



Legislation Details (With Text)

File #: CB 120724 **Version:** 1 **Name:** CB 120724
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 12/12/2023
Final Action: 12/28/2023 **Ord. No.** Ord 126972

Title: AN ORDINANCE vacating a portion of Northeast 48th Street, lying between 24th Avenue Northeast and the Burke Gilman Trail, in the University District, and accepting a Property Use and Development Agreement outlining ongoing Petitioner obligations and responsibilities related to the Burke Gilman Trail connection, on the petition of Trinity Trailside LLC (Clerk File 314380).

Sponsors: Alex Pedersen

Indexes:

Attachments: 1. Ex 1 - Property Use and Development Agreement, 2. Summary and Fiscal Note, 3. Summary Att A – NE 48th Street Vacation Area Map, 4. Presentation, 5. Central Staff Memo, 6. Signed Ordinance 126972, 7. Affidavit of Publication

| Date | Ver. | Action By | Action | Result |
|------------|------|---|------------------------------------|--------|
| 12/28/2023 | 1 | City Clerk | attested by City Clerk | |
| 12/28/2023 | 1 | Mayor | returned | |
| 12/28/2023 | 1 | Mayor | Signed | |
| 12/18/2023 | 1 | City Clerk | submitted for Mayor's signature | |
| 12/12/2023 | 1 | City Council | passed | Pass |
| 12/5/2023 | 1 | Transportation and Seattle Public Utilities | pass | Pass |
| 11/21/2023 | 1 | City Council | referred | |
| 11/9/2023 | 1 | Council President's Office | sent for review | |
| 11/8/2023 | 1 | City Clerk | sent for review | |
| 11/8/2023 | 1 | Mayor | Mayor's leg transmitted to Council | |

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE vacating a portion of Northeast 48th Street, lying between 24th Avenue Northeast and the Burke Gilman Trail, in the University District, and accepting a Property Use and Development Agreement outlining ongoing Petitioner obligations and responsibilities related to the Burke Gilman Trail connection, on the petition of Trinity Trailside LLC (Clerk File 314380).

WHEREAS, Trinity Trailside LLC, filed a petition under Clerk File 314380 to vacate a portion Northeast 48th Street, lying between 24th Avenue Northeast and the Burke Gilman Trail; and

WHEREAS, following a May 21, 2019, public hearing on the petition, the Seattle City Council (“City Council”) conditionally granted the petition on May 28, 2019; and

WHEREAS, a Property Use and Development Agreement recorded on October 12, 2023, with the King County Recorder’s Office under Recording No. 20231012000406 commits the Petitioner and their successors to fulfill ongoing public-benefit obligations required as part of the vacation; and

WHEREAS, a Property Use and Development Agreement recorded on October 12, 2023, with the King County Recorder’s Office under Recording No. 20231012000406 also commits the Petitioner and their successors to fulfill ongoing maintenance and other obligations as related to the Burke Gilman Trail connection to 24th Avenue Northeast, with Seattle Public Utilities and the Department of Parks and Recreation; and

WHEREAS, as provided for in RCW 35.79.030 and Seattle Municipal Code Chapter 15.62, the petitioner has paid the City a vacation fee of \$3,065,000 on January 11, 2021, which is the full appraised value of the property; and

WHEREAS, the petitioner has met all conditions imposed by the City Council in connection with the vacation petition; and

WHEREAS, vacating a portion of Northeast 48th Street, lying between 24th Avenue Northeast and the Burke Gilman Trail, is in the public interest; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A portion of Northeast 48th Street, lying between 24th Avenue Northeast and the Burke Gilman Trail, described below, is vacated:

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERN MOST CORNER OF THAT STRIP OF LAND CONVEYED TO THE CITY OF SEATTLE BY DOCUMENT RECORDED UNDER KING COUNTY RECORDING NUMBER 4967657, SAID CORNER BEING ON THE WEST MARGIN OF THE 25TH AVENUE RIGHT-OF-WAY AND ALSO ON THE SOUTH MARGIN OF THE NE 47TH STREET RIGHT-OF-WAY, THENCE NORTH 88 DEGREES 47'27" WEST ALONG SAID SOUTH MARGIN,

188.05 FEET TO THE WEST MARGIN OF THE 24TH AVENUE NE RIGHT-OF-WAY;

THENCE NORTH 00 DEGREES 59'01" EAST ALONG LAST SAID WESTERN MARGIN, 327.72 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING ALSO LYING ON THE SOUTH MARGIN OF THE NE 48TH STREET RIGHT-OF-WAY;

THENCE NORTH 88 DEGREES 47'06" WEST ALONG THE LAST SAID SOUTH MARGIN, 243.84 FEET TO THE EAST MARGIN OF THE BURKE GILMAN TRAIL (FORMERLY NORTHERN PACIFIC RAILROAD COMPANY'S RIGHT-OF-WAY);

THENCE NORTHERLY ALONG SAID EAST MARGIN 40 FEET MORE OR LESS TO THE NORTH MARGIN OF SAID NE 48TH STREET RIGHT-OF-WAY;

THENCE SOUTH 88 DEGREES 47'06" EAST ALONG SAID NORTH MARGIN, 242.89 FEET TO SAID WEST MARGIN OF THE NE 24TH AVENUE NE RIGHT-OF-WAY;

THENCE SOUTH 00 DEGREES 59'01" WEST 40.00 FEET TO THE POINT OF BEGINNING SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

Section 2. The Property Use and Development Agreement, King County Recording No.

20231012000406, attached as Exhibit 1 to this ordinance, is accepted.

Section 3. 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 _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk

(Seal)

Exhibits:

Exhibit 1 - Property Use and Development Agreement