

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Cargile, Delay, Edwards, Jacobs, Jarvis, King-Smith, Lonesome Valley L. L. C., Macomber, Russell, Watson, and Wolff properties in Skagit County, Washington, and the Mitchell, et al., property in Snohomish County, for salmonid habitat protection purposes; declaring certain real property rights surplus and no longer required for providing public utility service or other municipal purpose; ratifying a Boundary Line Agreement for the Anderson Creek property in Skagit County, Washington for salmon habitat protection purposes; ratifying the grants of Deeds of Right to the State of Washington on the Cargile, Delay, Edwards, Jarvis, King-Smith, Lonesome Valley L. L. C., Mitchell et al., and Watson properties for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 121114 authorizes the Superintendent of City Light, within and subject to appropriation authority and based on appraised market value, to negotiate for and purchase parcels of land in the Skagit River and the Tolt/Snoqualmie River watersheds in furtherance of the City's Early Action Program, which was approved by Resolution 29905; and

WHEREAS, under authority of Ordinance 121114, City Light acquired the Cargile, Delay, Edwards, Jacobs, Jarvis, King-Smith, Lonesome Valley, Macomber, Mitchell et al., Russell, Watson, and Wolff properties in the Skagit River watershed; and

WHEREAS, RCW 35.94.040 requires a public hearing before lands and property originally purchased by a city for utility purposes can be conveyed; and

WHEREAS, under authority of Ordinance 121114, City Light acquired a portion of the Rusnak-Burt property, and conveyed an equal amount of property to Rusnak-Burt pursuant to a Boundary Line Agreement for the Anderson Creek property in Skagit County; and

WHEREAS, under authority of Ordinance 123362, the Salmon Recovery Funding Board Grants ("SRFB Grant") from the State of Washington used for purchases under this program in 2010 were accepted, increasing City Light's budget authority; and

WHEREAS, City Light's purchase of the Edwards, Jarvis, and Watson properties was counted as match towards the SRFB grants used for purchases under this program in 2014; and

WHEREAS, the Salmon Recovery Funding Board Grants to the City require City Light to convey Deeds of Right to the State of Washington, which includes conditions for purposes of salmon recovery and conservation under which properties purchased with grant funds may be used or sold; however, the conditions contained in the Deeds of Right are consistent with the purpose of the City's Early Action Program; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Statutory Warranty Deed executed by Kellie D. Cargile on July 24, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201407240031, a copy of which is included as Attachment A, conveying approximately 4 acres located along Ross Island Slough, part of the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on July 24, 2014, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201407280137, a copy of which is included as Attachment B, is hereby ratified in fulfillment of SRFB Grant, Project Number 11-1536A.

Section 2. The Statutory Warranty Deed executed by Richard Delay and Jodelle E. Mathews on June 10, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201407160039, a copy of which is included as Attachment C, conveying approximately 19 acres located along the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right executed for said property by the City Light Department on June 17, 2014, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201407160040, a copy of which is included as Attachment D, is hereby ratified in fulfillment of SRFB Grant, Project Number 11-1536A.

Section 3. The Statutory Warranty Deed executed by Bobbie R. Edwards and Deann H. Edwards on September 30, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201410240069, a copy

of which is included as Attachment E, conveying approximately 9 acres located along the Cascade River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on September 8, 2014, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201410300075, a copy of which is included as Attachment F, is hereby ratified in fulfillment of SRFB Grant, Project Number 11-1536A.

Section 4. The Statutory Warranty Deed executed by Phillip H. Jacobs on February 7, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201402070086, a copy of which is included as Attachment G, conveying approximately 0.5 acres located in the Skagit River floodplain to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department.

Section 5. The Statutory Warranty Deed executed by Robert C. Jarvis on September 25, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201409300502, a copy of which is included as Attachment H, conveying approximately 3 acres located along the Sauk River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on October 9, 2014, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201410230354, a copy of which is included as Attachment I, is hereby ratified in fulfillment of SRFB Grant, Project Number 13-1056C.

Section 6. The Statutory Warranty Deed executed by Luciguela E. King-Smith on August 20, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201409120068, a copy of which is included as Attachment J, conveying approximately 7 acres located along the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the

City Light Department on September 15, 2014, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201409180080, a copy of which is included as Attachment K, is hereby ratified in fulfillment of SRFB Grant, Project Number 09-1450C.

