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CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to the Department of Parks and Recreation and Seattle Public Utilities; transferring partial jurisdiction of portions of park land and park boulevards within Discovery Park from the Department of Parks and Recreation to Seattle Public Utilities for maintenance, repair, replacement, and operation of public water and sanitary sewer infrastructure, associated underground pipes, hydrants, and limited surface ancillary facilities; and finding that transfer of partial jurisdiction meets the requirements of Ordinance 118477, which adopted Initiative 42.

..body

WHEREAS, Ordinance 122502 authorized the Mayor to acquire and accept deeds for surplus federal property, known as the former Capehart Naval Housing Area, as an addition to Discovery Park; and

WHEREAS, the City’s Purchase and Sales Agreement for this property, as adopted by Resolution 27399, included utility corridors, infrastructure and associated easements across parkland, clarification of existing utility easements, and termination of private utility easements serving the former naval housing for the eventual conveyance of private residential in-holding properties within the historic district of Fort Lawton to private ownership, and to maintain and preserve the continued use of the water and sewer systems serving those properties (“System”); and

WHEREAS, Seattle’s Department of Parks and Recreation (DPR) and Seattle Public Utilities (SPU) have determined that it would be to their mutual benefit to transfer partial jurisdiction of the area occupied by the System from DPR to SPU to facilitate efficient operation of the System by SPU; and

WHEREAS, the City Council held a public hearing in accordance with the requirements of Section 3 of Ordinance 118477; and

1 WHEREAS, consistent with Ordinance 118477, the City intends to grant a Partial Transfer of
2 Jurisdiction to SPU of the areas depicted in Attachment A and Attachment B to this
3 ordinance, for access on, under, and across DPR property to operate and maintain the
4 System within the designated areas; NOW, THEREFORE,

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

6 Section 1. The City Council finds that the transfer of limited and partial jurisdiction of
7 portions of Discovery Park, as described in Section 2 of this ordinance, from the Department of
8 Parks and Recreation (DPR) to Seattle Public Utilities (SPU) meets the requirements of
9 Ordinance 118477, adopting Initiative 42, because: (A) the transfer of partial jurisdiction is
10 necessary because there is no reasonable and practical alternative location for the water and
11 sewer systems serving those properties (“System”); (B) transfer of partial jurisdiction for
12 maintenance, repair, replacement, and operation of utility infrastructure is equivalent to a utility
13 easement, as permitted by Section 3 of Ordinance 118477; and (C) the transfer of partial
14 jurisdiction is compatible with park use because the utility infrastructure is underground and
15 surface access does not conflict with the current use of park and open space.

16 Section 2. The limited and partial jurisdiction of the real property described and depicted
17 in Attachment A and Attachment B to this ordinance (collectively, “Use Area”) is transferred
18 from DPR to SPU on condition that:

19 A. DPR shall maintain the right to use the Use Area in any way not inconsistent with the
20 rights transferred by this ordinance;

21 B. SPU shall have the right to enter the Use Area for maintenance, repair, replacement,
22 and operation of utility infrastructure without incurring any liability other than the obligations set
23 out in this ordinance, provided that SPU shall give DPR at least five business days’ notice of

1 intent to access the Use Area for routine maintenance, repair, or replacement, except in case of
2 emergency, in which case SPU shall give 24 hours’ notice and coordinate with DPR to avoid
3 time periods when conflicting use of surrounding park area is anticipated;

4 C. After any maintenance, repair, or replacement, SPU will restore the Use Area at SPU’s
5 expense to at least the condition existing immediately prior to such maintenance and repair;

6 D. No building, fence, wall, rockery, trees, shrubbery, or obstruction of any kind shall be
7 erected or planted within the boundaries of the Use Area without the permission of SPU, which
8 shall not be unreasonably withheld; and

9 E. Except during SPU maintenance, repair, or replacement operations, no excavation
10 shall be made within three feet of water and sewer pipelines within the Use Area, and earth cover
11 over the water and sewer pipelines within the Use Area shall be maintained at not less than 36
12 inches nor more than 48 inches.

