



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118430

Record No.: CB 118430

Type: Ordinance (Ord) **124813**

Status: Passed

Version: 1

In Control: City Clerk

File Created: 05/21/2015

Final Action: 07/29/2015

**Title:** AN ORDINANCE relating to the Pedestrian Master Plan Implementation project; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a deed for street purposes for a portion of Lot 1, Block 5, Seattle Suburban Home Tracts, from DVM Investments LLC, a Washington limited liability company; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a deed for street purposes for a portion of Lots 1, Block 6, Seattle Suburban Home Tracts, from Windsor Park Estates Lake City, LLC, a Washington limited liability company; placing the real property conveyed by such deeds under the jurisdiction of the Seattle Department of Transportation and designating the property for street purposes; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Sponsors: Rasmussen

Mayor's Signature:

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

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	06/16/2015	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	06/16/2015	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 06/18/2015 sent for review Transportation  
Committee

Action Text: The Council Bill (CB) was sent for review. to the Transportation Committee  
Notes:

1 Full Council 06/29/2015 referred Transportation  
Committee

Action Text: The Council Bill (CB) was referred. to the Transportation Committee  
Notes:

1 Transportation Committee 07/14/2015 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 07/20/2015 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember  
Godden, Councilmember Harrell, Councilmember Licata, Councilmember  
O'Brien, Councilmember Okamoto, Councilmember Rasmussen,  
Councilmember Sawant

Opposed: 0

1 City Clerk 07/23/2015 submitted for Mayor  
Mayor's signature

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor  
Notes:

1 Mayor 07/29/2015 Signed

Action Text: The Council Bill (CB) was Signed.  
Notes:

1 Mayor 07/29/2015 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk  
Notes:

1 City Clerk 07/29/2015 attested by City  
Clerk

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

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**CITY OF SEATTLE**  
**ORDINANCE** 124813  
**COUNCIL BILL** 118430

AN ORDINANCE relating to the Pedestrian Master Plan Implementation project; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a deed for street purposes for a portion of Lot 1, Block 5, Seattle Suburban Home Tracts, from DVM Investments LLC, a Washington limited liability company; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of the City of Seattle, a deed for street purposes for a portion of Lots 1, Block 6, Seattle Suburban Home Tracts, from Windsor Park Estates Lake City, LLC, a Washington limited liability company; placing the real property conveyed by such deeds under the jurisdiction of the Seattle Department of Transportation and designating the property for street purposes; and ratifying and confirming certain prior acts.

WHEREAS, the City is purchasing property to rebuild the curb ramps at the southwest and southeast corners at the intersection of Lake City Way Northeast and Northeast 145th Street as required by the American with Disabilities Act; NOW, THEREFORE,

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

Section 1. The Deed for Street Purposes from DVM Investments, LLC, a Washington limited liability company, recorded under Recording Number 20150126001278, dated January 20, 2015, which is attached as Exhibit 1 and incorporated by reference into this ordinance, is accepted for the following described real property in Seattle, King County, Washington (a portion of tax parcel number 766370-0240):

That portion of Lot 1 of Block 5 of the Seattle Suburban Homes Tracts as recorded in Volume 7 of Plats, page 93, Records of King County, WA, situate in the NE quarter of the NE quarter of Section 21, Township 26 N, Range 4 E, W.M., described as follows:

1 Commencing at a punch in a 3 inch Brass Cap stamped "SEATTLE ENGR  
2 DEPT" in a cased concrete monument 0.7 feet below street grade at the  
3 intersection of the centerlines of NE 140<sup>th</sup> Street and Lake City Way NE;

4 Thence N 00° 12' 20" W along the centerline of Lake City Way NE a distance of  
5 1,326.82 feet to a punch in a 1 ¾ inch Brass Cap Stamped "SED" in a cased  
6 concrete monument 0.65 feet below the street grade at the intersection of the  
7 centerlines of NE 145<sup>th</sup> Street and Lake City Way NE;

8 Thence S 00° 12' 20" E, along the centerline of Lake City Way NE (also known  
9 as State Hwy 522), a distance of 44.91 feet;

10 Thence N 89° 47' 40" E, perpendicular to said centerline a distance of  
11 40.00 feet to Easterly right of way margin of Lake City Way NE and the  
12 Point of Beginning;

13 Thence N 33° 20' 56" E, 21.70 feet to the Southerly right of way margin of  
14 NE 145<sup>th</sup> Street;

15 Thence along the Southerly right of way margin of NE 145<sup>th</sup> Street N 88°  
16 12' 26" W, 12.00 feet to the intersection of the right of ways of NE 145<sup>th</sup>  
17 Street and Lake City Way NE;

18 Thence along the Easterly right of way margin of Lake City Way NE  
19 S 00° 12' 20" E, 18.50 feet to the Point of Beginning.

