



Legislation Text

File #: CB 120322, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; authorizing the General Manager/CEO of Seattle Public Utilities to accept a non-exclusive easement within the Shilshole Bay Waterway, previously known as the Salmon Bay Waterway of the Lake Washington Ship Canal, from the Washington State Department of Natural Resources for a City-owned sanitary sewer line; and ratifying and confirming certain prior acts.

WHEREAS, Seattle Public Utilities (“SPU”) owns a sanitary sewer line (the “Original Sewer Line”) that crosses under the Shilshole Bay Waterway, which is owned by the Washington State Department of Natural Resources (“DNR”); and

WHEREAS, in 2017 SPU discovered that the Original Sewer Line was damaged due to age and deterioration, and in need of immediate replacement; and

WHEREAS, following discovery of the damage, SPU removed the Original Sewer Line from service and decommissioned it in place; and

WHEREAS, DNR gave SPU permission for the installation of a new combined storm and sewage force main (the “New Sewer Line”), which crosses under and through the Shilshole Bay Waterway in a different location than the Original Sewer Line, on an emergency basis; and

WHEREAS, the Original Sewer Line easement granted by DNR and accepted by Ordinance 93655 does not include the location of the New Sewer Line, and therefore the City needed to acquire a new easement; and

WHEREAS, the State of Washington, acting through DNR, agreed to grant an easement for the New Sewer Line to the City; and

WHEREAS, SPU continues to be responsible for the Original Sewer Line, and thus the Original Sewer Line easement remains in full force and effect; and

WHEREAS, SPU deems it advisable and in the best interests of the City, SPU, and its customers to acquire the new easement attached to this ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The General Manager/CEO of Seattle Public Utilities, or the General Manager/CEO's authorized designee, is hereby authorized to accept for and on behalf of The City of Seattle a new easement granted by the Washington State Department of Natural Resources for a combined storm and sewage force main, as legally described and depicted in Attachment 1 to this ordinance, and as recorded under King County Recording Number 20200226000918 and attached as Attachment 2 to this ordinance.

Section 2. The term of this easement is 30 years, beginning on the January 15, 2020, and ending on January 14, 2050, unless terminated sooner under the terms of the easement.

Section 3. The real property rights and interests conveyed by the easement referenced and accepted in this ordinance shall be placed under the jurisdiction of Seattle Public Utilities.

Section 4. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 5. 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 _____, 2022, and signed by
me in open session in authentication of its passage this _____ day of _____, 2022.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2022.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2022.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Legal Description and Map of Easement

Attachment 2 - DNR Easement