



Legislation Text

File #: CB 119955, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; relating to certain properties in the city of Renton at the intersection of Interstate 405 and Seattle Public Utilities' (SPU) Cedar River Pipelines right-of-way; declaring certain property rights surplus to the needs of SPU; authorizing the General Manager and Chief Executive Officer of SPU to execute and deliver a Quit Claim Deed to the Washington State Department of Transportation and to accept a Quit Claim Deed and three easements from the State of Washington as consideration for the release of the surplus property rights, all as necessary for the relocation of SPU's Cedar River water transmission pipelines in conjunction with the State's construction of the I-405 Renton "S" Curves project; all located in the SE quarter of the NW quarter of the SW quarter of Section 17, Township 23, Range 5 East, W.M., King County, Washington; and ratifying and confirming certain prior acts.

WHEREAS, The City of Seattle ("City") owns in fee a water transmission pipeline right-of-way in the city of Renton acquired for its Cedar River Pipelines; and

WHEREAS, the State of Washington, Department of Transportation ("State"), operates and maintains Interstate 405, which crosses the City's pipeline right-of-way; and

WHEREAS, the State has constructed and realigned said limited access highway (I-405) over, across and upon a portion of the City's pipeline right-of-way; and

WHEREAS, it is necessary under the Laws of the State of Washington (RCW 47.52.050) and in compliance with Federal Highway Administration requirements for the State to acquire in fee simple all land under its highways; and

WHEREAS, pursuant to an agreement between the City and State known as UT0225, Supplement 2, the City's Cedar River water transmission lines have been relocated by the State at State's cost into two separate utilidors crossing under I-405, along with appurtenant City utilities necessary for the safe transmission

of drinking water; and

WHEREAS, the City and the State agreed to exchange property rights to meet State and Federal requirements for highway purposes, as well as the City's long-term pipeline protection needs, and to align such rights with the relocated pipelines; and

WHEREAS, in consideration for the transfer of fee title to the State of the portion of the City right-of-way primarily located within the I-405 limited access area, the State shall transfer fee title to the City of adjacent lands outside the I-405 limited access area, and grant to the City easement rights along the relocated water transmission lines installed within two utilidors across I-405, as well as a commitment by the State to relocate said transmission lines and facilities at State's expense should a future State project require such relocation; and

WHEREAS, the State requests execution by the City of a Quit Claim Deed to accomplish a simultaneous exchange of right-of-way from the City to the State, being 19,368 square feet of fee ownership, and a Quit Claim Deed from the State to the City, being 12,384 square feet of fee ownership; two easements from the State to the City, being 57,881 square feet, and a transfer of easement rights for a tiebacks from the State to the City, being 1,056 square feet; and

WHEREAS, this is intended to be an intergovernmental property exchange for City of Seattle infrastructure relocation and not intended to be a surplus disposition of City 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 public hearing, the real property located within the southern half of Section 17, Township 23 North, Range 3 East, W.M., in the city of Renton, King County, Washington, and depicted as Parcels A and B in Attachment F to this ordinance, is no longer required for utility purposes and is declared surplus to The City of Seattle's ("City") utility needs.

Section 2. The General Manager/CEO of Seattle Public Utilities is hereby authorized to execute, for and on behalf of the City, a Quit Claim Deed, substantially in the form of Attachment A to this ordinance,

conveying to the Washington State Department of Transportation (WSDOT) certain real property located within the southern half of Section 17, Township 23 North, Range 3 East, W.M., in the city of Renton, King County, Washington, and depicted as Parcels A and B in Attachment F to this ordinance. The consideration for the Quit Claim Deed included as Attachment A to this ordinance is conveyance by WSDOT of Parcels C, D, and E and the Easements depicted in Parcels F through P, all as shown in Attachment F to this ordinance and as more specifically set forth in Sections 3 through 6 of this ordinance.

Section 3. The General Manager/CEO of Seattle Public Utilities is hereby authorized to accept, for and on behalf of the City, a Quit Claim Deed, substantially in the form of Attachment B to this ordinance, conveying to the City from the State of Washington, Department of Transportation, real property within the southern half of Section 17, Township 23 North, Range 3 East, W.M., in the city of Renton, King County, Washington, and depicted as Parcels C, D, and E in Attachment F to this ordinance.

Section 4. The General Manager/CEO of Seattle Public Utilities is hereby authorized to accept, for and on behalf of the City, an Easement, substantially in the form of Attachment C to this ordinance, accepting from the State of Washington, Department of Transportation, real property easement rights within the limited access of I-405 and within the southwest quarter of Section 17, Township 23 North, Range 3 East, W.M., in the city of Renton, King County, Washington, and depicted as Parcels F, G, H, and I in Attachment F to this ordinance.

Section 5. The General Manager/CEO of Seattle Public Utilities is hereby authorized to accept, for and on behalf of the City, an Easement, substantially in the form of Attachment D to this ordinance, accepting from the State of Washington, Department of Transportation, real property easement rights outside the limited access of I-405 and within the southwest quarter of Section 17, Township 23 North, Range 3 East, W.M., in the city of Renton, King County, Washington, and depicted as Parcels J, K, L, M, N, and O in Attachment F to this ordinance.

Section 6. The General Manager/CEO of Seattle Public Utilities is hereby authorized to accept, for and on behalf of the City, a transfer of existing easements, substantially in the form of Attachment E to this

ordinance, accepting from the State of Washington, Department of Transportation, real property easement rights outside the limited access of I-405 and within the southwest quarter of Section 17, Township 23 North, Range 3 East, W.M., in the city of Renton, King County, Washington, and depicted as Parcel P in Attachment F to this ordinance.

Section 7. The real property interests referenced above include, but are not limited to, fee and permanent easements that when recorded shall be placed under the jurisdiction of Seattle Public Utilities and designated for utility purposes.

Section 8. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 9. 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 _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

_____ by me this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A - Quit Claim Deed from City to State

Attachment B - Quit Claim Deed from State to City

Attachment C - Easement from State to City for Areas within Limited Access

Attachment D - Easement from State to City for Areas outside Limited Access

Attachment E - Transfer of Easement from State to City

Attachment F - Map Depicting Areas of Conveyance