20 Containing 111 Sq. Ft., more or less.

21 Section 2. The Deed for Street Purposes from the Windsor Park Estates Lake City, LLC, a  
22 Washington limited liability company, recorded under Recording Number 20131217001258,  
23 dated November 26, 2013, which is attached as Exhibit 2 and incorporated by reference into this  
24 ordinance, is accepted for the following described real property in Seattle, King County,  
25 Washington (a portion of tax parcel number 766370-0280):

26 That portion of Lot 1 of Block 6 of the Seattle Suburban Homes Tracts as  
27 recorded in Volume 7 of Plats, page 93, Records of King County, WA,  
28 situate in the NE quarter of the NE quarter of Section 21, Township 26 N,  
29 Range 4E, W.M., described as follows:

30 Commencing at a punch in a 3" Brass Cap Stamped "SEATTLE ENGR  
31 DEPT" in a cased concrete monument 0.7' below street grade at the  
32 intersection of the centerlines of NE 140<sup>th</sup> Street and Lake City Way NE;

1 Thence N 00° 12' 20" W along the centerline of Lake City Way NE a  
2 distance of 1,326.82 feet to a punch in a 1-¾ inch Brass Cap Stamped  
3 "SED" in a cased concrete monument 0.65 feet below the street grade at the  
4 intersection of the centerlines of NE 145<sup>th</sup> Street and Lake City Way NE;

5 Thence S 00° 12' 20" E along the centerline of Lake City Way NE (also  
6 known as State Hwy 522) 53.69 feet;

7 Thence S 89° 47' 40" W, perpendicular to said centerline, a distance of  
8 40.00 feet to Westerly margin of Lake City Way NE and the Point of  
9 Beginning;

10 Thence N 40° 55' 27" W a distance of 14.73 feet;

11 Thence N 58° 35' 19" W a distance of 7.83 feet;

12 Thence N 76° 15' 10" W a distance of 14.89 feet;

13 Thence N 87° 43' 44" W a distance of 5.84 feet;

14 Thence N 01° 45' 52" E a distance of 2.19 feet to the Southerly margin of  
15 NE 145<sup>th</sup> St;

16 Thence along said Southerly margin S 88° 14' 08" E a distance of 17.18 feet  
17 to the beginning of a 20.00 foot radius curve which center bears S 01° 45'  
18 52" W 20.00 feet;

19 Thence Southeasterly along the arc of said curve, through a central angle of  
20 88° 01' 48", a distance of 30.73 feet to the Westerly margin of Lake City  
21 Way NE;

22 Thence along said margin S 00° 12' 20" E a distance of 0.72 feet to the  
23 Point of Beginning;

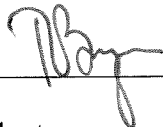
24 Containing 177 Sq. Ft., more or less.

25 Section 3. The property conveyed by the deeds described in Sections 1 and 2  
26 shall be placed under the jurisdiction of the Seattle Department of Transportation,  
27 accepted for street purposes, and laid off, opened, widened, extended, and established as  
28 street right-of-way upon the land described in the deeds.


29 Section 4. Any act consistent with the authority and prior to the effective date of  
30 this ordinance is approved and accepted.

1 Section 5. 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.

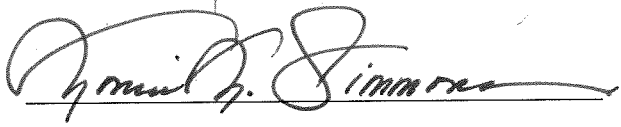
4 Passed by the City Council the 20<sup>th</sup> day of July, 2015, and  
5 signed by me in open session in authentication of its passage this  
6 20<sup>th</sup> day of July, 2015.

7  
8   
9 President \_\_\_\_\_ of the City Council

10  
11 Approved by me this 29<sup>th</sup> day of July, 2015.

12  
13   
14 Edward B. Murray, Mayor

15  
16 Filed by me this 29<sup>th</sup> day of July, 2015.

