

## SEATTLE CITY COUNCIL

### **Legislative Summary**

#### CB 118500

11	118	500
		118

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.

			<u>Date</u>
Notes:		Filed with City Clerk:	
		Mayor's Signature:	
Sponsors:	Godden	Vetoed by Mayor:	
		Veto Overridden:	
		Veto Sustained:	
ttachments:			
Drafter:	adam.schaefer@seattle.gov		

□ No History of Legislative File ☐ Yes Legal Notice Published: Ver-**Acting Body:** Date: Action: Sent To: Due Date: Return Result: Date: sion: 08/25/2015 Mayor's leg Mayor City Clerk transmitted to Council Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk Notes: 08/25/2015 sent for review City Clerk Council President's Office The Council Bill (CB) was sent for review. to the Council President's Office Action Text: Notes:

Filing Requirements/Dept Action:

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,

09/15/2015 pass

Pass

Libraries, and Gender Pay Equity Committee

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 Clarical Councilmember Clarical Councilmember Clarical Councilmember Clarical Councilmember

O'Brien, Councilmember Okamoto, Councilmember Rasmussen,

Councilmember Sawant

Opposed: 0

1 City Clerk

09/22/2015 submitted for

Mayor

Mayor's signature

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:

l 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** 1 ORDINANCE 124864 2 118500 COUNCIL BILL 3 4 AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the 5 Superintendent of Parks and Recreation to acquire, through negotiation or condemnation, 6 7 land and other necessary property rights commonly known as portions of 12754 8 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 9 the Superintendent to be necessary to this transaction on behalf of the City; placing 10 conveyed real property under the jurisdiction of the Department of Parks and Recreation; 11 and ratifying and confirming certain prior acts. 12 13 WHEREAS, Resolution 29370 adopted policies to guide the development of public access 14 improvements to shoreline street ends, which led to the 2008 draft of a Shoreline Street 15 End Master Plan with identified implementation projects for the City's 149 identified 16 street ends; and 17 WHEREAS, NE 130<sup>th</sup> Street's end was designated as one of Seattle's 149 street ends by the 18 19 Seattle Department of Transportation (SDOT) and its predecessor organizations; and WHEREAS, the Seattle Department of Parks and Recreation has partnered with SDOT to 20 implement street end improvement projects; and 21 WHEREAS, from the early 1920s, when NE 130<sup>th</sup> Street was first platted and the neighborhood 22 established, until very recently, when title to the street end was quieted to the abutting 23 property owners pursuant to judgment in King County Superior Court Case No. 12-2-21-24 21156-6 SEA and affirmed by the Court of Appeals, Division I of the State of 25 Washington, the NE 130<sup>th</sup> Street end served as a community beach and provided public 26 access to Lake Washington; and 27 WHEREAS, the NE 130<sup>th</sup> Street end provides the only water access north of NE 95<sup>th</sup> Street; and 28

Lise Ward
DPR NE 130th Acq ORD
D2

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

City's shorelines; and

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

NOW, THEREFORE,

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

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

THE NORTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT PORTION OF LAND, APPROXIMATELY 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 AUDITORL SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON; SUBECT TO AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC UTILTIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.

and

THE SOUTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT PORTION OF LAND, APPROXIMATELY 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; SUBJECT TO AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC UTILITIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.

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

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

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

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

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

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 21st day of September, 2015, and signed by me in open session in authentication of its passage this 215t day of <u>September</u>, 2015. of the City Council President Approved by me this  $\frac{29}{4}$  day of  $\frac{594}{4}$ , 2015. Edward B. Murray, Mayor Monica Martinez Simmons, City Clerk (Seal) 

# The Seattle Times

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

Seattle, WA 98134

Re: Advertiser Account # 107207

Ad#: 577354

Agency Account #: 0

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.

