



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119709

Record No.: CB 119709

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 126024

In Control: City Clerk

File Created: 07/05/2019

Final Action: 12/23/2019

**Title:** AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within Seattle as being surplus to City utility needs; authorizing the General Manager/CEO of Seattle Public Utilities to relinquish such easement rights and to accept new easements; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 Legal Descriptions of Relinquished Easements, Att 2 Legal Descriptions of Acquired Easements

Uploaded By: bob.hennessey@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	08/27/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	08/27/2019	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
1	Council President's Office	08/29/2019	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee						

**Legislative Summary Continued (CB 119709)**

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1	City Council	12/02/2019	referred	Civil Rights, Utilities, Economic Development, and Arts Committee	
1	Civil Rights, Utilities, Economic Development, and Arts Committee	12/10/2019	pass		Pass
	<b>Action Text:</b>	The Committee recommends that City Council pass the Council Bill (CB).			
		In Favor: 1 Chair Herbold			
		Opposed: 0			
1	City Council	12/16/2019	passed		Pass
	<b>Action Text:</b>	The Council Bill (CB) was passed by the following vote, and the President signed the Bill:			
		In Favor: 6 Councilmember Bagshaw, Councilmember González , Council President Harrell, Councilmember Juarez, Councilmember O'Brien, Councilmember Pedersen			
		Opposed: 0			
1	City Clerk	12/17/2019	submitted for Mayor's signature	Mayor	
1	Mayor	12/20/2019	Signed		
1	Mayor	12/23/2019	returned	City Clerk	
1	City Clerk	12/23/2019	attested by City Clerk		
	<b>Action Text:</b>	The Ordinance (Ord) was attested by City Clerk.			

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CITY OF SEATTLE

ORDINANCE 126024

COUNCIL BILL 119709

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within Seattle as being surplus to City utility needs; authorizing the General Manager/CEO of Seattle Public Utilities to relinquish such easement rights and to accept new easements; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

WHEREAS, certain property improvements were built or have been planned to be built by various property owners and customers of Seattle Public Utilities (SPU) within the easements originally granted to The City of Seattle ("City") for drainage and wastewater purposes; and

WHEREAS, the City, acting by and through Seattle Public Utilities (SPU), has determined that all or portions of the sewer lines, storm drain lines, and facilities may be relocated to accommodate property development; and

WHEREAS, the City has also determined the following existing drainage and wastewater facility easements are surplus to the City's needs:

- A. The sanitary sewer easement that the City accepted pursuant to Ordinance 51990; King County Recording Number 3362492; and
- B. The sanitary sewer and storm drainage easements that the City accepted pursuant to Ordinance 120206; King County Recording Number 20010313001706; and
- C. The sanitary sewer easement that the City accepted pursuant to Ordinance 102115; King County Recording Number 7107070611; and

1 WHEREAS, easements are required from customers to allow for the installation, maintenance,  
2 and operation of replacement or affected existing sanitary sewers and storm drain  
3 facilities; and

4 WHEREAS, SPU has determined the interests of the City, SPU, and SPU's customers are best  
5 served by relinquishing the existing sewer and storm drain easements and accepting new  
6 easements to accommodate the relocated or affected existing sanitary sewers and storm  
7 drain facilities; NOW, THEREFORE,

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

9 Section 1. Pursuant to the provisions of RCW 35.94.040, and after public hearing, certain  
10 existing easements to construct, maintain and operate sewer and storm drain utilities in Seattle,  
11 as set forth and legally described in Attachment 1 to this ordinance, are hereby declared no  
12 longer required for municipal utility purposes and are surplus to The City of Seattle's utility  
13 needs.

14 Section 2. The General Manager/CEO of Seattle Public Utilities, or the General  
15 Manager/CEO's designee, is hereby authorized to execute, on behalf of The City of Seattle, the  
16 relinquishment of all easement property rights and interests set forth and legally described in  
17 Attachment 1 to this ordinance.

18 Section 3. The City of Seattle hereby accepts the easements granted to The City of Seattle  
19 for sanitary sewer and storm drain facilities over, under, across, and upon the real property  
20 generally described below and legally described in Attachment 2 to this ordinance.

21 A. Grantor: King County, a political subdivision of the State of Washington, grants  
22 and conveys a sanitary sewer easement facilities and appurtenances to The City of Seattle,  
23 Washington, as recorded under King County Recording Number 20180828000883.

