

CITY OF SEATTLE
ORDINANCE 126733
COUNCIL BILL 120471

AN ORDINANCE relating to Seattle Public Utilities; accepting easements granted to The City of Seattle for installation, operation, and maintenance of sanitary sewers, storm drains, and appurtenances at various locations in Seattle; 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 are planned to be built by various property owners and customers of Seattle Public Utilities (SPU) for drainage and wastewater purposes; and

WHEREAS, certain property owners have granted easements to The City of Seattle as a condition of the installation of necessary sanitary sewers and storm drain facilities;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City of Seattle (the “City”) hereby accepts the easements granted to the City for sanitary sewer and storm drain facilities, and appurtenances, over, under, across, and upon the real property generally described below and legally described in the recorded documents identified within this ordinance, and in Attachment 1 to this ordinance.

A. Grantor: Central Puget Sound Regional Transit Authority, a regional transit authority of the State of Washington, grants and conveys a sanitary sewer easement to The City of Seattle, Washington, as recorded under King County Recording No. 20200221000836.

B. Grantor: Onda LLC, a Washington limited liability company, and Barbara Buseti, an unmarried person, grant and convey a sanitary sewer easement to The City of Seattle, Washington, as recorded under King County Recording No. 20200827002003.

1 C. Grantor: S-QOZB LLC, a Washington limited liability company, grants and conveys a
2 sanitary sewer easement to The City of Seattle, Washington, as recorded under King County
3 Recording No. 20201124000377.

4 D. Grantor: The Housing Authority of the City of Seattle, a public body, grants and
5 conveys a sanitary sewer easement to The City of Seattle, Washington, as recorded under King
6 County Recording No. 20210120000277.

7 E. Grantor: Just Like Heaven, LLC, a Delaware limited liability company, grants and
8 conveys a sanitary sewer easement to The City of Seattle, Washington, as recorded under King
9 County Recording No. 20210128001815.


10 F. Grantor: Washington Military Department grants and conveys a storm drain easement
11 to The City of Seattle, Washington, as recorded in King County Recording No.
12 20210430000096.

13 Section 2. The real property rights and interests conveyed by the easements referenced
14 and accepted in this ordinance shall be placed under the jurisdiction of Seattle Public Utilities.

15 Section 3. Any act consistent with the authority of this ordinance taken prior to its
16 effective date is ratified and confirmed.

1 Section 4. 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 13th day of December, 2022,
5 and signed by me in open session in authentication of its passage this 13th day of
6 December, 2022.

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8 President _____ of the City Council

9 Approved / returned unsigned / vetoed this 15th day of December, 2022.

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11 Bruce A. Harrell, Mayor

12 Filed by me this 15th day of December, 2022.

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14 Elizabeth M. Adkisson, Interim City Clerk

15 (Seal)

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Attachments:
Attachment 1 - Legal Descriptions of Acquired Easements

ATTACHMENT 1 – Legal Descriptions of Acquired Easements

1. **Description of easement acquired by document King County Recording Number 20200220000836. (SPU File number 2019-003-001)**
 - a. **Type: Easement**
 - b. **Grantor: Central Puget Sound Regional Transit Authority, a regional transit authority of the State of Washington**
 - c. **Title of Instrument: Sanitary Sewer Easement**
 - d. **Recording No.: 20200221000836**
 - e. **Recording Date: February 13, 2020**
 - f. **Legal Description:**

R/W No. II-111 pin 6411600428
Central Puget Sound Regional Transit Authority {Sound Transit}

Grantor's Parcel:

Lot A, City of Seattle Short Plat No. 8803256, recorded October 31, 1988, under Recording Number 8810310818, in King County, Washington.
(said parcel was acquired by Sound Transit per warranty deed, Recording No. 20180813000395, 1n King County, Washington)

Sewer Easement:

That portion of Lot A, City of Seattle Short Plat No. 8803256, recorded October 31, 1988, under Recording Number 8810310818, in King County, Washington, described as follows:
Beginning at the northeast corner of said Lot A;
Thence S 00° 07' 15" W along east line thereof a distance of 120.61 feet;
Thence N 89° 52' 45" W a distance of 12.00 feet;
Thence N 00° 07' 5"E a distance of 120.93 feet to the north line of said lot a;
Thence S 88° 21' 49" E along the north line of the grantor's parcel a distance of 12.00 feet to the Point of Beginning.
Containing 1,449 square feet, more or less.

2. **Description of easement acquired by document King County Recording Number 0200827002003. (SPU File number A0174)**

- g. **Type: Easement**
- h. **Grantor: Onda LLC, a Washington limited liability company, and Barbara Busetti, an unmarried person;**
- i. **Title of Instrument: Sewer Pipe Easement**
- j. **Recording No.: 20200827002003**
- k. **Recording Date: August 27, 2020**
- l. **Legal Description:**

A strip of land situated in King County, Washington, particularly described as follows:
The south four (4) feet of Lot IO and the north four (4) feet of Lot 11, Block 4, Cascade View Addition to the City of Seattle, recorded in Volume 15 of Plats, page 75.

