



Legislation Details (With Text)

File #: CB 119828 **Version:** 1 **Name:** CB 119828
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 7/20/2020
Final Action: 7/24/2020 **Ord. No.** Ord 126112

Title: AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager/CEO of Seattle Public Utilities or designee to acquire by negotiation or eminent domain (condemnation) four separate parcels of land and all other necessary property rights owned by JSO Legacy Properties, LLC; John S. Roach as his separate property, and BNSF Railway Company, all located within Blocks 25 and 26 and vacated Court Street of the recorded plat of South Seattle, for water operations general purposes, and to execute, accept, and record deeds and conveyance documents and agreements deemed by the General Manager/CEO to be necessary to this transaction on behalf of the City; placing the conveyed real properties under the jurisdiction of Seattle Public Utilities; authorizing payment of all other costs associated with the acquisition; and ratifying and confirming certain prior acts.

Sponsors: Alex Pedersen

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Attachments: 1. Att 1 - Legal Description of King County Parcels #786610-1010 and #788610-0916, 2. Att 2 - Map of Parcel King County Parcels #788610-1010 and #788610-0916, 3. Att 3 - Legal Description of King County Parcel #788610-0917, 4. Att 4 – Map of Parcel King County Parcel #788610-0917, 5. Att 5 - Legal Description of a Portion of King County Parcels #788610-0915, 6. Att 6 - Map of a Portion of King County Parcel #788610-0915, 7. Summary and Fiscal Note v2, 8. Summary Ex A - Site Location Map, 9. Summary Ex B - Site Properties Map, 10. Summary and Fiscal Note, 11. Central Staff Memo, 12. Affidavit of Mailing, 13. Signed Ordinance 126112, 14. Affidavit of Publication

Date	Ver.	Action By	Action	Result
7/24/2020	1	City Clerk	attested by City Clerk	
7/24/2020	1	Mayor	returned	
7/24/2020	1	Mayor	Signed	
7/21/2020	1	City Clerk	submitted for Mayor's signature	
7/20/2020	1	City Council	passed	Pass
7/13/2020	1	City Council	referred	
7/8/2020	1	Council President's Office	sent for review	
6/30/2020	1	City Clerk	sent for review	
6/30/2020	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager/CEO of Seattle Public Utilities or designee to acquire by negotiation or eminent domain (condemnation) four separate parcels

of land and all other necessary property rights owned by JSO Legacy Properties, LLC; John S. Roach as his separate property, and BNSF Railway Company, all located within Blocks 25 and 26 and vacated Court Street of the recorded plat of South Seattle, for water operations general purposes, and to execute, accept, and record deeds and conveyance documents and agreements deemed by the General Manager/CEO to be necessary to this transaction on behalf of the City; placing the conveyed real properties under the jurisdiction of Seattle Public Utilities; authorizing payment of all other costs associated with the acquisition; and ratifying and confirming certain prior acts.

WHEREAS, since 2006 Seattle Public Utilities (SPU) has leased property to store excavation material and spoils required for water infrastructure repairs; and

WHEREAS, SPU desires to acquire property to create its own storage and spoils yard to ensure unrestricted material availability, and

WHEREAS, after SPU conducted an extensive search and evaluation of properties, it has found suitable property for its south storage and spoils yard; and

WHEREAS, RCW 8.12.030, 35.67.020, and 35.92.020 authorize The City of Seattle (City) to purchase or condemn property for utility or general municipal purposes; and

WHEREAS, the City Council has determined that the property legally described below meets SPU's needs for a site for a south storage and spoils yard; and

WHEREAS, the City approved a project in the Adopted 2015-2020 Capital Improvement Program Budget to address acquisition of a south storage and spoils yard; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Public convenience and necessity require the property identified in the records of the King County Assessor as Parcel Numbers 788610-1010, 788610-0916, 788610-0917, and a portion of 788610-0915, situated in the City of Seattle, County of King, State of Washington, together with all rights, privileges, and other property thereto, legally described and depicted in Attachments 1, 2, 3, 4, 5, and 6 to this ordinance to be acquired through negotiation or eminent domain (condemnation), for public use; namely for but not limited to Seattle Public Utilities water operations general purposes.

Section 2. The General Manager/CEO of Seattle Public Utilities or the General Manager/ CEO's designee is authorized on behalf of The City of Seattle (City): to negotiate and to enter into agreements to

acquire the four properties in Section 1 of this ordinance and, upon payment of just compensation, to accept and record deeds and other necessary instruments on behalf of the City; to provide relocation assistance to the extent required by law to the occupants of the properties; and to enter into agreements with the existing owners and tenants as needed to facilitate the successful acquisition of the properties.

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 of this ordinance, after just compensation has been made or 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 property acquisition provided for by this ordinance shall be paid from the \$5,700,000 authorized by Ordinance 126000 for BSL Code BC-SU-C410B, Master Project C600405 - S. Spoils Yard Purchase - Mead Street.

Section 5. The four properties, when acquired by The City, shall be placed under the jurisdiction of Seattle Public Utilities and designated for water operations general purposes.

Section 6. Any act consistent with the authority of this ordinance taken after its passage 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 _____ day of _____, 2020, and signed by me in open session in authentication of its passage this _____ day of _____, 2020.

President _____ of the City Council

Approved by me this _____ day of _____, 2020.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2020.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

- Attachment 1 - Legal Description of Parcels #786610-1010 and #788610-0916
- Attachment 2 - Map of Parcels #788610-1010 and #788610-0916
- Attachment 3 - Legal Description of Parcel # 788610-0917
- Attachment 4 - Map of Parcel # 788610-0917
- Attachment 5 - Legal Description Portion of Parcel # 788610-0915
- Attachment 6 - Map of Portion of Parcel # 788610-0915