



Legislation Details (With Text)

File #: CB 119419 **Version:** 1 **Name:** CB 119419
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 12/17/2018
Final Action: 12/20/2018 **Ord. No.** Ord 125746

Title: AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept new easements; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Sponsors: Lisa Herbold

Indexes:

Attachments: 1. Att 1 – Relinquished Easements Legal Descriptions, 2. Att 2 – Acquired Easements Legal Descriptions, 3. Summary and Fiscal Note, 4. Presentation, 5. Signed Ordinance 125746, 6. Affidavit for Publication

Date	Ver.	Action By	Action	Result
12/20/2018	1	City Clerk	attested by City Clerk	
12/20/2018	1	Mayor	returned	
12/20/2018	1	Mayor	Signed	
12/19/2018	1	City Clerk	submitted for Mayor's signature	
12/17/2018	1	City Council	passed	Pass
12/11/2018	1	Civil Rights, Utilities, Economic Development, and Arts Committee	pass	Pass
12/3/2018	1	City Council	referred	
10/17/2018	1	Council President's Office	sent for review	
10/9/2018	1	City Clerk	sent for review	
10/9/2018	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to sewer and storm drain easements within Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept new easements; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

WHEREAS, certain property improvements were built or have been planned to be built by various property

owners and customers of Seattle Public Utilities (SPU) within the easements originally granted to The City of Seattle (“City”) for drainage and wastewater purposes; and

WHEREAS, the City, acting by and through Seattle Public Utilities (SPU), has determined that all or portions of the sewer lines, storm drain lines, and facilities may be relocated to accommodate property; and

WHEREAS, the City has also determined the following existing drainage and wastewater facility easements are surplus to the City’s needs:

A. The sanitary sewer easement that the City accepted pursuant to Ordinance 110658 and recorded under Recording Number 8004020483; and

B. The sanitary sewer easement condemned under a portion of Superior Court Cause Number 277368, verdict 29 and not recorded; and

C. The sanitary sewer easement that the City accepted pursuant to Ordinance 104491 and recorded under Recording Number 7304120418; and

D. The drainage line easement that the City accepted pursuant to Ordinance 100342 and recorded under Recording Number 7106080656; and

E. The drainage line easement that the City accepted pursuant to Ordinance 100255 and recorded under Recording Number 7102230247; and

WHEREAS, easements are required from customers to allow for the installation, maintenance, and operation of replacement or affected existing sanitary sewers and storm drain facilities; and

WHEREAS, SPU has determined the interests of the City, SPU, and SPU’s customers are best served by relinquishing the existing sewer and storm drain easements and accepting new easements to accommodate the relocated or affected existing sanitary sewers and storm drain facilities; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Pursuant to the provisions of RCW 35.94.040, and after public hearing, certain existing

easements, as set forth and legally described within Attachment 1 to this ordinance, to construct, maintain, and operate sewer and storm drain utilities in Seattle are hereby declared no longer required for municipal utility purposes and are surplus to The City of Seattle's utility needs.

Section 2. The Director of Seattle Public Utilities, or Director's designee, is hereby authorized to execute, on behalf of The City of Seattle, the relinquishment of all easement property rights and interests set forth and legally described in Attachment 1 to this ordinance.

Section 3. The City of Seattle hereby accepts the easements granted to The City of Seattle for sanitary sewer and storm drain facilities over, under, across, and upon the real property generally described below and legally described in Attachment 2 to this ordinance.

A. Grantor: Jackson Investors South LLC, a Washington limited liability company, grants and conveys a sanitary sewer easement facilities and appurtenances to the City in the vicinity of the 2400 block of S Jackson St., Seattle, Washington, as recorded under King County Recording No. 20170705000615.

B. Grantors: Martin Taucher and Colleen Taucher, husband and wife, grant and convey an easement for a sanitary sewer easement and appurtenances to the City in the vicinity of the 3100 block of E Laurelhurst Dr. NE and Lake Washington, Seattle, Washington, as recorded under King County Recording No. 199812012444.

C. Grantor: Interbay Urban Investors, LLC, a Delaware limited liability company, grants and conveys an easement for a sanitary sewer easement and appurtenances to the City in the vicinity of the 1500 block of W Armory Way and 15th Ave. W, Seattle, Washington, as recorded under King County Recording No. 20170427000590.

D. Grantor: John Cunningham and Carolyn Cunningham, husband and wife, grant and convey an easement for a sanitary sewer easement and appurtenances to the City in the vicinity of NE 35th St. and NE Laurelcrest Ln., Seattle, Washington, as recorded under King County Recording No. 20040409000809.

E. Grantor: Seattle School District No. 1 grants and conveys an easement for a stormwater

maintenance easement and appurtenances to the City in the vicinity of NE 92nd St. and Ashworth Ave. N, Seattle, Washington, as recorded under King County Recording No. 20160304000370.

Section 4. The real property rights and interests conveyed by the easements referenced and accepted in this ordinance shall be placed under the jurisdiction of Seattle Public Utilities.

Section 5. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 6. 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 _____, 2018, and signed by me in open session in authentication of its passage this _____ day of _____, 2018.

President _____ of the City Council

Approved by me this _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Relinquished Easements Legal Descriptions

Attachment 2 - Acquired Easements Legal Descriptions