



## Legislation Text

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**File #:** Res 31742, **Version:** 1

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### CITY OF SEATTLE

#### RESOLUTION \_\_\_\_\_

A RESOLUTION granting conceptual approval to Lakefront Investors 1 LLC and Lakefront Investors 2 LLC to construct, install, and maintain four sets of private communication conduits under and across Boren Avenue North, north of Mercer Street, and under and across the alley between Boren Avenue North and Fairview Avenue North, north of Mercer Street.

WHEREAS, Lakefront Investors 1 LLC and Lakefront Investors 2 LLC has applied for permission to construct, install, and maintain four sets of private communication conduits, under and across Boren Avenue North, north of Mercer Street, and under and across the alley between Boren Avenue North and Fairview Avenue North, north of Mercer Street, as part of the Lakefront projects located at 630 Boren Avenue North, 625 Boren Avenue North, and 609 Fairview Avenue North; and

WHEREAS, in making a recommendation, the Director of the Seattle Department of Transportation considered the submitted plans and application materials for constructing, installing, and maintaining of the four sets of private communication conduits and recommends that conceptual approval be granted; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR  
CONCURRING, THAT:**

Section 1. The City Council finds that the Lakefront Investors 1 LLC and the Lakefront Investors 2 LLC private communication conduits (the Project) are in the public interest.

Section 2. As conditions for obtaining permission to construct, install, and maintain the Project, Lakefront Investors 1 LLC and Lakefront Investors 2 LLC shall:

(1) Provide engineering plans for additional review and permitting by the Seattle Department of

Transportation, which the Director will circulate to other City departments and any public and private utilities affected by the installation of the proposed Project;

(2) Provide (i) a surety bond, (ii) covenant agreement, and (iii) public liability insurance naming the City as an additional insured or self-insurance, as approved by the City's Risk Manager;

(3) Pay all City permit fees;

(4) Obtain all necessary land use or building permits;

(5) Maintain and inspect the Project; and

(6) Remove the Project and restore the public right-of-way to its original condition upon expiration of the term permit or at the direction of the Director or City Council in accordance with the provisions of the term permit ordinance.

Section 3. After this resolution is adopted, SDOT will present to the City Council a draft term permit ordinance identifying the conditions under which permission may be granted for the use of the right-of-way. Permission to use the right-of-way is subject to the Council's decision to approve, deny, or modify the draft term permit ordinance presented by the Director.

Section 4. As recommended by the Director and the Mayor, conceptual approval for construction, installation, and maintenance of the Project is GRANTED.

Adopted by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and signed by me in open session in authentication of its adoption this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

The Mayor concurred the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Edward B. Murray, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)