Seattle Times Seattle Times	09/04/15 09/11/15

Newspaper and Publication Date(s)

Agent	Sharon Seligmar	Signature	hours Seligmon
OF WASHING	m ayres	E Que	September 11, 2015 DATE MAUREEN & DOGAN of Washington, residing at Seattle

# The Seattle Times

Re: Advertiser Account # 107207

Agency Account #: 0

#### AD TEXT

SEATTLE PARKS AND RECREATION

Intent to Acquire Ownership of 12754 Riv-iera 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 1459500060)

143y300060)
The City of Seattle intends to acquire ownership of portlans of the above properties located in Seattle, WA using its power of eminent domain (condemnation) for public use. The properties are legally described as:

scribed 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-ofWay 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, Iving 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 Seat-tle City Council, Council Chambers in City Hall, 600 Fourth Avenue, Seattle, 2nd floor, as follows:

Scattle City Council Parks, Seattle Center, Libraries and Gender Pay Equality Com-mittee 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.

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

Ad #: 577354

Agency Name:

#### STATE OF WASHINGTON -- KING COUNTY

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

Subscribed and sworn to before me on

-09/10/2015

Notary public for the State of Washington, residing in Scattle

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 1459500080)

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, Codar 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.

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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@senttle.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

E THIS SECTION ON DELIVERY DER: COMPLETE THIS SECTION A. Signature omplete items 1, 2, and 3. Also complete em 4 if Restricted Delivery is desired. X rint your name and address on the reverse C. Date of Delivery o that we can return the card to you. B. Received by (Printed Name) ttach this card to the back of the mailpiece, r on the front if space permits. D. Is delivery address different from item 1? If YES, enter delivery address below: rticle Addressed to: BTH L. HOLMGUIST 44 A. BUDNE HOLMGUIST 13002 RIVIEZA PL NE SCATTLE, WA GOIDS 3. Service Type ☐ Express Mail Certified Mail ☐ Return Receipt for Merchandise ☐ Registered ☐ Insured Mall ☐ C.O.D. 4. Restricted Delivery? (Extra Fee)

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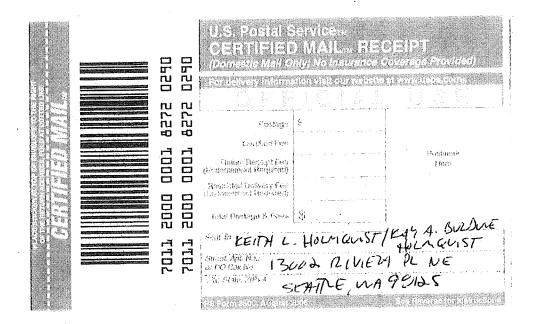
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INTERNATIONAL 414 6TH AVE S SEATTLE WA 981042959 5476270016 5:09 PM 09/01/2015 Final Sale Price Description Qty First-Class \$1.20 Mail Large Envelope (Domestic) (SEATTLE, WA 98125) (Weight: 0 Lb 1.90 0z) (Expected Delivery Day) (Friday 09/04/2015) \$3.45 Certified (@@USPS Certified Mail #) (70112000000182720290) \$2.80 1 Return Receipt (@@USPS Return Receipt #) (9590952106150038340213) \$7.45 Total \$7.45 Debit Card Remit'd (Card Name: Debit Card) (Account #:XXXXXXXXXXXXXX1699) (Approval #:304527) (Transaction #:346) (Receipt #:002500) (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

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Post Offices.

### UNITED STATES POSTAL SERVICE



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# **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 4th Avenue, 2nd 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.

#### 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 <u>jean.godden@seattle.gov</u> or mail to Jean Godden; Seattle City Council, 600 4th 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 <a href="http://www.seattle.gov/council/committees/parks/default.htm">http://www.seattle.gov/council/committees/parks/default.htm</a> 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 4th Avenue, 2nd 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

Lise Ward DPR NE 130<sup>st</sup> Acq ORD D?

