



Legislation Details (With Text)

File #: CB 119011 **Version:** 1 **Name:** CB 119011
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 7/17/2017

Final Action: 7/21/2017 **Ord. No.** Ord 125353

Title: AN ORDINANCE relating to the Department of Transportation; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of The City of Seattle a statutory warranty deed for a portion of Tract 35A, Plat of High Point Community, recorded under King County Recording Number 20040413001567, situated in a portion of the Southwest quarter of Section 24, Township 24 North, Range 3 East and a portion of the Northwest quarter of Section 25, Township 24 North, Range 3 East, Willamette Meridian, from the Highpoint Natural Drainage Landscape, Open Space and Rights of Way Maintenance Association, a Washington non-profit corporation; placing the real property conveyed by such deed under the jurisdiction of the Seattle Department of Transportation and laying off as right-of-way; and ratifying and confirming certain prior acts.

Sponsors: Mike O'Brien

Indexes:

Attachments: 1. Att A - Statutory Warranty Deed, 2. Summary and Fiscal Note, 3. Summary Ex 1 - Vicinity Map of Acquisition Area, 4. Summary Ex 2 - Graphic of Stairway, 5. Presentation (7/7/17), 6. Signed Ordinance 125353, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
7/21/2017	1	City Clerk	attested by City Clerk	
7/21/2017	1	Mayor	returned	
7/21/2017	1	Mayor	Signed	
7/19/2017	1	City Clerk	submitted for Mayor's signature	
7/17/2017	1	City Council	passed	Pass
7/7/2017	1	Sustainability and Transportation Committee	pass	Pass
6/26/2017	1	City Council	referred	
6/22/2017	1	Council President's Office	sent for review	
6/21/2017	1	City Clerk	sent for review	
6/21/2017	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Department of Transportation; authorizing the Director of the Department of Transportation to acquire, accept, and record on behalf of The City of Seattle a statutory warranty deed for a portion of Tract 35A, Plat of High Point Community, recorded under King County Recording Number 20040413001567, situated in a portion of the Southwest quarter of Section 24, Township 24

North, Range 3 East and a portion of the Northwest quarter of Section 25, Township 24 North, Range 3 East, Willamette Meridian, from the Highpoint Natural Drainage Landscape, Open Space and Rights of Way Maintenance Association, a Washington non-profit corporation; placing the real property conveyed by such deed under the jurisdiction of the Seattle Department of Transportation and laying off as right-of-way; and ratifying and confirming certain prior acts.

WHEREAS, in June of 1963, citizens of West Seattle requested that The City of Seattle provide pedestrian access through a wooded hillside area from the High Point area of West Seattle to the Louisa Boren Junior High School at Delridge Way Southwest and Southwest Graham Street due to safety concerns for the students attending the school, which opened in September of 1963 and closed in June of 1981; and

WHEREAS, to that end, in August of 1963, Ordinance 92301 authorized the appropriation and acquisition of property necessary to improve Southwest Graham Street between High Point Drive Southwest and Delridge Way Southwest, including but not limited to the construction of walkways and a stairway (“Stairway”) to improve pedestrian access (“Project”); and

WHEREAS, at that time, a portion of the property necessary for this Project had already been acquired by The City of Seattle in 1954 as authorized under Ordinance 83104 and placed under the jurisdiction of the Building Department (now known as the Department of Construction and Inspections), which was subsequently transferred to the Department of Engineering (now known as the Department of Transportation) in October of 1963 under Ordinance 92435 the (“TJO Property”); and

WHEREAS, in November of 1963, Ordinance 92506 accepted a deed for the remainder of the property necessary for the Project, placed it under the jurisdiction of the Seattle Department of Transportation and laid it off as right-of-way to extend Southwest Graham Street (“Property”); and

WHEREAS, the Stairway was built on the Property and the TJO Property in 1970 and consists of six stair landings connecting the High Point neighborhood to the Longfellow Creek Trail with the upper end of the Stairway starting at High Point Drive Southwest and the lower end ending at 26th Avenue Southwest; and

WHEREAS, in March of 2004, Ordinance 121404 was passed which, among other things, vacated streets including the Property, and approved a new plat for the Seattle Housing Authority’s (SHA) High Point

redevelopment project; and

WHEREAS, SHA subsequently recorded the Plat of High Point Community under King County Recording Number 20040413001567; and

WHEREAS, in 2008, the Property was deeded to the High Point Natural Drainage Landscape, Open Space, and Rights of Way Maintenance Association, under King County Recording Number 20080327002167, as required under the Declaration of Covenants, Conditions and Restrictions for High Point Community Homeowners, recorded under King County Recording Number 20040413001569, as amended, which is the organization tasked with maintaining the Stairway; and

WHEREAS, the City now considers it to be in the best public interest to transfer the Property back to the City for purposes of maintaining the Stairway; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Statutory Warranty Deed executed by the Highpoint Natural Drainage Landscape, Open Space and Rights of Way Maintenance Association, a Washington non-profit corporation, on November 14, 2016, as Grantor, recorded under King County Recording Number 20170130000168 on January 30, 2017, and legally described in Attachment A to this ordinance, is hereby accepted.

Section 2. The property conveyed by the deed described in Section 1 of this ordinance is placed under the jurisdiction of the Seattle Department of Transportation and laid off, opened, widened, extended, and established as right-of-way upon the land described in the deed.

Section 3. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 4. 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 _____, 2017, and signed by

me in open session in authentication of its passage this ____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Edward B. Murray, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment A - Statutory Warranty Deed