



Legislation Text

File #: CB 119210, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to water facility easements within the City of Seattle as being surplus to City utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and to accept new easements for City-owned water facilities; placing the real property rights and interests conveyed by the easements under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

WHEREAS, certain property improvements were built or have been planned to be built by various property owners and customers of Seattle Public Utilities (SPU) within the easements originally granted to The City of Seattle (City) for water purposes; and

WHEREAS, the City, acting by and through SPU, has determined that all or portions of the water lines and facilities may be relocated to accommodate property improvement construction of its customers; and

WHEREAS, the City has also determined the following existing water facility easements are surplus to the City's needs:

The water service easement that was not accepted by the City pursuant to an ordinance and is recorded under Recording Number 20150922000678; and

The easement agreement that was accepted by the City pursuant to Ordinance 120493 and is recorded under Recording Number 9710080327.

WHEREAS, easements are required from customers that benefit the City to allow for the installation, maintenance and operation of replacement or affected existing water service facilities; and

WHEREAS, SPU has determined that the interests of the City, the Utility, and its customers are best served by relinquishing the existing water facility easements and accepting new easements to accommodate the relocated or affected existing water 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 public hearing, portions of certain existing easements, as set forth and legally described within Attachment 1 to this ordinance, to construct, maintain and operate water utilities in the City of Seattle are hereby declared no longer required for municipal utility purposes and are surplus to The City of Seattle's utility needs.

Section 2. The Director of Seattle Public Utilities, or the Director's designee, is hereby authorized to execute, on behalf of The City of Seattle, the relinquishment of all or portions of easement property rights and interests set forth and legally described in Attachment 1 to this ordinance.

Section 3. The City of Seattle hereby accepts the easements granted to The City of Seattle for water facilities over, under, across, and upon the real property generally described below and legally described in Attachment 2 to this ordinance.

Grantor: Greenbelt Station LLC, a Washington limited liability company, grants and conveys a water service easement to the City in the vicinity of South Trenton Street and 42nd Avenue South, Seattle, Washington, as recorded under King County Recording No. 20160209001186.

Grantor: CamWest Hazelwood LLC, a Washington limited liability company, grants and conveys a culvert easement to the City in the vicinity of 177th Place Northeast and Northeast 113th Way, Redmond, Washington, as recorded under King County Recording No. 20090115000616.

Section 4. The real property rights and interests conveyed by the easements referenced and accepted in this ordinance shall be placed under the jurisdiction of Seattle Public Utilities.

Section 5. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 6. 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 _____, 2018, and signed by me in open session in authentication of its passage this _____ day of _____, 2018.

President _____ of the City Council

Approved by me this _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment 1 - Descriptions of Relinquished Easements

Attachment 2 - Descriptions of Retired Easements