

**CERTIFICATE OF MAILING AND PUBLICATION OF NOTICE FOR
Council Bill 119185**

I, Lise A. Ward, Sr. Real Property Agent, hereby certify as follows:

(Check all that apply below.)

- 1. On the 15th day of February, 2018, I mailed via US Postal Service Certified Mail a
 - notice of condemnation or
 - other: notice of Seattle City Council final action on Council Bill 119185, a true and correct representative copy of which is attached and designated as Attachment A, to those persons whose names and addresses appear on the attached list as Attachment B.
- 2. For condemnation legislation: The notice designated in Attachment A constitutes adequate notice to property owners, pursuant to RCW 8.12 and 8.25, that the City may take final action to authorize condemnation of the subject property.
- 3. The notice designated in Attachment A was published in the Seattle Times on 2/21/18 and 2/26/18 and the Daily Journal of Commerce on 2/20/18 and 2/16/18.
- 4. This Certificate of Mailing and Publication and complete Attachments A and B are hereby filed with the City Clerk of the City of Seattle.

Dated this 1st day of March, 2018.

The City of Seattle, Washington

Lise A. Ward

(Signature)

Sr. Real Property Agent

Parks & Recreation

(207) 733-9106

STATE OF WASHINGTON – KING COUNTY

--SS.

358743

No.

SEATTLE PARKS & RECREATION

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 12th 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:HILLMANS RAINIER BLVD

was published on

02/20/18 02/26/18

The amount of the fee charged for the foregoing publication is the sum of \$134.00 which amount has been paid in full.



[Handwritten signature]

Subscribed and sworn to before me on

02/26/2018

[Handwritten signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

NOTICE OF FINAL ACTION AUTHORIZING CONDEMNATION

Property location: 3656 34th Avenue South, Seattle, WA 98144 (King County Parcel No. 335740-0055) by condemnation. The property is legally described as: LOTS 11 AND 12, BLOCK 44, C.D. HILLMAN'S RAINIER BOULEVARD GARDEN ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 12 OF PLATS, PAGE 65, IN KING COUNTY, WASHINGTON. As required by State law, the City of Seattle is publishing notice of the date, time, and location of the final action at which the City will decide whether or not to authorize the condemnation of the above-described property.

Municipal legislation will be presented for final action and potential adoption by the Seattle City Council of the Council Bill 119185, authorizing condemnation, on Monday, March 5, 2018 at 2:00 p.m. in Seattle City Council Chambers located on the 2nd floor of Seattle City Hall, 600 Fourth Avenue, Seattle, WA 98104.

All persons claiming an interest in the property may appear and be heard on the date and time identified above before adoption of Council Bill 119185.

For further information, please contact Lise Ward, Senior Property Agent, at (206) 733-9106.

Dates of publication in the Seattle Daily Journal of Commerce, February 20 and 26, 2018.

2/26(358743)

The Seattle Times

City of Seattle, Park & Recreation
Dept Of Parks & Recreation
Accounts Payable
800 Maynard Ave S 3rd Fl
Seattle, WA 98134

Re: Advertiser Account # 107207
Ad #: 795038

Agency Account #: 0
Agency Name:

Affidavit of Publication

STATE OF WASHINGTON
Counties of King and Snohomish

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

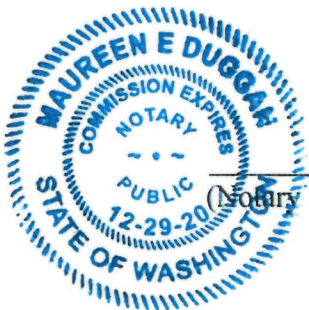
The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

Newspaper and Publication Date(s)	
Seattle Times	02/21/18
Seattle Times	02/26/18

Agent Sharon Seligman Signature Sharon Seligman

Subscribed and sworn to before me on February 28, 2018
DATE

Maureen E Duggan MAUREEN E DUGGAN
(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle



The Seattle Times

Re: Advertiser Account # 107207

Ad #: 795038

Agency Account #: 0

Agency Name:

AD TEXT

**CITY OF SEATTLE
NOTICE OF FINAL ACTION
AUTHORIZING CONDEMNATION**

Property location: 3456 34th Avenue South; Seattle, WA 98144 (King County Parcel No. 335740-0055) by condemnation: The property is legally described as: LOTS 11 AND 12, BLOCK 44, C.D. HILLMAN'S RAINIER BOULEVARD GARDEN ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 12 OF PLATS, PAGE 65, IN KING COUNTY, WASHINGTON. As required by State law, the City of Seattle is publishing notice of the date, time, and location of the final action at which the City will decide whether or not to authorize the condemnation of the above-described property.

