



Legislation Text

---

File #: Res 31608, Version: 1

---

**CITY OF SEATTLE**  
**RESOLUTION \_\_\_\_\_**

A RESOLUTION setting the public hearing on the petition of City Investors IV LLC for the vacation of a subterranean portion of the alley in Block 89, D.T. Denny's 5<sup>th</sup> Addition to North Seattle in the South Lake Union neighborhood of Seattle, according to Chapter 35.79 Revised Code of Washington, Seattle Municipal Code 15.62, and Clerk's File 313894.

WHEREAS, City Investor's IV LLC has filed a petition with the City Council to vacate public property; and

WHEREAS, the petition is signed by the owner of more than 2/3 of the property abutting on the subject

vacation area; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

Section 1. A hearing by the City Council for the petition to vacate a subterranean portion of the alley in Block 89, D.T. Denny's 5<sup>th</sup> Addition to North Seattle has been scheduled to take place during the Council's Transportation Committee meeting on Tuesday, September 22, 2015 starting at 9:30 a.m., in the City Council Chambers, Floor 2 City Hall. The Transportation Committee of the City Council will consider the petition when Clerk File 313894 is before the Committee according to the Committee's agenda.

The City Clerk is directed to give the notice of the hearing in the manner provided by law. A map, indicating the property described in the petition, shall be affixed to and become part of the notice that shall be posted by the street vacation petitioner in a conspicuous place on the right-of-way sought to be vacated.

Section 2. The hearing will provide opportunity for comments on the vacation of the subterranean portion of the alley in Block 89, D.T. Denny's 5<sup>th</sup> Addition to North Seattle, described as:

That portion of the alley bisecting Block 89, D.T. Denny's 5<sup>th</sup> Addition to North Seattle, according to the plat thereof, recorded in Volume 1 of plats, page 202, Records of King County, Washington, lying below an inclined lane situated 6.00 feet below, and parallel with, the finished grade elevation of said alley, said inclined plane being more particularly described as follows:

Beginning at a point on the south right-of-way line of John Street at the north end of said alley, said point having an elevation of 57.8 feet;  
Thence south along the course of the alley a distance of 100.00 feet to a point having an elevation of 62.4 feet;  
Thence continuing south along the course of the alley a distance of 130.5 feet to a point having an elevation of 63.7 feet;  
Thence continuing along the course of the alley a distance of 130.5 feet, more or less, to a point on the north right-of-way line of Denny Way and the terminus of said inclined plane, said point having an elevation of 61.4 feet.

The inclined plane herein described spans the full alley and is bounded on the north by the south right-of-way line of John Street, on the south by the north right-of-way line of Denny Way, on the east by the west line of Lots 1 through 6 and on the west by the east line of Lots 7 through 12, all of said Block 89.

The elevations described herein are expressed in terms of North American Vertical Datum of 1988 (NAVD 88) and are based upon City of Seattle Benchmark No. SNV-5007, a 2 inch surface brass disk in the concrete walk, vicinity of the Northwest corner of Westlake Avenue and 9<sup>th</sup> Avenue, elevation 79.14 feet.

Or in the alternative, to vacate any portion of this right-of-way as described above; reserving to The City of Seattle the right to make all necessary slopes for cuts or fills upon the property in the reasonable original grading of any right-of-way abutting upon the property after the vacation, and further reserving to The City of Seattle the right to reconstruct, maintain, and operate any existing overhead or underground utilities in the property until the beneficiaries of the vacation arrange with the owners for their removal.

Adopted by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2015, and signed by me in open session in authentication of its adoption this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

---

Monica Martinez Simmons, City Clerk

(Seal)