



Legislation Text

File #: CB 119177, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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

USE AREA within parcel PIN#9822000010;

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

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

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

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

Section 3. 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 _____, 2018, and signed by
me in open session in authentication of its passage this _____ day of _____, 2018.

President _____ of the City Council

Approved by me this _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)