



Legislation Details (With Text)

File #: CB 118744 **Version:** 1 **Name:** CB 118744
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk
On agenda: 8/1/2016
Final Action: 8/3/2016 **Ord. No.** Ord 125099
Title: AN ORDINANCE relating to the City Light Department, declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to enter into a five-party Reciprocal Easement Agreement with ELA, LLC; Echo Lake Senior Apartments; The Young Men’s Christian Association of Greater Seattle; and the Ronald Wastewater District; authorizing the conveyance and acceptance of easements; and ratifying and confirming certain prior acts.
Sponsors: Kshama Sawant

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Attachments: 1. Att 1 – Reciprocal Easement Agreement, 2. Att 1 Ex A – The City Property, 3. Att 1 Ex B – The ELA Property, 4. Att 1 Ex C – The ELSA Property, 5. Att 1 Ex D – The YMCA Property, 6. Att 1 Ex E – Reciprocal Easements, New Access Road and Parking Spaces, 7. Att 1 Ex F – The New Retaining Wall, 8. Att 1 Ex G – The New Stairway Connecting New Access Road and Interurban Trail, 9. Att 1 Ex H – The Easement Area on City Property, 10. Att 1 Ex I – The Easement Area on ELA Property, 11. Att 1 Ex J – The Easement Area on ELSA Property, 12. Att 1 Ex K – The Easement Area on YMCA Property, 13. Summary and Fiscal Note, 14. Signed Ord 125099, 15. Affidavit of Publication

Date	Ver.	Action By	Action	Result
8/3/2016	1	City Clerk	attested by City Clerk	
8/3/2016	1	Mayor	returned	
8/3/2016	1	Mayor	Signed	
8/2/2016	1	City Clerk	submitted for Mayor's signature	
8/1/2016	1	City Council	passed	Pass
7/26/2016	1	Energy and Environment Committee	pass	Pass
7/25/2016	1	City Council	referred	
7/15/2016	1	Council President's Office	sent for review	
7/12/2016	1	City Clerk	sent for review	
7/12/2016	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department, declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to enter into a five-party Reciprocal Easement Agreement with ELA, LLC; Echo Lake Senior Apartments; The Young Men’s Christian Association of Greater Seattle; and the Ronald Wastewater District; authorizing the conveyance and acceptance of

easements; and ratifying and confirming certain prior acts.

WHEREAS, ELA, LLC, Echo Lake Senior Apartments, and the Young Men’s Christian Association of Greater Seattle have developed a mixed-use project in Shoreline, Washington, providing 489 units of affordable, market rate, and senior apartments, retail, a family YMCA and child care center, and a restored wetland and natural area (the “Echo Lake Village”); and

WHEREAS, a Seattle City Light transmission line right-of-way is adjacent to the Echo Lake Village on the east; a portion of this transmission line is built on the elevated roadbed of the former Seattle-to-Everett interurban railway; and City Light has historically maintained this transmission line from an access roadway lying partially on the Echo Lake Village property; and

WHEREAS, the Ronald Wastewater District operates a pump station to the north of the Echo Lake Village and has historically used the City Light access roadway to reach the pump station facility; and

WHEREAS, the Echo Lake Village development includes a new roadway accessible to City Light and Ronald Wastewater District staff and vehicles, a new retaining wall on City property which stabilizes the elevated roadbed of the former interurban railroad, and provides public access to the Shoreline Interurban Trail and the new Echo Lake natural area; and

WHEREAS, all of the foregoing improvements have been developed under temporary permits granted by City Light and the parties now wish to exchange reciprocal easements to formalize their mutual rights of access to and use of the roadway in perpetuity; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to the provisions of RCW 35.94.040 and after public hearing, certain real property rights acquired for an electrical transmission corridor are no longer needed exclusively for The City of Seattle’s utility purposes, over, through, and upon the property legally described in Exhibit A to Attachment 1 hereto (“The City of Seattle Property”), and are declared surplus to City needs.

Section 2. The General Manager and Chief Executive Officer of the City Light Department, or designee, is hereby authorized to enter a Reciprocal Easement Agreement, granting an access easement over, through, and

upon The City of Seattle Property to ELA, LLC; Echo Lake Senior Apartments; The Young Men’s Christian Association of Greater Seattle; and the Ronald Wastewater District as grantees; and accepting access easements from ELA, LLC; Echo Lake Senior Apartments; and The Young Men’s Christian Association of Greater Seattle as grantors, substantially in the form of the Reciprocal Easement Agreement attached hereto as Attachment 1.

Section 3. The easements to be acquired by The City of Seattle as grantee in accordance with Section 2 of this ordinance are placed under jurisdiction of the City Light Department.

Section 4. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2016, and signed by me in open session in authentication of its passage this _____ day of _____, 2016.

President _____ of the City Council

Approved by me this _____ day of _____, 2016.

Edward B. Murray, Mayor

Filed by me this _____ day of _____, 2016.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1- Reciprocal Easement Agreement

Exhibit A - The City Property

Exhibit B - The ELA Property

Exhibit C - The ELSA Property

Exhibit D - The YMCA Property

Exhibit E - Reciprocal Easements, New Access Road and Parking Spaces

Exhibit F - The New Retaining Wall

Exhibit G - The New Stairway Connecting New Access Road and Interurban Trail

Exhibit H - The Easement Area on City Property

Exhibit I - The Easement Area on ELA Property

Exhibit J - The Easement Area on ELSA Property

Exhibit K - The Easement Area on YMCA Property