

**CITY OF SEATTLE**

**ORDINANCE** 126797

COUNCIL BILL 120539

AN ORDINANCE relating to the Department of Finance and Administrative Services (on behalf of Seattle Public Utilities); authorizing the acquisition of real property identified in King County records as Parcel A of City of Seattle Short Subdivision No. 8701076 under recording no. 8706120917, records of King County, Washington (the “Property”); authorizing the Director of Finance and Administrative Services or the Director’s designee to execute all documents and take other necessary actions to complete the Property’s acquisition, including acceptance and recording of a deed; and ratifying and confirming certain prior acts.

WHEREAS, the definition of “Property” as set forth in the title of this ordinance is incorporated into these recitals by reference; and

WHEREAS, Seattle Public Utilities owns approximately 490,000 square feet of land in the Meadowbrook Pond Natural Area within the Thornton Creek Watershed in Seattle’s Meadowbrook neighborhood; and

WHEREAS, acquiring this 11,211 square foot parcel, improved with a single-family residence, having an address of 10706 35<sup>th</sup> Avenue NE, is in the public interest; and

WHEREAS, for over a decade Seattle Public Utilities has pursued the acquisition of the Property as part of its Strategic Business Plan and Capital Improvement Plan; and

WHEREAS, most of the Property is located within the Federal Emergency Management Agency (FEMA) floodway, and is entirely within the FEMA 100-year floodplain; and

WHEREAS, the Seattle Meadowbrook neighborhood is subject to flooding and relies on Seattle Public Utilities’ Thornton Confluence Floodplain project and Meadowbrook Pond Stormwater Detention facility for floodwater storage; and

1 WHEREAS, the Property adjoins the Thornton Confluence Floodplain project on two sides, and  
2 thus provides an opportunity to expand the project footprint for floodwater and sediment  
3 storage; and

4 WHEREAS, the Property was recently listed for sale and the owner is a willing seller; and  
5 Seattle Public Utilities was notified about the listing and conducted due diligence on the  
6 Property with assistance from the Department of Finance and Administrative Services  
7 prior to entering into a Purchase and Sale Agreement; and

8 WHEREAS, Seattle Public Utilities would like to acquire the Property; NOW, THEREFORE,

9 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

10 Section 1. As used in this ordinance, the “Property” means the property commonly  
11 known as 10706 35<sup>th</sup> Avenue NE, identified by King County Assessor Parcel Number 272604-  
12 9058 and legally described as follows:

13 Parcel A, City of Seattle Short Subdivision No. 8701076 Recorded Under Recording No.  
14 8706120917, Records of King County, Washington.

15 Section 2. The Director of Finance and Administrative Services (Director) or the  
16 Director’s designee is authorized to enter into a purchase and sale agreement to acquire the  
17 Property on behalf of Seattle Public Utilities (SPU) for a fair market price of \$849,950, which  
18 was confirmed by an appraisal.


19 Section 3. The Director or the Director’s designee is authorized to negotiate, execute,  
20 deliver, and record all documents and agreements necessary or advisable to acquire the Property.

21 Section 4. The Director is authorized, on behalf of The City of Seattle, to accept and  
22 record a deed for the Property. Upon acquisition, the Property shall be under the jurisdiction of  
23 SPU.

1 Section 5. Any act consistent with the authority of this ordinance taken after its passage  
2 and prior to its effective date is ratified and confirmed.

3 Section 6. This ordinance shall take effect and be in force 30 days after its approval by  
4 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
5 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

6 Passed by the City Council the 11th day of April, 2023,  
7 and signed by me in open session in authentication of its passage this 11th day of  
8 April, 2023.

9   
10 \_\_\_\_\_  
President \_\_\_\_\_ of the City Council

11  Approved /  returned unsigned /  vetoed this 20th day of April, 2023.

12   
13 \_\_\_\_\_  
Bruce A. Harrell, Mayor

14 Filed by me this 20th day of April, 2023.

15   
16 \_\_\_\_\_  
Elizabeth M. Adkisson, Interim City Clerk

17 (Seal)