



Legislation Details (With Text)

**File #:** CB 119056    **Version:** 1    **Name:** CB 119056  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 9/18/2017  
**Final Action:** 9/21/2017    **Ord. No.** Ord 125412

**Title:** AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to the needs of the City Light Department; authorizing the partial release of a City Light easement; and accepting the payment of fair market value for the partial release of easement.

**Sponsors:** Kshama Sawant

**Indexes:**

**Attachments:** 1. Att 1 - Agreement and Amendment of Easement, 2. Att 1 Ex A - Legal Description of Quadrant Property, 3. Mayor's Letter on Returning Bill Unsigned, 4. Summary and Fiscal Note, 5. Summary Ex 1 - Map of Partial Release of Easement Area, 6. Signed Ordinance 125412, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
9/21/2017	1	City Clerk	attested by City Clerk	
9/21/2017	1	Mayor	returned unsigned	
9/21/2017	1	Mayor	returned	
9/21/2017	1	City Clerk	submitted for Mayor's signature	
9/18/2017	1	City Council	passed	Pass
9/12/2017	1	Energy and Environment Committee	pass	Pass
8/14/2017	1	City Council	referred	
8/10/2017	1	Council President's Office	sent for review	
8/8/2017	1	City Clerk	sent for review	
8/8/2017	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 the needs of the City Light Department; authorizing the partial release of a City Light easement; and accepting the payment of fair market value for the partial release of easement.

WHEREAS, the Quadrant Corporation (“Quadrant”) owns real property in Snohomish County, Washington

(“Property”), that it intends to develop into a multi-lot single family residential development; and

WHEREAS, The City of Seattle owns an easement for electric transmission line purposes (“Easement”) over a

portion of said Property, granted by M.C. Carlson, dated May 25, 1927, and recorded under Snohomish County Auditor's File Number 407776; and

WHEREAS, the Easement was amended through a partial release of easement by City Light in 1994 to M.C. Carlson, recorded under Snohomish County Auditor's File Number 9406030003 (the "Amended Easement"), which resulted in the Amended Easement encumbering only the west 50 feet of the Property; and

WHEREAS, the Easement was acquired for the purpose of constructing a transmission line that was built in a different location; and

WHEREAS, all other portions of the Easement encumbering properties other than the Property were released by City Light to the underlying fee owners in the 1980s and 1990s; and

WHEREAS, the Amended Easement encumbering the Property serves no useful purpose and is not required for the continued access, construction, operation, or maintenance of the City Light transmission corridors in Snohomish County; and

WHEREAS, Quadrant has requested that The City of Seattle release the portion of the Amended Easement encumbering the Property so that it can complete its development project; and

WHEREAS, Quadrant has offered the sum of \$31,000 for the partial release of the Amended Easement, which represents the fair market value of the easement rights, with The City of Seattle reserving rights to trim, cut, or remove any vegetation in the easement area to protect City Light electric transmission 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 a public hearing, certain easement rights within the Property for electric transmission purposes granted by M.C. Carlson to The City of Seattle, recorded under Snohomish County Auditor's File Number 407776, and subsequently amended by partial release of easement recorded under Snohomish County Auditor's File Number 9406030003, are no longer

needed for The City of Seattle’s utility purposes over the Property, and are declared surplus to City needs.

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 a Partial Release of Easement document, substantially in the form as attached hereto as Attachment 1 to this ordinance, and record it with the Snohomish County Auditor’s Office.

Section 3. 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 accept payment of \$31,000 for the partial release of the Easement and deposit the payment into the General Light Fund.

Section 4. 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 \_\_\_\_\_, 2017, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2017.

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor, \_\_\_\_\_

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Agreement and Amendment of Easement

Exhibit A - Legal Description of Quadrant Property