

CITY OF SEATTLE
ORDINANCE 126801
COUNCIL BILL 120547

AN ORDINANCE relating to Jackson Park; transferring jurisdiction of a portion of NE 130th Street from the Seattle Department of Transportation to Seattle Parks and Recreation for open space, park, and recreation purposes; transferring a portion of Jackson Park adjacent to NE 145th Street from Seattle Parks and Recreation to the Seattle Department of Transportation for transportation purposes; and finding, after a public hearing, that the exchange of property meets the requirements of Ordinance 118477 that adopted Initiative 42.

WHEREAS, a portion of NE 130th Street right-of-way provides access to Seattle Parks and Recreation's Licorice Fern Natural Area and includes an existing pathway to an overlook of the natural area; and

WHEREAS, Seattle Parks and Recreation has maintained this right-of-way and has an interest in managing this portion of NE 130th Street under Seattle Municipal Code Title 18 for the purposes of public access to the natural area; and

WHEREAS, conveyance of management to Seattle Parks and Recreation of this portion of 130th Street by a transfer of jurisdiction, subject to the conditions in this ordinance, is a desirable public use supported by the Director of Transportation; and

WHEREAS, Seattle Public Utilities' drainage and wastewater infrastructure exists within this portion of NE 130th Street; and

WHEREAS, this portion of NE 130th Street is not currently required for transportation purposes but is still required for existing drainage and wastewater and future water utility infrastructure and conveyance; and

WHEREAS, this portion of NE 130th will remain designated as public right-of-way; and

1 WHEREAS, this portion of Jackson Park adjacent to NE 145th Street is needed by the Seattle
2 Department of Transportation, in partnership with the City of Shoreline, to reconstruct
3 the adjoining I-5 interchange at NE 145th Street, widen sidewalks, and connect to a new
4 shared-use pathway in 5th Ave NE; and

5 WHEREAS, this portion of Jackson Park is currently an unimproved embankment outside of the
6 Jackson Park loop trail, and its transfer will not negatively impact the park; and

7 WHEREAS, transfer of jurisdiction of this portion of Jackson Park to the Seattle Department of
8 Transportation, subject to the conditions in this ordinance, is a desirable public use
9 supported by the Superintendent of Parks and Recreation; and

10 WHEREAS, the proposed land exchange meets the requirements of Ordinance 118477, also
11 known as Initiative 42, providing land equivalent in size, value, location, and usefulness
12 in the vicinity, serving the same community and the same park purposes; NOW,
13 THEREFORE,

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

15 Section 1. The City Council finds that an exchange of certain park property in Jackson
16 Park for comparable property is necessary because there is no reasonable and practical
17 alternative for reconstructing the Interstate 5 interchange at NE 145th Street, including a widened
18 sidewalk and connection to a 5th Avenue NE shared-use pathway, and an exchange will result in
19 the City receiving replacement property equivalent in size, value, location, and usefulness in the
20 vicinity, serving the same community and same park purposes, as required by Ordinance 118477.

21 Section 2. The Director of the Seattle Department of Transportation (SDOT)
22 recommends, and the City Council finds that the portion of NE 130th Street right-of-way between
23 10th Ave NE and 11th Ave NE, as described in Section 3 of this ordinance and in Exhibit A to

1 this ordinance, Map of NE 130th Street Partial Transfer of Jurisdiction, is not needed for
2 transportation purposes and that the Partial Transfer of Jurisdiction to Seattle Parks and
3 Recreation (SPR) for inclusion into Licorice Fern Natural Area is a desirable public use.

