



SEATTLE CITY COUNCIL

Legislative Summary

CB 119177

Record No.: CB 119177

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125514

In Control: City Clerk

File Created: 09/01/2017

Final Action: 01/19/2018

Title: AN ORDINANCE relating to the Department of Parks and Recreation and Seattle Public Utilities; transferring partial jurisdiction of real property within Block 1, Plat of Yesler Terrace Community, as recorded in Volume 267, page 59 of plats; for maintenance, repair, replacement, and operation of the existing combined drainage and sewer facility.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: bob.hennessey@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	10/09/2017	Mayor's leg transmitted to Council	City Clerk			
	Action Text:		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	Notes:						
1	City Clerk	10/10/2017	sent for review	Council President's Office			
	Action Text:		The Council Bill (CB) was sent for review. to the Council President's Office				
	Notes:						
1	Council President's Office	11/08/2017	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			

Legislative Summary Continued (CB 119177)

Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee

Notes:

- 1 Full Council 01/08/2018 referred Civil Rights, Utilities, Economic Development, and Arts Committee
- 1 Civil Rights, Utilities, Economic Development, and Arts Committee 01/09/2018 pass Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).

Notes:

In Favor: 3 Chair Herbold, Vice Chair Sawant, Member O'Brien

Opposed: 0

- 1 Full Council 01/16/2018 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, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Sawant

Opposed: 0

- 1 City Clerk 01/17/2018 submitted for Mayor's signature Mayor
- 1 Mayor 01/19/2018 Signed
- 1 Mayor 01/19/2018 returned City Clerk
- 1 City Clerk 01/19/2018 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 125514

COUNCIL BILL 119177

AN ORDINANCE relating to the Department of Parks and Recreation and Seattle Public Utilities; transferring partial jurisdiction of real property within Block 1, Plat of Yesler Terrace Community, as recorded in Volume 267, page 59 of plats; for maintenance, repair, replacement, and operation of the existing combined drainage and sewer facility.

WHEREAS, in 2014 Seattle Public Utilities (SPU) constructed a combined drainage and sewer conveyance pipe, approximately 325.14 linear feet in length and 18 inches in diameter, within Block 1, Plat of Yesler Terrace Community, Volume 267, page 59 of plats – Tax Parcel Number 9822000010 (the “SPU Facility”); and

WHEREAS, Seattle Housing Authority (SHA) transferred the property containing the same combined drainage and sewer pipe to the Department of Parks and Recreation (DPR) in December 2016; and

WHEREAS, DPR and SPU determined it would be to their mutual benefit to transfer partial jurisdiction of the area occupied by the SPU Facility (the “Use Area”) from DPR to SPU to facilitate efficient operation, maintenance, repair, and replacement of the SPU Facility through the Use Area and have furthermore determined the benefits to the servient property approximate in value and rights and privileges to be transferred to Seattle Public Utilities; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Such limited and partial transfer of jurisdiction of the following described real property (the “Use Area”) as shall be necessary for the continued use, maintenance, repair, replacement, and operation of the combined drainage and sewer conveyance pipe within Block 1, Plat of Yesler Terrace Community (the “SPU Facility”) is hereby transferred from the

1 Department of Parks and Recreation (DPR) to Seattle Public Utilities (SPU) on the conditions
2 that: (a) SPU shall give DPR at least 72 hours' notice of intent to access the area occupied by the
3 Use Area for maintenance and or repair of the SPU Facility, except in the case of emergency;
4 (b) after any maintenance and repair of all or any portion of the SPU Facility, SPU will restore
5 the Use Area as nearly as possible to the condition existing immediately prior to such
6 maintenance and repair at SPU's expense; and (c) SPU shall not use any DPR land outside of the
7 Use Area, except for access purposes for such maintenance or repair as permitted in Section 2 of
8 this ordinance, without the prior written approval of DPR;

9 USE AREA within parcel PIN#9822000010;

10 A portion of Block 1, Plat of Yesler Terrace Community, as recorded in Volume 267,
11 Page 59 of plats, King County, Washington, described as follows:

12 Beginning at the northwest corner of said Block 1, said point of beginning also being the
13 intersection of the easterly margin of 8th Avenue and the southerly margin of Yesler Way;
14 thence along said southerly margin and the northerly line of said Block 1 South 88°43'47"
15 East, 287.17 feet to the TRUE POINT OF BEGINNING; thence continuing along said
16 southerly margin South 88°43'47" East, 22.24 feet; thence leaving said southerly margin
17 South 24°40'17" East, 250.21 feet to a point on the northerly margin of S. Washington
18 Street as established by said Plat of Yesler Terrace Community; thence along said
19 northerly margin North 88°43'47" West, 22.24 feet; thence leaving said northerly margin
20 North 24°40'17" West, 250.21 feet to the TRUE POINT OF BEGINNING, containing
21 5,004 square feet, more or less.

22 Basis of Bearings: Centerline for Yesler Way, Plat of Yesler Terrace Community,
23 Recording No.20141209001425, records of King County, Washington.

24 Section 2. To assure access the Use Area, Parks or its successor department or agency
25 shall have reasonable pedestrian access across the adjacent DPR land, or vehicular access if
26 required, for maintenance or repair, but only on surfaces capable of supporting the weight of the
27 vehicles, so as not to damage DPR land, vegetation, or improvements. SPU shall restore any
28 DPR land, vegetation, or improvements damaged by such access as nearly as possible to the
29 condition existing immediately prior to such maintenance and repair at SPU's expense.

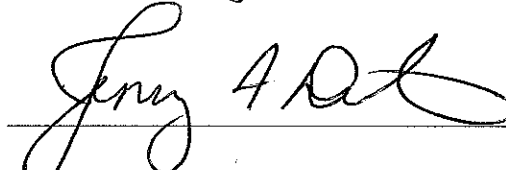
1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 16th day of January, 2018,
5 and signed by me in open session in authentication of its passage this 16th day of
6 January, 2018.

7 

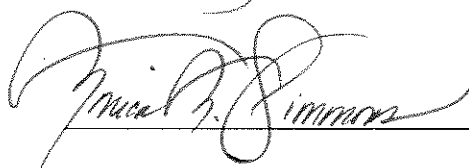
8 President _____ of the City Council

9 Approved by me this 19th day of January, 2018.

10 

11 Jenny A. Durkan, Mayor

12
13 Filed by me this 19th day of January, 2018.

14 

15 Monica Martinez Simmons, City Clerk

16 (Seal)