



WHEREAS, in making a recommendation, the Director of the Seattle Department of Transportation considered the plans and application materials submitted by Dunn Lumber Company to construct the

Communication Conduit and recommends that conceptual approval be granted; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR**

**CONCURRING, THAT:**

Section 1. The City Council finds that the private communication conduits under and across Latona Avenue Northeast, north of Northeast Northlake Way (“Communication Conduit”), as proposed by Dunn Lumber Company are in accordance with and in the public interest.

Section 2. As conditions for obtaining permission to construct the Communication Conduit, under and across Latona Avenue Northeast, north of Northeast Northlake Way, Dunn Lumber Company shall:

A. Provide engineering and utility plans for additional review and permitting by the Seattle Department of Transportation (“SDOT”), which the Director of SDOT (“Director”) will circulate to other City departments and any public and private utilities affected by the installation of the Communication Conduit;

B. Provide a surety bond, covenant agreement, and public liability insurance naming the City as an additional insured or self-insurance, as approved by the City’s Risk Manager;

C. Pay all City permit fees;

D. Obtain all necessary permits;

E. Maintain and inspect the Communication Conduit; and

F. Remove the Communication Conduit and restore the right-of-way to in as good condition for public use as existed prior to construction of the Communication Conduit and in at least as good condition in all respects as the abutting portions of the public place as required by SDOT right-of-way restoration standards upon expiration of the term permit, or at the direction of the Director or City Council in accordance with the provisions of the term permit ordinance.

Section 3. After this resolution is adopted, SDOT will present to the Council a draft term permit

ordinance identifying the conditions under which permission may be granted for the use of the right-of-way for the Communication Conduit. Permission to use the right-of-way is subject to the Council's decision to approve, deny, or modify the draft term permit ordinance presented by the Director.

Section 4. As recommended by the Director and the Mayor, conceptual approval for construction of the Communication Conduit under and across Latona Avenue Northeast, north of Northeast Northlake Way is GRANTED.

Adopted by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2022, and signed by me in open session in authentication of its adoption this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

The Mayor concurred the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)