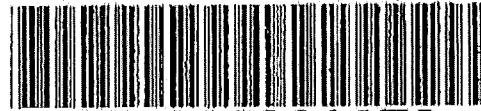
17  
18   
19 Monica Martinez Simmons, City Clerk

20  
21 (Seal)

22 Exhibit 1: Deed for Street Purposes granted by DVM Investments, LLC

23 Exhibit 2: Deed for Street Purposes granted by Windsor Park Estates Lake City, LLC

STEWART TITLE  
01148-25398 (5)



20150126001278

STEWART TITLE D 76.00  
PAGE-001 OF 005  
01/26/2015 14:04  
KING COUNTY, WA

After recording return document to:

City of Seattle  
Department of Transportation  
700 5<sup>th</sup> Avenue - Suite 3800  
P.O. Box 34996  
Seattle, WA 98124-4996  
Attn: Michelle Talbot

E2711139

01/28/2015 14:02  
KING COUNTY, WA  
TAX \$10.00  
SALE \$0.00

PAGE-001 OF 001

*Document Title: Deed for Street Purposes*  
*Reference Number of Related Document: N/A*  
*Grantor(s): DVM Investments, LLC*  
*Grantee: City of Seattle*  
*Abbreviated Legal Description: Ptn of Lot 1 Blk 5, Seattle Suburban Home Tracts, Vol. 7, PP 93, King County, Washington.*  
*Additional Legal Description on Exhibit A Page 4 of Document.*  
*Assessor's Tax Parcel Number(s): 766370-0240*

**DEED FOR STREET PURPOSES**

Project: 2014 Pedestrian Projects - Lake City Way NE and NE 145<sup>th</sup> Street

The Grantor, DVM INVESTMENTS, LLC, a Washington limited liability company, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, hereby conveys and warrants to the CITY OF SEATTLE, a municipal corporation of the State of Washington, the hereinafter real estate as described on Exhibit A and depicted on Exhibit B attached hereto, situated in King County, State of Washington, to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington.

As provided by RCW 84.60.070, the Grantor herein requests the lien of taxes owing shall be set over to the property retained by the Grantor.

**DEED FOR STREET PURPOSES**

DVM INVESTMENTS, LLC  
a Washington limited liability company

By: *Darlene Vyzis*  
Darlene Vyzis  
Manager

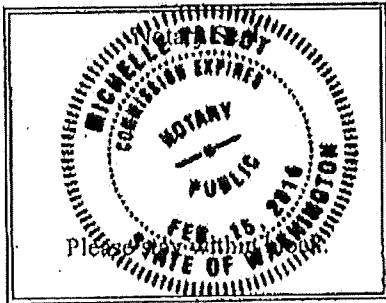
Dated: Jan 12, 2015

STATE OF WASHINGTON )

County of King ) §

On this 12<sup>th</sup> day of January, 2015, I certify that I know or have satisfactory evidence that DARLENE VYZIS appeared before me and acknowledged that she signed this instrument and on oath stated that she was authorized to execute this instrument as the Manager of DVM INVESTMENTS, LLC, a Washington limited liability company, and acknowledged it to be the free and voluntary act for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.



*Michelle Talbot*  
Notary (print name) Michelle Talbot  
Notary Public in and for the State of Washington,  
residing at Anacortes  
My Appointment expires 2/15/16



**DEED FOR STREET PURPOSES**

Approved and Accepted By:  
CITY OF SEATTLE

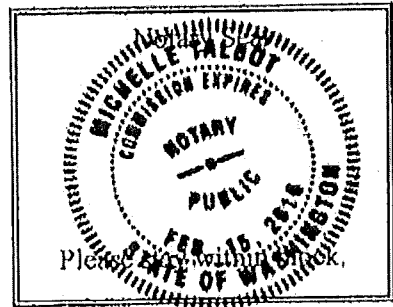
By: [Signature]  
Scott Kubly, Director  
Seattle Department of Transportation

Dated: January 20, 2015

STATE OF WASHINGTON )  
  : §  
County of King                 )

On this 20<sup>th</sup> day of January, 2015, before me personally appeared SCOTT KUBLY, to me known to be the Director of the Seattle Department of Transportation of the City of Seattle, a Washington Municipal Corporation, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.