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All persons claiming an interest in the property may appear and be heard on the date and time identified above before adoption of Council Bill 119185.

For further information, please contact Lise Ward, Senior Property Agent, at (206) 733-9106.

7001 2510 0000 1391 0692 2690 1407

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

SEATTLE WA 98144

Postage	\$3.45	0016 30
Certified Fee	\$2.75	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$7.41	

Sent To **CAO HUMPHREYS ESTIMEX LLC**
 Street, Apt. No., or PO Box No. **3656 34TH AVE S**
 City, State, ZIP+4 **SEATTLE, WA 98144**

Postmark Here **SEATTLE WA 98101/02/15/2018**

PS Form 3800, January 2001 See Reverse for Instructions

7001 2510 0000 1407 0690 2690 1407

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

SEATTLE WA 98144

Postage	\$3.45	0016 30
Certified Fee	\$2.75	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$7.41	

Sent To **CAO HUMPHREYS DEP REAL ESTATE LLC**
 Street, Apt. No., or PO Box No. **900 23RD AVE S**
 City, State, ZIP+4 **SEATTLE, WA 98144-3002**

Postmark Here **SEATTLE WA 98115/02/15/2018**

PS Form 3800, January 2001 See Reverse for Instructions

7001 2510 0000 1414 0690 2690 1414

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

SEATTLE WA 98154

Postage	\$3.45	0016 30
Certified Fee	\$2.75	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$7.41	

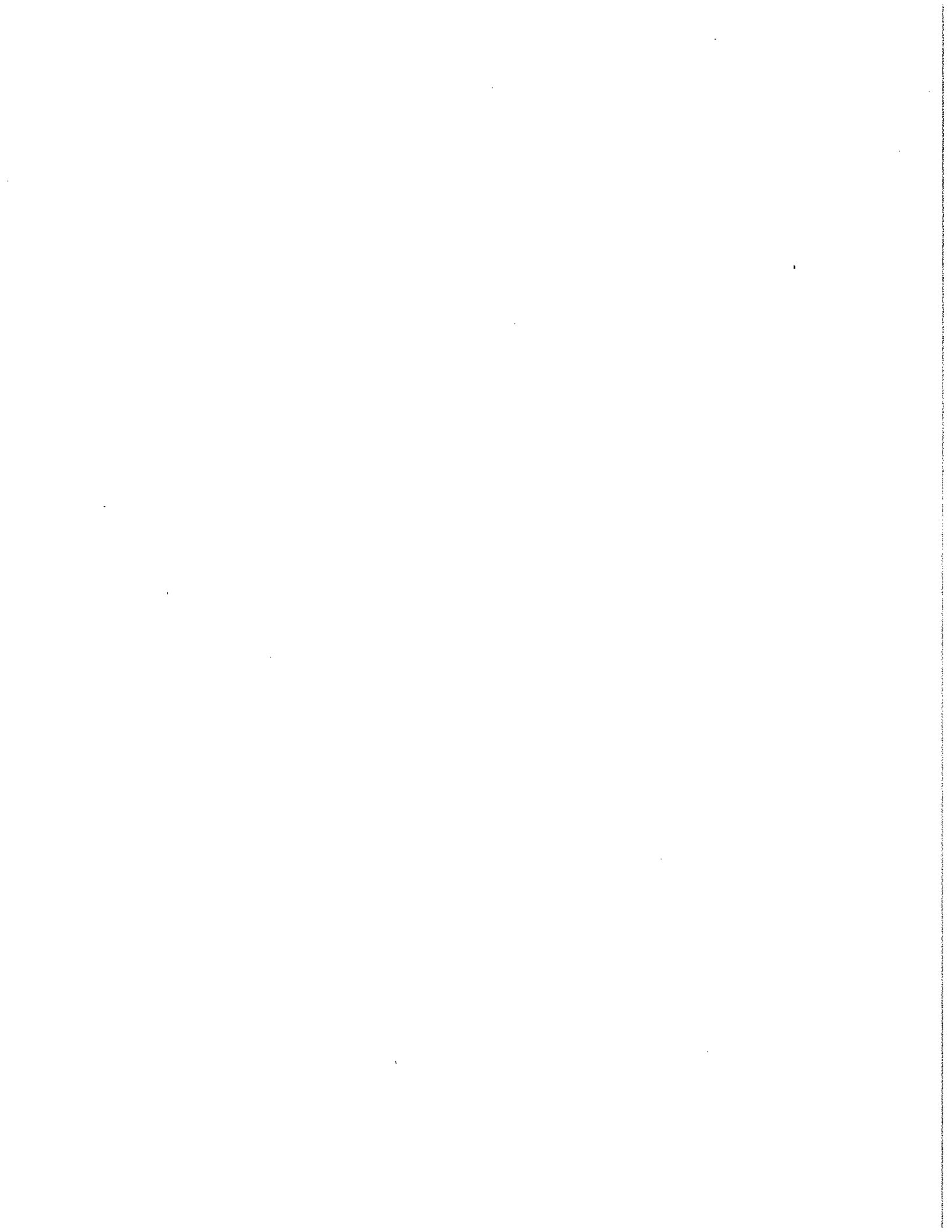
Sent To **BRANDON GALBREATH FERRARI**
 Street, Apt. No., or PO Box No. **1001 4TH AVE / STE 4200**
 City, State, ZIP+4 **SEATTLE WA 98154-1154**

