



SEATTLE CITY COUNCIL

Legislative Summary

CB 119213

Record No.: CB 119213

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125550

In Control: City Clerk

File Created: 02/13/2018

Final Action: 03/30/2018

Title: AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to The City of Seattle for installation, operation, and maintenance of a sewer pipe, sewer and drainage infrastructure, underground utility pipelines and related equipment, a public sanitary sewer mainline, a public storm drain mainline, a public storm drain manhole, and access and appurtenances necessary for drainage and wastewater utility purposes at various locations in Seattle; placing the property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 – Acquired Easements Legal Descriptions

Drafter: bob.hennessey@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	02/26/2018	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	02/27/2018	sent for review	Council President's Office			
1	Council President's Office	03/02/2018	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			

Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee

Notes:

- 1 Full Council 03/12/2018 referred Civil Rights, Utilities, Economic Development, and Arts Committee
- 1 Civil Rights, Utilities, Economic Development, and Arts Committee 03/13/2018 pass Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).

Notes:

In Favor: 3 Chair Herbold, Vice Chair Sawant, Member O'Brien

Opposed: 0

- 1 Full Council 03/19/2018 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 03/23/2018 submitted for Mayor's signature Mayor
- 1 Mayor 03/30/2018 Signed
- 1 Mayor 03/30/2018 returned City Clerk
- 1 City Clerk 03/30/2018 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE

ORDINANCE 125550

COUNCIL BILL 119213

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to The City of Seattle for installation, operation, and maintenance of a sewer pipe, sewer and drainage infrastructure, underground utility pipelines and related equipment, a public sanitary sewer mainline, a public storm drain mainline, a public storm drain manhole, and access and appurtenances necessary for drainage and wastewater utility purposes at various locations in Seattle; placing the property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

WHEREAS, to construct, operate, and maintain a sewer pipe, sewer and drainage infrastructure, underground utility pipelines and related equipment, a public sanitary sewer mainline, a public storm drain mainline, a public storm drain manhole, and access and appurtenances located on private property for drainage and wastewater utility purposes, The City of Seattle (City) requires easements and a consent from private property owners; and

WHEREAS, certain private property owners have developed and improved their property and have granted easements to the City as a condition of the installation of necessary drainage and wastewater facilities; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle (City) hereby accepts the easements granted to the City for drainage and wastewater utility purposes over, under, across, and upon the real property generally described below and legally described in Attachment 1 attached to this ordinance.

Grantor: Blue Ridge Club, Inc., grants and conveys to the City an easement for a sewer pipe and appurtenances in the vicinity of Triton Drive Northwest and Northwest 100th Street, Seattle, Washington, as recorded under King County Recording No. 20131025000947.

1 Grantor: King County, a political subdivision of the State of Washington, grants and
2 conveys to the City an easement for sewer and drainage infrastructure and
3 appurtenances in the vicinity of Triton Drive Northwest and Northwest 100th
4 Street, Seattle, Washington, as recorded under King County Recording No.
5 20160223000627.

6 Grantor: King County, a political subdivision of the State of Washington, grants and
7 conveys to the City a consent to improvements in an easement area for an
8 underground utility pipelines sewer pipe and appurtenances in the vicinity of
9 Triton Drive Northwest and Northwest 100th Street, Seattle, Washington, as
10 recorded under King County Recording No. 20160223000628.

11 Grantors: Venny Van, as a separate estate, and Phong Le, as a separate estate, grants and
12 conveys to the City an easement for underground public sanitary sewer main and
13 public storm drain mainline and appurtenances in the vicinity of Renton Avenue
14 South and 54th Avenue South, Seattle, Washington, as recorded under King
15 County Recording No. 20160310000829.

16 Grantor: Terrene at KH1, LLC, a Washington limited liability company, grants and
17 conveys to the City an easement for a public sanitary sewer mainline and
18 appurtenances in the vicinity of Lake Washington Boulevard and Lakeshore
19 Avenue South, Seattle, Washington, as recorded under King County Recording
20 No. 20160620000204.

1 Grantor: Seattle School District No. 1 grants and conveys to the City an easement for a
2 public storm drain man hole and appurtenances in the vicinity of North 92nd
3 Street and Woodlawn Avenue North, Seattle, Washington, as recorded under
4 King County Recording No. 20160304000370.