[Signature: Michelle Talbot]  
Notary (print name) Michelle Talbot  
Notary Public in and for the State of Washington,  
residing at Anacortes  
My Appointment expires 2/15/16

## DEED FOR STREET PURPOSES

### EXHIBIT A

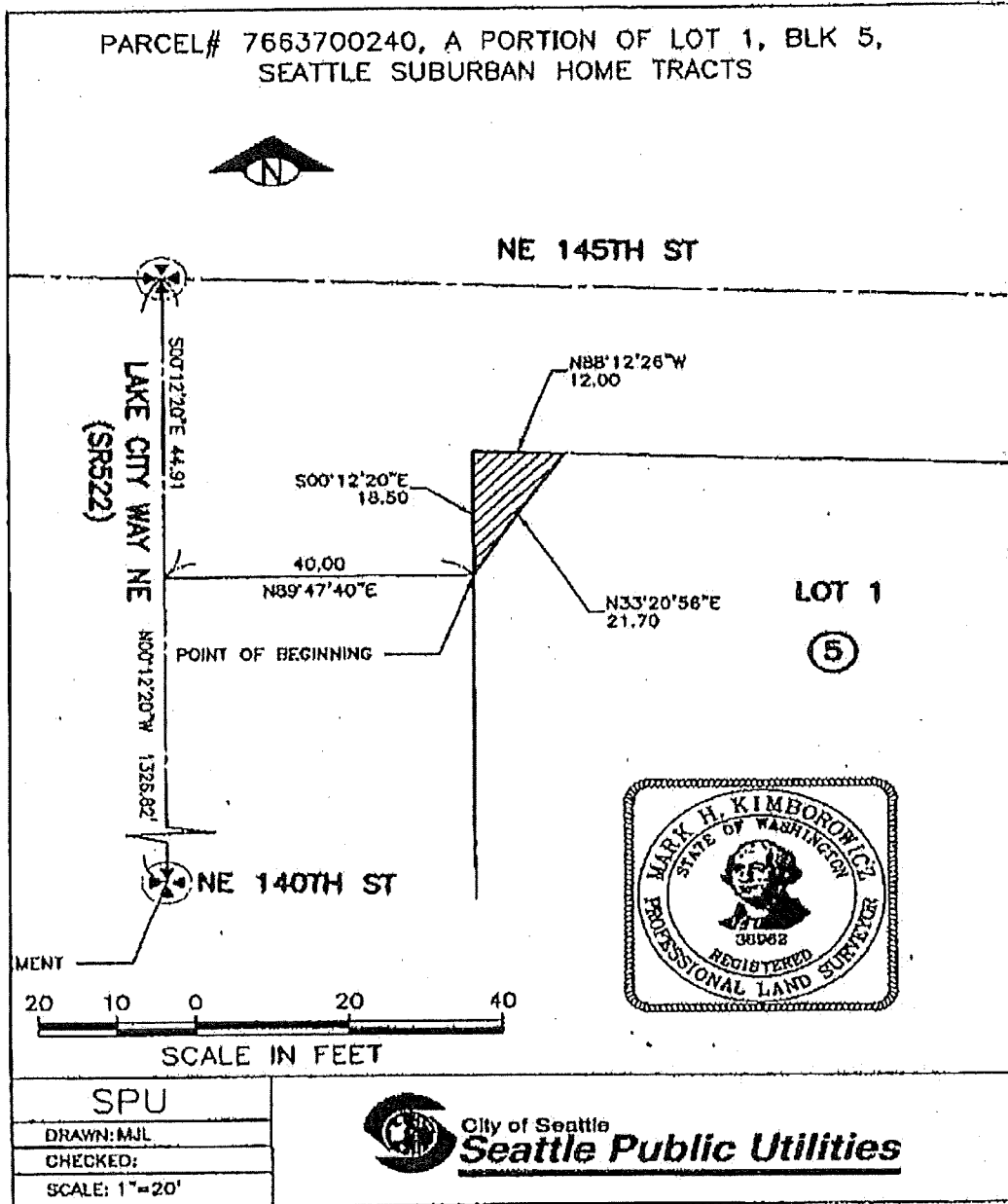
THAT PORTION OF LOT 1 OF BLOCK 5 OF THE SEATTLE SUBURBAN HOMES TRACTS AS RECORDED IN VOLUME 7 OF PLATS, PAGE 93, RECORDS OF KING COUNTY, WA, SITUATE IN THE NE QUARTER OF THE NE QUARTER OF SECTION 21, TOWNSHIP 26 N, RANGE 4 E, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT A PUNCH IN A 3 INCH BRASS CAP STAMPED "SEATTLE ENGR DEPT" IN A CASED CONCRETE MONUMENT 0.7 FEET BELOW STREET GRADE AT THE INTERSECTION OF THE CENTERLINES OF NE 140<sup>TH</sup> STREET AND LAKE CITY WAY NE; THENCE N 00°12'20" W ALONG THE CENTERLINE OF LAKE CITY WAY NE A DISTANCE OF 1,326.82 FEET TO A PUNCH IN A 1 ¼ INCH BRASS CAP STAMPED "SED" IN A CASED CONCRETE MONUMENT 0.65 FEET BELOW THE STREET GRADE AT THE INTERSECTION OF THE CENTERLINES OF NE 145<sup>TH</sup> STREET AND LAKE CITY WAY NE; THENCE S 00°12'20" E, ALONG THE CENTERLINE OF LAKE CITY WAY NE (ALSO KNOWN AS STATE HWY 522), A DISTANCE OF 44.91 FEET; THENCE N 89°47'40" E, PERPENDICULAR TO SAID CENTERLINE A DISTANCE OF 40.00 FEET TO EASTERLY RIGHT OF WAY MARGIN OF LAKE CITY WAY NE AND THE POINT OF BEGINNING; THENCE N 33°20'56" E, 21.70 FEET TO THE SOUTHERLY RIGHT OF WAY MARGIN OF NE 145<sup>TH</sup> STREET; THENCE ALONG THE SOUTHERLY RIGHT OF WAY MARGIN OF NE 145<sup>TH</sup> STREET N 88°12'26" W, 12.00 FEET TO THE INTERSECTION OF THE RIGHT OF WAYS OF NE 145<sup>TH</sup> STREET AND LAKE CITY WAY NE; THENCE ALONG THE EASTERLY RIGHT OF WAY MARGIN OF LAKE CITY WAY NE S 00°12'20" E, 18.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 111 SQ. FT., MORE OR LESS.

