

CITY OF SEATTLE
ORDINANCE 126734
COUNCIL BILL 120472

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within Seattle as being surplus to City utility needs; authorizing the General Manager/CEO of Seattle Public Utilities to relinquish such easement rights; 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) within easements originally granted to The City of Seattle (“City”) for drainage and wastewater purposes; and

WHEREAS, easements are required from customers to allow for the installation, maintenance, and operation of replacement or affected existing sanitary sewers and storm drain facilities; and

WHEREAS, the City has determined that certain existing drainage and wastewater facility easements are surplus to the City’s needs; and

WHEREAS, SPU has determined the interests of the City, SPU, and SPU’s customers are best served by relinquishing the existing sewer and storm drain easements;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to the provisions of RCW 35.94.040, and after public hearing, certain existing easements to construct, maintain, and operate sewer and storm drain utilities in Seattle, as set forth and legally described in Attachment 1 to this ordinance, are declared no longer required for municipal utility purposes and are surplus to The City of Seattle’s (the “City”) utility needs.

1 Section 2. The General Manager/CEO of Seattle Public Utilities, or the General
2 Manager/CEO's designee, is authorized to execute, on behalf of the City, ten documents entitled
3 Relinquishment of Easement, releasing the easement property rights generally described below
4 and legally described in Attachment 1 to this ordinance.

5 A. The sanitary sewer easement granted to Lake City Sewer District and transferred to
6 and accepted by the City pursuant to Ordinances 82426 and 83324; King County Recording No.
7 4248623; and

8 B. The sanitary sewer easement that the City accepted pursuant to Ordinance 85556;
9 King County Recording No. 4742679; and

10 C. The sanitary sewer easement that the City accepted pursuant to Ordinance 111125;
11 King County Recording Nos. 8303020502 and 8303020507; and

12 D. The sanitary sewer easement granted to Lake City Sewer District and transferred to
13 and accepted by the City pursuant to Ordinance 103080; King County Recording No. 4882435;

14 E. The public utility easement that the City accepted pursuant to Ordinance 124595; King
15 County Recording No. 20141209001425; and

16 F. The sanitary sewer easement that the City accepted pursuant to Ordinance 62883; King
17 County Recording No. 2734335; and

18 G. The storm drain easement that the City accepted pursuant to Ordinance 114505; King
19 County Recording No. 8902070881; and

20 H. The sanitary sewer easement that the City accepted pursuant to Ordinance 98736;
21 King County Recording No. 6626025; and

22 I. The sanitary sewer easement that the City accepted pursuant to Ordinance 126024;
23 King County Recording No. 20180828000883; and

1 J. The storm drain easement that the City accepted pursuant to Ordinance 81752; King
2 County Recording No. 4322418.

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

5 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
6 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
7 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

8 Passed by the City Council the 13th day of December, 2022,
9 and signed by me in open session in authentication of its passage this 13th day of
10 December, 2022.

11 

12 President _____ of the City Council

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

14 

15 Bruce A. Harrell, Mayor

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

17 

18 Elizabeth M. Adkisson, Interim City Clerk
19

20 (Seal)

- 1 Attachments:
- 2 Attachment 1 - Legal Descriptions of Relinquished Easements

ATTACHMENT 1 – Legal Descriptions of Relinquished Easements

1. Description of easement relinquished by document King County Recording Number 20201204002698 (SPU file number LC006-014)

- a. **Type: Sanitary Sewer Easement**
- b. **Grantor: E.F. Bryant and Joyce E. Bryant, a married couple**
- c. **Title of Instrument: Easement**
- d. **Recording No.: 4248623**
- e. **Recording Date: June 25, 1952**
- f. **Legal Description:**

A permanent easement in Lot 22, Block 5, Cedar Park Addition, as recorded in Vol. 26 of Plats, page 19, records of King County, Wash., being the South 4 feet of the East 200 feet.