1 CITY OF SEATTLE 2 ORDINANCE 3 COUNCIL BILL \_\_\_\_ 4 ..title AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the 5 6 Superintendent of Parks and Recreation to acquire, through negotiation or condemnation, 7 land and other necessary property rights commonly known as portions of 12754 8 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 9 10 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; 11 12 and ratifying and confirming certain prior acts. 13 WHEREAS, Resolution 29370 adopted policies to guide the development of public access 14 improvements to shoreline street ends, which led to the 2008 draft of a Shoreline Street 15 End Master Plan with identified implementation projects for the City's 149 identified 16 17 street ends; and WHEREAS, NE 130th Street's end was designated as one of Seattle's 149 street ends by the 18 19 Seattle Department of Transportation (SDOT) and its predecessor organizations; and WHEREAS, the Seattle Department of Parks and Recreation has partnered with SDOT to 20 21 implement street end improvement projects; and WHEREAS, from the early 1920s, when NE 130th Street was first platted and the neighborhood 22 23 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. 12-2-21-24 21156-6 SEA and affirmed by the Court of Appeals, Division I of the State of 25 Washington, the NE 130th Street end served as a community beach and provided public 26 27 access to Lake Washington; and WHEREAS, the NE 130th Street end provides the only water access north of NE 95th Street; and 28

1	Lise Ward DPR NE 130 <sup>th</sup> Acq ORD D2
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 rea
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 12 13 14 15 16 17	THE NORTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT PORTION OF LAND, APPROXIMATELY 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 AUDITORL SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON; SUBECT TO AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC
19 20	UTILTIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.
21 22	and
23 24 25 26 27	THE SOUTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT PORTION OF LAND, APPROXIMATELY 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
28 29 30	RECORDS OF KING COUNTY AUDITOR; SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON; SUBJECT TO AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC

 UTILITIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012

WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.

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

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

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

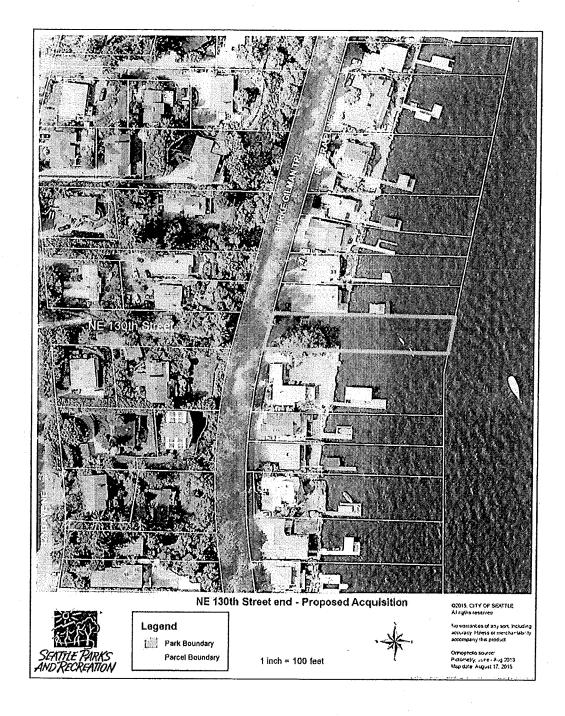
Section 5. The Property, when acquired by the City, shall be placed under the jurisdiction of the Seattle Department of Parks and Recreation and accepted for open space, park, and recreation purposes.

