

Ordinance No. 124728

Council Bill No. 118333

AN ORDINANCE vacating a portion of Terry Avenue and an alley in Block 32, Heirs of Sarah A. Bell's 2nd Addition, on the petition of King County (Clerk File 295303); and ratifying and confirming certain prior acts.

CF No. \_\_\_\_\_

Date Introduced:		
Date 1st Referred: <u>2/23/2015</u>	To: (committee) <u>Transportation</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
Date Presented to Mayor:	Date Approved:	
Date Returned to City Clerk:	Date Published:	T.O. _____ F.T. _____
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

Councilmember

## Committee Action:

---



---



---



---



---



---

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_  
(initial/date)

Law Dept. Review

OMP  
Review

City Clerk  
Review

Electronic  
Copy Loaded

Indexed



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118333

Record No.: CB 118333

Type: Ordinance (Ord)

Status: Attested by City Clerk

Version: 1

In Control: City Clerk

File Created: 01/28/2015

Final Action: 03/06/2015

**Title:** AN ORDINANCE vacating a portion of Terry Avenue and an alley in Block 32, Heirs of Sarah A. Bell's 2nd Addition, on the petition of King County (Clerk File 295303); and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Rasmussen

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: cheryl.swab@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	02/03/2015	Mayor's leg transmitted to Council	City Clerk			
	<b>Action Text:</b>		The Council Bill (CB) was Mayor's leg transmitted to Council to the City Clerk				
	<b>Notes:</b>						
1	City Clerk	02/03/2015	sent for review	Council President's Office			
	<b>Action Text:</b>		The Council Bill (CB) was sent for review to the Council President's Office				
	<b>Notes:</b>						
1	Council President's Office	02/05/2015	sent for review	Transportation Committee			
	<b>Action Text:</b>		The Council Bill (CB) was sent for review to the Transportation Committee				
	<b>Notes:</b>						
1	Full Council	02/17/2015	referred	Transportation Committee			
	<b>Action Text:</b>		The Council Bill (CB) was referred to the Transportation Committee				
	<b>Notes:</b>						

- 1 Transportation Committee 02/24/2015 pass Pass  
**Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).  
**Notes:**  
In Favor: 3 Chair Rasmussen, Vice Chair O'Brien, Member Godden  
Opposed: 0
- 1 Full Council 03/02/2015 passed Pass  
**Action Text:** The Council Bill (CB) passed by the following vote and the President signed the Bill:  
In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Clark, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Rasmussen, Councilmember Sawant  
Opposed: 0
- 1 City Clerk 03/03/2015 submitted for Mayor Mayor's signature  
**Action Text:** The Council Bill (CB) was submitted for Mayor's signature to the Mayor  
**Notes:**
- 1 Mayor 03/06/2015 Signed  
**Action Text:** The Council Bill (CB) was Signed  
**Notes:**
- 1 Mayor 03/06/2015 sent to Clerk City Clerk  
**Action Text:** The Council Bill (CB) was sent to Clerk to the City Clerk  
**Notes:**
- 1 City Clerk 03/06/2015 attested by City Clerk  
**Action Text:** The Ordinance (Ord) was attested by City Clerk  
**Notes:**
-

**CITY OF SEATTLE**  
**ORDINANCE** 124728  
**COUNCIL BILL** 118333

1  
2  
3  
4  
5 AN ORDINANCE vacating a portion of Terry Avenue and an alley in Block 32, Heirs of Sarah  
6 A. Bell's 2nd Addition, on the petition of King County (Clerk File 295303); and ratifying  
7 and confirming certain prior acts.

