acquire your property through voluntary negotiation or it may use its powers of eminent domain to condemn your property.

Please contact the undersigned at (206) 733-9106 with any questions.

Sincerely,



Lise A. Ward  
Senior Real Property Agent

Enclosure

cc: Councilmember Jean Godden



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CITY OF SEATTLE  
ORDINANCE \_\_\_\_\_  
COUNCIL BILL \_\_\_\_\_

..title  
AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the Superintendent of Parks and Recreation to acquire, through negotiation or condemnation, land and other necessary property rights commonly known as portions of 12754 and 13002 NE Riviera Place for open space, park, and recreation purposes, and to execute, accept, and record deeds and convenient documents and agreements deemed by the Superintendent to be necessary to this transaction on behalf of the City; placing conveyed real property under the jurisdiction of the Department of Parks and Recreation; and ratifying and confirming certain prior acts.

..body  
WHEREAS, Resolution 29370 adopted policies to guide the development of public access improvements to shoreline street ends, which led to the 2008 draft of a Shoreline Street End Master Plan with identified implementation projects for the City's 149 identified street ends; and

WHEREAS, NE 130<sup>th</sup> Street's end was designated as one of Seattle's 149 street ends by the Seattle Department of Transportation (SDOT) and its predecessor organizations; and

WHEREAS, the Seattle Department of Parks and Recreation has partnered with SDOT to implement street end improvement projects; and

WHEREAS, from the early 1920s, when NE 130<sup>th</sup> Street was first platted and the neighborhood established, until very recently, when title to the street end was quieted to the abutting property owners pursuant to judgment in King County Superior Court Case No. 12-2-21-21156-6 SEA and affirmed by the Court of Appeals, Division I of the State of Washington, the NE 130<sup>th</sup> Street end served as a community beach and provided public access to Lake Washington; and

WHEREAS, the NE 130<sup>th</sup> Street end provides the only water access north of NE 95<sup>th</sup> Street; and

1 WHEREAS, the City's goal is to provide water access at least every 2 miles throughout the  
2 City's shorelines; and

3 WHEREAS, acquisition of these properties would restore water access to this part of Seattle;

4 NOW, THEREFORE,

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

6 Section 1. That public convenience and necessity require that the following described real  
7 property, situated in The City of Seattle, County of King, State of Washington, and commonly  
8 known as portions of 12745 and 13002 Riviera Place NE (the "Property"), together with all  
9 rights, privileges, and other property pertaining thereto, be acquired through negotiation and use  
10 of eminent domain (condemnation) if necessary for open space, park, and recreation purposes:

11 THE NORTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT  
12 PORTION OF LAND, APPROXIMATELY SIXTY FEET IN WIDTH, LYING  
13 EAST OF THE NORTHERN PACIFIC RIGHT-OF-WAY BETWEEN TRACT  
14 12, BLOCK 1 AND TRACT 1, BLOCK 2, CEDAR PARK LAKE FRONT, AS  
15 PER PLAT RECORDED IN VOLUME 29 OF PLATS, PAGE 47 RECORDS OF  
16 KING COUNTY AUDITOR. SITUATE IN THE CITY OF SEATTLE,  
17 COUNTY OF KING, STATE OF WASHINGTON; SUBJECT TO AN  
18 EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC  
19 UTILITIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012  
20 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.

21  
22 and

23 THE SOUTH ONE-HALF OF THE FOLLOWING PARCEL: ALL  
24 THAT PORTION OF LAND, APPROXIMATELY SIXTY FEET IN WIDTH,  
25 LYING EAST OF THE NORTHERN PACIFIC RIGHT-OF-WAY BETWEEN  
26 TRACT 12, BLOCK 1 AND TRACT 1, BLOCK 2, CEDAR PARK LAKE  
27 FRONT, AS PER PLAT RECORDED IN VOLUME 29 OF PLATS, PAGE 47  
28 RECORDS OF KING COUNTY AUDITOR; SITUATE IN THE CITY OF  
29 SEATTLE, COUNTY OF KING, STATE OF WASHINGTON; SUBJECT TO  
30 AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC  
31 UTILITIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012  
32 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.  
33

1           Section 2. The Superintendent of Parks and Recreation, or the Superintendent's  
2           designee, is authorized on behalf of the City to negotiate and enter into agreements to acquire the  
3           Property, and upon payment of just compensation, to accept and record deeds and other  
4           necessary instruments on behalf of the City.