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

1	Section 7. This ordinance sha	ll take effect and	be in force 30 days after it	s 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	e day of		_, 2015, and			
5	signed by me in open session in author	entication of its pa	assage this				
6	day of	_, 2015.					
7							
8							
9		President	of the City Council				
10				•			
11	Approved by me this da	y of	, 2015.	ě			
12							
13				•			
14		Edward B. Murra	ay, Mayor				
15							
16	Filed by me this day of		, 2015.				
17							
18			· · · · · · · · · · · · · · · · · · ·				
19		Monica Martinez	z Simmons, City Clerk				
20							
21							
22	(Seal)						
23	·						
				•			

# 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

Ad #: 577354

Agency Account #: 0

Agency Name:

21

## 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 Pu	Newspaper and Publication Date(s)			
 **************************************				
Seattle Times	09/04/15			
Seattle Times	09/11/15			
Deathe Times	03/11/10			
•				

	Agent	Sharon Seligman	_Signature	raison Seligman
OF WALL	OLOGO AND SHIP OF SHIP	m augus E	Que soo	September 11, 2015 DATE MAUREEN E D. 66AN of Washington, residing at Seattle

# The Seattle Times

Re: Advertiser Account # 107207

Agency Account #: 0

#### AD TEXT

SEATTLE PARKS AND RECREATION Inlent to Acquire Ownership of 12754 Riviera Place NE, Seattle, WA 98125 (ptn of King County Tox Parcel 148550065) and 13002 Riviera Place NE, Seattle, WA 98125 (pln of King County Tox Parcel 1485500060)

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

Scattle City Council Parks, Scattle Center, Libraries and Gender Pay Equality Com-mittee Public Hearing, Committee Discussion and Vote Tuesday, September 15, 2015, 9:30 a.m.

Luesday, 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.

donold.harris@seattle.gov Voice: (206) 684-8018 Fax: (206) 233-7038

Ad #: 577354

Agency Name:

### STATE OF WASHINGTON - KING COUNTY

-- 55

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

\_09/10/2015

eroed and sworn to before me on

Notary public for the State of Washington, residing in Scattle

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 Parce! 149520063) and 18002 Riviera Place NE, Seattle, WA 98125 (ptn of King County Tax Parce! 1408500060)

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 cast 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, Codar 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 proceed 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@sentile vov

Voice: (206) 684-8018 Par. (206) 283-7038
 Dates of publication in the Seattle Daily Journal of Commerce; September 3 and 10, 2015.

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

For delivery information visit our website Street Apt. No. 1000

SEATTLE 19825

Postage \$ 3.45 TO 0016

Certified Fee \$2.80 Postmark Here (Endorsement Required)

Restricted Delivery Fee (Endorsement Required)

Total Postage & Fees \$1.20

Sireet, Apt. No. 10 7 SY 2 (VIEW OLD NE. 1000)

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PS Form 3800, August 2006 See Reverse for Instructions

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INTERNATIONAL 414 6TH AVE S SEATTLE WA 981042959 5476270016 5:12 PM 09/01/2015 Sale Final Product Description Qty Price First-Class \$1.20 Mail Large Envelope (Domestic) (SEATTLE, WA 98125) (Weight: 0 Lb 1.90 Oz) (Expected Delivery Day) (Friday 09/04/2015) \$3,45 Certified (@@USPS Certified Mail #) (70112000000182720184) \$2.80 Return Receipt (@@USPS Return Receipt #) (9590952106150038340220) \$7.45 Total Debit Card Remit'd \$7.45 (Card Name: Debit Card) (Account #:XXXXXXXXXXXXX1699) (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

After delivery neethic tracking

Post Offices.

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    (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
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cards available for purchase at select

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After delivery wee this tracking

Post Offices.

#### COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. A. Signature ☐ Agent X ☐ Addressee Print your name and address on the reverse so that we can return the card to you. C. Date of Delivery B. Received by (Printed Name) Attach this card to the back of the mailplece, or on the front if space permits. D. Is delivery address different from item 1? ☐ Yes 1. Article Addressed to: If YES, enter delivery address below: FIZEDEZICK KASESUZLO 12754 RIVIER PENE SHATTLE MA 99125 3. Service Type Certified Mall ☐ Express Mall ☐ Return Receipt for Merchandise ☐ Registered ☐ C.O.D. ☐ Insured Mail 4. Restricted Delivery? (Extra Fee) ☐ Yes 2. Article Number 4810 2228 TOOO DOO2 TLO2 (Transfer from service label) 102595-02-M-1540 Domestic Return Receipt PS Form 3811, February 2004