4 Section 3. Subject to the conditions and limitations in Sections 4 through 7 of this
5 ordinance, the administrative jurisdiction of the surface portion of NE 130th Street right-of-way
6 described below (NE 130th Parcel) is transferred, without charge, from SDOT to SPR for open
7 space, park, and recreation purposes:

8 That portion of the dedicated right of way of NE 130th Street, described as follows:

9 Beginning at the intersection of the Southerly right of way margin of NE 130th Street and
10 the Easterly right of way margin of 10th Avenue NE;

11 Thence along the Southerly right of way margin of said NE 130th Street S 88° 12' 32" E a
12 distance of 140.00 feet; Thence leaving said right of way margin N 1° 47' 28" E 30.00
13 feet to the Monumented Centerline of NE 130th Street; Thence along said Centerline
14 S 88° 12' 32" E a distance of 137.51 feet; Thence N 1° 47' 28" E 30.00 feet to the
15 Northerly right of way margin of NE 130th Street; Thence along the Northerly right of
16 way margin of said NE 130th Street N 88° 12' 32" W a distance of 278.00 feet to the
17 intersection of the Northerly right of way margin of said NE 130th Street with the Easterly
18 right of way margin of 10th Avenue NE; Thence S 1° 19' 08" W 60.00.00 feet to the Point
19 of Beginning.

20 Situated in the City of Seattle, County of King, State of Washington.

21 Containing 12,540 Sq. Ft., more or less.

22 Section 4. Seattle Public Utilities (SPU) shall retain its existing rights for operating,
23 maintaining, inspecting, repairing, replacing, or rehabilitating its existing underground
24 infrastructure within this street right-of-way for existing drainage and wastewater infrastructure.
25 Existing infrastructure includes an 8-inch sanitary sewer line and utility maintenance holes
26 installed in 1957 for the purpose of sewer conveyance. Recognizing SPU planning consistent
27 with this property's right-of-way status prior to the exchange of property and partial transfer of
28 jurisdiction from SDOT to SPR, SPU will also retain rights to evaluate and, if technically

feasible, pursue permitting and installation of underground water infrastructure for future needs. SPU will evaluate other feasible and practical siting alternatives but will not be constrained to Initiative 42 “only feasible alternative” constraints for underground infrastructure at this site. NE 130th Street is a critically important corridor for the addition of a new water main to increase service reliability for the Pinehurst and Olympic Hills neighborhoods. Utility infrastructure is shown in Exhibit C to this ordinance. SPR will ensure SPU has continued access to SPU infrastructure and will maintain protection of City standard clearances around SPU infrastructure for any future SPR upgrades, or when conducting ongoing maintenance and repair; SPU will take responsibility for ensuring that any future SPU site impacts and site disturbances will be fully restored, and will obtain and pay revocable use permit fees, conduct adequate community engagement, and meet applicable rules, codes, regulations, and permitting requirements governing work in environmentally critical areas.

Section 5. SPR shall be responsible for all costs associated with developing, operating, managing claims, and maintaining the transferred area.

Section 6. SPU shall be responsible for all costs associated with developing, operating, managing claims, and maintaining the retained and any future SPU utility infrastructure.

Section 7. SPR will maintain the transferred right-of-way consistent with applicable rules, regulations, and codes. SPU and SPR will respect the rights and respective needs and missions of each department using this right-of-way and work collaboratively to coordinate and mutually agree upon the conditions for installation of any SPU and/or SPR improvements that could negatively impact the presence and functionality of each other’s assets and infrastructure. Future modifications and agreements with impact to both or either party must be approved at Executive levels in each department.

Section 8. SPR's jurisdiction includes the right to require revocable use permits and related revocable use permit compensation. These rights extend to site restoration for any damage by any utility that may be caused by their staff, contractors, or agents within this transferred area, including existing surfaces, structures, park furnishings, and or SPR-installed vegetation. SPR will observe existing utility presence and work with SPU to review City standard utility clearances and collaborate in siting any new improvements and vegetation.

Section 9. Subject to the conditions and limitations in Section 8 of this ordinance, the administrative jurisdiction of the portion of Jackson Park described below and in Exhibit B to this ordinance, Jackson Park Transfer of Jurisdiction Map, is transferred, without charge, from SPR to SDOT for transportation purposes:

That portion of the NW Quarter of the NE Quarter of Section 20, Township 26 North, Range 4 East, W.M., described as follows:

Beginning at a point opposite SR 523 line Highway Engineer's Station (hereinafter referred to as "HES") 30+14.03 on the centerline of the SR 523 (NE 145TH ST) & I-5 Interchange Improvements Right of Way Plan dated September 14, 2021 and 30.00 feet Southerly therefrom;