5           Section 3. The Seattle City Attorney is authorized to commence and prosecute  
6           proceedings in the manner provided by law to condemn, take, damage, and appropriate in fee  
7           simple the real property or other property rights described in Section 1, after just compensation  
8           has been paid into court for the owners thereof in the manner provided by law. The Seattle City  
9           Attorney is further authorized to stipulate for the purpose of minimizing damages.

10          Section 4. The entire costs of acquiring the Property provided for by this ordinance shall  
11          be paid using Real Estate Excise Tax proceeds from the Cumulative Reserve fund, or from such  
12          general fund of The City of Seattle as may be provided by law.

13          Section 5. The Property, when acquired by the City, shall be placed under the  
14          jurisdiction of the Seattle Department of Parks and Recreation and accepted for open space, park,  
15          and recreation purposes.

16          Section 6. Any act consistent with the authority of this ordinance and prior to its  
17          effective date is ratified and confirmed.

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Section 7. 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 \_\_\_\_ day of \_\_\_\_\_, 2015, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_

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

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_

Edward B. Murray, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

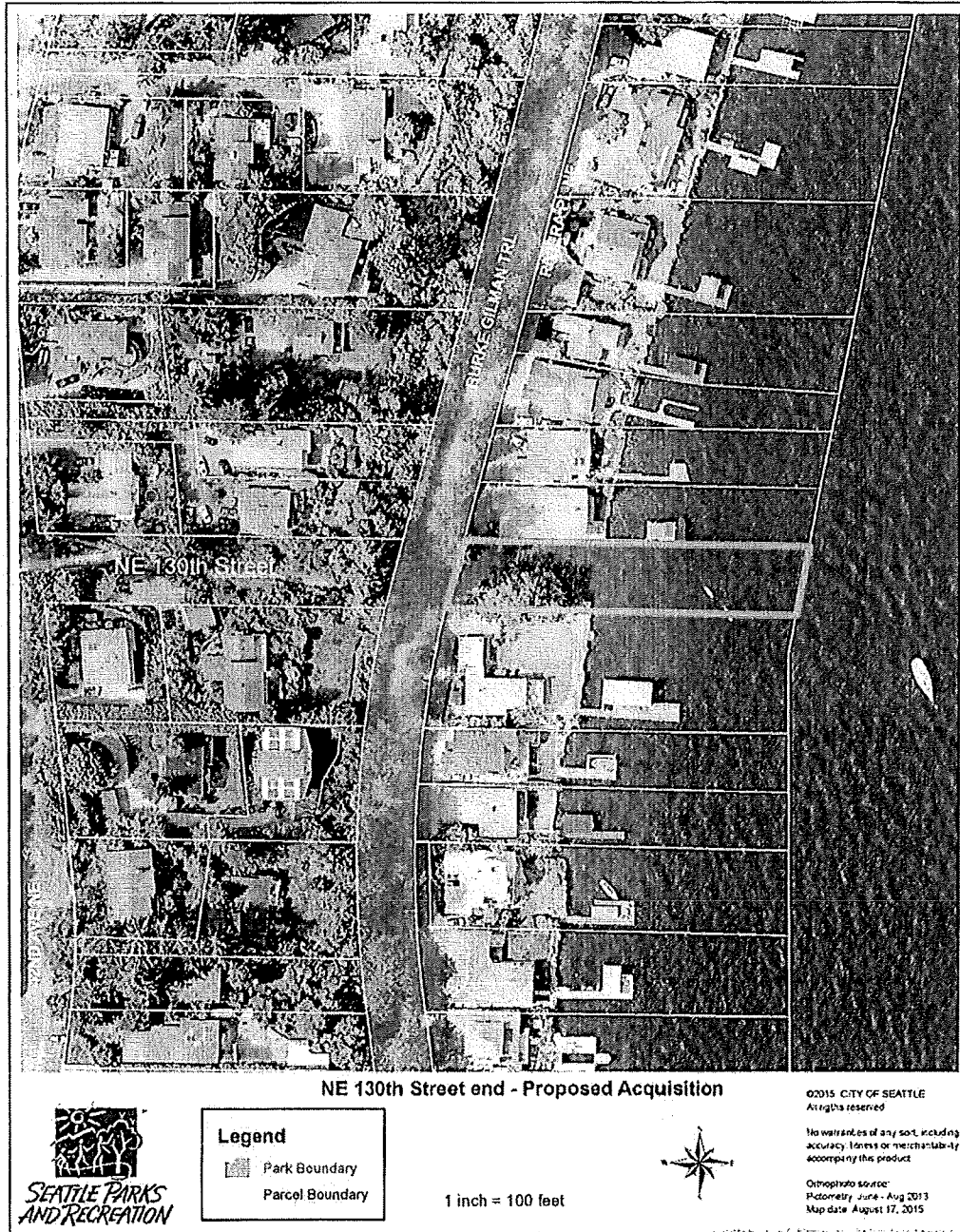
\_\_\_\_\_

Monica Martinez Simmons, City Clerk

(Seal)

### ATTACHMENT A: E 130th Street End – Proposed Acquisition

### Map of Portions of 12745 and 13002 Riviera Place NE



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

# The Seattle Times

Seattle Dept Of Parks & Recreation  
Lise Ward  
800 Maynard Ave S 3rd Fl

Seattle, WA 98134

Re: Advertiser Account # 107207

Agency Account #: 0

Ad #: 577354

Agency Name:

## Affidavit of Publication

STATE OF WASHINGTON  
Counties of King and Snohomish

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

Newspaper and Publication Date(s)	
Seattle Times	09/04/15
Seattle Times	09/11/15

Agent

Sharon Seligman

Signature

Sharon Seligman

Subscribed and sworn to before me on

September 11, 2015

DATE

Maureen E. Duggan

MAUREEN E. DUGGAN

(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle



# The Seattle Times

Re: Advertiser Account # 107207

Ad #: 577354