U.S. Postal Service™ CERTIFIED MAIL, RECEIPT 03.84 01.84 estic Mail Only; No Insurance Coverage Provided) 8272 8272 Postage Certified Fee 0001 1000 Postmark Hotum Receipt Fee (Endorsement Required) Here Restricted Delivery Fee (Endorsement Required) Total Postage & Fees FREDEZICK KASBUZG 127542 NIECH A NE City, State, Zirk SEATTLE, WA 98125



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 DEPARTMENT OF PAZKS &
RESTENTION
SCO MAKNAND AVE S.
300 FLOOR
SCHITCE, WA 99134

### Certified Mail Provides:

- A mailing receipt
- A unique Identifier for your mailpiece
- A record of delivery kept by the Postel Service for two years

#### Important Reminders:

- Certified Mail may ONLY be combined with First-Class Maile or Priority Maile.
- 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 Réturn 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 malipiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPSe postmark on your Certified Mail receipt is
- \* For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the malipiece with the endorsement \*Restricted Delivery\*.
- If a postmark on the Certified Mall receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mall receipt is not needed, detach and effix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry. P8 Form 3800, August 2006 (Revenus) PSN 7530-02-900-9047



# **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.

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 4th Avenue, 2nd 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.

#### 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 <a href="mailto:jean.godden@seattle.gov">jean.godden@seattle.gov</a> or mail to Jean Godden; Seattle City Council, 600 4th 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 <a href="http://www.seattle.gov/council/committees/parks/default.htm">http://www.seattle.gov/council/committees/parks/default.htm</a> 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

1	CITY OF SEATTLE
2	ORDINANCE
3	COUNCIL BILL
4 5 6 7 8 9 10 11 12	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
14	WHEREAS, Resolution 29370 adopted policies to guide the development of public access
15	improvements to shoreline street ends, which led to the 2008 draft of a Shoreline Street
16	End Master Plan with identified implementation projects for the City's 149 identified
17	street ends; and
18	WHEREAS, NE 130 <sup>th</sup> Street's end was designated as one of Seattle's 149 street ends by the
19	Seattle Department of Transportation (SDOT) and its predecessor organizations; and
20	WHEREAS, the Seattle Department of Parks and Recreation has partnered with SDOT to
21	implement street end improvement projects; and
22	WHEREAS, from the early 1920s, when NE 130 <sup>th</sup> Street was first platted and the neighborhood
23	established, until very recently, when title to the street end was quieted to the abutting
24	property owners pursuant to judgment in King County Superior Court Case No. 12-2-21-
25	21156-6 SEA and affirmed by the Court of Appeals, Division I of the State of
26	Washington, the NE 130 <sup>th</sup> Street end served as a community beach and provided public
27	access to Lake Washington; and
28	WHEREAS, the NE 130 <sup>th</sup> Street end provides the only water access north of NE 95 <sup>th</sup> Street; and

	DPR NE 130 <sup>th</sup> Acq ORD D2
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 12 13 14 15 16 17 18 19 20 21 22	THE NORTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT PORTION OF LAND, APPROXIMATELY 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 AUDITORL SITUATE IN THE CITY OF SEATTLE, COUNTY OF KING, STATE OF WASHINGTON; SUBECT TO AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC UTILTIES AND SERVICES WHICH AT THE DATE OF JUNE 20, 2012 WERE PHYSICALLY LOCATED ON THE SAID REAL PROPERTY.
23 24 25 26 27 28 29	THE SOUTH ONE-HALF OF THE FOLLOWING PARCEL: ALL THAT PORTION OF LAND, APPROXIMATELY 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; SUBJECT TO

