

**CITY OF SEATTLE**

**ORDINANCE** 127094

**COUNCIL BILL** 120855

AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager/CEO of Seattle Public Utilities or designee to acquire by negotiation or eminent domain (condemnation) two separate parcels of land in Seattle, for utility purposes identified as King County Parcel Number 270560-0010 located at 9740 8th Ave NW and King County Parcel Number 270560-0007 located at 711 NW 100th St. and to execute, accept, and record deeds, conveyance documents and agreements deemed by the General Manager/CEO to be necessary to these transaction on behalf of the City; placing the real properties under the jurisdiction of Seattle Public Utilities; authorizing payment of all other costs associated with the acquisition; and ratifying and confirming certain prior acts.

WHEREAS, Seattle Public Utilities (SPU) owns, maintains and operates a system of sanitary sewerage, and storm and surface water drainage as part of Seattle Public Utilities' drainage and wastewater system; and

WHEREAS, the Washington State Hydraulic Code, administered by the Washington Department of Fish and Wildlife (WDFW), requires that certain types of streams, culverts, and storm drains maintained by SPU be made fish passable when they are repaired or replaced; and

WHEREAS, SPU owns a storm drain located on two privately-owned properties that contain a segment of Pipers Creek which does not meet the established WDFW fish passage standard; and

WHEREAS, SPU determined it needs additional property rights to comply with WDFW fish passage requirements; and

WHEREAS, SPU also determined that the fee acquisition of these two privately-owned properties is suitable for and needed to construct and operate a water treatment facility and storm control facilities; and

1 WHEREAS, RCW 8.12.030, 35.67.020, and 35.92.020 authorize The City of Seattle to purchase  
2 or condemn property for utility or general municipal purposes; NOW, THEREFORE,

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

4 Section 1. Public convenience and necessity require the property identified in the records  
5 of the King County Assessor as Parcel Numbers 270560-0010 and 270560-0007 situated in the  
6 City of Seattle, County of King, State of Washington, together with all rights, privileges, and  
7 other property thereto, legally described and depicted in Attachment 1 and Attachment 2 of this  
8 ordinance to be acquired through negotiation or eminent domain (condemnation), for public  
9 utility purposes.

10 Section 2. The General Manager/CEO of Seattle Public Utilities or designee is authorized  
11 on behalf of the City to negotiate and to enter into agreements to acquire the two properties in  
12 Section 1 of this ordinance and, upon payment of just compensation, to accept and record deeds  
13 and other necessary instruments on behalf of the City; to provide relocation assistance to the  
14 extent required by law to the occupants of the properties; and to enter into agreements with the  
15 existing owners and tenants as needed to facilitate the successful acquisition of the properties.

16 Section 3. The Seattle City Attorney is authorized to commence and prosecute  
17 proceedings in the manner provided by law to condemn, take, damage, and appropriate in fee  
18 simple the real property or other property rights described in Section 1 of this ordinance, after  
19 just compensation has been made or paid into court for the owners thereof in the manner  
20 provided by law. The Seattle City Attorney is further authorized to enter into a stipulation  
21 agreement for the purpose of minimizing damages.

22 Section 4. The cost of the acquisition provided for in this ordinance shall be paid from  
23 funds originally authorized by Ordinance 126955 in the 2024 Adopted Budget.

1 Section 5. The two properties, when acquired by the City, shall be placed under the  
2 jurisdiction of Seattle Public Utilities and designated for utility purposes.

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

5 Section 7. This ordinance shall take effect as provided by Seattle Municipal Code  
6 Sections 1.04.020 and 1.04.070.

7 Passed by the City Council the 17th day of September, 2024,  
8 and signed by me in open session in authentication of its passage this 17th day of  
9 September, 2024.

10 

11 President \_\_\_\_\_ of the City Council

Approved /  returned unsigned /  vetoed this 23rd day of September, 2024.

12 

13 Bruce A. Harrell, Mayor

14 Filed by me this 24th day of September, 2024.

15 

16 Scheereen Dedman, City Clerk

17 (Seal)

- 1 Attachments:
- 2 Attachment 1 – Legal Description and Map of King County Parcel # 270560-0010
- 3 Attachment 2 – Legal Description and Map of King County Parcel # 270560-0007