13 Section 3.

14 A. SPU shall have reasonable pedestrian access to and from the Use Area across the
15 adjacent park land.

16 B. Vehicular access to and from the Use Area shall be across existing park roads and
17 boulevards.

18 C. If SPU needs vehicle access across DPR land outside the Use Area or existing park
19 roads and boulevards, or SPU requires the use of DPR land outside the Use Area to facilitate
20 construction or maintenance within the Use Area, SPU shall first obtain written permission in the
21 form of a Revocable Use Permit from DPR which shall not be unreasonably denied. In case of
22 emergency, SPU may use DPR land outside the Use Area after giving DPR notice required by
23 subsection 2.B of this ordinance without first receiving a Revocable Use Permit, provided that

1 SPU applies for a Revocable Use Permit as soon as possible after beginning such emergency use.

2 SPU will pay to DPR all fees and charges applicable under the fee schedule in effect at the time

3 SPU applies for the Revocable Use Permit.

4 D. SPU shall restore at SPU’s expense any DPR land, vegetation, or improvements
5 damaged by SPU’s use of or access through DPR land outside the Use Area as nearly as possible
6 to the condition existing immediately prior to such maintenance and repair.

7 Section 4. Before SPU undertakes any restoration work pursuant to this ordinance, SPU
8 and DPR shall confer to ensure that SPU and DPR share an understanding about the scope of
9 work. All required restoration will comply with applicable City standards.

1 Section 5. 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 10 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 _____ day of _____, 2019,
5 and signed by me in open session in authentication of its passage this _____ day of
6 _____, 2019.

7 _____
8 President _____ of the City Council

9 Approved by me this _____ day of _____, 2019.

10 _____
11 Jenny Durkan, Mayor

12 Filed by me this _____ day of _____, 2019.

13 _____
14 Monica Martinez Simmons, City Clerk

15 (Seal)

16
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18
19 Attachments:
20 Attachment A – Water System Use Area and Legal Description for Water
21 Attachment B – Sanitary Sewer System Use Area and Legal Description for Sewer

DRAFT

DISCOVERY PARK
LEGAL DESCRIPTION: TOPJ to SPU – WATER EASEMENTS

TRIAD JOB NO. 09-027
FEBRUARY 28, 2014

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 25 NORTH, RANGE 3 EAST, W.M., IN KING COUNTY WASHINGTON, SAID PORTION BEING A 20.00 FOOT WIDE STRIP OF LAND LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

COMMENCING AT A CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF 41ST AVENUE WEST AND WEST EMERSON STREET, SEATTLE, WASHINGTON;

THENCE NORTH 88°35'24" WEST, 525.38 FEET TO A CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF MAGNOLIA BOULEVARD WEST AND WEST EMERSON STREET;

THENCE NORTH 65°22'30" EAST, 67.96 FEET TO A POINT ON THE NORTHERLY MARGIN OF SAID STREET, THE TRUE POINT OF BEGINNING;

THENCE NORTH 01°42'56" EAST, 26.50 FEET;

THENCE NORTH 24°47'04" WEST, 7.19 FEET TO THE BEGINNING OF A 750.00 FOOT RADIUS CURVE TO THE LEFT;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°00'50", AN ARC LENGTH OF 65.63 FEET;

THENCE NORTH 29°47'54" WEST, 6.44 FEET TO THE BEGINNING OF A 550.00 FOOT RADIUS CURVE TO THE RIGHT;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°43'07", AN ARC LENGTH OF 93.29 FEET;

THENCE NORTH 20°04'49" WEST, 13.85 FEET TO THE BEGINNING OF A 350.00 FOOT RADIUS CURVE TO THE LEFT;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°37'04", AN ARC LENGTH OF 95.40 FEET;

THENCE NORTH 35°41'53" WEST, 9.60 FEET TO THE BEGINNING OF A 420.00 FOOT RADIUS CURVE TO THE RIGHT;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°56'26", AN ARC LENGTH OF 43.55 FEET;

THENCE NORTH 59°41'33" EAST, 8.44 FEET;

THENCE NORTH 49°51'44" EAST, 22.13 FEET TO THE BEGINNING OF A 239.00 FOOT RADIUS CURVE TO THE LEFT;

THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°48'45", AN ARC LENGTH OF 20.07 FEET TO A POINT HEREINAFTER CALLED "POINT A";

THENCE CONTINUE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 67°03'01", AN ARC LENGTH OF 279.69 FEET TO A POINT HEREINAFTER CALLED "POINT B";

THENCE CONTINUE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°44'07", AN ARC LENGTH OF 44.78 FEET;

THENCE NORTH 32°44'09" WEST, 55.69 FEET TO THE BEGINNING OF A 825.00 FOOT RADIUS CURVE TO THE RIGHT;



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LAND DEVELOPMENT CONSULTANTS

Attachment A – Water System Use Area and Legal Description

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°35'37", AN ARC LENGTH OF 80.54 FEET TO THE TERMINUS OF SAID CENTERLINE ON THE SOUTHERLY BOUNDARY OF THE **WASHINGTON AVENUE SOUTH HOUSING PARCEL** AS DESCRIBED IN THAT RECORD OF SURVEY FOR THE UNITED STATES DEPARTMENT OF THE NAVY RECORDED UNDER RECORDING NUMBER 20050124900001, RECORDS OF KING COUNTY, WASHINGTON;

