



Legislation Text

File #: CB 119639, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights to be surplus to the needs of Seattle Public Utilities; and authorizing the General Manager/CEO of Seattle Public Utilities to execute an easement agreement with Little Green Valley, LLC, a Washington limited liability company; Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint; The Heirs of Charles Eugene Flint; and Joan H. Zimmerman, allowing the use of certain City of Seattle property in the north half of the southwest quarter of Section 5, Township 22 North, Range 6 East, W.M., in King County Washington for access purposes.

WHEREAS, The City of Seattle owns or has an easement over a 120-foot wide tract of land commonly known as the Cedar River Pipeline Right of Way and SE Pipeline Road adjacent to Peterson Lake in King County, Washington; and

WHEREAS, Little Green Valley, LLC, a Washington limited liability company, Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint; The Heirs of Charles Eugene Flint; and Joan H. Zimmerman (collectively “Neighboring Owners”), own certain property to the north and east of the City of Seattle’s SE Pipeline Road right-of-way; and

WHEREAS, the Neighboring Owners have asserted certain rights to use the road as set forth in their lawsuit filed in King County Superior Court, and they have also requested that Seattle Public Utilities grant without warranty an easement for access purposes to the Neighboring Owners’ adjacent property; and

WHEREAS, Seattle Public Utilities supports granting the Neighboring Owners’ access easement request; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. After a public hearing and pursuant to the provisions of RCW 35.94.040, those non-exclusive access rights described and depicted in the easement agreement attached to this ordinance as Attachment 1 are declared to be no longer required for public utility service and surplus to the City’s needs.

Section 2. Upon receipt of payment in the amount of \$3,500, the General Manager/CEO of Seattle Public Utilities, or designee, is authorized to execute and grant, without warranty, to Little Green Valley, LLC, a Washington limited liability company, Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint; The Heirs of Charles Eugene Flint; and Joan H. Zimmerman (collectively “Neighboring Owners”), or to their successors or assigns as approved by the General Manager/CEO of Seattle Public Utilities, for and on behalf of The City of Seattle, a non-exclusive easement agreement, substantially in the form of Attachment 1 to this ordinance, for the purpose of ingress and egress.

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 _____, 2019, and signed by me in open session in authentication of its passage this _____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk
(Seal)

Attachments:

Attachment 1 - Utility Easement and Agreement