Postmark Here **SEATTLE WA 98101/02/15/2018**

PS Form 3800, January 2001 See Reverse for Instructions

INTERNATIONAL
 409 MAYNARD AVE S STE 109
 SEATTLE WA
 98104-2959
 5476270016
 02/15/2018 (800)275-8777 4:22 PM

Product Description	Sale Qty	Final Price
First-Class Mail Large Envelope (Domestic) (SEATTLE, WA 98144) (Weight: 0 Lb 1.30 Oz) (Estimated Delivery Date) (Saturday 02/17/2018)	1	\$1.21
Certified (00USPS Certified Mail #) (70012510000126901407)	1	\$3.45
Return Receipt First-Class Mail Large Envelope (Domestic) (SEATTLE, WA 98154) (Weight: 0 Lb 1.30 Oz) (Estimated Delivery Date) (Saturday 02/17/2018)	1	\$2.75
Certified (00USPS Certified Mail #) (70012510000126901414)	1	\$3.45
Return Receipt First-Class Mail Large Envelope (Domestic) (SEATTLE, WA 98144) (Weight: 0 Lb 1.30 Oz) (Estimated Delivery Date) (Saturday 02/17/2018)	1	\$2.75
Certified (00USPS Certified Mail #) (70012510000126901391)	1	\$3.45
Return Receipt	1	\$2.75
Total		\$22.23





February 15, 2018

BY CERTIFIED MAIL

Mr. Cao Huynh, Registered Agent
DEP REAL ESTATE X LLC
3656 34th Avenue South
Seattle, WA 98144

Mr. Cao Huynh, Registered Agent
DEP REAL ESTATE X LLC
800 23RD Ave South
Seattle, WA 98144-3022

**Notice of Seattle City Council Final Action to Adopt an Ordinance
Authorizing Condemnation (Eminent Domain) of real property commonly known as
3656 34th Avenue South, Seattle, WA 98144
(King County Tax Parcel 335740-0055) in the City of Seattle, Washington**

Dear DEP REAL ESTATE X LLC:

The purpose of this Notice is to inform you that the City of Seattle City Council is expected to vote on an ordinance authorizing the acquisition of your real property located at 3656 34th Avenue South in the City of Seattle, Washington. A copy of the proposed ordinance and a map depicting the project location are enclosed for your information. This ordinance, if adopted, will contain authorization for the City to acquire your property through negotiation, or if necessary, condemnation.

You are identified in the tax rolls of King County as the owner of the property that would be affected by this legislation. The City is required by RCW 8.25.290 to provide each property owner affected by the ordinance with formal written notice before the City takes final action authorizing condemnation of property. The time, date, and place of the final action to approve the ordinance are described below.

The City took public comment and considered the ordinance, Council Bill 119185, at the Seattle City Council Civic Development, Public Assets & Native Communities Committee as a regular part of the committee meeting on Wednesday, February 7, 2018.

