



SEATTLE CITY COUNCIL

Legislative Summary

CB 119011

Record No.: CB 119011

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125353

In Control: City Clerk

File Created: 06/15/2017

Final Action: 07/21/2017

Title: AN ORDINANCE relating to the Department of Transportation; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of The City of Seattle a statutory warranty deed for a portion of Tract 35A, Plat of High Point Community, recorded under King County Recording Number 20040413001567, situated in a portion of the Southwest quarter of Section 24, Township 24 North, Range 3 East and a portion of the Northwest quarter of Section 25, Township 24 North, Range 3 East, Willamette Meridian, from the Highpoint Natural Drainage Landscape, Open Space and Rights of Way Maintenance Association, a Washington non-profit corporation; placing the real property conveyed by such deed under the jurisdiction of the Seattle Department of Transportation and laying off as right-of-way; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A - Statutory Warranty Deed

Drafter: gretchen.haydel@seattle.gov

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	06/21/2017	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	06/21/2017	sent for review	Council President's Office			

Legislative Summary Continued (CB 119011)

- 1 Council President's Office 06/22/2017 sent for review Sustainability and Transportation Committee
Action Text: The Council Bill (CB) was sent for review. to the Sustainability and Transportation Committee
Notes:
- 1 Full Council 06/26/2017 referred Sustainability and Transportation Committee
- 1 Sustainability and Transportation Committee 07/07/2017 pass Pass
Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
Notes:
In Favor: 2 Chair O'Brien, Alternate Herbold
Opposed: 0
- 1 Full Council 07/17/2017 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 Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien
Opposed: 0
- 1 City Clerk 07/19/2017 submitted for Mayor
Mayor's signature
- 1 Mayor 07/21/2017 Signed
Action Text: The Council Bill (CB) was Signed.
Notes:
- 1 Mayor 07/21/2017 returned City Clerk
Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:
- 1 City Clerk 07/21/2017 attested by City Clerk
Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:
-

CITY OF SEATTLE

ORDINANCE 125353

COUNCIL BILL 119011

AN ORDINANCE relating to the Department of Transportation; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of The City of Seattle a statutory warranty deed for a portion of Tract 35A, Plat of High Point Community, recorded under King County Recording Number 20040413001567, situated in a portion of the Southwest quarter of Section 24, Township 24 North, Range 3 East and a portion of the Northwest quarter of Section 25, Township 24 North, Range 3 East, Willamette Meridian, from the Highpoint Natural Drainage Landscape, Open Space and Rights of Way Maintenance Association, a Washington non-profit corporation; placing the real property conveyed by such deed under the jurisdiction of the Seattle Department of Transportation and laying off as right-of-way; and ratifying and confirming certain prior acts.

WHEREAS, in June of 1963, citizens of West Seattle requested that The City of Seattle provide pedestrian access through a wooded hillside area from the High Point area of West Seattle to the Louisa Boren Junior High School at Delridge Way Southwest and Southwest Graham Street due to safety concerns for the students attending the school, which opened in September of 1963 and closed in June of 1981; and

WHEREAS, to that end, in August of 1963, Ordinance 92301 authorized the appropriation and acquisition of property necessary to improve Southwest Graham Street between High Point Drive Southwest and Delridge Way Southwest, including but not limited to the construction of walkways and a stairway ("Stairway") to improve pedestrian access ("Project"); and

WHEREAS, at that time, a portion of the property necessary for this Project had already been acquired by The City of Seattle in 1954 as authorized under Ordinance 83104 and placed under the jurisdiction of the Building Department (now known as the Department of Construction and Inspections), which was subsequently transferred to the Department of

1 Engineering (now known as the Department of Transportation) in October of 1963 under
2 Ordinance 92435 the (“TJO Property”); and

3 WHEREAS, in November of 1963, Ordinance 92506 accepted a deed for the remainder of the
4 property necessary for the Project, placed it under the jurisdiction of the Seattle
5 Department of Transportation and laid it off as right-of-way to extend Southwest Graham
6 Street (“Property”); and

7 WHEREAS, the Stairway was built on the Property and the TJO Property in 1970 and consists of
8 six stair landings connecting the High Point neighborhood to the Longfellow Creek Trail
9 with the upper end of the Stairway starting at High Point Drive Southwest and the lower
10 end ending at 26th Avenue Southwest; and

11 WHEREAS, in March of 2004, Ordinance 121404 was passed which, among other things,
12 vacated streets including the Property, and approved a new plat for the Seattle Housing
13 Authority’s (SHA) High Point redevelopment project; and

14 WHEREAS, SHA subsequently recorded the Plat of High Point Community under King County
15 Recording Number 20040413001567; and