Section 7. The Statutory Warranty Deed executed by Lonesome Valley L.L.C on September 22, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201409290145, a copy of which is included as Attachment L, conveying approximately 62.5 acres located along the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on September 8, 2014, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201409290146, a copy of which is included as Attachment M, is hereby ratified in fulfillment of SRFB Grant, Project Number 11-1536A.

Section 8. The Statutory Warranty Deed executed by Keith Macomber on January 14, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201401270107, a copy of which is included as Attachment N, conveying approximately 44 acres located on Pressentin Creek, a tributary to the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department.

Section 9. The Statutory Warranty Deed executed by Steven R. Russell on November 5, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201411050050, a copy of which is included as Attachment O, conveying approximately 5 acres located along the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department.

Section 10. The Statutory Warranty Deed executed by Kathryn M. Watson on September 22, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201410220025, a copy of which is included as Attachment P, conveying approximately 48 acres located along Illabot Creek, a tributary to the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction

of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on October 1, 2014, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201410220026, a copy of which is included as Attachment Q, is hereby ratified in fulfillment of SRFB Grant, Project Number 09-1450C.

Section 11. The Statutory Warranty Deed executed by Kathleen M. Wolff on February 28, 2014, as Grantor, recorded under Skagit County Auditor's File Number 201402280068, a copy of which is included as Attachment R, conveying approximately 0.5 acres located in the Skagit River floodplain to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department.

Section 12. The Statutory Warranty Deed executed by Patrick W. Mitchell et al., on May 12, 2014, as Grantor, recorded under Snohomish County Auditor's File Number 201405270354, a copy of which is included as Attachment S, conveying approximately 29 acres located along the Sauk River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right executed for said property by the City Light Department on May 12, 2014, as Grantor and State of Washington as Grantee, recorded under Snohomish County Auditor's File Number 201405270356, a copy of which is included as Attachment T, is hereby ratified in fulfillment of SRFB Grant, Project Number 11-1536A.

Section 13. The Boundary Line Agreement executed by Llane A. Rusnak-Burt and Daniel Burt, on August 21, 2013, as Grantor, recorded under Skagit County Auditor's File Number 201402250045, a copy of which is included as Attachment U ("Boundary Line Agreement"), conveying approximately 0.25 acres located along the floodplain of the Skagit River to The City of Seattle, is hereby ratified, and the real property conveyed therein is accepted and placed under the jurisdiction of the City Light Department.

Section 14. Pursuant to RCW 35.94.040 and after a public hearing, a 0.25 acre portion of the Anderson Creek property is declared to be surplus the City's needs and no longer required for providing continued public

utility service or other municipal purpose, and the conveyance of said property by the City as Grantor under the Boundary Line Agreement to Llane A. Rusnak-Burt and Daniel Burt is hereby ratified.

Section 15. Any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 16. 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 _____, 2015, and signed by me in open session in authentication of its passage this ____ day of _____, 2015.

President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Att A - SCL 2015 Endangered Species Act Land Deed Acceptance

Att B - SCL 2015 Endangered Species Act Land Deed Acceptance

Att C - SCL 2015 Endangered Species Act Land Deed Acceptance

Att D - SCL 2015 Endangered Species Act Land Deed Acceptance

Att E - SCL 2015 Endangered Species Act Land Deed Acceptance

Att F - SCL 2015 Endangered Species Act Land Deed Acceptance

Att G - SCL 2015 Endangered Species Act Land Deed Acceptance

Att H - SCL 2015 Endangered Species Act Land Deed Acceptance

Att I - SCL 2015 Endangered Species Act Land Deed Acceptance

Att J - SCL 2015 Endangered Species Act Land Deed Acceptance

Att K - SCL 2015 Endangered Species Act Land Deed Acceptance

Att L - SCL 2015 Endangered Species Act Land Deed Acceptance

Att M - SCL 2015 Endangered Species Act Land Deed Acceptance

Att N - SCL 2015 Endangered Species Act Land Deed Acceptance

Att O - SCL 2015 Endangered Species Act Land Deed Acceptance

Att P - SCL 2015 Endangered Species Act Land Deed Acceptance

Att Q - SCL 2015 Endangered Species Act Land Deed Acceptance

Att R - SCL 2015 Endangered Species Act Land Deed Acceptance

Att S - SCL 2015 Endangered Species Act Land Deed Acceptance

Att T - SCL 2015 Endangered Species Act Land Deed Acceptance

Att U - SCL 2015 Endangered Species Act Land Deed Acceptance