



SEATTLE CITY COUNCIL

Legislative Summary

CB 119357

Record No.: CB 119357

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125667

In Control: City Clerk

File Created: 08/29/2018

Final Action: 09/21/2018

Title: AN ORDINANCE relating to the sale of lots 1, 2, 3, and 4 of Block 7 of the Latona Addition to the City of Seattle, as per plat recorded in Volume 4 of Plats, on page 28, records of King County (the "Property"); finding that City ownership of the Property no longer serves municipal purposes; amending Ordinance 96106; authorizing the sale of the Property for not less than \$2,575,000; authorizing the Director of Finance and Administrative Services to execute all documents and take other necessary actions to complete the Property's sale; directing the deposit of the net sale proceeds; and ratifying and confirming certain prior acts.

Notes:

Date
Filed with City Clerk: 9/21/2018

Mayor's Signature: 9/21/2018

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: brian.hawksford@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	09/04/2018	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	09/04/2018	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	09/05/2018	sent for review	Finance and Neighborhoods Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee						

Notes:

- 1 City Council 09/10/2018 referred Finance and
Neighborhoods
Committee
- 1 Finance and 09/12/2018 pass Pass
Neighborhoods
Committee
- Action Text: The Committee recommends that City Council pass the Council Bill (CB).
Notes:
In Favor: 4 Chair Bagshaw, Vice Chair González , Member Harrell, Mosqueda
Opposed: 0
- 1 City Council 09/17/2018 passed Pass
- Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
Notes:
In Favor: 8 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Johnson,
Councilmember Mosqueda, Councilmember O'Brien, Councilmember
Sawant
Opposed: 0
- 1 City Clerk 09/20/2018 submitted for Mayor
Mayor's signature
- Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:
- 1 Mayor 09/21/2018 Signed
- 1 Mayor 09/21/2018 returned City Clerk
- 1 City Clerk 09/21/2018 attested by City Clerk
- Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
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CITY OF SEATTLE

ORDINANCE 125667

COUNCIL BILL 119357

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AN ORDINANCE relating to the sale of lots 1, 2, 3, and 4 of Block 7 of the Latona Addition to the City of Seattle, as per plat recorded in Volume 4 of Plats, on page 28, records of King County (the "Property"); finding that City ownership of the Property no longer serves municipal purposes; amending Ordinance 96106; authorizing the sale of the Property for not less than \$2,575,000; authorizing the Director of Finance and Administrative Services to execute all documents and take other necessary actions to complete the Property's sale; directing the deposit of the net sale proceeds; and ratifying and confirming certain prior acts.

WHEREAS, the definition of "Property" as set forth in Section 1 of this ordinance is incorporated into these recitals by reference; and

WHEREAS, in 1966, for purposes of the then-proposed re-alignment of NE Pacific Street, the predecessor to the Seattle Department of Transportation (SDOT) acquired via statutory warranty deed title to lots 1, 2 and 3 of the Property; and

WHEREAS, Ordinance 95705 – whereby the City accepted title to lots 1, 2 and 3 – did not provide that such were lots "laid off" for street purposes; and

WHEREAS, in 1967, again for purposes of the then-proposed re-alignment of NE Pacific Street, pursuant to Ordinance 96106 SDOT acquired via statutory warranty deed lot 4 of the Property; and

WHEREAS, Ordinance 96106 expressly stated that lot 4 was "laid off, opened, widened, extended and established" for street purposes; and

WHEREAS, purchase money for the Property came from gasoline tax receipts from the Arterial Street Fund; and

WHEREAS, the final re-alignment of NE Pacific Street did not utilize any part of the Property; and

1 WHEREAS, while for many years SDOT has used the Property for the storage of road-
2 building/repair materials, it recently declared the Property excess to its needs; and

3 WHEREAS, pursuant to a Memorandum of Agreement by and between SDOT and the
4 Department of Finance and Administrative Services (FAS), SDOT retained FAS to
5 manage the Property's disposition; and

6 WHEREAS, SDOT and FAS concluded that the City might realize an assemblage premium if it
7 sold the entire Property (lots 1, 2, 3, and 4) in a single transaction, as opposed to selling
8 lots 1, 2, and 3 and using a street vacation to dispose of lot 4; and