TOGETHER WITH A STRIP OF LAND 10.00 FEET IN WIDTH, BEING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT SAID "POINT A";

THENCE NORTH 45°04'07" WEST, 22.65 FEET TO THE TERMINUS OF THIS CENTERLINE;

TOGETHER WITH A STRIP OF LAND 7.00 FEET IN WIDTH, BEING 3.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT SAID "POINT B";

THENCE SOUTH 68°14'21" WEST, 24.86 FEET TO THE TERMINUS OF THIS CENTERLINE;

TOGETHER WITH A PORTION OF SAID SECTION 15 DESCRIBED AS FOLLOWS:

COMMENCING AT SAID CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF MAGNOLIA BOULEVARD WEST AND WEST EMERSON STREET;

THENCE NORTH 08°15'25" WEST, 796.08 FEET TO THE SOUTHWEST CORNER OF SAID **WASHINGTON AVENUE SOUTH HOUSING PARCEL**;

THENCE NORTH 20°47'57" WEST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL, 161.73 FEET;

THENCE NORTH 10°07'27" WEST ALONG SAID WESTERLY BOUNDARY, 144.37 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 53°56'14" WEST, 42.72 FEET;

THENCE NORTH 13°58'23" EAST, 10.00 FEET TO A POINT HEREINAFTER CALLED "POINT C";

THENCE CONTINUE NORTH 13°58'23" EAST, 10.00 FEET;

THENCE SOUTH 76°01'37" EAST, 23.45 FEET TO SAID WESTERLY BOUNDARY;

THENCE SOUTH 10°07'27" EAST ALONG SAID WESTERLY BOUNDARY, 39.51 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH A STRIP OF LAND 20.00 FEET IN WIDTH, BEING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT SAID "POINT C";

THENCE NORTH 76°01'37" WEST, 102.86 FEET TO THE BEGINNING OF A 305.00 FOOT RADIUS CURVE TO THE RIGHT;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°47'43", AN ARC LENGTH OF 62.79 FEET;



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Attachment A – Water System Use Area and Legal Description

THENCE NORTH 64°13'54" WEST, 39.16 FEET;

THENCE NORTH 21°05'01" WEST, 8.52 FEET;

THENCE NORTH 01°23'24" EAST, 271.31 FEET;

THENCE NORTH 46°18'00" EAST, 14.07 FEET;

THENCE NORTH 88°15'12" EAST, 170.82 FEET TO THE WESTERLY BOUNDARY OF THE **WASHINGTON AVENUE NORTH HOUSING PARCEL** AS DESCRIBED IN SAID RECORD OF SURVEY FOR THE UNITED STATES DEPARTMENT OF THE NAVY RECORDED UNDER RECORDING NUMBER 20050124900001, RECORDS OF KING COUNTY, WASHINGTON, THE TERMINUS OF THIS CENTERLINE;

TOGETHER WITH A STRIP OF LAND 10.00 FEET IN WIDTH, BEING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT SAID CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF MAGNOLIA BOULEVARD WEST AND WEST EMERSON STREET;

THENCE NORTH 09°18'26" WEST, 1482.84 FEET TO THE SOUTHWEST CORNER OF SAID **WASHINGTON AVENUE NORTH HOUSING PARCEL**;

THENCE NORTH 05°32'24" EAST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL, 54.26 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°07'38" WEST, 15.81 FEET TO THE TERMINUS OF THIS CENTERLINE;

TOGETHER WITH A PORTION OF SAID SECTION 15 DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID **WASHINGTON AVENUE NORTH HOUSING PARCEL**,

THENCE NORTH 05°32'24" EAST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL, 498.96 FEET;

THENCE NORTH 41°20'21" EAST, ALONG THE NORTHWESTERLY BOUNDARY OF SAID PARCEL, 20.21 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 10°03'34" WEST, 17.83 FEET TO THE BEGINNING OF A 395.00 FOOT RADIUS CURVE TO THE LEFT;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°57'11", AN ARC LENGTH OF 208.50 FEET;

THENCE NORTH 50°02'52" WEST, 90.28 FEET;

THENCE NORTH 24°20'27" WEST, 40.04 FEET;

THENCE NORTH 53°03'34" WEST, 151.87 FEET;

THENCE NORTH 81°40'37" WEST, 100.28 FEET;

THENCE NORTH 38°49'08" WEST, 29.03 FEET;