2. Description of easement relinquished by document King County Recording Number 20201204002699 (SPU file number A0132)

- a. **Type: Sanitary Sewer Easement**
- b. **Grantor: Louisa C. Frye Inc., a Washington corporation**
- c. **Title of Instrument: Easement**
- d. **Recording No.: 4742679**
- e. **Recording Date: October 25, 1956**
- f. **Legal Description:**

The north 4 feet of that portion of Lot 21, Block 5, Cedar Park Addition, as recorded in Volume 26 of King County Plats at Page 19, lying easterly of a line drawn 165 feet westerly from and parallel to the westerly margin of 33rd Avenue Northeast (said distance measured along the north line of said Lot 21).

3. Description of easement relinquished by document King County Recording Number 20201124000362 (SPU file number 8221-001)

- a. **Type: Sanitary Sewer Easement**
- b. **Grantor: Ruth McCreery; A.B.C. Pacific Corporation**
- c. **Title of Instrument: Easement**
- d. **Recording No.: 8303020502 & 8303020507**
- e. **Recording Date: October 25, 1982**
- f. **Legal Description:**

A 10-foot easement for existing combined sewer as constructed, said easement being 5 feet on each side of the following center line generally described as follows:

Beginning at a point on the center line of Maynard Avenue South, a distance of 115 feet south of the intersection of the center lines of South Charles Street and Maynard Avenue South; thence

southwesterly in a straight line to a point on the center line of Sixth Avenue South, 248.5 feet south of the intersection of the center lines of Sixth Avenue South and Airport Way South;
Situate in the County of King, State of Washington

4. Description of easement relinquished by document King County Recording Number 20211025001054 (SPU file number 2021-012-002)

- a. **Type: Sewer Easement**
- b. **Grantor: King County**
- c. **Title of Instrument: Easement**
- d. **Recording No.: 4882435**
- e. **Recording Date: February 1, 1958**
- f. **Legal Description:**

A portion of Parcel B, as laid out in Seattle Short Plat Number 81149-0081 and recorded under instrument number 8201260348, records of King County, Washington, described as follows:

Commencing at the northeast corner of said Parcel B, being also on the west margin of 8th Avenue northeast;

Thence South 00° 18' 31" West, along said west margin, a distance of 18.00 feet to the south line of the northeast ¼ of the southwest ¼ of the southeast ¼ of section 29, Township 26 North, Range 4 East, Willamette Meridian;

Thence North 88° 21' 20" West, along said south line and parallel with and 18.00 feet south of the north line of said Parcel B, a distance of 302.33 feet to the west line of the east ½ of the southwest ¼ of the southeast ¼ of said section 29, and the Point of Beginning; Thence North 88° 21' 20" West, along said south line, a distance of 10.00 feet;

Thence South 00° 09' 11" West, parallel with and 10.00 west of said west line, a distance of 132.73 feet to the south line of the north 1/5th of the southwest ¼ of the southwest ¼ of the southeast ¼ of said section 29;

Thence South 88° 21' 00" East, along said south line, a distance of 10.00 feet to said west line;

Thence North 00° 09' 11" East, along said west line, a distance of 132.73 feet to the Point of Beginning. Easement area as described contains 1,327 square feet, or 0.0305 acre, more or less.

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

5. Description of easement relinquished by document King County Recording Number 20210120000321 (SPU file number 2018-005-001)

- a. **Type: Utility Easement**
- b. **Grantor: The Housing Authority of the City of Seattle**
- c. **Title of Instrument: Public Utility Easement**
- d. **Recording No.: 20141209001425**
- e. **Recording Date: August 7, 2014**

f. Legal Description:

Public Utility Easement 6. 7 of Yesler Terrace Community. according to the Plat thereof recorded in Volume 267 of Plats. Pages 59 through 75, in King County, Washington, which easement is located on and within Lot 23, Block 6, Yesler Terrace Community, according to said Plat.

6. Description of easement relinquished by document King County Recording Number 20210301003295 (SPU file number 8324-003)

- a. **Type: Combined Sewer Mainline Easement**
- b. **Grantor: Maggie C. Calhoun and William M. Calhoun**
- c. **Title of Instrument: Easement**
- d. **Recording No.: 2734335**
- e. **Recording Date: November 20, 1931**
- f. **Legal Description:**

A strip of land 6-feet in width over and across Lots 5 & 6, Block 29, Lake Washington Shore Lands, the centerline being described as follows:

Beginning at a point on the south line of said Block 29, which said point is 75.38 feet east from the southwest corner of said block; thence north 17° 37' 18" east a distance of 188.43 feet to a point on the north line of Lot 4, said block, which said point is 54.83 feet east of the northwest corner of said Lot 4; together with the right to encroach, occupy, use and damage in the original construction of said sewer, a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the easement granted herein.