Agency Account #: 0

Agency Name:

## AD TEXT

**SEATTLE PARKS AND RECREATION**  
Intent to Acquire Ownership of 12754 Riviera Place NE, Seattle, WA 98125 (pin of King County Tax Parcel 1459500065) and 13002 Riviera Place NE, Seattle, WA 98125 (pin of King County Tax Parcel 1459500060)

The City of Seattle intends to acquire ownership of portions of the above properties located in Seattle, WA using its power of eminent domain (condemnation) for public use. The properties are legally described as:

**The south one-half of the following parcel:**  
All that portion of land, sixty feet in width, lying east of the Northern Pacific Right-of-Way between Tract 12, Block 1 and Tract 1, Block 2, Cedar Park Lake Front as per plat recorded in volume 29 of plats, page 47 records of King County Auditor; situate in the City of Seattle, County of King, State of Washington; and

**The north one-half of the following parcel:**  
All that portion of land, sixty feet in width, lying east of the Northern Pacific Right-of-Way between Tract 12, Block 1 and Tract 1, Block 2, Cedar Park Lake Front as per plat recorded in volume 29 of plats, page 47 records of King County Auditor; situate in the City of Seattle, County of King, State of Washington.

The proposed ordinance authorizing these acquisitions will be presented to the Seattle City Council, Council Chambers in City Hall, 600 Fourth Avenue, Seattle, 2nd floor, as follows:

Seattle City Council Parks, Seattle Center, Libraries and Gender Pay Equality Committee

Public Hearing, Committee Discussion and Vote  
Tuesday, September 15, 2015, 9:30 a.m.

City Council (final action; adoption)  
Monday, September 21, 2015, 2:00 p.m.

All sessions are open to the public.  
For further information, contact:

Donald Harris  
Manager, Property and Acquisition Services, Department of Parks and Recreation  
[donald.harris@seattle.gov](mailto:donald.harris@seattle.gov)  
Voice: (206) 684-8018 Fax: (206) 233-7038

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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328141

No. 12754 RIVIERA PL

SEATTLE PARKS & RECREATION

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

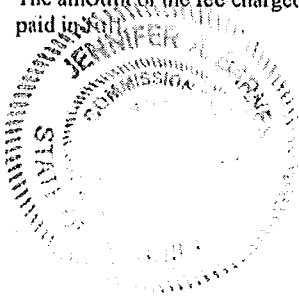
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:INTENT TO ACQUIRE

was published on

09/03/15 09/10/15

The amount of the fee charged for the foregoing publication is the sum of \$186.00 which amount has been paid in full.



\_\_\_\_\_  
Subscribed and sworn to before me on  
09/10/2015  
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication