



Legislation Details (With Text)

**File #:** CB 119212    **Version:** 1    **Name:** CB 119212  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 3/19/2018  
**Final Action:** 3/30/2018    **Ord. No.** Ord 125549

**Title:** AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within the City of Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept new easements; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

**Sponsors:** Lisa Herbold

**Indexes:**

**Attachments:** 1. Att 1 - Descriptions of Relinquished Easements, 2. Att 2 - Descriptions of Acquired Easements, 3. Summary and Fiscal Note, 4. Presentation, 5. Signed Ordinance 125549, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
3/30/2018	1	City Clerk	attested by City Clerk	
3/30/2018	1	Mayor	returned	
3/30/2018	1	Mayor	Signed	
3/23/2018	1	City Clerk	submitted for Mayor's signature	
3/19/2018	1	City Council	passed	Pass
3/13/2018	1	Civil Rights, Utilities, Economic Development, and Arts Committee	pass	Pass
3/12/2018	1	City Council	referred	
3/2/2018	1	Council President's Office	sent for review	
2/27/2018	1	City Clerk	sent for review	
2/26/2018	1	Mayor	Mayor's leg transmitted to Council	

**CITY OF SEATTLE**

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

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

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within the City of Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept new easements; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

WHEREAS, certain property improvements were built or have been planned to be built by various property

owners and customers of Seattle Public Utilities (SPU) within the easements originally granted to The City of Seattle (City) for drainage and wastewater purposes; and

WHEREAS, the City, acting by and through SPU, has determined that all or portions of the sewer lines, storm drain lines and facilities may be relocated to accommodate property improvement construction of its customers; and

WHEREAS, the City has also determined the following existing drainage and wastewater facility easements are surplus to the City's needs:

The storm drain easement that the City accepted pursuant to Ordinance 111047 and recorded under Recording Number 8211240941; and

The storm drain easement that the City accepted pursuant to Ordinance 111047 and recorded under Recording Number 8211240940; and

The sewer easement that the city accepted pursuant to Ordinance 125064 and recorded under Recording Number 9010310244; and

The temporary construction easement not accepted pursuant to ordinance and recorded under Recording Number 20000217000764; and

The temporary construction easement not accepted pursuant to ordinance and recorded under Recording Number 9710030902; and

The temporary construction easement not accepted pursuant to ordinance and recorded under Recording Number 9710071702; and

The temporary construction easement not accepted pursuant to ordinance and recorded under Recording Number 9710071699; and

The storm water drainage facility easement accepted pursuant to Ordinance 76186 and recorded under Recording Number 3721517; and

WHEREAS, easements are required from customers that benefit the City to allow for the installation,

maintenance and operation of replacement or affected existing sanitary sewers and storm drain facilities;  
and

WHEREAS, SPU has determined that the interests of the City, the Utility, and its customers are best served by relinquishing the existing sewer and storm drain easements and accepting new easements to accommodate the relocated or affected existing sanitary sewers and storm drain facilities; 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 existing easements, as set forth and legally described within Attachment 1 to this ordinance, to construct, maintain and operate sewer and storm drain utilities in the City of Seattle are hereby declared no longer required for municipal utility purposes and are surplus to The City of Seattle's utility needs.

Section 2. The Director of Seattle Public Utilities, or the Director's designee, is hereby authorized to execute, on behalf of The City of Seattle, the relinquishment of all easement property rights and interests set forth and legally described in Attachment 1 to this ordinance.

Section 3. The City of Seattle hereby accepts the easements granted to the City of Seattle for sanitary sewer and storm drain facilities over, under, across, and upon the real property generally described below and legally described in Attachment 2 to this ordinance.

Grantor: Don P. Goertzen, an unmarried person, grants and conveys an easement for drainage facilities and appurtenances to the City in the vicinity of the 2100 block of Perkins Lane West, Seattle, Washington, as recorded under King County Recording No. 20021031001185.

Grantors: Harold A. Daubenspeck and Rita M. Daubenspeck, husband and wife, grant and convey an easement for drainage facilities and appurtenances to the City in the vicinity of the 3000 block of Perkins Lane West, Seattle, Washington, as recorded under King County Recording No. 9710030902.

Grantor: Ruth M. Kildall, a married person, grants and conveys an easement for drainage facilities and appurtenances to the City in the vicinity of the 2800 block of Perkins Lane West, Seattle, Washington, as recorded under King County Recording No. 20021031001184.

Grantor: Joan McDonell, an unmarried person, grants and conveys an easement for drainage facilities and appurtenances to the City in the vicinity of the 2800 block of Perkins Lane West, Seattle, Washington, as recorded under King County Recording No. 20021031001186.

Section 4. The real property rights and interests conveyed by the easements referenced and accepted in this ordinance shall be placed under the jurisdiction of Seattle Public Utilities.

Section 5. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 6. 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)

Attachments:

Attachment 1 - Descriptions of Relinquished Easements

Attachment 2 - Descriptions of Accepted Easements