8  
9 WHEREAS, King County, previously Metro, filed a petition under Clerk File 295303 to vacate a  
10 portion of Terry Avenue and an alley in Block 32; and

11 WHEREAS, following a September 28, 1988 public hearing on the petition, the Seattle City  
12 Council ("City Council") conditionally granted the petition; and

13 WHEREAS, the original purpose of the vacation petition was for the construction of the north  
14 Metro tunnel terminal and the City Council imposed a condition that King County  
15 construct and maintain a north/south pedestrian corridor connecting Olive Way and Pine  
16 Street; and

17 WHEREAS, following the construction of the north Metro tunnel terminal, the pedestrian  
18 corridor connecting Olive Way and Pine Street proved infeasible; and

19 WHEREAS, King County has provided an alternative public benefit of \$150,000 for street  
20 concept plans and potential pedestrian enhancements in the area of the new Washington  
21 State Convention Center and this alternative public benefit and the vacation fee reflects  
22 the criteria for the vacation when it was originally approved; and

23 WHEREAS, King County paid the vacation fee and met the revised condition imposed by City  
24 Council; and

25 WHEREAS, vacating a portion of Terry Avenue and the alley in Block 32 is in the best interests  
26 of the public; NOW, THEREFORE,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

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

Section 1. The portion of Terry Avenue and the alley in Block 32 described below are vacated:

Those portions of Terry Avenue and the Alley within Block 32, Heirs of Sarah A. Bell's 2nd Addition, as Recorded in Volume 1 of Plats, Page 121, Records of King County, Washington, described as follows:

Terry Avenue Description:

That portion of Terry Avenue lying southeasterly of the southeasterly right-of-way margin of Olive Way and lying northwesterly of the northwesterly line of that certain property transferred to Central Puget Sound Regional Transit Authority per Quit Claim Deed filed under Recording Number 20040929001451, Records of King County, Washington, Containing approximately 11,877 square feet.

Block 32 Alley Description:


The Alley in Block 32, said plat of Heirs of Sarah A. Bell's 2nd Addition, said Alley being in the block between 9th Avenue and Terry Avenue and from the southeasterly margin of Olive Way to the northwesterly margin of Pine Street as now established, Containing approximately 5,647 square feet.

Section 2. The portion of Terry Avenue and the alley in Block 32 is placed under the jurisdiction of King County.

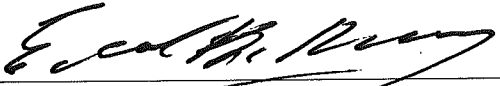
1 Section 3. Any act consistent with the authority of this ordinance taken prior to it  
2 effective date is ratified and confirmed.

3 Section 4. 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 2<sup>nd</sup> day of March, 2015, and  
7 signed by me in open session in authentication of its passage this  
8 2<sup>nd</sup> day of March, 2015.

9  
10  
11   
12 \_\_\_\_\_  
13 President \_\_\_\_\_ of the City Council

14  
15 Approved by me this 6 day of February, 2015. <sup>March AS 4/2/15</sup>

16  
17  
18   
19 \_\_\_\_\_  
20 Edward B. Murray, Mayor

21  
22  
23 Filed by me this 10<sup>th</sup> day of MARCH, 2015. <sup>6<sup>th</sup> JRS 3/12/15</sup>

24  
25  
26   
27 \_\_\_\_\_  
28 Monica Martinez Simmons, City Clerk

29  
30  
31 (Seal)  
32  
33

### BILL SUMMARY & FISCAL NOTE

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
Seattle Department of Transportation	Beverly Barnett/684-7564	Doug Palmer/684-5266

#### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE vacating a portion of Terry Avenue and an alley in Block 32, Heirs of Sara A. Bell's 2<sup>nd</sup> Addition, on the petition of King County (Clerk File 295303); and ratifying and confirming certain prior acts.

**Summary and background of the Legislation:**

This Council Bill completes the vacation process for a portion of Terry Avenue and an alley on the petition of the King County, previously Metro (the "Petitioner" or) as part of the construction of the north Metro tunnel termination.

The Petitioner sought vacation of a portion of Terry Avenue and an alley. Following a September 28, 1998 public hearing on the petition, the City Council conditionally granted the petition. The vacation was requested to construct the north Metro tunnel terminal. The City Council imposed a condition that King County construct and maintain a north/south pedestrian corridor connecting Olive Way and Pine Street. Following the construction of the north Metro tunnel terminal, the pedestrian access proved infeasible. King County has provided an alternative public benefit of \$150,000 for street concept plans in the area of the new Washington State Convention Center. This alternative public benefit is based on the original criteria for when the vacation was originally approved in 1988.

