



SEATTLE CITY COUNCIL

Legislative Summary

CB 119210

Record No.: CB 119210

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125547

In Control: City Clerk

File Created: 02/13/2018

Final Action: 03/30/2018

Title: AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to water facility easements within the City of Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept new easements for City-owned water facilities; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Herbold

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att 1 - Descriptions of Relinquished Easements, Att 2 – Descriptions of Acquired Easements

Drafter: bob.hennessey@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	02/26/2018	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	02/27/2018	sent for review	Council President's Office			
1	Council President's Office	03/02/2018	sent for review	Civil Rights, Utilities, Economic Development, and Arts Committee			

Action Text: The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee

Notes:

Legislative Summary Continued (CB 119210)

- 1 Full Council 03/12/2018 referred Civil Rights,
Utilities,
Economic
Development, and
Arts Committee
- 1 Civil Rights, Utilities, 03/13/2018 pass Pass
Economic Development,
and Arts Committee
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
Notes:
In Favor: 3 Chair Herbold, Vice Chair Sawant, Member O'Brien
Opposed: 0
- 1 Full Council 03/19/2018 passed Pass
Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:
Notes:
In Favor: 8 Councilmember Bagshaw, Councilmember González , Council
President Harrell, Councilmember Herbold, Councilmember Johnson,
Councilmember Mosqueda, Councilmember O'Brien, Councilmember
Sawant
Opposed: 0
- 1 City Clerk 03/23/2018 submitted for Mayor
Mayor's signature
- 1 Mayor 03/30/2018 Signed
- 1 Mayor 03/30/2018 returned City Clerk
- 1 City Clerk 03/30/2018 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
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CITY OF SEATTLE

ORDINANCE 125547

COUNCIL BILL 119210

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to water facility easements within the City of Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept new easements for City-owned water facilities; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

WHEREAS, certain property improvements were built or have been planned to be built by various property owners and customers of Seattle Public Utilities (SPU) within the easements originally granted to The City of Seattle (City) for water purposes; and

WHEREAS, the City, acting by and through SPU, has determined that all or portions of the water lines and facilities may be relocated to accommodate property improvement construction of its customers; and

WHEREAS, the City has also determined the following existing water facility easements are surplus to the City's needs:

The water service easement that was not accepted by the City pursuant to an ordinance and is recorded under Recording Number 20150922000678; and

The easement agreement that was accepted by the City pursuant to Ordinance 120493 and is recorded under Recording Number 9710080327.

WHEREAS, easements are required from customers that benefit the City to allow for the installation, maintenance and operation of replacement or affected existing water service facilities; and

1 WHEREAS, SPU has determined that the interests of the City, the Utility, and its customers are
2 best served by relinquishing the existing water facility easements and accepting new
3 easements to accommodate the relocated or affected existing water facilities; NOW,
4 THEREFORE,

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

6 Section 1. Pursuant to the provisions of RCW 35.94.040, and after public hearing,
7 portions of certain existing easements, as set forth and legally described within Attachment 1 to
8 this ordinance, to construct, maintain and operate water utilities in the City of Seattle are hereby
9 declared no longer required for municipal utility purposes and are surplus to The City of
10 Seattle's utility needs.

11 Section 2. The Director of Seattle Public Utilities, or the Director's designee, is hereby
12 authorized to execute, on behalf of The City of Seattle, the relinquishment of all or portions of
13 easement property rights and interests set forth and legally described in Attachment 1 to this
14 ordinance.

15 Section 3. The City of Seattle hereby accepts the easements granted to The City of
16 Seattle for water facilities over, under, across, and upon the real property generally described
17 below and legally described in Attachment 2 to this ordinance.

18 Grantor: Greenbelt Station LLC, a Washington limited liability company, grants and
19 conveys a water service easement to the City in the vicinity of South Trenton Street and 42nd
20 Avenue South, Seattle, Washington, as recorded under King County Recording No.
21 20160209001186.

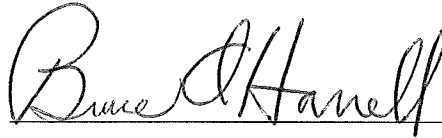
1 Grantor: CamWest Hazelwood LLC, a Washington limited liability company, grants and
2 conveys a culvert easement to the City in the vicinity of 177th Place Northeast and Northeast
3 113th Way, Redmond, Washington, as recorded under King County Recording No.
4 20090115000616.

5 Section 4. The real property rights and interests conveyed by the easements referenced
6 and accepted in this ordinance shall be placed under the jurisdiction of Seattle Public Utilities.

7 Section 5. Any act consistent with the authority of this ordinance taken prior to its
8 effective date is ratified and confirmed.

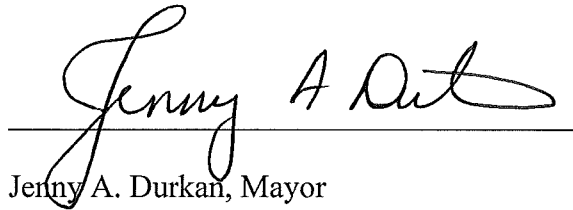
1 Section 6. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 19th day of March, 2018,
5 and signed by me in open session in authentication of its passage this 19th day of
6 March, 2018.