1           B.       Grantor: Broadmoor Golf Club, a Washington nonprofit corporation, grants and  
2 conveys a sanitary sewer easement facilities and appurtenances to The City of Seattle,  
3 Washington, as recorded under King County Recording Number 20180509001102.

4           Section 4. The real property rights and interests conveyed by the easements referenced  
5 and accepted in this ordinance shall be placed under the jurisdiction of Seattle Public Utilities.

6           Section 5. Any act consistent with the authority of this ordinance taken prior to its  
7 effective date is ratified and confirmed.

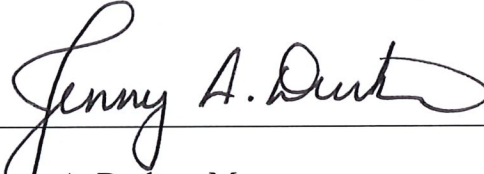
1 Section 6. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 16<sup>th</sup> day of December, 2019,  
5 and signed by me in open session in authentication of its passage this 16<sup>th</sup> day of  
6 December, 2019.

7 

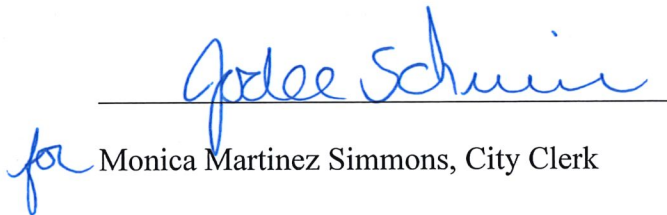
8 President \_\_\_\_\_ of the City Council

9 Approved by me this 20<sup>th</sup> day of December, 2019.

10 

11 Jenny A. Durkan, Mayor

12 Filed by me this 23<sup>rd</sup> day of December, 2019.

13 

14 for Monica Martinez Simmons, City Clerk

15 (Seal)

- 16 Attachments:  
17 Attachment 1 – Legal Descriptions of Relinquished Easements  
18 Attachment 2 – Legal Descriptions of Acquired Easements

**ATTACHMENT 1 – Legal Descriptions of Relinquished Easements**

**1. Description of easement relinquished by document King County Recording Number 20180604000501 (SPU file number 2018-004-002)**

- a. Type: Sanitary Sewer Easement**
- b. Grantor: Broadmoor Maintenance Commission, a Washington corporation**
- c. Title of Instrument: 3362492**
- d. Recording No. CF108321**
- e. Recording Date: September 23, 1924**
- f. Legal Description:**

THAT PORTION OF THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, BEING THE AS-BUILT LOCATION OF A SEWER LINE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE SOUTH 89°34'47" EAST ALONG THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 730.23 FEET;  
THENCE NORTH 3032.08 FEET TO THE NORTHWESTERLY CORNER OF TRACT 74 OF UNRECORDED PLAT OF BROADMOOR, (KNOWN AS TRACT 74 ACCORDING TO THE CERTIFICATE OF SURVEY RECORDED IN VOLUME 1251 OF DEEDS, PAGE 121, RECORDS OF SAID COUNTY, WASHINGTON)  
THENCE NORTH 62°58'31" EAST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 41.73 FEET;  
THENCE LEAVING SAID TRACT LINE NORTH 10°06'29" WEST, A DISTANCE OF 26.00 FEET;  
THENCE NORTH 79°53'31" EAST, A DISTANCE OF 95.14 FEET;  
THENCE NORTH 02°54'37" WEST, A DISTANCE OF 21.68 FEET TO THE TRUE POINT OF BEGINNING OF SAID SEWER LINE;

THENCE SOUTH 02°54'37" EAST, A DISTANCE OF 133.53 FEET TO THE TERMINUS OF SAID SEWER LINE.