Thence Easterly to a point opposite SR 523 line HES 32+30.00 and 30.00 feet Southerly therefrom; Thence Southerly to a point opposite SR 523 line HES 32+30.00 and 35.00 feet Southerly therefrom; Thence Westerly to a point opposite SR 523 line HES 30+29.76 and 35.00 feet Southerly therefrom; Thence Southerly to a point opposite SR 523 line HES 31+29.89 and 50.00 feet Southerly therefrom; Thence Westerly to a point opposite SR 523 line HES 30+70.00 and 50.00 feet Southerly therefrom; Thence Southerly to a point opposite SR 523 line HES 30+70.00 and 60.00 feet Southerly therefrom; Thence Westerly to a point opposite SR 523 line HES 30+40.00 and 60.00 feet Southerly therefrom; Thence Southerly to a point opposite SR 523 line HES 30+40.00 and 65.00 feet Southerly therefrom; Thence Westerly to a point opposite SR 523 line HES 30+14.33 and 65.00 feet Southerly therefrom; Thence Northerly the Point of Beginning.


Containing 3,503 Square Feet.

Situated in the City of Seattle, King County, Washington.

Section 10. SDOT shall be responsible for all costs associated with developing, operating, managing claims, and maintaining the transferred area.


Section 11. 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 25th day of April, 2023,
and signed by me in open session in authentication of its passage this 25th day of
April, 2023.




President _____ of the City Council

☒ Approved / ☐ returned unsigned / ☐ vetoed this 27th day of April, 2023.



Bruce A. Harrell, Mayor

Filed by me this 27th day of April, 2023.