Metro has met its public benefit requirement by providing an alternative public benefit of \$150,000 for street concept plans in the area of the new Washington State Convention Center.

Metro has satisfied all the conditions imposed by City Council.

#### **2. CAPITAL IMPROVEMENT PROGRAM**

This legislation creates, funds, or amends a CIP Project.

#### **3. SUMMARY OF FINANCIAL IMPLICATIONS**

This legislation does not have direct financial implications.

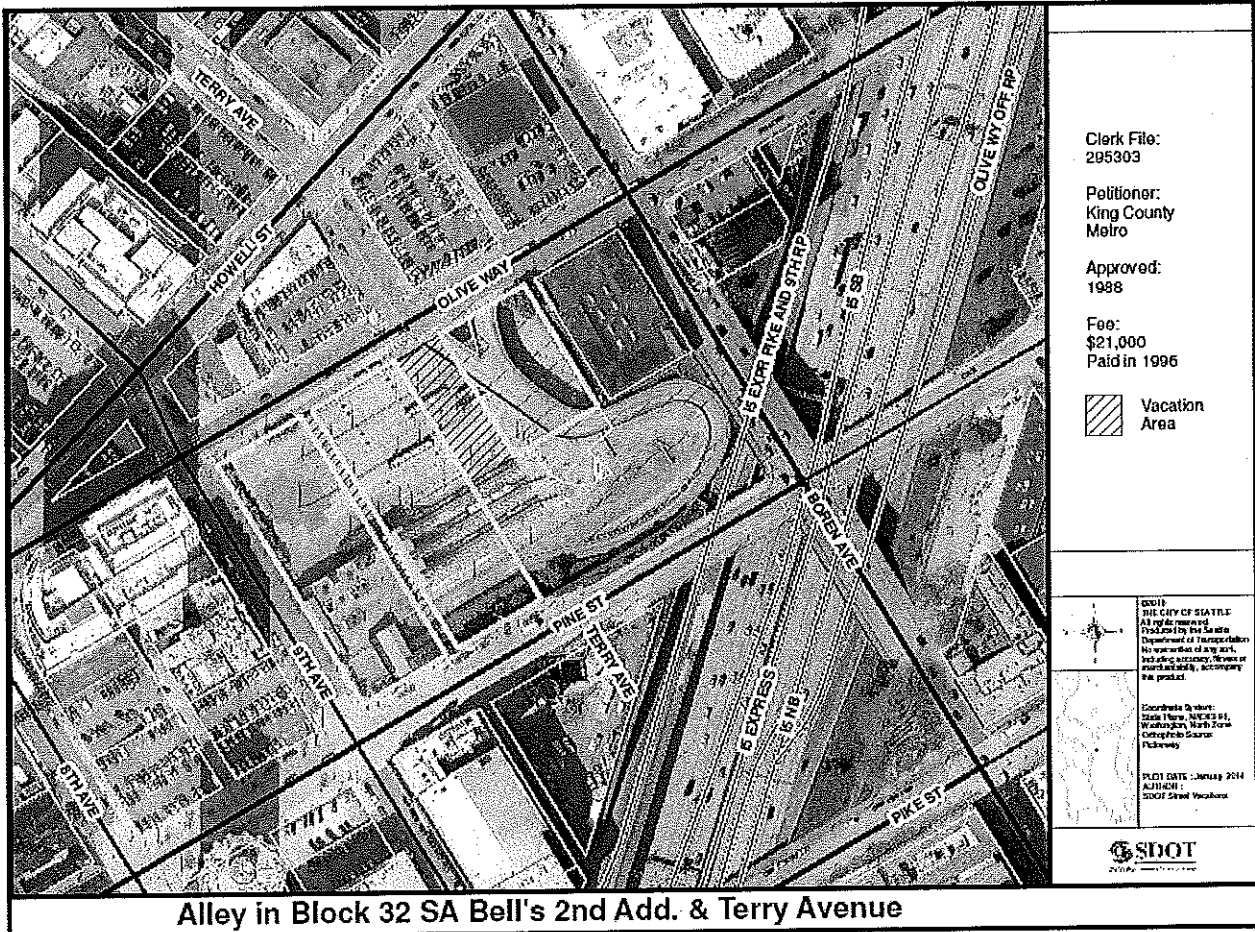
#### 4. OTHER IMPLICATIONS

- **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**  
No.
- **Is there financial cost or other impacts of not implementing the legislation?**  
The vacation petition, already approved by the Seattle City Council, obligates the City to complete the vacation process, provided the Petitioner meets all the conditions imposed by the City Council. The Petitioner has met all the conditions. By not implementing this legislation, the City could be in violation of its obligations, which could have financial implications.
- **Does this legislation affect any departments besides the originating department?**  
No. As part of the initial vacation review process, all interested departments were notified of the vacation petition and asked to comment. Any identified issues were resolved prior to the approval of this final legislation.
- **Is a public hearing required for this legislation?**  
No.
- **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No.
- **Does this legislation affect a piece of property?**  
Yes, it completes the vacation of right-of-way.
- **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**  
There are no perceived RSJI implications for this piece of legislation.
- **If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**  
This legislation is not a new initiative nor a major programmatic expansion.
- **Other Issues:**

**List attachments below:**

Attachment A: Street Vacation Area Map





---

STATE OF WASHINGTON -- KING COUNTY

--SS.

---

322315

No.

CITY OF SEATTLE, CLERKS OFFICE

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

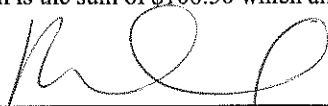
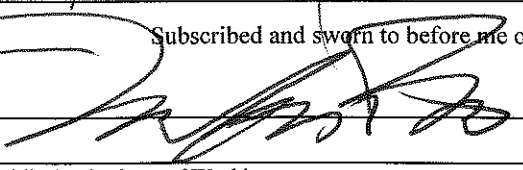
CT:124725-729 TITLE ONLY

was published on

03/31/15