**2. Description of easement relinquished by document King County Recording Number 20190123000247 (SPU file number 2018-009-001)**

- a. Type: Sanitary Sewer/Storm Drainage Easement**
- b. Grantor: Goodwin Builders, Inc. a Washington Corporation**
- c. Title of Instrument: S.P. Goodwin's Addition To Seattle**
- d. Recording No. 20010313001706**
- e. Recording Date: March 13,2001**
- f. Legal Description:**

The Easterly 12 feet of Lots 2,3,4 and 5 of Block 3, and over, under and through the Easterly 10 feet Lots 10, 11, 12 and Northerly 10 feet of Lot 10 of Block 3, all within S.P. GOODWIN'S ADDITION TO SEATTLE



**3. Description of easement relinquished by document King County Recording Number 20171106000579 (SPU file number 2017-004-002)**

- a. **Type: Sanitary Sewer Easement**
- b. **Grantor: King County, a municipal corporation**
- c. **Title of Instrument: Easement**
- d. **Recording No.: 7107070611**
- e. **Recording Date: May 26, 1971**
- f. **Legal Description:**

That portion of Block C, Greene's Replat of Block 10, Squire Park Addition, as recorded in Volume 10 of Plats, Page 98, Records of King County, Washington and of vacated 13<sup>th</sup> Avenue and vacated East Alder Street as vacated under Ordinance No. 98410 lying 5 feet on each side of a line described as follows: Beginning at the intersection of the centerline of said 13<sup>th</sup> Avenue South with the south line of East Remington Court; thence south along said centerline to a point 150 feet north of the centerline of East Alder Street; thence southeasterly to a point on a line which is 21 feet south of and parallel with the centerline of East Alder Street, distant 200 feet west of the centerline of 14<sup>th</sup> Avenue; thence east along said parallel line to the west line of 14<sup>th</sup> Avenue as established by Ordinance No. 98410.

## ATTACHMENT 2 – Legal Descriptions of Acquired Easements

### 1. Description of easement acquired by document King County Recording Number 20180828000883. (SPU file number 2017-004-001)

- a. **Type: Sanitary Sewer Easement**
- b. **Grantor: King County, Washington**
- c. **Title of Instrument: Sewer Utility Easement**
- d. **Recording No. 20180828000883**
- e. **Recording Date: August 28, 2018**
- f. **Legal Description:**

SEWER EASEMENT  
PARCEL No. 2908700085

THAT PORTION OF PARCEL A, CITY OF SEATTLE LOT BOUNDARY ADJUSTMENT No. 3024559 RECORDED UNDER RECORDING No. 20160825900001, RECORDS OF KING COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL A; THENCE NORTH 01°07'26" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 275.51 FEET TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 01°07'36" EAST ALONG SAID LINE A DISTANCE OF 16.51 FEET; THENCE LEAVING SAID LINE, SOUTH 51°33'01" EAST A DISTANCE OF 19.69 FEET; THENCE SOUTH 01°07'30" WEST A DISTANCE OF 280.12 FEET TO THE SOUTH LINE OF SAID PARCEL A; THENCE NORTH 88°45'00" WEST ALONG SAID LINE A DISTANCE OF 15.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,479 SQUARE FEET, MORE OR LESS.

**2. Description of easement acquired by document King County Recording Number 20180509001102. (SPU file number 2018-004-001)**

- a. Type: Sanitary Sewer Easement**
- b. Grantor: Broadmoor Golf Club**
- c. Title of Instrument: Sanitary Sewer Easement**
- d. Recording No. 20180509001102**
- e. Recording Date May 9, 2018**
- f. Legal Description:**

THAT PORTION OF THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 25 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE SOUTH 89°34'47" EAST ALONG THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 730.23 FEET;

THENCE NORTH 3032.08 FEET TO THE NORTHWESTERLY CORNER OF TRACT 74 OF UNRECORDED PLAT OF BROADMOOR, (KNOWN AS TRACT 74 ACCORDING TO THE CERTIFICATE OF SURVEY RECORDED IN VOLUME 1251 OF DEEDS, PAGE 121, RECORDS OF SAID COUNTY WASHINGTON)

THENCE NORTH 62°58'31" EAST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 41.73 FEET;

THENCE LEAVING SAID TRACT LINE NORTH 10°06'29" WEST, A DISTANCE OF 14.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 10°06'29" WEST, A DISTANCE OF 12.00 FEET;

THENCE NORTH 79°53'31" EAST, A DISTANCE OF 211.97 FEET;

THENCE SOUTH 10°06'29" EAST, A DISTANCE OF 12.00 FEET;

THENCE SOUTH 79°53'31" WEST, A DISTANCE OF 211.97 FEET TO THE TRUE POINT OF BEGINNING;

THE ABOVE DESCRIBED CONTAINING 2,544 SQUARE FEET, MORE OR LESS.