**DEED FOR STREET PURPOSES**

**EXHIBIT B**



STEWART TITLE  
01148-25396

(5)



20131217001258

STEWART TITLE D 76.00  
PAGE-001 OF 005  
12/17/2013 13:07  
KING COUNTY, WA

After recording return document to:

City of Seattle  
Department of Transportation  
700 5<sup>th</sup> Avenue - Suite 3900  
P.O. Box 34996  
Seattle, WA 98124-4996  
Attn: Larry Huggins

E2645834

12/17/2013 13:05  
KING COUNTY, WA  
TAX  
SALE

\$10.00  
\$0.00

PAGE-001 OF 001

*Document Title: Deed for Street Purposes*  
*Reference Number of Related Document: N/A*  
*Grantor(s): Windsor Park Estates Lake City, LLC*  
*Grantee: City of Seattle*  
*Abbreviated Legal Description: Ptn of Lots 1 and 2, Blk 6, Seattle Suburban Home Tracts, Vol. 7, PP 93, King County, Washington*  
*Additional Legal Description on Exhibit A Page 4 of Document.*  
*Assessor's Tax Parcel Number(s): 766370-0280*

### DEED FOR STREET PURPOSES

Project: 2013 Sidewalk Development

The Grantor, **WINDSOR PARK ESTATES LAKE CITY, LLC**, a Washington limited liability company, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other valuable consideration, hereby conveys and warrants to the **CITY OF SEATTLE**, a municipal corporation of the State of Washington, the hereinafter real estate as described on Exhibit A and depicted on Exhibit B attached hereto, situated in King County, State of Washington, to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington:

As provided by RCW 84.60.070, the Grantor herein requests the lien of taxes owing shall be set over to the property retained by the Grantor.

### DEED FOR STREET PURPOSES

WINDSOR PARK ESTATES  
LAKE CITY, LLC  
a Washington limited liability company

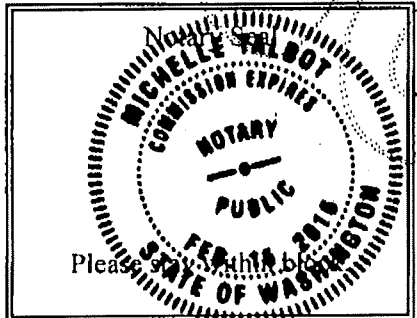
By: *Robert D. Kaplan*  
Robert D. Kaplan  
Member

Dated: 11/20 2013

STATE OF WASHINGTON )  
  : §  
County of King            )

On this 20<sup>th</sup> day of November, 2013, I certify that I know or have satisfactory evidence that ROBERT D. KAPLAN appeared before me and acknowledged that he signed this instrument and on oath stated that he was authorized to execute this instrument as Member of WINDSOR PARK ESTATES LAKE CITY, LLC, a Washington limited liability company, and acknowledged it to be his free and voluntary act for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.