The amount of the fee charged for the foregoing publication is the sum of \$108.50 which amount has been paid in full.



  
\_\_\_\_\_  
Subscribed and sworn to before me on  
03/31/2015  
  
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

### City of Seattle

Legislation passed by the Seattle  
City Council 3/02/15

Ord. 124725

C.B. 118338

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Ord. 124726

C.B. 118334

AN ORDINANCE granting Acorn Development LLC permission to construct, maintain, and operate below-grade utility lines for a site specific heat conveyance system and other utilities under and across Lenora Street between 6th Avenue and 7th Avenue, and under and across 7th Avenue between Lenora Street and Blanchard Street; for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted and providing for the acceptance of the permit and conditions.

Ord. 124727

C.B. 118335

AN ORDINANCE granting Eco District LLC permission to construct, maintain, and operate below-grade utility lines for a site specific heat conveyance system under and along Virginia Street between 5th Avenue and 6th Avenue, and under and across 6th Avenue between Virginia Street and Lenora Street; for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted and providing for the acceptance of the permit and conditions.

Ord. 124728

C.B. 118333

AN ORDINANCE vacating a portion of Terry Avenue and an alley in Block 32, Heirs of Sarah A. Bells 2nd Addition, on the petition of King County (Clerk File 29 5303); and ratifying and confirming certain prior acts.

Ord. 124729

C.B. 118336

AN ORDINANCE relating to the First Hill Streetcar project; authorizing the Director of the Department of Transportation to acquire, accept, and record, on behalf of the City of Seattle, various easements granted to the City of Seattle for a portion of Blocks 5, 6, 11, 12, and 14 of the Town of Seattle, as laid out by D. S. Maynard, Commonly known as D. S. Maynards Plat of Seattle, and Blocks 138 and 139 of A. A. Dennys Broadway Addition to the City of Seattle, to install, construct, erect, alter, improve, repair, and maintain permanent streetcar cable eyebolts to various buildings or structures; placing such easements under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain acts.

Date of publication in the Seattle Daily Journal of Commerce, March 31, 2015.

3/31(322315)