3. Description of easement acquired by document King County Recording Number 20201124000377. (SPU File Number 2020-005-001)

- a. **Type:** Easement
- b. **Grantor:** S-QOZB LLC, a Washington limited liability company
- c. **Title of Instrument:** Combined Sewer Main Easement
- d. **Recording No.:** 20201124000377
- e. **Recording Date:** October 26, 2020
- f. **Legal Description:**

That portion of that parcel of land per City of Seattle Vacation Ordinance No. 111125 recorded under Recording No. 8305260919 records of King County, Washington, more particularly described as follows:

Commencing at the Northwest corner of Lot 2, Block 246, as per the Plat of Seattle Tidelands recorded in Volume 62 of Plats, Page 25, records of King County, Washington and shown on that Record of Survey for Frye Public Art Museum recorded under Recording No. 20040126900010; Thence North 01°07'00" East 118.12 feet along the East margin of 6th Avenue South to the True Point of Beginning. Thence continuing along said East margin, North 01°07'00" East 14.00 feet; Thence South 88°55'35" East 51.32 feet to the West margin of Airport Way South as described in said Vacation Ordinance and the beginning of a curve to the right, the center of which bears South 49°12'25" West 79.00 feet; Thence Southeasterly along said West margin and said curve 17.25 feet through a central angle of 12°30'50" to a point which bears South 88°55'35" East 61.36 feet from the True Point of Beginning; Thence North 88°55'35" West 61.36 feet to said West margin and the True Point of Beginning.

4. Description of easement acquired by document King County Recording Number 20210120000277. (SPU File Number 2018-005-011)

- a. **Type:** Easement
- b. **Grantor:** The Housing Authority of the City of Seattle, a public body
- c. **Title of Instrument:** Public Utility Easement
- d. **Recording No.:** 20210120000277
- e. **Recording Date:** January 20, 2021
- f. **Legal Description:**

A portion of Lot 22, Block 6, Plat of Yesler Terrace Community, Volume 267 of Plats, Pages 59 through 75, Instrument Number 20141209001425, records of King County, Washington, described as follows:

Commencing at the monumented centerline intersection of South Jackson Street and 9th Avenue South; Thence North 01°16'05" East, along the centerline of 9th Avenue South, a distance of 111.74 feet; Thence South 88°43'55" East, departing said centerline at a right angle, a distance of 33.00 feet to a point on the west right-of-way line of 9th Avenue South, and The Point of Beginning; Thence North 01°16'05" East, along said right-of-way line, a distance of 52.14 feet; Thence North 21°13'47" West, departing said line, a distance of 76.30 feet; Thence North 01°16'13" East, a distance of 64.59 feet; Thence North 88°43'47" West, a distance of 20.00 feet; Thence South 01°16'13" West, a distance of 68.57 feet; Thence South 21°15'07" East, a distance of 128.45 feet to The Point of Beginning.

The described area contains 3,377 square feet, or 0.0775 acre, more or less.
Situate in the City of Seattle, King County, Washington

- 5. Description of easement acquired by document King County Recording Number 20210128001815. (SPU File Number 2020-008-001)**
 - a. **Type: Easement**
 - b. **Grantor: Just Like Heaven, LLC, a Delaware limited liability company**
 - c. **Title of Instrument: Sanitary Sewer Main Easement**
 - d. **Recording No.: 20210128001815**
 - e. **Recording Date: January 28, 2021**
 - f. **Legal Description:**

That portion of Tax Parcel No. 411460-0712, described below, lying within a 12.00 foot wide easement, lying 6.00 feet on each side of a centerline described as follows:

Commencing at the monument in case at the intersection of 41st Avenue East and East Highland Drive, from which the monument at 41st Avenue East and East Lee Street bears North 01°33'01" East, Thence along the centerline of 41st Avenue East, South 01°33'56" West, 439.95 feet to the intersection with East Prospect Street;

Thence along the centerline of East Prospect Street, South 88°27'13" East, 185.18 feet;

Thence North 14°33'54" East, 41.06 feet to The True Point of Beginning;

Thence North 14°33'54" East, 116.99 feet;

Thence South 88°27'13" East, 35.00 feet to the terminus of this easement centerline description.

The sidelines of this easement are to be shortened or lengthened so as to end at angle points and the north and south property lines of said parcel extended easterly.

Tax Parcel No. 411460-0712 Description:

That portion of Lots 5 And 6, Block 29, Map of Lake Washington Shorelands, in King County, Washington, as shown on the official maps on file in The Office of the Commissioner of Public Lands at Olympia, Washington, and of Lots 5 and 6, Block 13, John J. McGilvra's 2nd Addition to the City Of Seattle, according to the plat thereof in Volume 1 of Plats, Page 80, in King County, Washington, lying easterly of a line ranging from a point on the south line of said Block 13 to a point on the north line of Lot 5 of said Block 13 which is 118.98 East of the northwest corner of said Lot 5, and westerly of a line ranging from a point on the south line of Lot 6 of said Block 29 which is 156.78 feet East of the southwest corner of Lot 6 of said Block 13 to a point on the north line of Lot 5 of said Block 29 which is 184.48 East of the northwest corner of Lot 5 of said Block 13.