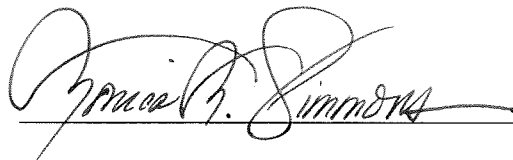
7 

8 President _____ of the City Council

9 Approved by me this 30th day of March, 2018.

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11 Jenny A. Durkan, Mayor

12 Filed by me this 30th day of March, 2018.

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14 Monica Martinez Simmons, City Clerk

15 (Seal)
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20 Attachments:

21 Attachment 1 – Descriptions of Relinquished Easements

22 Attachment 2 – Descriptions of Retired Easements

ATTACHMENT 1 - DESCRIPTIONS OF RELINQUISHED EASEMENTS

1. Description of easement relinquished by document King County Recording Number 20160209001186. (SPU file number 80-034)

- a. **Type: Water Service Easement**
- b. **Grantors: Greenbelt Station LLC, a Washington limited liability company**
- c. **Title of Instrument: Water Service Easement**
- d. **Recording No.: 20150922000678**
- e. **Recorded Date: September 22, 2015**
- f. **Legal Description:**

That portion of Parcel H, City of Seattle Short Plat No. 2008281, according to the short plat thereof recorded under Recording No. 20020211900002, Records of King County, Washington;

Except the South 2.50 feet of said Parcel H as conveyed to the city of Seattle under Recording No. 20141125001501, records of King County, Washington, described as follows;

Commencing at the Southwest corner of said Parcel H, being the north right-of-way margin of South Trenton Street;
Thence S 88° 46' 23" E along the south line of said Parcel H and said margin, 22.51 feet to the **Point of Beginning** of the herein described easement;
Thence N 01° 13' 37" E 10.00 feet;
Thence S 88° 46' 23" E 16.00 feet;
Thence S 01° 13' 37" W 10.00 feet to the south line of said Parcel h and margin;
Thence N 88° 46' 23" W 16.00 feet to the **Point of Beginning**.

2. Description of easement relinquished by document King County Recording Number 20090115000616. (SPU file number 518-003)

- a. **Type: Culvert Easement**
- b. **Grantors: John Pearce and Lorraine B. Pearce, husband and wife**
- c. **Title of Instrument: Easement Agreement**
- d. **Recording No.: 9710080327**
- e. **Recorded Date: October 8, 1997**
- f. **Legal Description:**

That portion of the South half of the East half of the West half of the Northeast Quarter of the Northeast Quarter of Section 36, Township 26 North, Range 5 Est, W.M., in King County, Washington lying within a strip of land being 7.5 feet on each side of the following described centerline.

Commencing at the Southeast corner of said Northeast Quarter of the Northeast Quarter;
thence South $88^{\circ} 38' 33''$ East along the south line thereof 427.43 feet to the Point of
Beginning of centerline; thence North $25^{\circ} 22' 46''$ West 40.00 feet to the terminus of said
centerline.

ATTACHMENT 2 –DESCRIPTIONS OF ACQUIRED EASEMENTS

1. Description of easement acquired by document King County Recording Number 20160209001186. (SPU file number 80-034)

- a. **Type: Water Service Easement**
- b. **Grantor: Greenbelt Station LLC, a Washington limited liability company**
- c. **Title of Instrument: Water Service Easement and Relinquishment of Former Water Service Easement Agreement**
- d. **Recording No.: 20160209001186**
- e. **Recorded Date: February 9, 2016**
- f. **Legal Description:**

That portion of Parcel H, City of Seattle Short Plat No. 2008281, according to the short plat thereof recorded under Recording No. 20020211900002, Records of King County, Washington;

Except the South 2.50 feet of said parcel H as conveyed to the City of Seattle under Recording No. 20141125001501, records of King County, Washington, described as follows;

Commencing at the Southwest corner of said Parcel H, being the north right-of-way margin of South Trenton Street;
Thence S 88° 46' 23" E along the south line of said Parcel H and said margin, 16.71 feet to the **Point of Beginning** of the herein described easement;
Thence N 01° 07' 53" E 5.00 feet;
Thence N 88° 52' 07" W 10.46 feet;
Thence N 01° 07' 53" E 11.98 feet;
Thence S 88° 52' 07" E 20.46 feet;
Thence S 01° 07' 53" W 17.00 feet to the south line of said Parcel H and margin;
Thence N 88° 46' 23" W 10.00 feet to the **Point of Beginning**.

2. Description of easement acquired by document King County Recording Number 20090115000616. (SPU file number 518-005)

- a. **Type: Culvert Easement**
- b. **Grantor: CamWest Hazelwood LLC, a Washington limited liability company**
- c. **Title of Instrument: Revised Easement Agreement & Release of Easement**
- d. **Recording No.: 20090115000616**
- e. **Recorded Date: January 15, 2009**
- f. **Legal Description:**

That portion of the northeast quarter of the northeast quarter of Section 36, Township 26 north, Range 5 east, W.M., King County, Washington, described as follows:

Commencing at the southwest corner of said subdivision; thence S88° 38' 27"E, along the south line of said subdivision, 336.22 feet to the southwest corner of the east half of the west half of said subdivision; thence continuing S88° 38' 27"E, along said south line, 85.45 feet to the POINT OF BEGINNING of the herein described tract; thence continuing S88° 38' 27"E, along said south line, 16.42 feet; thence N22° 38' 49" W 19.96 feet; thence S67° 21' 11"W 14.07 feet; thence S01° 03' 48"W 2.30 feet; thence S22° 38' 49"E 11.17 feet to the POINT OF BEGINNING.

Contains 248 +/- square feet (0.0057+/- acres).