



Legislation Details (With Text)

File #: CB 120461 **Version:** 1 **Name:** CB 120461
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 1/3/2023
Final Action: 1/9/2023 **Ord. No.** Ord 126743

Title: AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to execute an agreement for the City to grant an easement over a portion of the City’s fee-owned transmission corridor near 19541 Stone Ave N in Shoreline, Washington; accepting payment for the true and full value of the easement being granted from Ann and Paul Michel, wife and husband; and ratifying and confirming certain prior acts.

Sponsors: Sara Nelson

Indexes:

Attachments: 1. Att 1 - Easement Agreement, 2. Summary and Fiscal Note, 3. Summary Att 1 - Depiction of Easement Area, 4. Presentation, 5. Signed Ordinance 126743, 6. Affidavit of Publication

Date	Ver.	Action By	Action	Result
1/9/2023	1	City Clerk	attested by City Clerk	
1/9/2023	1	Mayor	returned	
1/9/2023	1	Mayor	Signed	
1/5/2023	1	City Clerk	submitted for Mayor's signature	
1/3/2023	1	City Council	passed	Pass
12/14/2022	1	Economic Development, Technology, and City Light Committee	pass	Pass
11/15/2022	1	City Council	referred	
10/27/2022	1	Council President's Office	sent for review	
10/19/2022	1	City Clerk	sent for review	
10/19/2022	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to execute an agreement for the City to grant an easement over a portion of the City’s fee-owned transmission corridor near 19541 Stone Ave N in Shoreline, Washington; accepting payment for the true and full value of the easement being granted from Ann and Paul Michel, wife and husband; and ratifying and confirming certain prior acts.

WHEREAS, The City of Seattle (“City”) owns a transmission corridor in Section 6, Township 26 North, Range

4 East, W.M., in Shoreline, Washington, King County Tax Parcel Number 0626049028; and

WHEREAS, Ann and Paul Michel, wife and husband (“Michels”), own the property at 19541 Stone Ave N, Shoreline, Washington, adjacent to the City’s transmission corridor; and

WHEREAS, part of the carport and the fence of the Michels’ property was determined by City Light to be encroaching significantly on the City’s transmission corridor; and

WHEREAS, the Michels disputed the ownership of the area within the fence (No. 18-2-54700-8 SEA), which dispute was litigated and ultimately decided in the City’s favor; and

WHEREAS, in consideration of resolving the remaining details of the dispute, the Michels have requested an easement to allow them the retention of their carport, the placement of a security fence around their residence, and access to their property; and

WHEREAS, the City Light Department has determined that the easement requested by the Michels is reasonable and an acceptable use of the transmission corridor in accordance with City Light’s real property use standards, will not interfere with City Light operations, and is no longer needed exclusively for the City’s utility purposes; and

WHEREAS, the Michels will pay the City the fair market value for the easement being granted by the City in the amount of \$62,700.80; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to the provisions of Revised Code of Washington (RCW) 35.94.040 and after a public hearing, certain real property rights, described in Attachment 1 attached hereto, acquired for an electrical transmission corridor, are no longer needed exclusively for The City of Seattle’s utility purposes.

Section 2. The General Manager and Chief Executive Officer of the City Light Department, or the General Manager and Chief Executive Officer’s designee, is authorized to execute for and on behalf of The City of Seattle an Easement Agreement substantially in the form attached hereto as Attachment 1.

Section 3. The City Light Department is authorized to accept payment for the easement being granted to

the Michels, in the amount of \$62,700.80 and to deposit the proceeds in the City Light Fund.

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

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

Passed by the City Council the _____ day of _____, 202_, and signed by me in open session in authentication of its passage this _____ day of _____, 202_.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 202_.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 202_.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)

Attachments:
Attachment 1 - Easement Agreement

Exhibit A to Attachment 1 - Legal Description of Grantor's Property
Exhibit B to Attachment 1 - Legal Description of Grantee's Property
Exhibit C to Attachment 1 - Legal Description of Easement Area
Exhibit D to Attachment 1 - Depiction of Easement Area