



Legislation Text

File #: CB 119185, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of real property commonly known as 3656 34th Avenue South; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; authorizing acquisition by condemnation; and ratifying and confirming certain prior acts.

WHEREAS, the City Council passed Ordinance 124468 in 2014, authorizing an interlocal agreement between

The City of Seattle and the Seattle Park District (“Interlocal Agreement”), which included the *Seattle Park District Financial Plan: 2015-2020*; and

WHEREAS, the *Seattle Park District Financial Plan: 2015-2020* includes the Park Land Acquisition and Leverage Fund, which is to be used to acquire park lands; and

WHEREAS, The City of Seattle, acting under the authorization of Ordinances 123709 and 124868, acquired and assembled approximately 0.75 acres in 2011 and 2016 for the development of a future park; and

WHEREAS, the Department of Parks and Recreation has determined the acquisition of the subject real property will improve its as-yet undeveloped park, located adjacent to the subject real property; NOW,

THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Acquisition of the following described real property for open space, park, and recreation purposes is for a public use, and public interest, convenience and necessity require that the following described real property, situated in the City of Seattle, County of King, State of Washington, and commonly known as the property at 3656 34th Avenue South (“Property”), together with all rights, privileges, and other property

pertaining thereto, be acquired for open space, park, and recreation purposes:

LOTS 11 AND 12, BLOCK 44, C.D. HILLMAN'S RAINIER BOULEVARD GARDEN ADDITION TO THE CITY OF SEATTLE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 12 OF PLATS, PAGE 65, IN KING COUNTY, WASHINGTON.

Section 2. The Superintendent of Parks and Recreation, or the Superintendent's designee, is authorized, on behalf of The City of Seattle, to negotiate and enter into an agreement to acquire the Property for a purchase price equivalent to just compensation, and to accept a deed for the Property by attaching to the deed the Superintendent's written acceptance thereof, and recording the same. The Property shall be accepted for open space, park, and recreation purposes, and placed under the jurisdiction of the Department of Parks and Recreation. The Superintendent of Parks and Recreation, or the Superintendent's designee, is also authorized to make minor amendments to the above legal description as may be necessary to correct scrivener's errors or to conform the legal description to the precise boundaries of the property required for the project.

Section 3. The Seattle City Attorney, or the City Attorney's designee, on behalf of The City of Seattle, is authorized to commence and prosecute proceedings in the manner provided by law to condemn, take, damage, and appropriate the Property in fee simple, after just compensation has been made or paid into court for the owners thereof, in the manner provided by law; and to stipulate for the purposes of minimizing damages.

Section 4. The entire cost of the acquisition provided for above shall be paid from the Park Land Acquisition and Leverage Fund, or from such general fund of The City of Seattle as may be provided by law.

Section 5. Any acts consistent with the authority of this ordinance taken after its passage and prior to its effective date are hereby 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)