

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Seattle Public Utilities	Bob Gambill /4-5969	Aaron Blumenthal/3-2656

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the Seattle Public Utilities Department; declaring as surplus certain portions of a portion of the City's Tolt Water Transmission Pipeline right-of-way, King County Assessor Parcel number 0326049122, to serve the property commonly known as 19229 47th Ave NE, The City of Lake Forest Park, Washington 98156, Elizabeth Simmons-O'Neill and John Joseph O'Neill, Grantee's property, King County Assessor Parcel number 4400900040, and granting a non-exclusive easement for existing utility service lines, and the maintenance and use of a driveway access over and across the same.

Summary and background of the Legislation: This legislation would authorize the Director of Seattle Public Utilities to grant a non-exclusive easement for access across portions of Seattle's Tolt pipeline right of way to serve an adjacent property which does not have legal driveway access. The City will be compensated at true and full value for the easement.

The City in the 1960s granted a permit to cross the Tolt right of way to the owner of the property at 19229 47th Ave NE in Lake Forest Park. There is no other practical access to the property. After the property was sold the new owner was never issued a new permit. The current owner determined the lack of legal access across the SPU right of way could create a problem for a future buyer to securing financing. Granting this easement would provide a permanent solution for access to the property. The easement agreement limits the rights and use of the non-exclusive easement to necessary and customary driveway access for a single residence, and will also limit the potential impact of vehicular traffic on the pipeline right of way.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

 X This legislation has direct financial implications.

Budget program(s) affected:				
Estimated \$ Appropriation change:	General Fund \$		Other \$	
	2016	2017	2016	2017

Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2016	2017	2016	2017
			\$3,350	
Positions affected:	No. of Positions		Total FTE Change	
	2016	2017	2016	2017
Other departments affected:				

3.a. Appropriations

 This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

 X This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2016 Revenue	2017 Estimated Revenue
43000 Water Fund	Water	Non—operating Revenue	\$3,350	
TOTAL			\$3,350	

Revenue/Reimbursement Notes:

Revenue is a one-time payment from the grantee for value of the easement area granted by the City.

4. OTHER IMPLICATIONS

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**
 No.
- b) **Is there financial cost or other impacts of not implementing the legislation?**
 If it the access issue is not resolved in this way, there would a legal risk.
- c) **Does this legislation affect any departments besides the originating department?**
 No
- d) **Is a public hearing required for this legislation?**
 Yes. A public hearing held during committee consideration of this proposed legislation would meet the requirement for the grant of this easement.
- e) **Does this legislation require landlords or sellers of real property to provide**

information regarding the property to a buyer or tenant?

No

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

g) Does this legislation affect a piece of property?

Yes. See attached maps.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

None

i) 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.

N/A

j) Other Issues:

None

List attachments/exhibits below:

Summary Attachment A – Vicinity Map

Summary Attachment B – Easement Photo