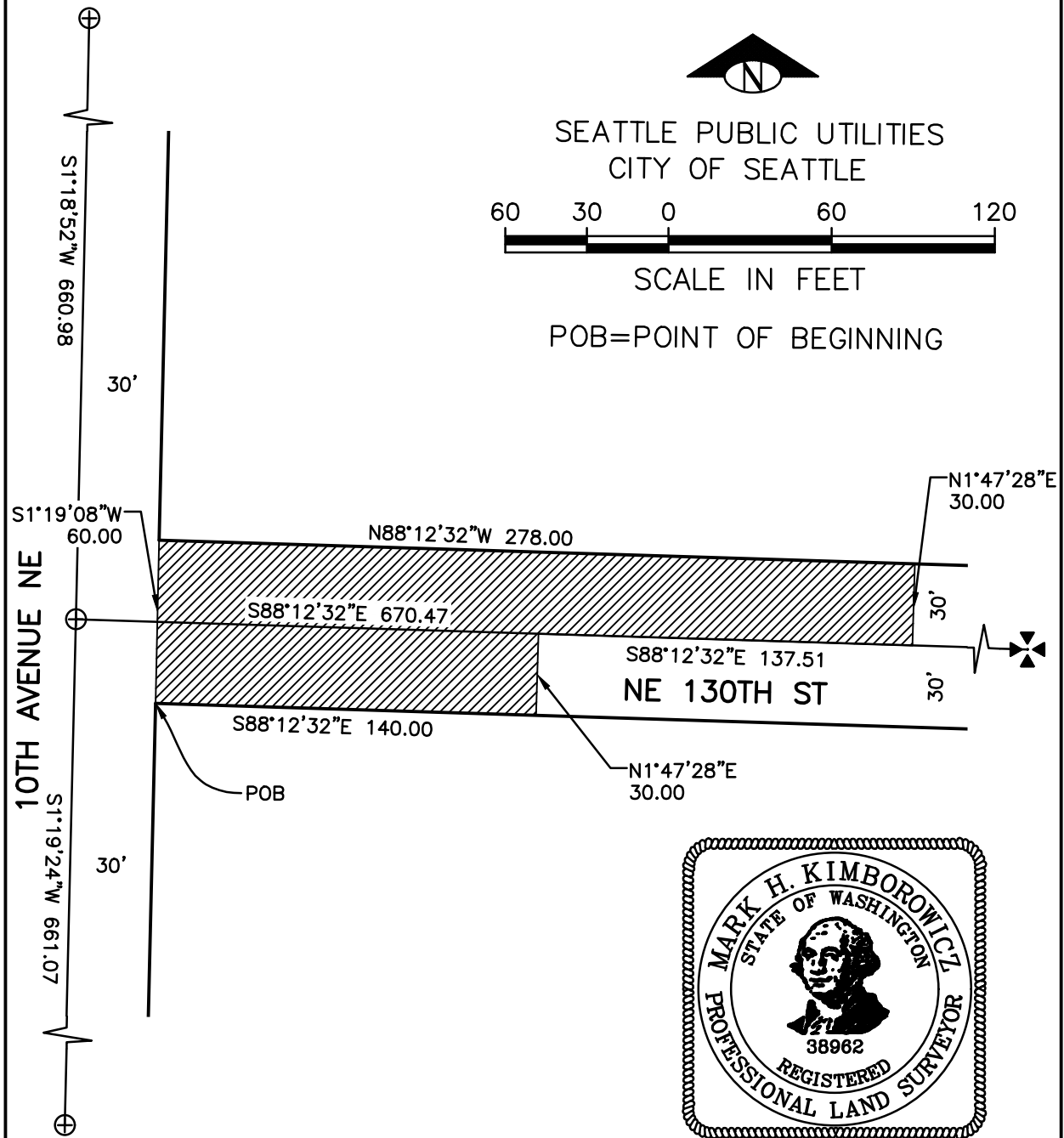


Elizabeth M. Adkisson, Interim City Clerk

(Seal)

Attachments:
Exhibit A – NE 130th Street Transfer of Jurisdiction Map
Exhibit B – Jackson Park Transfer of Jurisdiction Map
Exhibit C – NE 130th Street SPU Sanitary Sewer Map