5 Grantor: Stone Way Village II, LLC, a Limited Liability Company of the State of
6 Washington, grants and conveys an easement for sanitary sewer main and
7 appurtenances in the vicinity of North 39th Street and Stone Way North, Seattle,
8 Washington, as recorded under King County Recording No. 20110712000997.

9 Grantors: Chun-Mei Chen Lin and Cheng Nan Lin, husband and wife, grant and convey
10 to the City an easement for a public sanitary sewer mainline and appurtenances in
11 the vicinity of Crockett Street and Aurora Avenue North, Seattle, Washington, as
12 recorded under King County Recording No. 20161110000923.

13 Grantor: 507 Northgate LLC, a Washington limited liability company, grants and
14 conveys to the City an easement for access in the vicinity of 5th Avenue Northeast
15 & Northeast Northgate Way, Seattle, Washington, as recorded under King County
16 Recording No. 20161025000414.

17 Grantors: Fremont Dock Co., a Washington corporation, and CoU, LLC, a Washington
18 limited liability company, grant and convey to the City an easement for drainage
19 and wastewater purposes in the vicinity of Fremont Avenue North and North 34th
20 Street, Seattle, Washington, as recorded under King County Recording No.
21 20150831002284.
22

1 Grantor: Nehem Properties LLC, a Washington limited liability company, grants and
2 conveys to the City an easement for access in the vicinity of 5th Avenue Northeast
3 and Northeast 95th Street, Seattle, Washington, as recorded under King County
4 Recording No. 20161129002002.

5 Section 2. The real property rights conveyed by these easements shall be placed under the
6 jurisdiction of Seattle Public Utilities.

7 Section 3. Any act consistent with the authority of this ordinance taken prior to its
8 effective date is ratified and confirmed.

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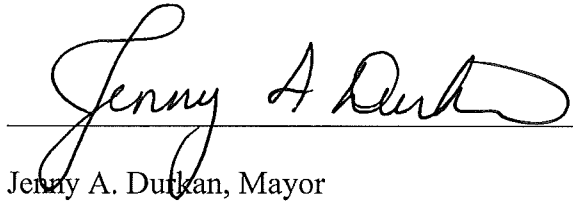
1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 19th day of MARCH, 2018,
5 and signed by me in open session in authentication of its passage this 19th day of
6 MARCH, 2018.

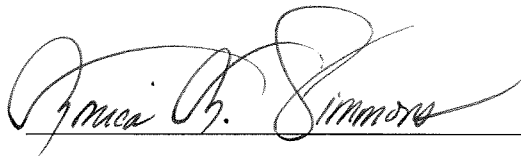
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8 President _____ of the City Council

9 Approved by me this 30th day of MARCH, 2018.

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11 Jenny A. Durkan, Mayor

12 Filed by me this 30th day of MARCH, 2018.

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14 Monica Martinez Simmons, City Clerk

15 (Seal)
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21 Attachments:
22 Attachment 1 – Acquired Easements Legal Descriptions

ATTACHMENT 1 - Acquired Easements Legal Descriptions

1. Description of easement acquired by document King County Recording Number 20131025000947. (SPU file number 2012-020-001)

- a. **Type: Drainage and Sewer Easement**
- b. **Grantor: Blue Ridge Club, Inc.**
- c. **Title of Instrument: Drainage and Sewer Easement**
- d. **Recording No.: 20131025000947**
- e. **Recorded Date: October 25, 2013**
- f. **Legal Description:**

A permanent easement being that portion of Tract E, Blue Ridge, according to the plat thereof recorded in Volume 33 of Plats, pages 29 through 32, records of King County, Washington, described as follows:

Beginning at the southeast corner of said Tract E;
thence along the southerly line of said tract, North 88° 50' 06" West 14.50 feet to the southerly prolongation of the easterly line of Parcel One as described in a deed recorded under Recording Number 3163416, records of said county;
thence along said southerly prolongation and said easterly line, North 01° 09' 54" East 8.63 feet;
thence North 73° 37' 27" East 42.12 feet to the southeasterly line of said tract and a point on a non-tangent curve concave southeasterly and having a radius of 275.00 feet, a radial line of said curve from said point bears South 35° 05' 02" East;
thence along said curve southwesterly 33.38 feet through a central angle of 06° 57' 17" to the **Point of Beginning**;

Excepting Therefrom Parcel Two as described in said deed recorded under Recording Number 3163416.

