



Legislation Text

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File #: CB 118513, Version: 1

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to execute an agreement for the City to grant an easement for access purposes over a portion of the City's fee-owned transmission corridor at 14355 Linden Avenue North in Seattle, Washington, and to accept the release of an easement at said address; accepting payment for the true and full value of the easement being granted from Rise Properties (Woodland Pointe) Limited Partnership; and ratifying and confirming certain prior acts.

WHEREAS, The City of Seattle (City) owns by recorded deed a transmission corridor in the Northeast Quarter of the Northwest Quarter of Section 19, Township 26 North, Range 4 East, W.M., in Seattle, Washington, King County Tax Parcel Number 192604-9163; and

WHEREAS, Rise Properties (Woodland Pointe) Limited Partnership (Rise Properties) owns certain real property adjacent to the City-owned transmission corridor that is commonly known as 14355 Linden Avenue North in Seattle, Washington; and

WHEREAS, Rise Properties has requested that the City grant a permanent easement over a portion of the City-owned transmission corridor to provide vehicular and pedestrian access from Linden Avenue North to the Rise Properties property; and

WHEREAS, Rise Properties is the successor in interest and owner of an easement over a portion of the City-owned transmission corridor that is no longer needed and which Rise Properties has requested to release to the City in partial payment for the requested easement; and

WHEREAS, the City Light Department has determined that the easement requested by Rise Properties is an acceptable use of the transmission corridor in accordance with City Light's real property use standards,

will not interfere with City Light operations, and is excess to City utility needs; and

WHEREAS, Rise Properties will pay the City the fair market value for the easement being granted by the City, less the fair market value for the easement being released to the City, in the amount of \$23,500; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Pursuant to the provisions of R.C.W. 35.94.040 and after public hearing, certain real property rights (the "Easement Area"), described in Exhibit B to Attachment 1 attached hereto, acquired for an electrical transmission corridor, are no longer needed exclusively for The City of Seattle's utility purposes.

Section 2. The General Manager and Chief Executive Officer of the City Light Department, or his designee, is authorized to execute for and on behalf of The City of Seattle, an Easement Agreement substantially in the form attached hereto as Attachment 1, and to accept on behalf of The City of Seattle a Release of Easement substantially in the form attached hereto as Attachment 2.

Section 3. The City Light Department is authorized to accept payment for the easement being granted to Rise Properties (Woodland Pointe) Limited Partnership, in the amount of \$23,500 and to deposit the proceeds in the City Light Fund.

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 \_\_\_\_\_, 2015, and signed by me in open session in authentication of its passage this

\_\_\_\_ day of \_\_\_\_\_, 2015.

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

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

\_\_\_\_\_  
Edward B. Murray, Mayor

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

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Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1: Easement Agreement

Exhibit A to Attachment 1: Legal Description of Grantor's Property

Exhibit B to Attachment 1: Legal Description of Easement Area

Exhibit C to Attachment 1: Depiction of Easement Area

Exhibit D to Attachment 1: Legal Description of Grantee's Property

Attachment 2: Release of Easement