THENCE NORTH 20°34'17" WEST, 27.41 FEET;

THENCE NORTH 69°25'43" EAST, 44.00 FEET;

THENCE NORTH 69°03'45" WEST, 62.02 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH BEARS NORTH 43°38'57" WEST, 73.72 FEET;



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Attachment A – Water System Use Area and Legal Description

THENCE NORTHEASTERLY ON SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 13°10'03", AN ARC LENGTH OF 16.94 FEET;

THENCE SOUTH 69°03'45" EAST, 82.85 FEET;

THENCE SOUTH 51°40'26" EAST, 239.10 FEET;

THENCE SOUTH 31°08'52" EAST, 49.42 FEET;

THENCE SOUTH 46°22'25" EAST, 111.54 FEET;

THENCE SOUTH 31°07'04" EAST, 71.99 FEET;

THENCE SOUTH 14°51'33" EAST, 18.78 FEET TO A POINT ON A CURVE TO THE RIGHT WITH A CENTER WHICH BEARS SOUTH 64°52'43" WEST, 415.00 FEET DISTANT;

THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°19'11", AN ARC LENGTH OF 110.96 FEET TO THE NORTHWESTERLY BOUNDARY OF SAID **WASHINGTON AVENUE NORTH HOUSING PARCEL**;

THENCE SOUTH 41°20'21" WEST ALONG SAID NORTHWESTERLY BOUNDARY, 25.59 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH A PORTION OF SAID SECTION 15 DESCRIBED AS FOLLOWS:

COMMENCING AT SAID CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF MAGNOLIA BOULEVARD WEST AND WEST EMERSON STREET;

THENCE NORTH 20°01'11" WEST, 2605.55 FEET TO THE SOUTHWEST CORNER OF THE **MONTANA CIRCLE HOUSING PARCEL** AS DESCRIBED IN SAID RECORD OF SURVEY FOR THE UNITED STATES DEPARTMENT OF THE NAVY RECORDED UNDER RECORDING NUMBER 20050124900001, RECORDS OF KING COUNTY, WASHINGTON;

THENCE SOUTH 89°04'14" EAST ALONG THE SOUTH BOUNDARY OF SAID PARCEL, 172.46 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 89°04'14" EAST ALONG SAID SOUTH BOUNDARY, 45.80 FEET;

THENCE SOUTH 00°07'21" WEST, 40.99 FEET;

THENCE NORTH 89°52'39" WEST, 44.60 FEET;

THENCE NORTH 00°07'21" EAST, 36.81 FEET;

THENCE NORTH 13°47'57" WEST, 4.98 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH A PORTION OF SAID SECTION 15 DESCRIBED AS FOLLOWS:

COMMENCING AT SAID SOUTHWEST CORNER OF SAID **MONTANA CIRCLE HOUSING PARCEL**;

THENCE NORTH 05°55'08" WEST ALONG THE WESTERLY LINE OF SAID PARCEL, 395.52 FEET;

THENCE NORTH 84°04'52" EAST, 43.42 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 16°58'34" WEST, 14.77 FEET;

THENCE NORTH 73°01'26" EAST, 9.96 FEET;



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Attachment A – Water System Use Area and Legal Description

THENCE SOUTH 11°00'36" EAST, 16.48 FEET;

THENCE SOUTH 84°04'52" WEST, 8.40 FEET TO THE TRUE POINT OF BEGINNING;

THE SIDELINES OF ALL STRIPS SHALL BE SHORTENED OR EXTENDED SO AS TO TERMINATE ON EACH OTHER OR ON THE LINE OR BOUNDARY THAT THE STRIP TERMINATES ON.