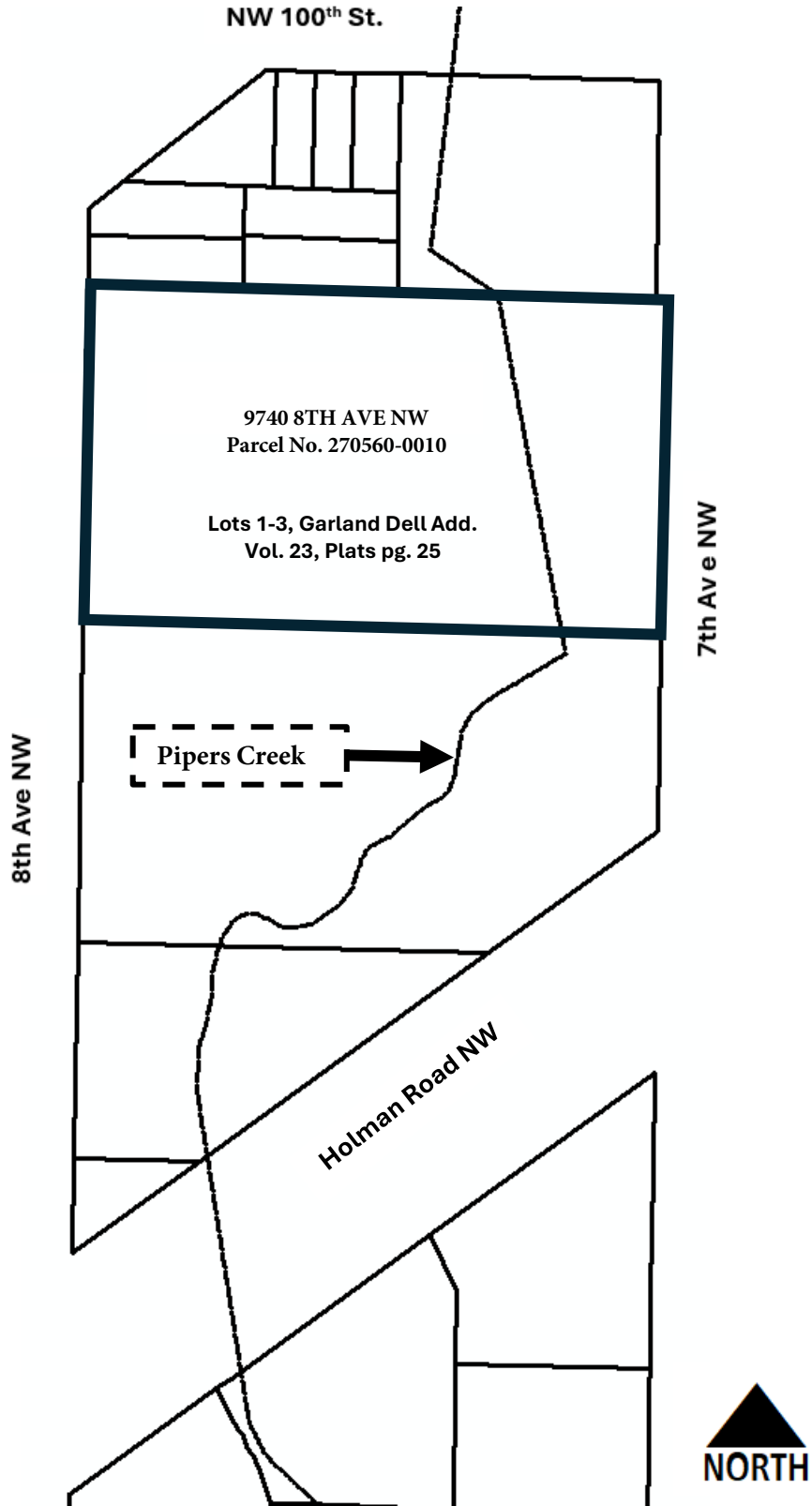
## **ATTACHMENT 1**

### LEGAL DESCRIPTION OF KING COUNTY PARCEL NO. 270560-0010

The following described estate, situated in the County of King, State of Washington:

The South 5 feet of Lot 1; all of Lot 2; and the North half of Lot 3, Garland Dell, according to a Plat thereof, recorded in Volume 23 of Plats, page 25 in King County Washington.

ATTACHMENT 1 (continued)



## **ATTACHMENT 2**

### LEGAL DESCRIPTION OF KING COUNTY PARCEL NO. 270560-0007

LOT C OF KING COUNTY SHORT PLAT NO. 8500985 RECORDED UNDER KING COUNTY RECORDING NO. 8606230410 DESCRIBED AS FOLLOWS:

THE EAST 125.00 FEET OF TRACT 1, GARLAND DELL, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 23 OF PLATS, PAGE 25, RECORDS OF KING COUNTY, WASHINGTON.

EXCEPT THE EAST 5 FEET THEREOF DEEDED TO THE CITY OF SEATTLE FOR RIGHT-OF-WAY PURPOSES AND RECORDED UNDER KING COUNTY RECORDING NO. 8605290954;

AND EXCEPT THE SOUTH 5 FEET THEREOF.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

ATTACHMENT 2 (continued)