Containing: 119 Square Feet, more or less.

2. Description of easement acquired by document King County Recording Number 20160223000627. (SPU file number 2012-020-002)

- a. **Type: Utility Easement**
- b. **Grantor: King County, a political subdivision of the State of Washington**
- c. **Title of Instrument: Utility Easement**
- d. **Recording No.: 20160223000627**
- e. **Recorded Date: February 23, 2016**
- f. **Legal Description:**

A permanent easement being that portion of Lot 1, Block 1, North Beach Addition, according to the plat thereof recorded in Volume 8 of Plats, page 45, records of King County, Washington, described as follows:

Beginning at the most easterly corner of said Lot 1;
thence along the southeasterly line of said lot, South 47° 57' 09" West 32.71 feet;
thence North 15° 32' 04" West 16.87 feet;
thence North 74° 27' 56" East 15.00 feet;
thence North 15° 32' 04" West 2.01 feet to the northerly line of said Lot 1;
thence along said northerly line, South 88° 50' 06" East 14.90 feet to the **Point of Beginning**.

Containing: 278 Square Feet, more or less.

3. Description of consent acquired by document King County Recording Number 20160223000628. (SPU file number 2012-020-003)

- a. **Type:** Consent
- b. **Grantor:** King County, a political subdivision of the State of Washington
- c. **Title of Instrument:** Consent to Improvements in Easement Area
- d. **Recording No.:** 20160223000628
- e. **Recorded Date:** February 23, 2016
- f. **Legal Description:**

Beginning at the southeast corner of Tract "E" of Blue Ridge according to plat thereof recorded in the office the County Auditor of King County, Washington in Volume 33 of Plats, pages 29, 30, 31 and 32, being the intersection of the south margin of said Tract "E" with the northwesterly margin of Blue Ridge Drive; thence west along the south margin of said Tract "E" 14.5 feet; thence north at right angles thereto 10.0 feet; thence east 24.7 feet more or less to the northwesterly margin of Blue Ridge Drive, thence southwesterly along said margin 14.5 feet more or less to the point of beginning.

4. Description of easement acquired by document King County Recording Number 2016031000829. (SPU file number 2015-021-001)

- a. **Type:** Easement
- b. **Grantor:** Venny Van, as a separate estate, and Phong Le, as a separate estate
- c. **Title of Instrument:** Public Utilities Easement
- d. **Recording No.:** 2016031000829
- e. **Recorded Date:** March 10, 2016
- f. **Legal Description:**

That portion of Parcel A of Lot Boundary Adjustment no. 9804401, recorded under Recording No. 9904269013 located in Northeast quarter of the Northwest quarter of

Section 02, Township 23 North, Range 4 East, W.M., City of Seattle, State of Washington, more particularly described as follows:

Beginning at the Southwest corner of Said Parcel A;
Thence North 01° 22' 01" East, 129.00 feet along the West Line of said Parcel A to the North line of said Parcel A;
Thence South 88° 31' 26" East, 20.00 feet along said North line to the east line of the West 20.00 feet of said Parcel A;
Thence South 01° 22' 01" West, 120.08 feet along said East line to the South line of said Parcel A;
Thence South 67° 25' 03" West, 21.88 feet along said South line to the POINT OF BEGINNING.

5. Description of easement acquired by document King County Recording Number 20160620000204. (SPU file number 2016-016-002)

- a. **Type: Easement**
- b. **Grantor: Terrene at KH1, LLC, a Washington limited liability company**
- c. **Title of Instrument: Sanitary Sewer Easement**
- d. **Recording No.: 20160620000204**
- e. **Recorded Date: June 20, 2016**
- f. **Legal Description:**

Two separate strips of land over that portion of Parcel A of City of Seattle Lot Boundary Adjustment No. 2106911, recorded under Recording No. 20030818002447 described as follows:

Beginning at the northwest corner of said Parcel A;
Thence North 75° 58' 24" East a distance of 65.28 feet to the southerly margin of Superior Street and a cusp of a non-tangent curve, concave to the south, the radius of which bears South 06° 02' 32" East;
Thence westerly along said curve having a radius of 235.00 feet, a distance of 65.50 feet through a central angle of 15° 58' 07" to the Point of Beginning Number 1.

