



Legislation Text

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File #: CB 120557, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the Department of Transportation’s Hazard Mitigation Program; authorizing the Director of the Department of Transportation to acquire, accept, and record, on behalf of The City of Seattle, a Catchment Wall Easement from Paul Tan and Ly Ngoc Tan, a married couple, located in a portion of Lot 7, Block 35, Rainier Beach, and a Catchment Wall Easement from Gracie Lee Young, located in a portion of Lot 8, Block 35, Rainier Beach; for the purpose of extending the protection of the adjacent roadway of superficial surface erosion of the adjacent slopes along a portion of Rainier Avenue South; placing the real property rights under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts.

WHEREAS, the Landslide Mitigation Project under the Hazard Mitigation Program (the “Project”) provides the Seattle Department of Transportation (“SDOT”) with resources to identify landslide concerns that affect the right-of-way, undertake reconnaissance engineering and geotechnical studies of the problem areas, and prioritize and make repairs as necessary to maintain public safety; and

WHEREAS, historically, many landslides have occurred along Rainier Avenue South between Carver Street and South Norfolk Street (“Impacted Area”); and

WHEREAS, Ordinances 124374 and 126045 were passed in 2013 and 2020, respectively, accepting several easements to construct and maintain a retaining wall along portions of the Impacted Area to mitigate potential adverse impacts to Rainier Avenue South and the surrounding residences in the event of reoccurring landslides in the Impacted Area; and

WHEREAS, another landslide occurred in the Impacted Area due to heavy rainfall in February 2022 that damaged a new portion of the Impacted Area as well as a portion of the existing retaining wall; and

WHEREAS, SDOT has repaired the damaged portion of the retaining wall and plans to extend it in the

Impacted Area between South Perry Street and South Norfolk Street; and

WHEREAS, acceptance of the two new catchment wall easements is necessary and advisable to construct and maintain the retaining wall extension; NOW, THEREFORE,

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

Section 1. The Catchment Wall Easement dated July 12, 2022, granted by Paul Tan and Ly Ngoc Tan, a married couple, recorded under King County Recording Number 20220728000531 and attached as Attachment 1 to this ordinance, granting to The City of Seattle (the “City”) an easement to construct, repair, replace, and maintain a catchment wall and any other modifications associated with the catchment wall as described in the easement over property legally described and depicted in Exhibit A of Attachment 1 to this ordinance is accepted (a portion of Tax Parcel Number 712930-1765).

Section 2. The Catchment Wall Easement dated July 12, 2022, granted by Gracie Lee Young, recorded under King County Recording Number 20220728000533 and attached as Attachment 2 to this ordinance, granting to the City an easement to construct, repair, replace, and maintain a catchment wall and any other modifications associated with the catchment wall as described in the easement over property legally described and depicted in Exhibit A of Attachment 2 to this ordinance is accepted (a portion of Tax Parcel Number 712930-1775).

Section 3. The easements accepted in Sections 1 and 2 of this ordinance are placed under the jurisdiction of the Seattle Department of Transportation.

Section 4. Any act consistent with the authority of this ordinance taken prior to its effective date is 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 \_\_\_\_\_, 2023, and signed by

me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Elizabeth M. Adkisson, Interim City Clerk

(Seal)

Attachments:

Attachment 1 - Recorded Catchment Wall Easement granted by Paul Tan and Ly Ngoc Tan

Attachment 2 - Recorded Catchment Wall Easement granted by Gracie Lee Young