Mr. Cao Huynh, Registered Agent

DEP REAL ESTATE X LLC

Page Two

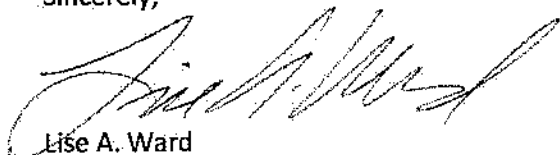
February 15, 2018

Final Action

The Civic Development, Public Assets & Native Communities Committee recommended approval and forwarded Council Bill 119185 on to the full City Council. The ordinance authorizing condemnation of your property will be presented for final action (adoption) to the Seattle City Council on Monday March 5, 2018 at 2:00 p.m., in the City Council Chambers, located at 600 4th Avenue, 2nd Floor, Seattle, WA 98104. After approval of the ordinance the City of Seattle will be authorized to acquire your property through voluntary negotiation or it may use its powers of eminent domain to condemn your property.

Please contact the undersigned at (206) 733-9106 with any questions.

Sincerely,



Lise A. Ward

Senior Real Property Agent

Enclosures

cc: Councilmember Debora Juarez
Brandon Gribben/Helsell Fetterman LLP



Legislation Text

File #: CB 119185, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 3656 34th Avenue South; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; authorizing acquisition by condemnation; and ratifying and confirming certain prior acts.

WHEREAS, the City Council passed Ordinance 124468 in 2014, authorizing an interlocal agreement between

The City of Seattle and the Seattle Park District (“Interlocal Agreement”), which included the *Seattle Park District Financial Plan: 2015-2020*; and

WHEREAS, the *Seattle Park District Financial Plan: 2015-2020* includes the Park Land Acquisition and Leverage Fund, which is to be used to acquire park lands; and

WHEREAS, The City of Seattle, acting under the authorization of Ordinances 123709 and 124868, acquired and assembled approximately 0.75 acres in 2011 and 2016 for the development of a future park; and

WHEREAS, the Department of Parks and Recreation has determined the acquisition of the subject real property will improve its as-yet undeveloped park, located adjacent to the subject real property; NOW,

THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Acquisition of the following described real property for open space, park, and recreation purposes is for a public use, and public interest, convenience and necessity require that the following described real property, situated in the City of Seattle, County of King, State of Washington, and commonly known as the property at 3656 34th Avenue South (“Property”), together with all rights, privileges, and other property

pertaining thereto, be acquired for open space, park, and recreation purposes:

LOTS 11 AND 12, BLOCK 44, C.D. HILLMAN'S RAINIER BOULEVARD GARDEN ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 12 OF PLATS, PAGE 65, IN KING COUNTY, WASHINGTON.

Section 2. The Superintendent of Parks and Recreation, or the Superintendent's designee, is authorized, on behalf of The City of Seattle, to negotiate and enter into an agreement to acquire the Property for a purchase price equivalent to just compensation, and to accept a deed for the Property by attaching to the deed the Superintendent's written acceptance thereof, and recording the same. The Property shall be accepted for open space, park, and recreation purposes, and placed under the jurisdiction of the Department of Parks and Recreation. The Superintendent of Parks and Recreation, or the Superintendent's designee, is also authorized to make minor amendments to the above legal description as may be necessary to correct scrivener's errors or to conform the legal description to the precise boundaries of the property required for the project.

Section 3. The Seattle City Attorney, or the City Attorney's designee, on behalf of The City of Seattle, is authorized to commence and prosecute proceedings in the manner provided by law to condemn, take, damage, and appropriate the Property in fee simple, after just compensation has been made or paid into court for the owners thereof, in the manner provided by law; and to stipulate for the purposes of minimizing damages.

Section 4. The entire cost of the acquisition provided for above shall be paid from the Park Land Acquisition and Leverage Fund, or from such general fund of The City of Seattle as may be provided by law.

Section 5. Any acts consistent with the authority of this ordinance taken after its passage and prior to its effective date are hereby ratified and confirmed.

Section 6. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2018, and signed by me in open session in authentication of its passage this _____ day of _____, 2018.

