



Legislation Details (With Text)

File #: CB 120126 **Version:** 1 **Name:** CB 120126
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 7/26/2021

Final Action: 7/30/2021 **Ord. No.** Ord 126397

Title: AN ORDINANCE relating to Seattle Parks and Recreation; authorizing an exchange of City-owned property at Walt Hundley Playfield for property owned by Seattle School District No. 1 adjacent to West Seattle Elementary School; authorizing execution, acceptance, and recording of quitclaim deeds; authorizing an interlocal agreement ensuring public outdoor recreation use of a portion of property deeded to Seattle Public Schools; and finding that the land exchange meets the requirements of Ordinance 118477, which adopted Initiative 42; and ratifying and confirming certain prior acts.

Sponsors: Debora Juarez

Indexes:

Attachments: 1. Att A – Interlocal Agreement, 2. Att B – Quitclaim Deed for Conveyance from School District to City, 3. Att C – Quitclaim Deed for Conveyance from City to School District, 4. Summary and Fiscal Note, 5. Summary Att 1 – Depiction of Exchange Parcels, 6. Signed Ordinance 126397, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
7/30/2021	1	City Clerk	attested by City Clerk	
7/30/2021	1	Mayor	returned	
7/30/2021	1	Mayor	Signed	
7/30/2021	1	City Clerk	submitted for Mayor's signature	
7/26/2021	1	City Council	passed	Pass
7/19/2021	1	City Council	referred	
7/6/2021	1	Council President's Office	sent for review	
6/29/2021	1	City Clerk	sent for review	
6/29/2021	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle Parks and Recreation; authorizing an exchange of City-owned property at Walt Hundley Playfield for property owned by Seattle School District No. 1 adjacent to West Seattle Elementary School; authorizing execution, acceptance, and recording of quitclaim deeds; authorizing an interlocal agreement ensuring public outdoor recreation use of a portion of property deeded to Seattle Public Schools; and finding that the land exchange meets the requirements of Ordinance 118477, which adopted Initiative 42; and ratifying and confirming certain prior acts.

WHEREAS, the City of Seattle (“City”) owns property commonly known as Walt Hundley Playfield; and

WHEREAS, Seattle School District No.1 (“District”) owns property commonly known as West Seattle Elementary School, which is adjacent to the Walt Hundley Playfield; and

WHEREAS, the City constructed a soccer field, with the knowledge of the District, on a portion of the West Seattle Elementary School property; and

WHEREAS, the School District, with the knowledge of the City, uses a portion of the Walt Hundley Playfield property for school uses; and

WHEREAS, in 1978 the City applied for and was awarded Washington State Interagency Committee for Outdoor Recreation (now Recreation Conservation Office) funds to develop sports fields, the long-term obligation of the funding being a requirement that the sports field be held permanently for public outdoor recreation use; and

WHEREAS, the sports fields were constructed on both City- and School District-owned property; and

WHEREAS, in 1986 the City and the School District applied for a Boundary Line Adjustment to align property ownership with usage; and

WHEREAS, in 1987, the City and the School District recorded a Boundary Line Adjustment (“LBA”) under recording number 8706181576, but deeds were never exchanged; and

WHEREAS, the School District, assuming the LBA was effective, subsequently constructed a wing to the West Seattle Elementary School, a portion of which is on City property; and

WHEREAS, the City and the District desire to exchange equal-sized portions of the Walt Hundley property for the West Seattle Elementary property to accurately reflect ownership of existing improvements; and

WHEREAS, the parcels proposed for exchange have been appraised, and

WHEREAS, the District and City have determined, after thorough discussion, that the best interests of both parties and the constituents they represent would be to exchange equal portions of the adjacent parcels; and

WHEREAS, in order for the land exchange to take place it is necessary for the City and the School District to cooperate to record a new Lot Boundary Adjustment and exchange deeds; and

WHEREAS, time is of the essence due to the School District's construction timeline for renovation of the West Seattle Elementary School, which is necessary to serve a rapidly growing school population, and which includes adding a new wing to a portion of the area it will acquire in the land exchange; and

WHEREAS, the proposed exchange of property will replace existing land held for park and recreation purposes with land of equivalent size, value, location, and usefulness in the vicinity, serving the same community and the same park purposes, same size, utility and value in the same location and serving the same purposes; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Council finds that the proposed exchange of property meets all of the requirements of Ordinance 118477, which requires that no land held for park and recreation purposes is to be sold, transferred, or changed from park use unless there is no reasonable and practical alternative and the City of Seattle receives in exchange land of equivalent or better size, value, location, and usefulness in the vicinity, serving the same community and the same park purposes.