Together with a strip of land beginning at the northeast corner of said Parcel A, also being the intersection of the westerly margin of Lake Washington Boulevard and the southerly margin of Superior Street;
Thence South 45° 58' 06" West, along said westerly margin, a distance of 16.71 feet;
Thence North 68° 28' 15" West a distance of 40.86 feet to the southerly angle point along the southerly margin of Superior Street;
Thence North 1° 29' 49" East, along said margin of Superior Street, a distance of 10.06 feet to a cusp of a non-tangent curve, concave to the south, the radius of which bears South 9° 04' 05" West;

Thence easterly along the said southerly margin and said curve having a radius of 245.00 feet, a distance of 51.63 feet through a central angle of 12° 04' 27" to the Point of Beginning Number 2;

Situate in the City of Seattle, King County, Washington.

Containing an area of approximately 708+/- square feet.

6. Description of easement acquired by document King County Recording Number 20160304000370. (SPU file number 2015-020-001)

- a. **Type: Easement**
- b. **Grantor: Seattle School District No. 1**
- c. **Title of Instrument: Stormwater Maintenance Easement**
- d. **Recording No.: 20160304000370**
- e. **Recorded Date: June 3, 2016**
- f. **Legal Description:**

That portion of Lot 9, Block 2, Hulten's Addition, according to the plat thereof recorded in Volume 37 of Plat, Page 16, records of King County, Washington, described as follows:

Commencing at the northwest corner of said Lot 9;
Thence South 88° 29' 01" East, along the southerly margin of Northeast 92nd Street, a distance of 49.91 feet to the Point of Beginning;
Thence continuing South 88° 29' 01" East, along said margin, a distance of 30.00 feet;
Thence South 01° 30' 59" West, a distance of 10.00 feet;
Thence North 88° 29' 01" West, a distance of 30.00 feet;
Thence North 01° 30' 59" East, a distance of 10.00 feet to a point on said southerly margin and the Point of Beginning;

Containing 300 square feet or 0.0069 acres, more or less.

Situate in the city of Seattle, County of King, State of Washington.

7. Description of easement acquired by document King County Recording Number 20110712000997. (SPU file number 2003-30-001)

- a. **Type: Easement**
- b. **Grantor: Stone Way Village II, LLC**
- c. **Title of Instrument: Sanitary Sewer Easement**
- d. **Recording No.: 20110712000997**
- e. **Recorded Date: July 12, 2011**
- f. **Legal Description:**

That portion of the northeast quarter of Section 18, Township 25 North, Range 4 East, W.M., recorded under Recording No. 20101216001095, described as follows;

Property Description:

Parcel A:

Lots 4, 5, 6 and 7, Block 1, Koch's Addition to the City of Seattle, according to the plat recorded in Volume 22 of Plats at Page 75, in King County, Washington.

Parcel B:

That portion of southwest quarter of the northeast quarter of Section 18, Township 25 North, Range 4 East, W.M., in King County, Washington, described as follows;

Beginning on the south line of Koch's Addition to the City of Seattle, according to the plat recorded in Volume 22 of Plats at Page 75, in King County, Washington, at a point which is 131.23 feet west of the southeast corner of Block 1, said addition;

Thence South $06^{\circ} 29' 33''$ West 238.48 feet to the north line of North 39th Street;

Thence west along said street line 95 feet, more or less, to the east line of Stone Avenue;

Thence north along said avenue 240 feet, more or less, to the southwest corner of said addition;

Thence east 120 feet, more or less, to the Point of Beginning.

Eastment area description:

Commencing at the southwest corner of said Parcel B;

Thence South $89^{\circ} 55' 13''$ East along the northerly margin of North 39th Street, a distance of 92.95 feet to the True Point of Beginning;

Thence North $06^{\circ} 19' 59''$ East, a distance of 22.55 feet to the southeasterly corner of a building under construction;

Thence North $05^{\circ} 15' 45''$ East, along the easterly line of said building under construction, a distance of 215.59 feet to a point of intersection with said easterly building line and the north line of said Parcel B (also being the south line of Block 1, said Koch's Addition);

Thence South $89^{\circ} 49' 37''$ East, along said north line of Parcel B, a distance of 8.68 feet to a point of intersection with the said north line of Parcel B and the westerly edge of an eight inch wide concrete wall;

Thence South $06^{\circ} 19' 59''$ West, along the westerly edge of said concrete wall, a distance of 238.53 feet to a point on the northerly margin of North 39th Street;

Thence North $89^{\circ} 55' 13''$ West, along said margin, a distance of 4.63 feet to the True Point of Beginning.