President _____ of the City Council

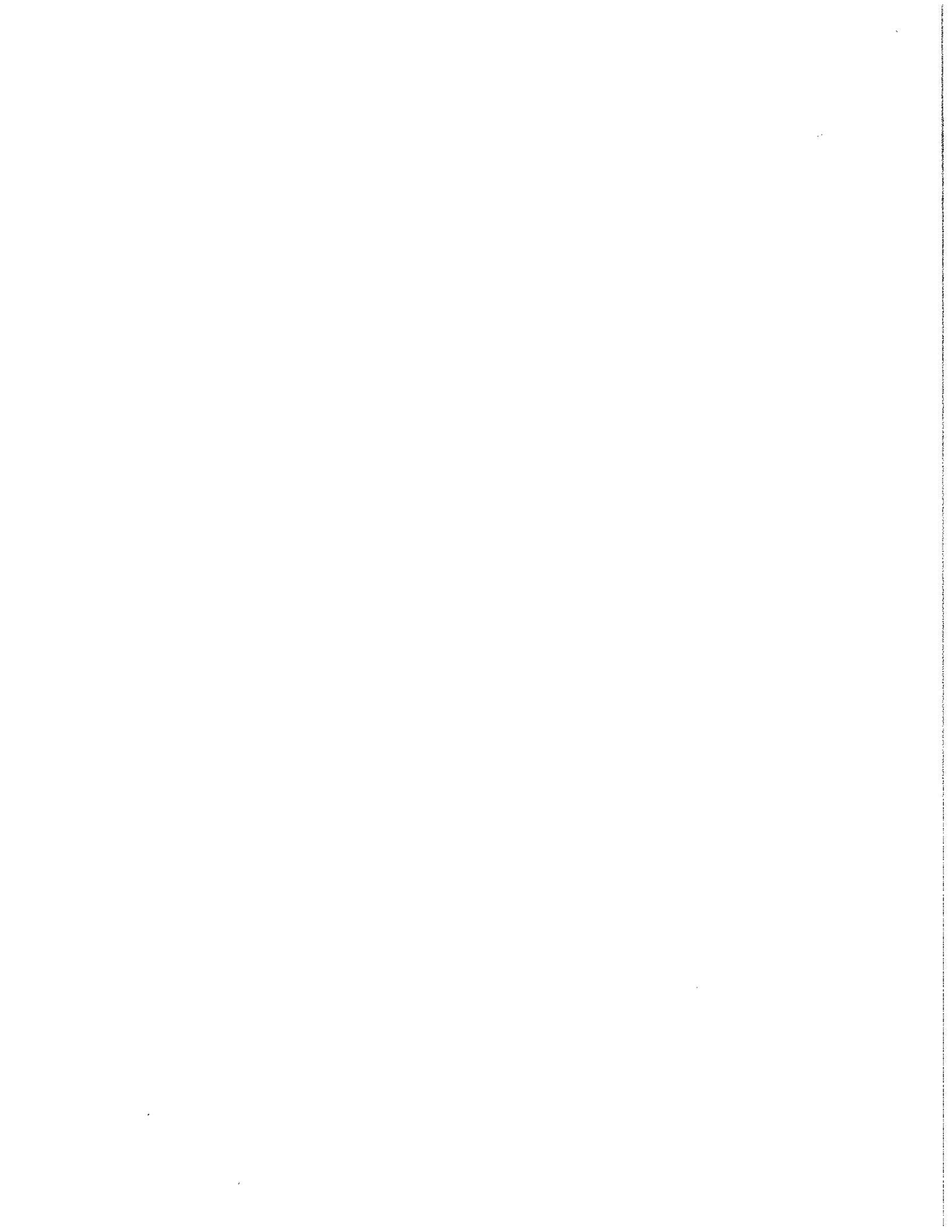
Approved by me this _____ day of _____, 2018.