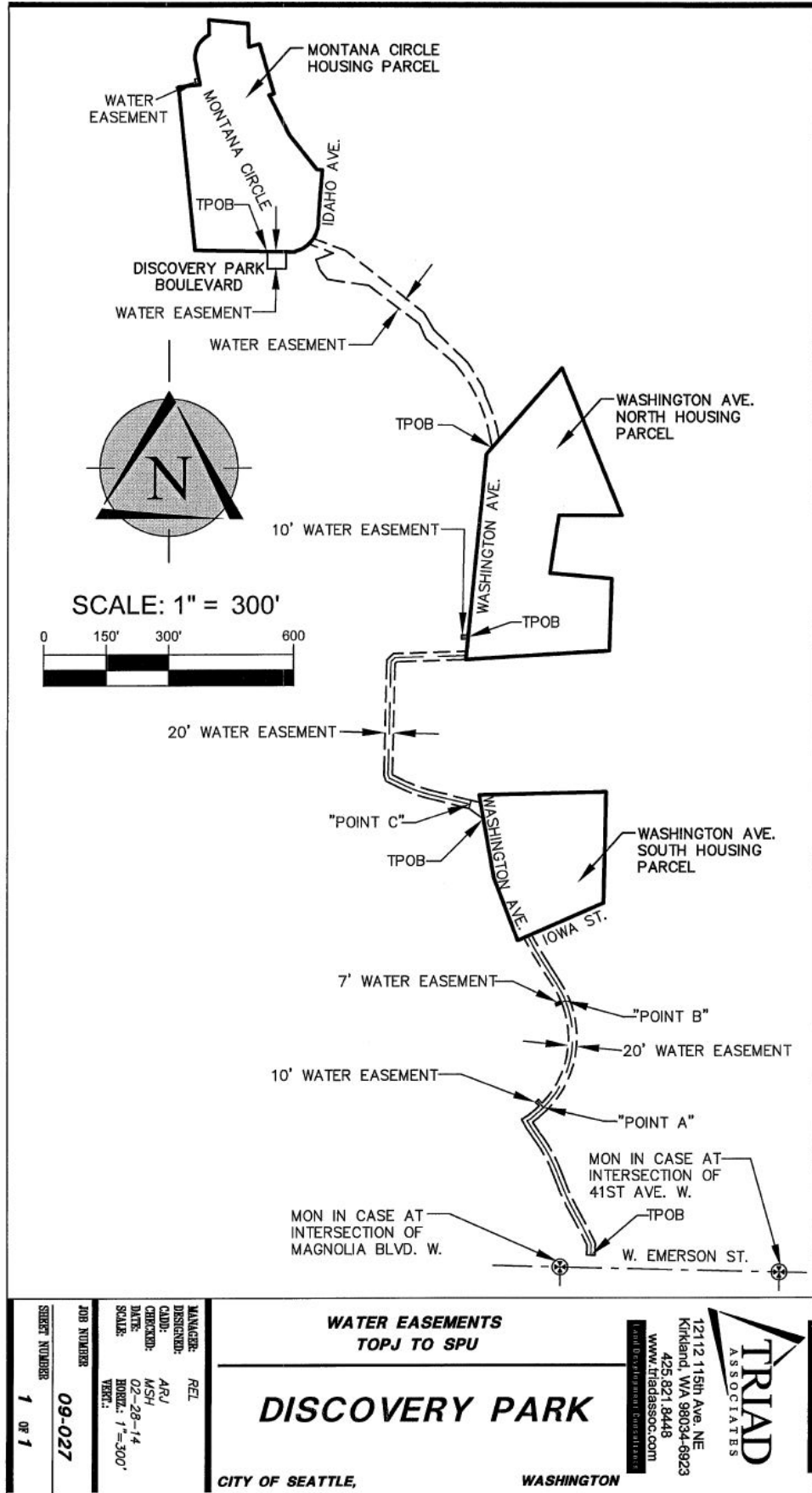
WRITTEN BY: ARJ
CHECKED BY: MSH



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Attachment A – Water System Use Area and Legal Description



DRAFT

**DISCOVERY PARK
LEGAL DESCRIPTION: TOPJ to SPU – SEWER EASEMENTS**

**TRIAD JOB NO. 09-027
FEBRUARY 28, 2014**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 25 NORTH, RANGE 3 EAST, W.M., IN KING COUNTY, WASHINGTON, SAID PORTION BEING A STRIP OF LAND 16.00 FEET IN WIDTH AND LYING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF 41ST AVENUE WEST AND WEST EMERSON STREET, SEATTLE, WASHINGTON,

THENCE NORTH 88°35'24" WEST, 525.38 FEET TO A CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF MAGNOLIA BOULEVARD WEST AND WEST EMERSON STREET;

THENCE NORTH 81°32'28" WEST, 241.66 FEET TO THE NORTHERLY MARGIN OF SAID STREET, THE TRUE POINT OF BEGINNING;

THENCE NORTH 02°12'51" EAST, 105.66 FEET;

THENCE NORTH 18°51'31" EAST, 91.52 FEET;

THENCE NORTH 07°35'03" EAST, 119.92 FEET;

THENCE NORTH 43°57'56" EAST, 257.40 FEET;

THENCE NORTH 01°38'49" EAST, 70.45 FEET;

THENCE NORTH 38°30'14" EAST, 164.00 FEET;

