



SEATTLE CITY COUNCIL

Legislative Summary

CB 118433

Record No.: CB 118433

Type: Ordinance (Ord)

Status: Passed

Version: 1

124941

In Control: City Clerk

File Created: 05/04/2015

Final Action: 12/04/2015

Title: AN ORDINANCE vacating a subterranean portion of the west side of 5th Avenue between Columbia Street and Marion Street, on the petition of Fifth & Columbia Investors, LLC (Clerk File 309447).

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Rasmussen

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Amy Gray

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	05/26/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text:		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	Notes:						
1	City Clerk	05/26/2015	sent for review	Council President's Office			
	Action Text:		The Council Bill (CB) was sent for review. to the Council President's Office				
	Notes:						
1	Council President's Office	05/27/2015	sent for review	Transportation Committee			
	Action Text:		The Council Bill (CB) was sent for review. to the Transportation Committee				
	Notes:						
1	Full Council	07/13/2015	referred	Transportation Committee			
1	Transportation Committee	11/24/2015	pass				Pass
	Action Text:		The Committee recommends that Full Council pass the Council Bill (CB).				

In Favor: 3 Chair Rasmussen, Vice Chair O'Brien, Member Godden

Opposed: 0

Late Arrival: 1 Bagshaw

1 Full Council 11/30/2015 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:

Notes:

In Favor: 8 Council President Burgess, Councilmember Bagshaw, Councilmember Godden, Councilmember Gonzalez, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Rasmussen

Opposed: 0

1 City Clerk 12/02/2015 submitted for Mayor

Mayor's signature

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

Notes:

1 Mayor 12/04/2015 Signed

Action Text: The Council Bill (CB) was Signed.

Notes:

1 Mayor 12/04/2015 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

1 City Clerk 12/04/2015 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE
ORDINANCE 124941
COUNCIL BILL 118433

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5 AN ORDINANCE vacating a subterranean portion of the west side of 5th Avenue between
6 Columbia Street and Marion Street, on the petition of Fifth & Columbia Investors, LLC
7 (Clerk File 309447).
8

9
10 WHEREAS, Fifth & Columbia Investors, LLC filed a petition under Clerk File 309447 to vacate
11 a subterranean portion of the west side of 5th Avenue between Columbia Street and
12 Marion Street; and

13 WHEREAS, following a December 2, 2008 public hearing on the petition, the Seattle City
14 Council (City Council) conditionally granted the petition; and

15 WHEREAS, a Public Place Indemnity Agreement was completed and recorded with King
16 County Recorder's Office under recording number 20080623001350; and

17 WHEREAS, as provided for in RCW 35.79.030 and Seattle Municipal Code Chapter 15.62, the
18 Petitioner has paid the City a vacation fee of \$99,000 that is the full appraised value of
19 the subterranean property; and

20 WHEREAS, Fifth & Columbia Investors, LLC have met all conditions imposed by the City
21 Council in connection with the vacation petition; and

22 WHEREAS, vacating a subterranean portion of the west side of 5th Avenue between Columbia
23 Street and Marion Street is in the best interests of the public; NOW, THEREFORE,

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

25 Section 1. The subterranean portion of the west side of 5th Avenue between Columbia
26 Street and Marion Street described below is vacated:

1 A SUBTERRANEAN PORTION OF FIFTH AVENUE, SEATTLE, WASHINGTON,
2 IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 4
3 EAST, W.M., ADJOINING LOTS 6, 7, AND A PORTION OF LOT 3 IN BLOCK 25 OF
4 ADDITION TO THE TOWN OF SEATTLE, AS LAID OUT ON THE CLAIMS OF C.D.
5 BOREN AND A.A. DENNY AND H.L. YESLER (COMMONLY KNOWN AS C.D. BOREN'S
6 ADDITION TO THE CITY OF SEATTLE), AS PER PLAT RECORDED IN VOLUME 1 OF
7 PLATS, PAGE 25, RECORDED OF KING COUNTY, AND LYING BELOW THE
8 EXISTING SIDEWALK BETWEEN THE ELEVATIONS OF 71.0 FEET AND 149.5 FEET,
9 BASED ON NAVD-88 VERTICAL DATUM, MORE PARTICULARLY DESCRIBED AS
10 FOLLOWS:

11 BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK 25, AT A POINT
12 WHICH IS APPROXIMATELY 20.0 FEET BENEATH THE EXISTING SIDEWALK AT AN
13 ELEVATION OF 149.5' FEET, BASED ON NAVD-88 VERTICAL DATUM, AND THE
14 TRUE POINT OF BEGINNING;

15 THENCE NORTH $30^{\circ}37'33''$ WEST ALONG THE WEST MARGIN OF SAID FIFTH
16 AVENUE AND SAID BLOCK 25, A DISTANCE OF 122.33 FEET;

17 THENCE NORTH $59^{\circ}22'54''$ EAST, A DISTANCE OF 7.00 FEET;

18 THENCE SOUTH $30^{\circ}37'33''$ EAST PARALLEL WITH THE WEST MARGIN OF
19 SAID FIFTH AVENUE, A DISTANCE OF 122.33 FEET;

20 THENCE SOUTH $59^{\circ}22'54''$ WEST, A DISTANCE OF 7.00 FEET TO THE TRUE
21 POINT OF BEGINNING.

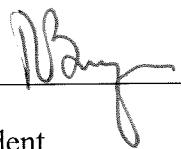
22 SAID SUBTERRANEAN PORTION LYING BETWEEN AND UPPER LIMIT AT
23 ELEVATION 149.5 FEET AND A LOWER LIMIT AT ELEVATION OF 71.0 FEET, NAVD-
24 88 VERTICAL DATUM.

25 CONTAINING AN AREA OF 856 SQUARE FEET, OR 0.0197 ACRES, AND
26 CONTAINING A VOLUME OF 67,220 CUBIC FEET, MORE OR LESS.


27 SITUATE IN THE CITY OF SEATTLE, KING COUNTY, WASHINGTON.
28

1 Section 2. 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.

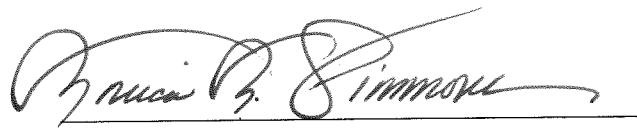
4 Passed by the City Council the 30th day of NOVEMBER, 2015, and
5 signed by me in open session in authentication of its passage this
6 30th day of NOVEMBER, 2015.

7
8 
9 President _____ of the City Council

10
11 Approved by me this 4th day of December, 2015.

12
13 
14 Edward B. Murray, Mayor

15
16 Filed by me this 4th day of December, 2015.

17
18 
19 Monica Martinez Simmons, City Clerk

20 (Seal)