- 6. Description of easement acquired by document King County Recording Number 20210430000096. (SPU File Number 2021-005-001)**
 - a. **Type: Easement**
 - b. **Grantor: Washington Military Department**
 - c. **Title of Instrument: Storm Drain Easement**
 - d. **Recording No.: 20210430000096**
 - e. **Recording Date: April 30, 2021**

f. Legal Description:

A Public Utilities Easement across a portion of the below described PARCEL A, said easement being more particularly described as follows:

Commencing at point along the northeasterly line of said Parcel A, said point also being the southeast corner of Lot 1, Block 128, Seattle Tide Lands; thence along said northeasterly line of said Parcel A North 33°43'50" West, 142.38 feet; thence continuing along said northeasterly line

North 39°52'00" West, 4.92 feet; thence southwesterly at right angles South 50°08'00" West, 20.05 feet to the POINT OF BEGINNING; thence North 37°56'06" West, 268.55 feet; thence North 39°53'04" West, 255.03 feet; thence North 38°58'31" West, 161.62 feet; thence South 53°36'49" West, 37.38 feet to a point on the westerly line of said Parcel A; thence along said westerly line North 00°01'29" West, 17.38 feet; thence leaving said westerly line North 53°36'49" East, 38.33 feet to a point on the northeasterly line of said Parcel A; thence along said northeasterly line South 39°34'40" East,

698.36 feet; thence leaving said northeasterly line South 50°08'00" West, 20.05 feet to the POINT OF BEGINNING, containing 10,360 square feet, more or less.

Parcel A

The land referred to herein below is situated in the County of King, State of WA, and is described as follows: All those lands lying and being situate in Section 23, Township 25 North, Range 3 East, Willamette Meridian, City of Seattle, King County, Washington and being that portion of Seattle tide lands and streets and alleys of the City of Seattle, King County, State of Washington, lying south of Lawton Way more particularly described as follows:

Beginning at a city monument located at the intersection of the centerlines of 15th Avenue West and West Garfield street; thence S 89°51'38" W along the centerline of said Garfield Street, 381.69 feet; thence N 0°08'22" W, 50.00 feet to the north line of Garfield Street, the true POINT OF BEGINNING; thence N 0°08'22" W along the westerly edge of the existing rope walk structure a distance of 65.00 feet; thence N 89°51'38" E along said structure a distance of 9.62 feet to a point which is 21 feet west of the east line of Lot 8, Block 131, Seattle Tide Lands; thence N 0°08'22" W parallel to and 21 feet westerly from the east line of Lots 8 to 1, inclusive, of Block 131, extended across West Howe Street, now vacated, and 21 feet westerly from the east line of Lots 9 to 3, inclusive, of Block 128, Seattle Tide Lands to a point which is 21 feet westerly from the east line of said Lot 3 and 30 feet southerly from the north line of said Lot 3; thence S 89°51'38" W parallel to the north line of said Lot 3 a distance of 34.68 feet; thence N 0°08'22" W parallel to and 55.68 feet westerly from the east line of Lots 2 and 3 of said Block 128 a distance of 130.00 feet to the southeast corner of Lot 1 of said Block 128; thence N 33°43'50" W a distance of 142.38 feet to a point 20 feet southwesterly from (when measured at right angles to) the centerline of the most southwesterly line of tracks of the Northern Pacific Railway Company along Lawton Way; thence N 39°52'00" W parallel to and 20 feet southwesterly from said track centerline a distance of 754.03 feet to an intersection with a line which is the northerly extension of a line parallel to and 20 feet easterly from (when measured at right angles to) the centerline of the most easterly line of tracks of said railroad company as said tracks are tangent through Lots 6 and 7 of Block 126 and Lots 1 to 91 inclusive, of Block 129 of said addition; thence S 0°06'52" E along the above described line parallel to and 20 feet easterly from said railroad centerline a distance of 1,479.39 feet; thence parallel to and 20 feet easterly from said railroad centerline

of a 1,030.84-foot radius curve to the left (the long chord of which curve bears S 16°23'52" E, 578.07 feet) an arc distance of 585.92 feet; thence S 32°40'52" E parallel to and 20 feet easterly from said railroad centerline and the southerly extension thereof tangent through Lots 5 and 6 of Block 130 of said addition a distance of 423.46 feet to the north line of Garfield Street; thence N 89°51'38" E along the north line of Garfield Street a distance of 196.79 feet to the true POINT OF BEGINNING.

Excepting that portion thereof lying south of a line which is 977.16 feet north of (as measured at right angles) and parallel to the centerline of West Garfield Street.

766620-1147-08

1600 W Armory Way, Seattle, Washington 98119