THENCE NORTH 25°02'12" WEST, 135.90 FEET TO THE TERMINUS OF THE CENTERLINE ON THE SOUTHERLY BOUNDARY OF THE **WASHINGTON AVENUE SOUTH HOUSING PARCEL** AS DESCRIBED IN THAT RECORD OF SURVEY FOR THE UNITED STATES DEPARTMENT OF THE NAVY RECORDED UNDER RECORDING NUMBER 20050124900001, RECORDS OF KING COUNTY, WASHINGTON;

TOGETHER WITH A STRIP OF LAND 16.00 FEET IN WIDTH, BEING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT SAID CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF MAGNOLIA BOULEVARD WEST AND WEST EMERSON STREET,

THENCE NORTH 08°15'25" WEST, 796.08 FEET TO THE SOUTHWEST CORNER OF SAID **WASHINGTON AVENUE SOUTH HOUSING PARCEL**;

THENCE NORTH 20°47'57" WEST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL, 161.73 FEET;

THENCE NORTH 10°07'27" WEST ALONG SAID WESTERLY BOUNDARY, 203.00 FEET;

THENCE NORTH 88°38'15" EAST ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL, 154.44 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 03°03'01" WEST, 26.03 FEET;

THENCE NORTH 40°05'34" EAST, 60.30 FEET TO THE TERMINUS OF THE CENTERLINE;

TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF SAID SECTION 15, DESCRIBED AS FOLLOWS:

COMMENCING AT SAID CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF MAGNOLIA BOULEVARD WEST AND WEST EMERSON STREET;



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Attachment B - Sanitary Sewer System Use Area and Legal Description for Sewer

THENCE NORTH 09°18'26" WEST, 1482.84 FEET TO THE SOUTHWEST CORNER OF THE **WASHINGTON AVENUE NORTH HOUSING PARCEL** AS DESCRIBED IN THAT RECORD OF SURVEY FOR THE UNITED STATES DEPARTMENT OF THE NAVY RECORDED UNDER RECORDING NUMBER 20050124900001, RECORDS OF KING COUNTY, WASHINGTON;

THENCE NORTH 05°32'24" EAST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL, 498.96 FEET;

THENCE NORTH 41°20'21" EAST ALONG THE NORTHWESTERLY BOUNDARY OF SAID PARCEL, 146.48 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 73°17'06" WEST, 104.10 FEET;

THENCE SOUTH 63°24'39" WEST, 20.01 FEET TO A POINT ON A CURVE TO THE LEFT WITH A CENTER WHICH BEARS SOUTH 66°36'07" WEST, 292.94 FEET DISTANT;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°47'49", AN ARC LENGTH OF 126.78 FEET;

THENCE NORTH 50°02'52" WEST, 66.46 FEET;

THENCE NORTH 24°20'27" WEST, 40.04 FEET;

THENCE NORTH 53°03'34" WEST, 151.87 FEET;

THENCE NORTH 81°40'37" WEST, 100.28 FEET;

THENCE NORTH 38°49'08" WEST, 29.03 FEET;

THENCE NORTH 20°34'17" WEST, 27.41 FEET;

THENCE NORTH 69°25'43" EAST, 44.00 FEET;

THENCE NORTH 69°03'45" WEST, 62.02 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH BEARS NORTH 43°38'57" WEST, 73.72 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 13°10'02", AN ARC LENGTH OF 16.94 FEET;

THENCE SOUTH 69°03'45" EAST, 82.85 FEET;

THENCE SOUTH 51°40'26" EAST, 239.10 FEET;

THENCE SOUTH 31°08'52" EAST, 49.42 FEET;

THENCE SOUTH 46°22'25" EAST, 111.54 FEET;

THENCE SOUTH 31°07'04" EAST, 71.99 FEET;

THENCE SOUTH 73°17'06" EAST, 121.27 FEET TO THE NORTHWESTERLY BOUNDARY OF SAID **WASHINGTON AVENUE NORTH HOUSING PARCEL**;

THENCE SOUTH 41°20'21" WEST ALONG SAID NORTHWESTERLY BOUNDARY, 17.60 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF SAID SECTION 15 AND THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 25 NORTH, RANGE 3 EAST, W.M. DESCRIBED AS FOLLOWS:

COMMENCING AT SAID CITY OF SEATTLE MONUMENT LOCATED AT THE INTERSECTION OF MAGNOLIA BOULEVARD WEST AND WEST EMERSON STREET;



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Attachment B - Sanitary Sewer System Use Area and Legal Description for Sewer

THENCE NORTH 20°01'11" WEST, 2605.55 FEET TO THE SOUTHWEST CORNER OF SAID MONTANA CIRCLE HOUSING PARCEL;

THENCE NORTH 05°55'08" WEST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL, 63.43 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°05'52" WEST, 20.16 FEET;

