



Legislation Details (With Text)

File #: CB 119639 **Version:** 1 **Name:** CB 119639
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 9/30/2019
Final Action: 10/11/2019 **Ord. No.** Ord 125955

Title: AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights to be surplus to the needs of Seattle Public Utilities; and authorizing the General Manager/CEO of Seattle Public Utilities to execute an easement agreement with Little Green Valley, LLC, a Washington limited liability company; Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint; The Heirs of Charles Eugene Flint; and Joan H. Zimmerman, allowing the use of certain City of Seattle property in the north half of the southwest quarter of Section 5, Township 22 North, Range 6 East, W.M., in King County Washington for access purposes.

Sponsors: Lisa Herbold

Indexes:

Attachments: 1. Att 1 – Utility Easement and Agreement, 2. Summary and Fiscal Note, 3. Summary Ex A – Vicinity Map, 4. Summary Ex B – Aerial Photo of Easement, 5. Presentation, 6. Signed Ordinance 125955, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
10/11/2019	1	City Clerk	attested by City Clerk	
10/11/2019	1	Mayor	returned	
10/4/2019	1	Mayor	Signed	
10/3/2019	1	City Clerk	submitted for Mayor's signature	
9/30/2019	1	City Council	passed	Pass
9/24/2019	1	Civil Rights, Utilities, Economic Development, and Arts Committee	pass	Pass
9/16/2019	1	City Council	referred	
8/29/2019	1	Council President's Office	sent for review	
8/20/2019	1	City Clerk	sent for review	
8/20/2019	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights to be surplus to the needs of Seattle Public Utilities; and authorizing the General Manager/CEO of Seattle Public Utilities to execute an easement agreement with Little Green Valley, LLC, a Washington limited liability company; Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint; The Heirs of Charles Eugene Flint; and Joan H. Zimmerman, allowing the use of certain City of Seattle property in the north half of the southwest quarter of Section 5, Township 22

North, Range 6 East, W.M., in King County Washington for access purposes.
WHEREAS, The City of Seattle owns or has an easement over a 120-foot wide tract of land commonly known as the Cedar River Pipeline Right of Way and SE Pipeline Road adjacent to Peterson Lake in King County, Washington; and

WHEREAS, Little Green Valley, LLC, a Washington limited liability company, Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint; The Heirs of Charles Eugene Flint; and Joan H. Zimmerman (collectively “Neighboring Owners”), own certain property to the north and east of the City of Seattle’s SE Pipeline Road right-of-way; and

WHEREAS, the Neighboring Owners have asserted certain rights to use the road as set forth in their lawsuit filed in King County Superior Court, and they have also requested that Seattle Public Utilities grant without warranty an easement for access purposes to the Neighboring Owners’ adjacent property; and

WHEREAS, Seattle Public Utilities supports granting the Neighboring Owners’ access easement request;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. After a public hearing and pursuant to the provisions of RCW 35.94.040, those non-exclusive access rights described and depicted in the easement agreement attached to this ordinance as Attachment 1 are declared to be no longer required for public utility service and surplus to the City’s needs.

Section 2. Upon receipt of payment in the amount of \$3,500, the General Manager/CEO of Seattle Public Utilities, or designee, is authorized to execute and grant, without warranty, to Little Green Valley, LLC, a Washington limited liability company, Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint; The Heirs of Charles Eugene Flint; and Joan H. Zimmerman (collectively “Neighboring Owners”), or to their successors or assigns as approved by the General Manager/CEO of Seattle Public Utilities, for and on behalf of The City of Seattle, a non-exclusive easement agreement, substantially in the form of Attachment 1 to this ordinance, for the purpose of ingress and egress.

Section 3. 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 _____, 2019, and signed by me in open session in authentication of its passage this _____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:
Attachment 1 - Utility Easement and Agreement