16 WHEREAS, in 2008, the Property was deeded to the High Point Natural Drainage Landscape,
17 Open Space, and Rights of Way Maintenance Association, under King County Recording
18 Number 20080327002167, as required under the Declaration of Covenants, Conditions
19 and Restrictions for High Point Community Homeowners, recorded under King County
20 Recording Number 20040413001569, as amended, which is the organization tasked with
21 maintaining the Stairway; and

22 WHEREAS, the City now considers it to be in the best public interest to transfer the Property
23 back to the City for purposes of maintaining the Stairway; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Statutory Warranty Deed executed by the Highpoint Natural Drainage Landscape, Open Space and Rights of Way Maintenance Association, a Washington non-profit corporation, on November 14, 2016, as Grantor, recorded under King County Recording Number 20170130000168 on January 30, 2017, and legally described in Attachment A to this ordinance, is hereby accepted.

Section 2. The property conveyed by the deed described in Section 1 of this ordinance is placed under the jurisdiction of the Seattle Department of Transportation and laid off, opened, widened, extended, and established as right-of-way upon the land described in the deed.

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby 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 17th day of July, 2017,
5 and signed by me in open session in authentication of its passage this 17th day of
6 July, 2017.

7 

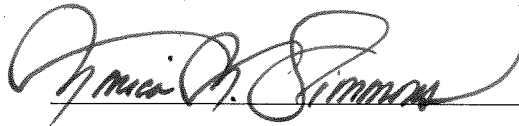
8 President _____ of the City Council

9 Approved by me this 21 day of July, 2017.

10 

11 Edward B. Murray, Mayor

12 Filed by me this 21st day of July, 2017.

13 

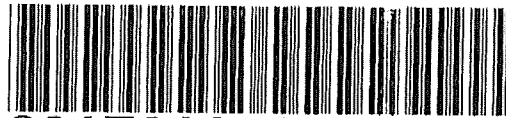
14 Monica Martinez Simmons, City Clerk

15 (Seal)

16 Attachments:
17 Attachment A – Statutory Warranty Deed

After recording return document to:

City of Seattle
Department of Transportation
700 Fifth Avenue – Suite 3800
P.O. Box 34996
Seattle, WA 98124-4996
Attn: Mary Jung



20170130000168

SEATTLE DEPART WD 79.00
PAGE-001 OF 007
01/30/2017 09:27
KING COUNTY, WA

E2846468

01/30/2017 09:27
KING COUNTY, WA
TAX \$10.00
SALE \$0.00

PAGE-001 OF 001

Document Title: Statutory Warranty Deed
Reference Number of Related Document: N/A
Grantor: Highpoint Natural Drainage Landscape, Open Space and Rights of Way Maintenance Association
Grantee: City of Seattle Department of Transportation
Abbreviated Legal Description: Ptn of the Plat of Highpoint Community, per plat recorded in Vol. 221, PP 4 through 35, City of Seattle, King County, Washington.
Additional Legal Descriptions on Exhibits A and B, Pages 6 and 7 of Document.
Assessor's Tax Parcel Number(s): 327861-5840

STATUTORY WARRANTY DEED


The Grantor, **HIGHPOINT NATURAL DRAINAGE LANDSCAPE, OPEN SPACE AND RIGHTS OF WAY MAINTENANCE ASSOCIATION**, a Washington non-profit corporation, for and in consideration of mutual benefits, of which receipt and sufficiency is hereby acknowledged, and in further consideration of the general public welfare and of the peculiar and special benefits to accrue to us therefrom, warrants, grants and conveys to the **CITY OF SEATTLE**, a municipal corporation of the State of Washington, the following described real estate situated in King County, Washington.

PER EXHIBITS A AND B ATTACHED HERETO AND MADE A PART
HEREOF BY THIS REFERENCE

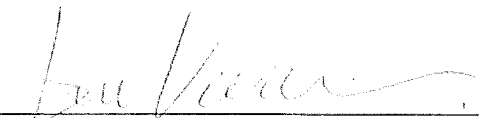
STATUTORY WARRANTY DEED

The Grantor hereby requests the Assessor-Treasurer of said County to set over to the remainder the lien of all unpaid taxes, if any, affecting the real property hereby conveyed, as provided by RCW 84.60.070.