THENCE NORTH 01°12'06" EAST, 104.30 FEET;

THENCE NORTH 09°06'32" WEST, 214.43 FEET;

THENCE NORTH 80°53'28" EAST, 8.00 FEET TO A POINT HEREINAFTER CALLED "POINT A";

THENCE CONTINUE NORTH 80°53'28" EAST, 11.11 FEET TO SAID WESTERLY BOUNDARY;

THENCE SOUTH 05°55'08" EAST ALONG SAID WESTERLY BOUNDARY, 16.02 FEET;

THENCE SOUTH 80°53'28" WEST, 2.22 FEET;

THENCE SOUTH 09°06'32" EAST, 39.85 FEET TO SAID WESTERLY BOUNDARY;

THENCE SOUTH 05°55'08" EAST ALONG SAID WESTERLY BOUNDARY, 231.06 FEET;

THENCE SOUTH 01°12'06" WEST, 17.30 FEET;

THENCE NORTH 89°05'52" EAST, 2.15 FEET TO SAID WESTERLY BOUNDARY;

THENCE SOUTH 05°55'08" EAST ALONG SAID WESTERLY BOUNDARY, 16.06 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH A STRIP OF LAND 16.00 FEET IN WIDTH, BEING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT SAID "POINT A";

THENCE NORTH 09°06'32" WEST, 113.01 FEET;

THENCE NORTH 12°19'47" WEST, 142.42 FEET;

THENCE NORTH 27°13'44" WEST, 318.79 FEET;

THENCE NORTH 17°16'52" WEST, 140.16 FEET;

THENCE NORTH 09°51'14" WEST, 379.55 FEET;

THENCE NORTH 06°45'06" WEST, 179.88 FEET;

THENCE NORTH 02°29'23" EAST, 49.77 FEET;

THENCE NORTH 39°18'00" EAST, 77.75 FEET;

THENCE NORTH 85°52'08" EAST, 216.31 FEET;

THENCE NORTH 54°00'17" EAST, 57.76 FEET;

THENCE NORTH 19°59'13" EAST, 20.09 FEET;

THENCE NORTH 70°00'47" WEST, 262.33 FEET;

THENCE NORTH 01°10'15" EAST, 369.43 FEET;



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B - Sanitary Sewer System Use Area and Legal Description for Sewer

THENCE NORTH 15°08'18" WEST, 29.12 FEET TO THE SOUTHERLY EDGE OF A 5' x 8' SEWER VAULT;

THENCE CONTINUE NORTH 15°08'18" WEST, 16.00 FEET TO THE TERMINUS OF THE CENTERLINE;

THE SIDELINES OF ALL STRIPS SHALL BE SHORTENED OR EXTENDED SO AS TO TERMINATE ON EACH OTHER OR ON THE LINE OR BOUNDARY THAT THE STRIP TERMINATES ON.