7. Description of easement relinquished by document King County Recording Number 20210329002215 (SPU file number 2021-001-001)

- a. **Type: Storm Drain Easement**
- b. **Grantor: Belshaw Brothers, Incorporated, a Delaware corporation**
- c. **Title of Instrument: Easement**
- d. **Recording No.: 8902070881**
- e. **Recording Date: January 25, 1989**
- f. **Legal Description:**

The south 185.06 feet of the alley adjoining Block 5, Plat of Creedmore Addition to the City of Seattle, as recorded in Volume 11 of Plats, Page 41, Records of King County, Washington.

8. Description of easement relinquished by document King County Recording Number 20210629003216 (SPU file number 1493-001-001)

- a. **Type: Combined Sewer Easement**
- b. **Grantor: Seattle School District No. 1**
- c. **Title of Instrument: Easement**

- d. **Recording No.: 6626025**
- e. **Recording Date: April 14, 1970**
- f. **Legal Description:**

The relinquished Easement Area is located in the NE ¼ of the NW ¼ of Section 16, Township 24 North, Range 4 East, W.M. and described as follows:

A strip of land 10 feet in width being 5 feet on each side of the center line of vacated South Horton Street lying between the west line of 24th Avenue South and extending in a line 140 feet west and parallel with the south line of vacated South Horton Street, as depicted on Exhibit A attached hereto; and

A strip of land 10 feet in width being 5 feet on each side of the center line of vacated South Horton Street lying between the west line of 24th Avenue South, produced north and a line 140 feet west of and parallel with said west line of 24th Avenue South, as depicted on Exhibit A, attached hereto.

9. Description of easement relinquished by document King County Recording Number 20211215000770 (SPU file number 2017-004-001)

- a. **Type: Combined Sewer Easement**
- b. **Grantor: King County**
- c. **Title of Instrument: Sewer Utility Easement**
- d. **Recording No.: 20180828000883**
- e. **Recording Date: August 28, 2018**
- f. **Legal Description:**

That portion of parcel a, City of Seattle Lot Boundary Adjustment No. 3024559 recorded under Recording No. 20160825900001, records of King County, Washington, being more particularly described as follows:

Commencing at the southwest corner of said parcel a; thence north 01°07'12.61" east along the west line thereof a distance of 275.51 feet to an angle point in said line; thence north 01°07'36" east along said line a distance of 16.51 feet; thence leaving said line, south 51°33'01" east a distance of 11.89 feet to the True Point of Beginning for the area to be relinquished; thence continuing south 51°33'01" east, a distance of 7.80 feet; thence south 01°07'30" west a distance of 280.12 feet to the south line of said parcel a; thence north 88°45'00" west along said south line a distance of 8.97 feet; thence north 01°40'55" east, a distance of 284.84 feet to the point of beginning.

Containing 2,147 square feet, more or less.

10. Description of easement relinquished by document King County Recording Number 202111290001302 (SPU file number 35)

- a. **Type: Drain Easement**
- b. **Grantor: King County**
- c. **Title of Instrument: Easement**
- d. **Recording No.: 4322418**
- e. **Recording Date: January 16, 1953**

f. Legal Description:

A four-foot easement across that portion of Broad Street vacated by Ordinance No. 40243, lying between 8th Avenue North and 9th Avenue North, the boundaries of said easement being 2 feet on either side of the following described center line: Beginning at the southwest corner of Lot 5, Block 80, Lake Union Shore Lands; thence northerly along the west line of said Lot 5 and the east line of the alley as established by Ordinance No. 40526 a distance of 107 feet to the true point of beginning; thence easterly along a line at right angles to the east line of said alley to a point on the west margin of 9th Avenue North.