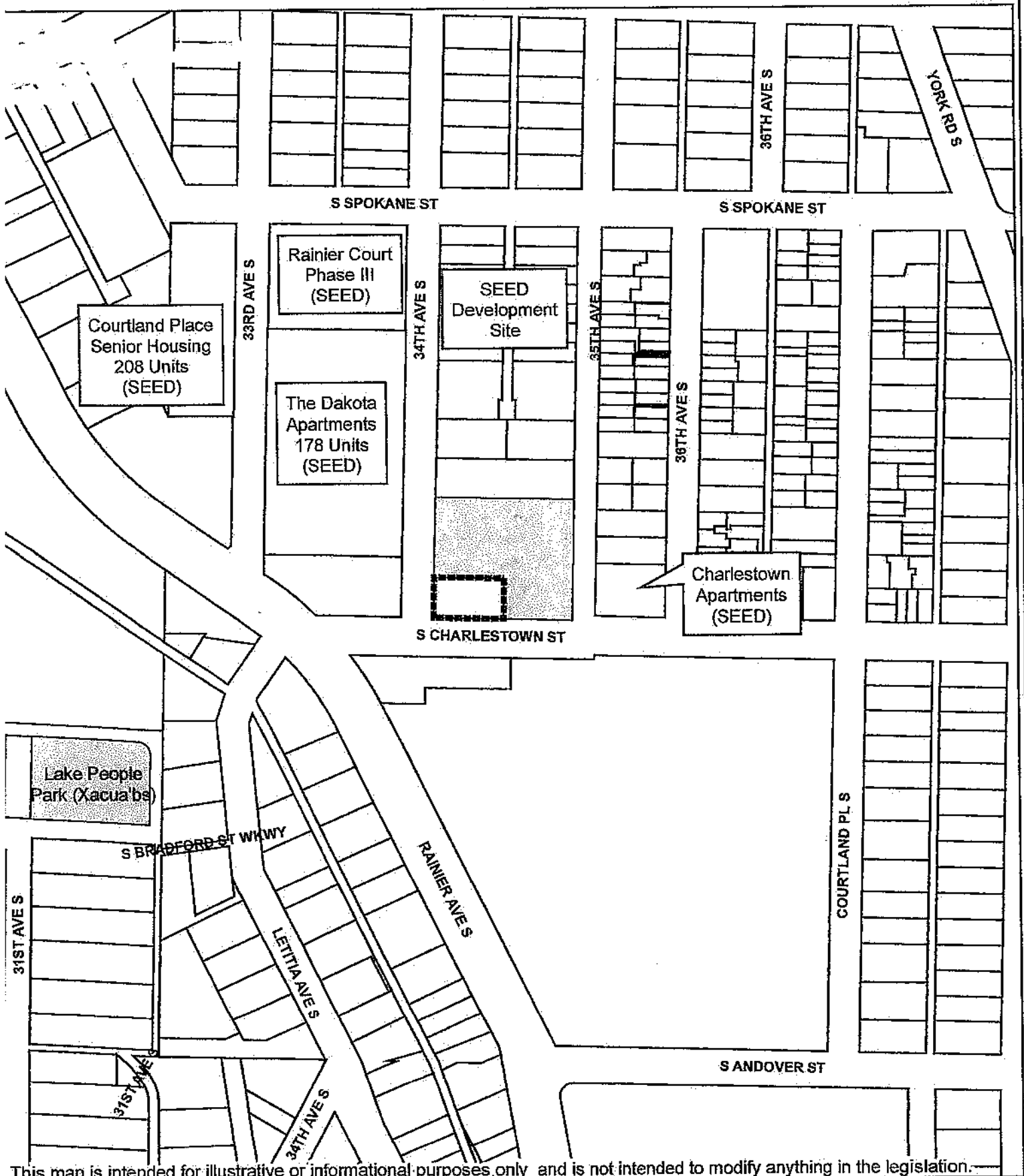
Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)





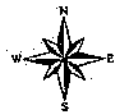
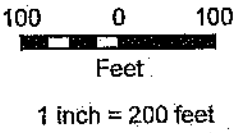
This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.

North Rainier Hub Urban Village - Proposed Acquisition



Legend

- Acquisition Parcel
- Park Boundary
- Parcel Boundary



©2017, CITY OF SEATTLE
 All rights reserved.
 No warranties of any sort, including accuracy, fitness or merchantability accompany this product.
 Map date: November 6, 2017

7001 2510 0001 2690 1391
 TO OWNER @ SITE ADDRESS
 RECEIPT NOT REC'D
 OWNER RECEIPT AT BUSINESS ADDRESS BELOW

OWNER'S
 ATTORNEY

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
	B. Received by (Printed Name)	C. Date of Delivery 2-21
1. Article Addressed to: BRANDON GRIBBEN HELSELL FETTERMAN LLP 1001 4TH AVE STE. 4200 SEATTLE, WA 98154-1154	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)	7001 2510 0001 2690 1414	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

OWNER

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
	B. Received by (Printed Name) DEBBIE TAYLOR	C. Date of Delivery 2-21-15
1. Article Addressed to: MR CAO HUYNH, AGENT DEP REAL ESTATE X LLC 900 23RD AVE S SEATTLE, WA 98144-3000	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)	7001 2510 0001 2690 1407	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		