HIGHPOINT NATURAL DRAINAGE LANDSCAPE, OPEN SPACE AND RIGHTS OF
WAY MAINTENANCE ASSOCIATION,
a Washington non-profit corporation

By: 
Andrew Gaines,
President

Date: November 14, 2016

By: 
Deborah Vandermar,
Secretary

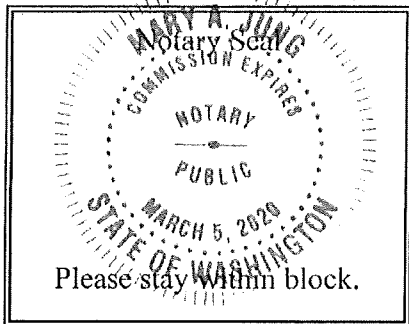
Date: November 14, 2016

STATUTORY WARRANTY DEED

STATE OF WASHINGTON)
) : §
 County of King)

On this 14th day of November, 2016, I certify that I know or have satisfactory evidence that ANDREW GAINES is the person who appeared before me and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute this instrument as President of the Highpoint Natural Drainage Landscape, Open Space and Rights of Way Maintenance Association, a Washington non-profit corporation, and acknowledged it to be the free and voluntary act of such party for the use and purpose mentioned in this instrument.

GIVEN under my hand and official seal the day and year last above written.

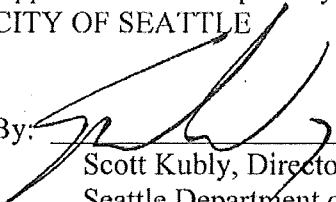


Mary A. Jung

 Notary (print name) Mary Jung
 Notary Public in and for the State of Washington,
 residing at Seattle, WA
 My Appointment expires March 5, 2020

STATUTORY WARRANTY DEED

Approved and Accepted By:
CITY OF SEATTLE

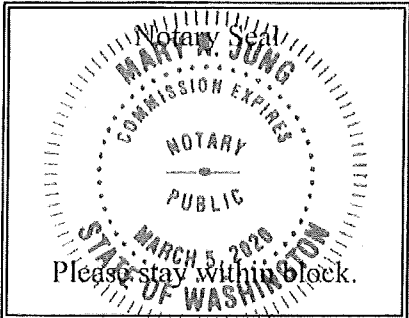
By: 
Scott Kubly, Director
Seattle Department of Transportation

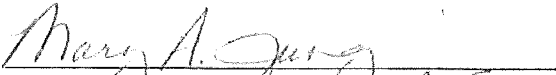
Dated: December 2, 2016

STATE OF WASHINGTON)
County of King) : §

On this 2nd day of December, 2016, before me personally appeared SCOTT KUBLY, to me known to be the Director of the Seattle Department of Transportation of the City of Seattle, a Washington Municipal Corporation, the municipal corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

GIVEN under my hand and official seal the day and year last above written.




Notary (print name) Mary A. Jung
Notary Public in and for the State of Washington,
residing at Seattle, WA
My Appointment expires March 5, 2020

STATUTORY WARRANTY DEED

EXHIBIT A

THAT PORTION OF TRACT 35A BEING AN ENVIRONMENTALLY CRITICAL AREA OPEN SPACE TRACT, IN THE PLAT OF HIGH POINT COMMUNITY, AS RECORDED IN VOLUME 221 OF PLATS, PAGE 04, UNDER RECORDING NUMBER 20040413001567, RECORDS OF KING COUNTY, WASHINGTON, SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 24 NORTH, RANGE 3 EAST AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER SECTION 25, TOWNSHIP 24 NORTH, RANGE 3 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 24 ALSO BEING THE NORTH QUARTER CORNER OF SAID SECTION 25; THENCE N 88° 22' 57" W ALONG THE SECTIONAL SUBDIVISION LINE BETWEEN SAID SECTIONS ALSO BEING THE CENTERLINE OF SOUTHWEST GRAHAM STREET PER CITY OF SEATTLE ORDINANCE NUMBER 92435 A DISTANCE OF 344.65 FEET TO THE EAST LINE OF TRACT 35A ALSO BEING THE EAST LINE OF THE PLAT OF HIGH POINT COMMUNITY AND THE **POINT OF BEGINNING**.

THENCE N 0° 08' 03" E ALONG THE EAST LINE OF TRACT 35A A DISTANCE OF 25.01 FEET;

THENCE N 88° 22' 57" W PERPENDICULAR AND 25 FEET DISTANT FROM SAID SUBDIVISION LINE A DISTANCE OF 182.08 FEET TO THE WESTERLY LINE OF TRACT 35A;

THENCE S 21° 28' 44" E ALONG THE WEST LINE OF TRACT 35A A DISTANCE OF 11.64 FEET;

THENCE CONTINUING ALONG THE WEST LINE OF TRACT 35A S 6° 26' 42" E A DISTANCE OF 39.69 FEET;

THENCE S 88° 22' 57" E PERPENDICULAR AND 25 FEET DISTANT FROM SAID SUBDIVISION LINE A DISTANCE OF 173.24 FEET TO THE EAST LINE OF SAID TRACT 35A;

THENCE ALONG THE EAST LINE OF TRACT 35A N 0° 08' 03" E A DISTANCE OF 25.01 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 8823 SQ. FT., MORE OR LESS

STATUTORY WARRANTY DEED

EXHIBIT B