WRITTEN BY: ARJ
CHECKED BY: MSH

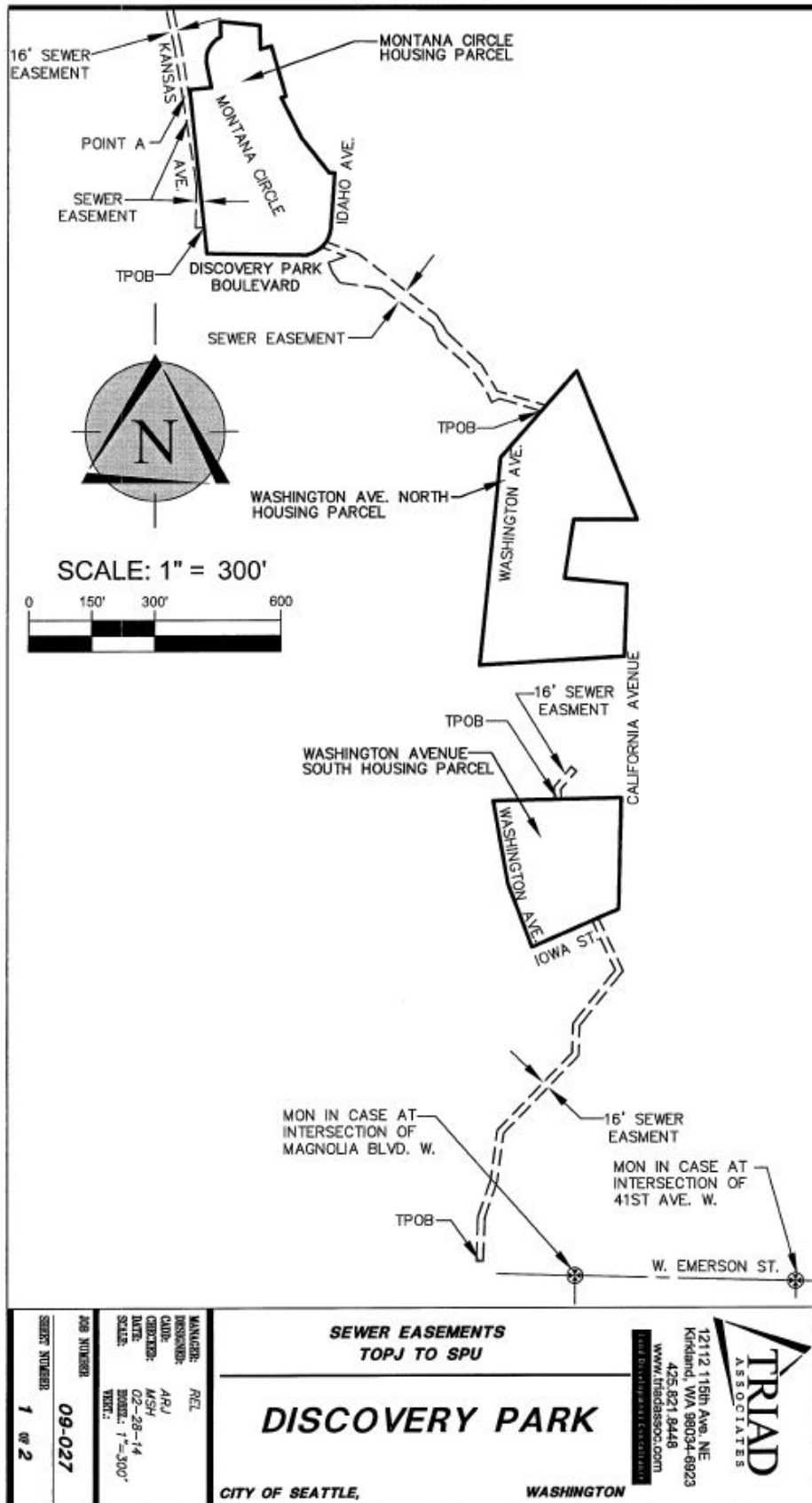


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Attachment B - Sanitary Sewer System Use Area and Legal Description for Sewer



SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
Department of Parks and Recreation	Max Jacobs / 206 684-8018	Selena Elmer / 206 256-5972

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

- 1. Legislation Title:** AN ORDINANCE relating to the Department of Parks and Recreation and Seattle Public Utilities; transferring partial jurisdiction of portions of park land and park boulevards within Discovery Park from the Department of Parks and Recreation to Seattle Public Utilities for maintenance, repair, replacement, and operation of public water and sanitary sewer infrastructure, associated underground pipes, hydrants, and limited surface ancillary facilities; and finding that transfer of partial jurisdiction meets the requirements of Ordinance 118477, which adopted Initiative 42.
- 2. Summary and background of the Legislation:** This Ordinance will transfer underground property rights for water and sewer pipeline corridors to Seattle Public Utilities as previously agreed to in the City’s Purchase and Sales Agreement for acquisition of surplus federal property within Discovery Park and the sale of historically protected Officers Housing within the Fort Lawton Historic District known as Montana Circle and Washington Avenue, north and south. Private ownership of the historic officer housing requires access and maintenance to utilities that serve the properties.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

- a. Does this legislation amend the Adopted Budget?** ___ Yes X No
- b. Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?**
No.
- c. Is there financial cost or other impacts of *not* implementing the legislation?**
The acquisition of additional park land at a significant discount would not have been possible if Seattle Public Utilities did not acquire rights to the system.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
Yes, Seattle Public Utilities is receiving property rights for water and sewer pipeline corridors.
- b. Is a public hearing required for this legislation?**
Yes. This will be scheduled prior to Council action and published in Seattle's Daily Journal of Commerce, informing the public of the time and place of the Hearing.
- c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**
No.
- d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
Yes.
- e. Does this legislation affect a piece of property?**
Yes. A portion of property within Discovery Park serving the private parcels known as Montana Circle and Washington Avenue, north and south. The entire park and private properties served (by SPU) are depicted in Attachment A.
- f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**
None.
- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?**
No.

List attachments/exhibits below:

Summary Attachment A – Map of Discovery Park



Discovery Park / DPR and SPU Partial Transfer of Jurisdiction Ordinance



Legend

- Discovery Park
- FAA Site (Federal Ownership)
- Private Property



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