EXHIBIT A



SPU

DRAWN: MHK

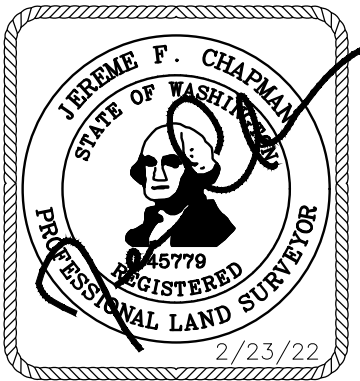
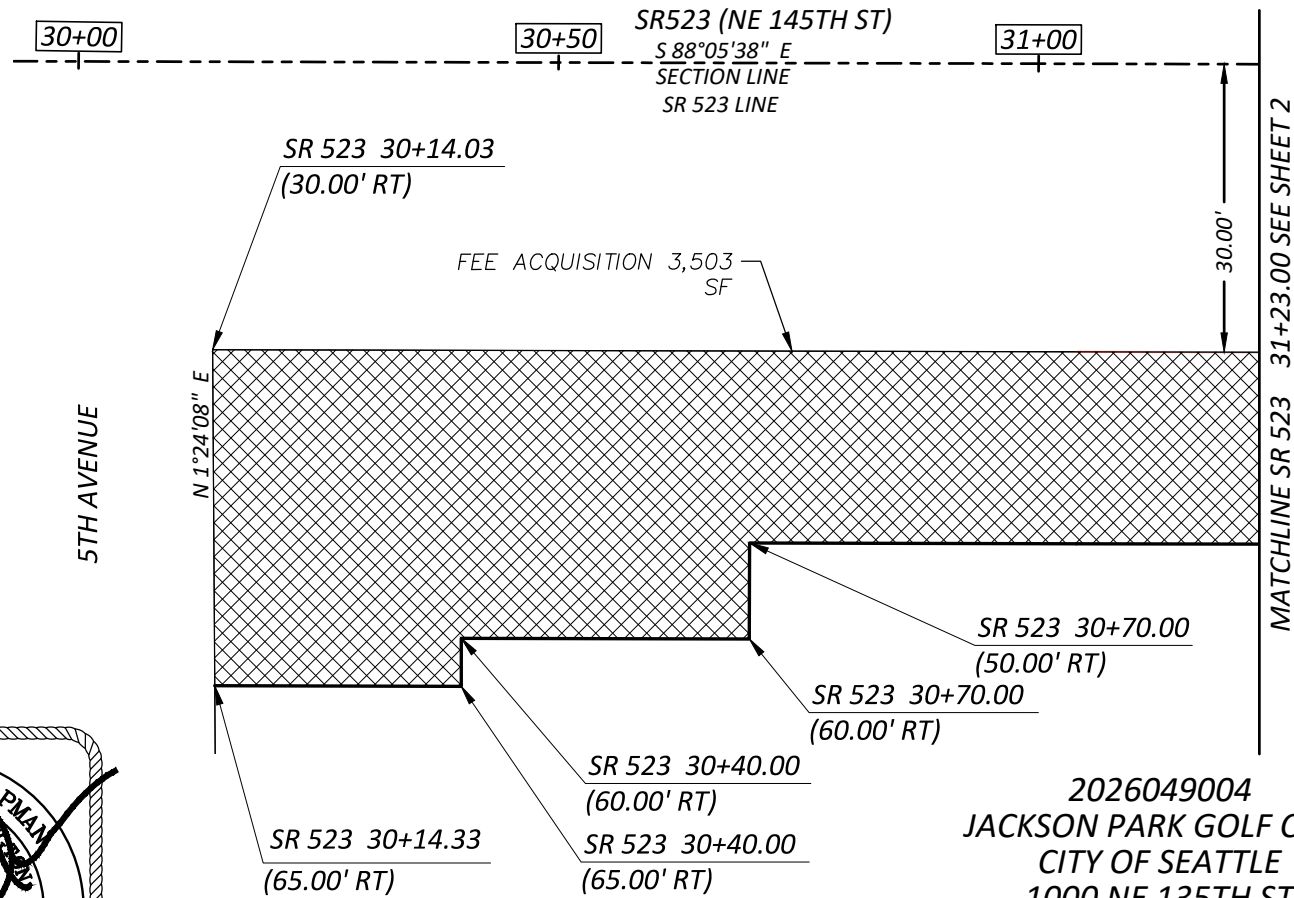
CHECKED: CSR

SCALE: 1"=60'

SEATTLE DEPARTMENT
OF TRANSPORTATION
PARTIAL TRANSFER OF JURISDICTION

EXHIBIT "B"
TPN 2026049004
FEE ACQUISITION

SHEET 1 OF 2



JOB NO. 10182000109



SCALE: 1" = 20'

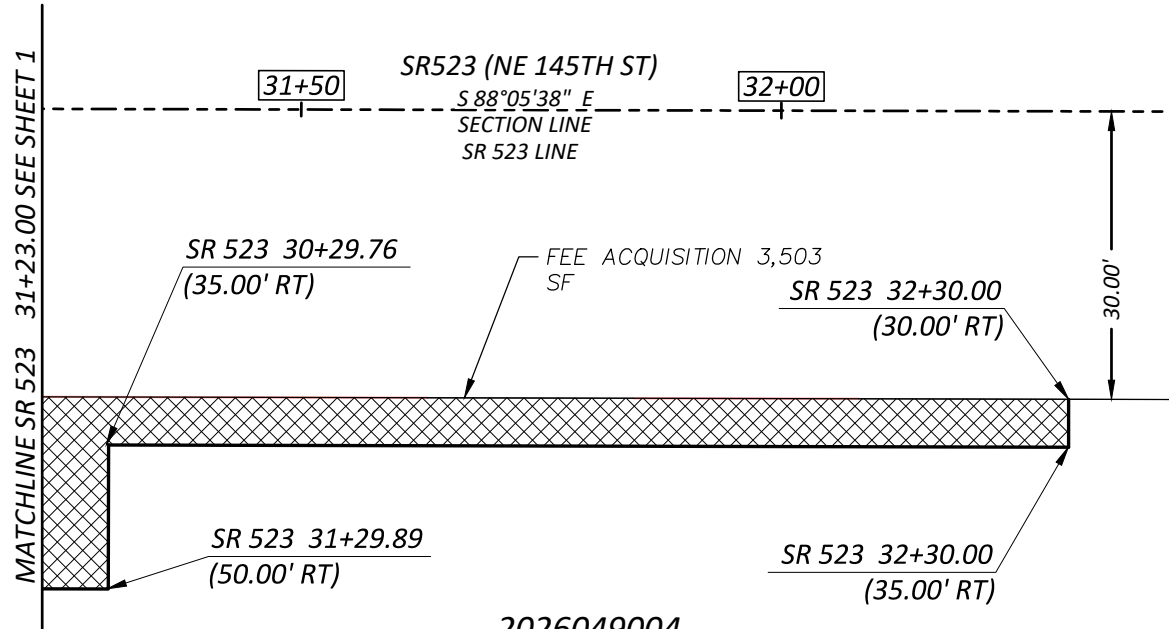
2026049004
JACKSON PARK GOLF CLUB
CITY OF SEATTLE
1000 NE 135TH ST

