



Legislation Text

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File #: CB 118806, Version: 1

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**CITY OF SEATTLE**

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

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

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer facility easements within property bound by 25th Avenue NE, NE 49th Street, 30th Avenue NE, and NE 45th Street in Seattle as being surplus to the City's utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept a new easement from University Village Limited Partnership for a City-owned sanitary sewer facility; and ratifying and confirming certain prior acts.

WHEREAS, the University Village Partnership ("U Village") wishes to further develop its property, requiring relocation of portions of Seattle Public Utility (SPU) facilities, the relinquishment of a portion of an existing easement, and the acquisition of a new easement; and

WHEREAS, SPU has approved plans and specifications for the relinquishment of portions of the existing easement; and

WHEREAS, U Village will grant a sanitary sewer easement to the City that meets the specifications of SPU; and

WHEREAS, SPU has determined the interests of the utility and its customers are best served by relinquishing portions of existing easements and accepting a new easement in the same property; 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 a public hearing, a portion of the existing easements, legally described and defined as the Relinquishment Areas in Exhibits A and B of Attachment 1 to this ordinance, are hereby declared to be no longer required for providing public utility service

and surplus to the City's needs.

Section 2. The Director of Seattle Public Utilities, or the Director's designee, is authorized to execute for and on behalf of The City of Seattle a Relinquishment of Easement, substantially in the form of Attachment 1 to this ordinance.

Section 3. The Director of Seattle Public Utilities, or the Director's designee, is authorized to accept a utility easement for a sanitary sewer from the University Village Partnership, substantially in the form of Attachment 2 to this ordinance.

Section 4. Any act consistent with the authority of this ordinance taken after the passage of the ordinance, but prior to the 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 - Relinquishment and Partial Relinquishment of Easements

Exhibit A - Easement Area Legal Description

Exhibit B - Easement Area Map

Attachment 2 - Sanitary Sewer Easement

Exhibit A - Easement Area Legal Description

Exhibit B - Easement Area Map