*Michelle Talbot*  
Notary (print name) Michelle Talbot  
Notary Public in and for the State of Washington,  
residing at Anacortes  
My Appointment expires 2/15/16

**DEED FOR STREET PURPOSES**

Approved and Accepted By:  
 CITY OF SEATTLE

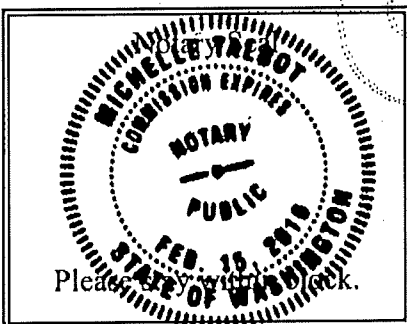
By: *Peter E. Hahn*  
 Peter E. Hahn, Director  
 Seattle Department of Transportation

Dated: Nov. 26, 2013

STATE OF WASHINGTON )  
 ) : §  
 County of King )

On this 26<sup>th</sup> day of November, 2013, before me personally appeared PETER E. HAHN, to me known to be the Director of the Seattle Department of Transportation of the City of Seattle, a Washington Municipal Corporation, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.



*Michelle Talbot*  
 Notary (print name) Michelle Talbot  
 Notary Public in and for the State of Washington,  
 residing at Anacortes  
 My Appointment expires 2/15/16

**DEED FOR STREET PURPOSES**

**EXHIBIT A**

**Legal Description**

THAT PORTION OF LOT 1 OF BLOCK 6 OF THE SEATTLE SUBURBAN HOMES TRACTS AS RECORDED IN VOLUME 7 OF PLATS, PAGE 93, RECORDS OF KING COUNTY, WA, SITUATE IN THE NE QUARTER OF THE NE QUARTER OF SECTION 21, TOWNSHIP 26 N, RANGE 4E, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT A PUNCH IN A 3" BRASS CAP STAMPED "SEATTLE ENGR DEPT" IN A CASED CONCRETE MONUMENT 0.7' BELOW STREET GRADE AT THE INTERSECTION OF THE CENTERLINES OF NE 140<sup>TH</sup> STREET AND LAKE CITY WAY NE; THENCE N 00° 12' 20" W ALONG THE CENTERLINE OF LAKE CITY WAY NE A DISTANCE OF 1,326.82 FEET TO A PUNCH IN A 1-3/4 INCH BRASS CAP STAMPED "SED" IN A CASED CONCRETE MONUMENT 0.65 FEET BELOW THE STREET GRADE AT THE INTERSECTION OF THE CENTERLINES OF NE 145<sup>TH</sup> STREET AND LAKE CITY WAY NE;  
THENCE S 00° 12' 20" E ALONG THE CENTERLINE OF LAKE CITY WAY NE (ALSO KNOWN AS STATE HWY 522) A DISTANCE OF 53.69 FEET;  
THENCE S 89° 47' 40" W, PERPENDICULAR TO SAID CENTERLINE, A DISTANCE OF 40.00 FEET TO WESTERLY MARGIN OF LAKE CITY WAY NE AND THE POINT OF BEGINNING;  
THENCE N 40° 55' 27" W A DISTANCE OF 14.73 FEET;  
THENCE N 58° 35' 19" W A DISTANCE OF 7.83 FEET;  
THENCE N 76° 15' 10" W A DISTANCE OF 14.89 FEET;  
THENCE N 87° 43' 44" W A DISTANCE OF 5.84 FEET;  
THENCE N 01° 45' 52" E A DISTANCE OF 2.19 FEET TO THE SOUTHERLY MARGIN OF NE 145<sup>TH</sup> ST;  
THENCE ALONG SAID SOUTHERLY MARGIN S 88° 14' 08" E A DISTANCE OF 17.18 FEET TO THE BEGINNING OF A 20.00 FOOT RADIUS CURVE WHICH CENTER BEARS S 01° 45' 52" W 20.00 FEET;  
THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 88° 01' 48", A DISTANCE OF 30.73 FEET TO THE WESTERLY MARGIN OF LAKE CITY WAY NE;  
THENCE ALONG SAID MARGIN S 00° 12' 20" E A DISTANCE OF 0.72 FEET TO THE POINT OF BEGINNING;

CONTAINING 177 SQ. FT., MORE OR LESS.

**DEED FOR STREET PURPOSES**

**EXHIBIT B**