Containing 1,532 square feet or 0.0352 acres, more or less.

Situate in the City of Seattle, County of King, State of Washington.

8. Description of consent acquired by document King County Recording Number 20161110000923. (SPU file number 2016-004-001)

- a. **Type: Easement**
- b. **Grantors: Chun-Mei Chen Lin and Cheng Nan Lin, husband and wife**
- c. **Title of Instrument: Sanitary Sewer Easement**
- d. **Recording No.: 20161110000923**
- e. **Recorded Date: November 10, 2016**
- f. **Legal Description:**

That portion of Aurora Avenue North, (formerly Seventh Avenue North) as vacated by The City of Seattle under Ordinance Number 64510, which would attach to Lots 1 and 2, Block 12, Westlake Boulevard Addition to the City of Seattle, according to the plat thereof recorded in Volume 11 of Plats, Page 69, in King County, Washington, by operation of law, described as follows:

Beginning at the intersection of the southerly line of said Lot 2, extended east, with the westerly margin of Aurora Avenue North;
Thence North 24° 14' 14" West, along said westerly margin, 114.13 feet, to the intersection of said westerly margin with the south margin of Crockett Street, as established by City of Seattle Ordinance Number 59719;
Thence North 87° 59' 57" West, along said south margin, 15.77 feet;
Thence South 21° 40' 30" East 61.77 feet;
Thence South 32° 41' 31" East 61.14 feet, to a point on said southerly line;
Thence North 58° 01' 48" East, along said southerly line, 7.99 feet, to the point of beginning.

9. Description of consent acquired by document King County Recording Number 20161025000414. (SPU file number 2015-007-001)

- a. **Type: Easement**
- b. **Grantors: 507 Northgate LLC, a Washington limited liability company**
- c. **Title of Instrument: Sewer Access Easement Agreement**
- d. **Recording No.: 20161025000414**
- e. **Recorded Date: October 25, 2016**
- f. **Legal Description:**

A twenty-seven foot (27') wide access easement from 5th Ave NE east across the 507 Property over the existing asphalt pavement driveway just north of the common boundary between the 507 Property and the GRE Property for purposes of accessing the City Sewer Easements, Sewer and Maintenance Holes; and more particularly described as follows:

The south twenty-seven feet (27') of the west two hundred forty feet (240') of 507 Northgate, a Condominium, according to the plat thereof recorded January 04, 2010 under Recording No. 20100104000774, in Volume 265 of Condominiums, Pages 10 through 19, records of King County, Washington. Together with those rights in and to

the common roadway elements as set forth in the Condominium Declaration for 507 Northgate, a Condominium, recorded January 04, 2010 as Recording No. 20100104000775,

Situate in the City of Seattle, County of King, State of Washington.

APN 256983-0010-07, 256983-0002-05, 256983-0020-96

10. Description of consent acquired by document King County Recording Number 20150831002284. (SPU file number 2015-004-001)

- a. **Type: Easement**
- b. **Grantors: Fremont Dock Co., a Washington corporation; CoU, LLC, a Washington limited liability company**
- c. **Title of Instrument: Easement Agreement**
- d. **Recording No.: 20150831002284**
- e. **Recorded Date: August 31, 2015**
- f. **Legal Description:**

The westerly 12.00 feet of Lot 9, Block 33 of Denny and Hoyt's Addition to the City of Seattle, according to the plat thereof recorded in Volume 2 of Plats, Page 136, records of King County, Washington.

Containing 1,440 square feet or 0.0331 acres more or less.

Situate in the City of Seattle, County of King, State of Washington.

11. Description of easement acquired by document King County Recording Number 20161129002002. (SPU file number 2016-002-001)

- a. **Type: Easement**
- b. **Grantor: Nehem Properties LLC, a Washington limited liability company**
- c. **Title of Instrument: Sewer Access Easement**
- d. **Recording No.: 20161129002002**
- e. **Recorded Date: November 29, 2016**
- f. **Legal Description:**

The north twelve feet (12') of the east one hundred-five feet (105') of Parcel A, City of Seattle Short Subdivision No. 3020218 recorded November 03, 2015 under Recording Number 20151103900008, Records of King County, Washington.