33

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Lise Ward

AN EASEMENT FOR THE REPAIR AND MAINTENANCE OF PUBLIC

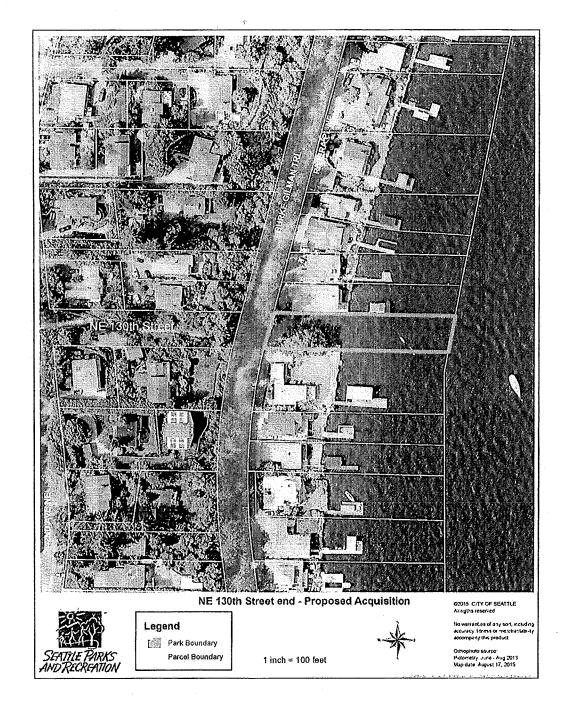
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1	Section 2. The Superintendent of Parks and Recreation, or the Superintendent's
2	designee, is authorized on behalf of the City to negotiate and enter into agreements to acquire the
3	Property, and upon payment of just compensation, to accept and 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
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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
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16	Section 6. Any act consistent with the authority of this ordinance and prior to its
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	Lise Ward DPR NE 130 <sup>th</sup> Acq ORD D2			
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3 -	shall take effect as provided by Seat	tle Municipal Code Section 1.	04.020.	•
4,	Passed by the City Council the day of			
5	signed by me in open session in authentication of its passage this			
6	day of	_, 2015.		
7				
8				
9		Presidentof the	City Council	
0				
1	Approved by me this da	ay of	_, 2015.	
2				
3				
4		Edward B. Murray, Mayor		
5				
.6	Filed by me this day of		, 2015.	
.7				
.8			*	
9		Monica Martinez Simmons, O	City Clerk	
0.				
:1				
2	(Seal)			
.3				
:				

# 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

Ad #: 577354

Agency Account #: 0

Agency Name:

## Affidavit of Publication

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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

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OF WASHING		arin &	Did son	September DATE MAUREEN of Washington, resid	6 Dalvan

# The Seattle Times

Re: Advertiser Account # 107207

Agency Account #: 0

AD TEXT

SEATTLE PARKS AND RECREATION

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1457500000)
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All that partian of fand, sixty feet in width,
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1, Block 2, Cédar Park Loke Front as per-plat recorded in volume 29 of plats, page
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in the City of Seattle, County of King, State
of Washington; and
The north gne-half of the following parcel:

The north one-half of the following parcel:
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Seattle City Council Parks, Seattle Center, Libraries and Gender Pay Equality Committee Public Hearing, Committee Discossion and Vote Tuesday, September 15, 2015, 9:30 a.m.
City Council (final action; adoption) Manaday, September 21, 2015, 2190 p.m.
All asssions are apen to the public.

All sessions are open to the public.
For further information, contact;
Dancid Harris
Manager, Property and Acquisition Services, Department of Parks and Recreation

donald,harris@seattle.gov Voice: (206) 684-8018 Fax: (206) 233-7038

Ad #: 577354

Agency Name:

#### STATE OF WASHINGTON -- KING COUNTY

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 12th 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 Williams

-09/10-2015

Subscribed and/sworn to before me on

Notary public for the State of Washington,

residing in Scattle

Affidavit of Publication