9 WHEREAS, pursuant to the *Procedures for the Evaluation of the Reuse and Disposal of the*
10 *City's Real Property* (as adopted by on August 10, 1998, via Resolution 29799; amended
11 on May 2, 2006, via Resolution 30862; and amended again on September 29, 2017, via
12 Resolution 31770) (collectively, the "Procedures"), SDOT and FAS engaged in a lengthy
13 evaluation of the Property, including the preparation and implementation of a public
14 involvement plan, the distribution of two sets of excess property notices, the solicitation
15 and compilation of comments from the public, posting of signs on the Property, a
16 presentation to the Wallingford Community Council, and the preparation and distribution
17 of both a preliminary and final recommendation report; and

18 WHEREAS, pursuant to the Procedures, the excess property notices were mailed to over 600
19 parties with property interests situated within 1,000 feet of the property, a process that
20 resulted in 45 written comments as compiled on Attachment M to the *Final*
21 *Recommendation Report on Reuse and Disposal of the Seattle Department of*
22 *Transportation Brickyard Property*, including 16 comments in support of the sale of the
23 Property to the abutting property owner, Dunn Lumber; and

1 WHEREAS, as the Property is zoned IC-45, residential use of the Property is prohibited; NOW,

2 THEREFORE,

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

4 Section 1. As used in this ordinance, the “Property” means the property commonly
5 known as 3819 4th Avenue NE and legally described as follows:

6 Lots 1, 2, 3 and 4 in Block 7 of Latona Addition to the City of Seattle, as per plat
7 recorded in Volume 4 of Plats, on page 28, records of King County; situate in the
8 City of Seattle, County of King, State of Washington;

9 Section 2. The City finds that the Property is no longer required for municipal purposes
10 and is surplus to the City’s needs.

11 Section 3. To eliminate Lot 4’s designation as a right of way and in doing so permit the
12 sale via deed of the entire assemblage of lots 1, 2, 3, and 4, Section 2 of Ordinance 96106 is
13 repealed as follows:

14 ~~((Section 2. That Northeast Pacific Street be and the same is hereby laid off,
15 opened, widened, extended and established over, through, across and upon the land
16 described in Section 1 hereof.))~~

17 Section 4. The City approves the *Final Recommendation Report on Reuse and Disposal*
18 *of the Seattle Department of Transportation Brickyard Property.*

19 Section 5. The Director of Finance and Administrative Services (“Director”) or the
20 Director’s designee is authorized to enter into a purchase and sale agreement to sell the Property
21 for a price of not less than \$2,575,000, all cash at closing, title to be conveyed by a bargain and
22 sale deed.

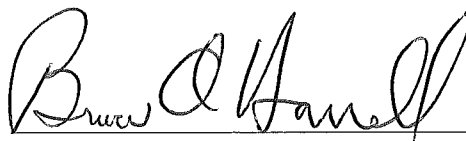
23 Section 6. The Director or the Director’s designee is authorized to negotiate, execute,
24 deliver, and record any and all documents and agreements necessary or advisable to consummate
25 the Property’s sale.

1 Section 7. After deduction of sale-related charges and costs arising out of the purchase
2 and sale agreement implementing the Property's sale and made through escrow, the net proceeds
3 from the sale of the Property will be deposited into the Transportation Fund (fund number
4 13000).

5 Section 8. Any act consistent with authority of this ordinance taken after its passage and
6 prior to its effective date is ratified and confirmed.

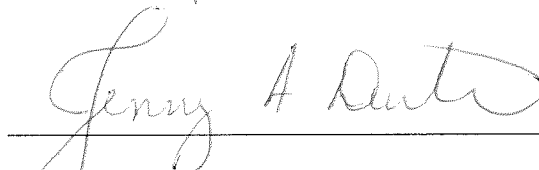
1 Section 9. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 17th day of September, 2018,
5 and signed by me in open session in authentication of its passage this 17th day of
6 September, 2018.

7 

8 President _____ of the City Council

9 Approved by me this 21st day of September, 2018.

10 

11 Jenny A. Durkan, Mayor

12 Filed by me this 21st day of September, 2018.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)