



Legislation Text

File #: CB 119076, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer to grant a revised easement for access purposes over a portion of the City's fee-owned real property in the vicinity of East Marginal Way South and Duwamish Avenue South to JMDH Real Estate of Seattle, LLC; and ratifying and confirming certain prior acts.

WHEREAS, the East Marginal Way South Grade Separation Project is part of the Puget Sound Regional

Freight Action Strategy (FAST), a multi-agency effort to improve the flow of railway and truck freight in the region; and

WHEREAS, as part of the East Marginal Way Grade Separation Project, the City Light Department was

required to relocate certain overhead electric facilities on both City-owned property and on the abutting property of JMDH Real Estate of Seattle, LLC (JMDH) in the vicinity of East Marginal Way South and Duwamish Avenue South; and

WHEREAS, JMDH possessed an existing right of access across City of Seattle property reserved in a Quit

Claim Deed recorded under King County Auditor's File No. 3618953; and

WHEREAS, JMDH and the City Light Department agreed to a mutually beneficial exchange of easements to

allow the relocation of the City's overhead electric facilities and to allow JMDH to continue to exercise its rights to access its abutting property; and

WHEREAS, JMDH granted an easement to The City of Seattle for relocation of the City's overhead electric

facilities on JMDH property under King County Recording No. 20080724000224; and

WHEREAS, in return for JMDH's grant of an easement to relocate the City's electric facilities on JMDH

property, the City Light Department recommends that The City of Seattle grant to JDMH a revised access easement across the City's property; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The General Manager and Chief Executive Officer of Seattle City Light, or the General Manager and Chief Executive Officer's designee, is authorized to execute for and on behalf of The City of Seattle a Revised Easement Agreement, substantially in the form of Attachment 1 hereto, through which: JMDH releases and relinquishes to The City of Seattle all of JMDH's right, title, and interest reserved to the grantor, its successor, and assigns, in that Quit Claim Deed recorded under King County Auditor's File Number 3618953, and The City of Seattle grants to JMDH a revised easement for ingress and egress upon and across the City's real property described in Attachment 1 hereto.

Section 2. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

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 _____, 2017, and signed by me in open session in authentication of its passage this _____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Edward B. Murray, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Revised Easement Agreement