kpff

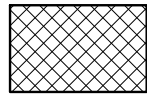
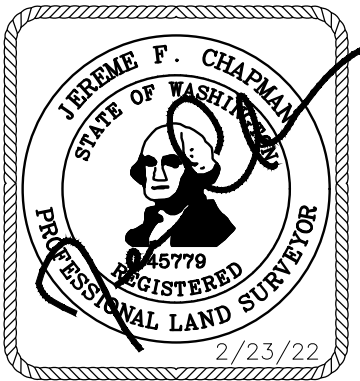
612 Woodland Square Loop SE,
Suite 100
Lacey, WA 98503

360.292.7230
www.kpff.com

EXHIBIT "B"
TPN 2026049004
FEE ACQUISITION

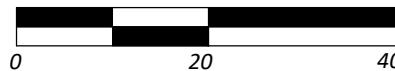


2026049004
JACKSON PARK GOLF CLUB
CITY OF SEATTLE
1000 NE 135TH ST



FEE
ACQUISITION

JOB NO. 10182000109



SCALE: 1" = 20'



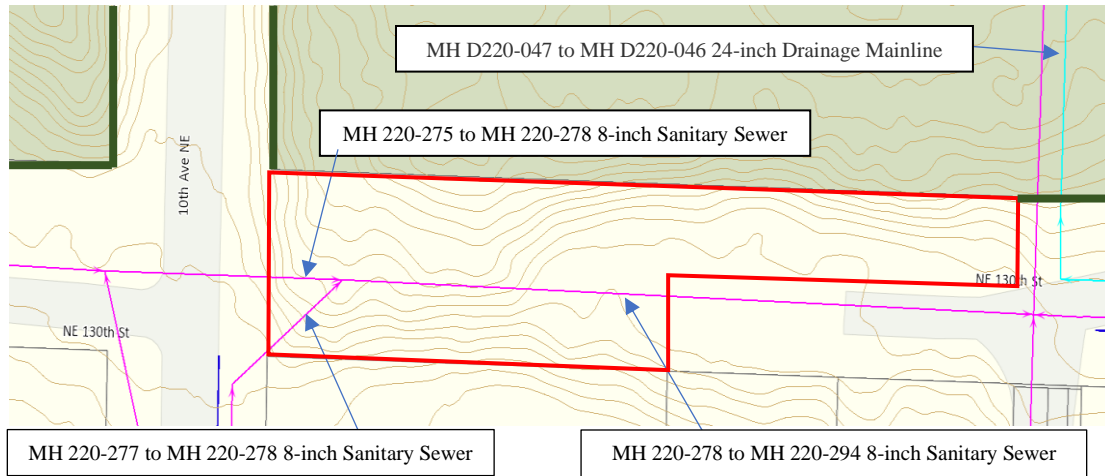
612 Woodland Square Loop SE,
Suite 100
Lacey, WA 98503



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Exhibit C

NE 130th Street SPU Sanitary Sewer Map



-  Parks Department Owned Parcel Boundary
-  Proposed Transfer of Jurisdiction