Section 2. The Superintendent of Parks and Recreation ("Superintendent"), or designee, is authorized to acquire on behalf of the City of Seattle the below-described real property owned by the School District (the "West Seattle Elementary Property") for park and recreation purposes in exchange for the real property described in Section 4 of this ordinance:

COMMENCING AT AN EXISTING ALUMINUM DISC IN CASE WITH PUNCH (VISITED 7/23/2019) AT THE INTERSECTION OF SOUTHWEST MYRTLE STREET AND 34TH AVENUE SOUTHWEST; THENCE EASTERLY, ALONG THE MONUMENT LINE OF SOUTHWEST MYRTLE STREET, SOUTH 88°29'04" EAST, 30.00 FEET; THENCE LEAVING SAID MONUMENT LINE, NORTH 02°04'31" EAST, 30.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY MARGIN OF SAID MYRTLE STREET AND THE EAST RIGHT-OF-WAY MARGIN OF 34TH AVENUE SOUTHWEST; THENCE ALONG SAID EAST MARGIN, NORTH 02°04'31" EAST, 622.20 FEET; THENCE LEAVING SAID EAST MARGIN, SOUTH 88°21'29" EAST, 232.28 FEET; THENCE SOUTH 02°02'31" WEST, 199.73 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE SOUTH 87°57'29" EAST, 195.80 FEET;

THENCE SOUTH 02°02'31" WEST, 181.28 FEET;
THENCE NORTH 87°57'31" WEST, 195.80 FEET;
THENCE NORTH 02°02'31" EAST, 181.28 FEET TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 35,495 SQUARE FEET, MORE OR LESS.

Section 3. Upon delivery of the signed interlocal agreement, substantially in the form of Attachment A to this ordinance, and signed quitclaim deed for the West Seattle Elementary Property, substantially in the form of Attachment B to this ordinance, the Superintendent, or designee, is authorized, on behalf of the City of Seattle, to accept the deed for park and recreation purposes, by attaching to the deed the written acceptance thereof, and to record the same in the King County Recorder's Office. Upon recording the deed, the West Seattle Elementary property shall be under the jurisdiction of Seattle Parks and Recreation.

Section 4. Upon receipt of the quitclaim deed for the West Seattle Elementary property and the interlocal agreement signed by Seattle School District No. 1, a Washington municipal organization ("School District"), the Superintendent, or designee, is authorized to sign the interlocal agreement and sign and convey a quitclaim deed, substantially in the form of Attachment C to this ordinance, to the School District, for the following described property (the "Walt Hundley Property") in exchange for the West Seattle Elementary Property described in Section 1 of this ordinance:

COMMENCING AT AN EXISTING ALUMINUM DISC IN CASE WITH PUNCH (VISITED 7/23/2019) AT THE INTERSECTION OF SOUTHWEST MYRTLE STREET AND 34TH AVENUE SOUTHWEST;
THENCE EASTERLY, ALONG THE MONUMENT LINE OF SOUTHWEST MYRTLE STREET, SOUTH 88°29'04" EAST, 30.00 FEET;
THENCE LEAVING SAID MONUMENT LINE, NORTH 02°04'31" EAST, 30.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY MARGIN OF SAID MYRTLE STREET AND THE EAST RIGHT-OF-WAY MARGIN OF 34TH AVENUE SOUTHWEST;
THENCE ALONG SAID EAST MARGIN, NORTH 02°04'31" EAST, 622.20 FEET;
THENCE LEAVING SAID EAST MARGIN, SOUTH 88°21'29" EAST, 232.28 FEET;
THENCE SOUTH 02°02'31" WEST, 199.73 FEET;
THENCE SOUTH 87°57'29" EAST, 195.80 FEET;
THENCE NORTH 02°02'31" EAST, 302.92 FEET TO THE **TRUE POINT OF BEGINNING**;
THENCE SOUTH 88°16'42" EAST, 250.08 FEET MORE OR LESS TO WESTERLY RIGHT-OF-WAY MARGIN OF 31ST AVENUE SOUTHWEST AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS OF WHICH BEARS NORTH 73°07'08" EAST, 386.80 FEET;
THENCE NORTHERLY ALONG SAID CURVE AND WESTERLY MARGIN THROUGH A CENTRAL ANGLE OF 18°50'16", AN ARC LENGTH OF 127.17 FEET (CHORD BEARING NORTH 07°27'44" WEST, 126.60 FEET);
THENCE CONTINUING ALONG SAID WESTERLY MARGIN, NORTH 01°57'24" WEST, 26.48 FEET;

THENCE LEAVING SAID WESTERLY MARGIN NORTH 88°27'22" WEST, 229.15 FEET;
THENCE SOUTH 02°02'31" WEST, 150.75 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 35,495 SQUARE FEET, MORE OR LESS.

Section 5. The Superintendent, or designee, is authorized to execute such other documents as deemed necessary or desirable to complete the exchange of property described in Sections 2, 3, and 4 of this ordinance and consistent with this ordinance, including the approved Lot Boundary Adjustment.

Section 6. Any act consistent with the authority of this ordinance taken prior to its effective date is ratified and confirmed.

Section 7. 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 10 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 _____, 2021, and signed by me in open session in authentication of its passage this ____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A - Interlocal Agreement

Attachment B - Quitclaim Deed for Conveyance from School District to City

Attachment C - Quitclaim Deed for Conveyance from City to School District