



Legislation Details (With Text)

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Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk
On agenda: 8/9/2021
Final Action: 8/12/2021 **Ord. No.** Ord 126417

Title: AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Beeson, Brecht, Chen, Crosson, Fresonke, Judd, Marsall, McElfresh (two properties), Metzler and De Llaguno, and Rasmussen properties in Skagit County, Washington, and the Ring Family Limited Partnership property in Snohomish County, all for salmonid habitat protection purposes; declaring certain real property rights surplus and no longer required for providing public utility service or other municipal purposes, and ratifying the grants of Deeds of Right to the State of Washington on the Beeson, Brecht, Chen, Fresonke, Judd, Marblemount LLC, McElfresh properties, and Rasmussen for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

Sponsors: Alex Pedersen

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| Date | Ver. | Action By | Action | Result |
|-----------|------|--|---------------------------------|--------|
| 8/12/2021 | 1 | City Clerk | attested by City Clerk | |
| 8/12/2021 | 1 | Mayor | returned | |
| 8/12/2021 | 1 | Mayor | Signed | |
| 8/12/2021 | 1 | City Clerk | submitted for Mayor's signature | |
| 8/9/2021 | 1 | City Council | passed | Pass |
| 8/4/2021 | 1 | Transportation and Utilities Committee | pass | Pass |
| 8/2/2021 | 1 | City Council | referred | |
| 7/20/2021 | 1 | Council President's Office | sent for review | |
| 7/13/2021 | 1 | City Clerk | sent for review | |

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Beeson, Brecht, Chen, Crosson, Fresonke, Judd, Marsall, McElfresh (two properties), Metzler and De Llaguno, and Rasmussen properties in Skagit County, Washington, and the Ring Family Limited Partnership property in Snohomish County, all for salmonid habitat protection purposes; declaring certain real property rights surplus and no longer required for providing public utility service or other municipal purposes, and ratifying the grants of Deeds of Right to the State of Washington on the Beeson, Brecht, Chen, Fresonke, Judd, Marblemount LLC, McElfresh properties, and Rasmussen for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 121114 authorized the General Manager and Chief Executive Officer of Seattle City Light, within and subject to appropriation authority and based on appraised market value, to negotiate for and purchase parcels of land in the Skagit River and the Tolt/Snoqualmie River watersheds in furtherance of The City of Seattle’s Endangered Species Act Early Action Program for salmon habitat conservation, which was approved by Resolution 29905; and

WHEREAS, under authority of Ordinance 121114, the City Light Department (“City Light”) acquired the Beeson, Brecht, Chen, Crosson, Fresonke, Judd, Marsall, McElfresh, Metzler and De Llaguno, and the Ring Family Limited Partnership properties in the Skagit River watershed; and

WHEREAS, City Light’s purchase of the Brecht, Chen, Judd, Metzler and De Llaguno, and the Ring Family Limited Partnership properties in the Skagit River watershed were counted as match towards the Salmon Recovery Funding Board (“SRFB”) Grants used for purchases under the Early Action Program in 2018, 2019, and 2020; and

WHEREAS, RCW 35.94.040 requires a public hearing before lands and property rights originally purchased by a city for utility purposes can be conveyed; and

WHEREAS, the SRFB Grants to The City of Seattle require City Light to convey Deeds of Right to the State of Washington, which includes conditions for purposes of salmon recovery and conservation under which

properties purchased with grant funds may be used or sold; however, the conditions contained in the Deeds of Right are consistent with the purpose of The City of Seattle's Early Action Program; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Statutory Warranty Deed executed by Lealand Lee Beeson on July 10, 2019, as Grantor, recorded under Skagit County Auditor's File Number 201907120079, a copy of which is included as Attachment 1, conveying approximately 0.43 acres located along Gilligan Creek to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on June 24, 2019, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201907120080, a copy of which is included as Attachment 2, is hereby ratified in fulfillment of SRFB Grant, Project Number 16-1647A.

Section 2. The Statutory Warranty Deed executed by Carl J. Brecht on June 25, 2019, as Grantor, recorded under Skagit County Auditor's File Number 201907050074, a copy of which is included as Attachment 3, conveying approximately 23 acres located along the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on December 31, 2019, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 202001160090, a copy of which is included as Attachment 4, is hereby ratified in fulfillment of SRFB Grant, Project Number 16-1647A.

Section 3. The Statutory Warranty Deed executed by Timothy T.K. Chen and Theresa M. Chen, Trustees of the Chen Living Trust on May 18, 2020, as Grantors, recorded under Skagit County Auditor's File Number 202005270030, a copy of which is included as Attachment 5, conveying approximately 5 acres located along the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed

under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on June 19, 2020, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 202009020076, a copy of which is included as Attachment 6, is hereby ratified in fulfillment of SRFB Grants, Project Number 16-1647A, Project Number 18-1502C, and Project Number 18-2117C.

Section 4. The Statutory Warranty Deed executed by Donald L. Crosson and Carol L. Crosson on November 22, 2019, as Grantors, recorded under Skagit County Auditor's File Number 201911260057, a copy of which is included as Attachment 7, conveying approximately 1.09 acres located on the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department.

Section 5. The Statutory Warranty Deed executed by Henry J. Fresonke, Sharon M. Roberts, and Tami G. Baden on October 13, 2020, and Theresa Steele on October 12, 2020, as Grantors, recorded under Skagit County Auditor's File Number 202010140098, a copy of which is included as Attachment 8, conveying approximately 28 acres located along the Sauk River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on March 31, 2021, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 202104090117, a copy of which is included as Attachment 9, is hereby ratified in fulfillment of SRFB Grant, Project Number 16-1647A.

Section 6. The Statutory Warranty Deed executed by Fredrick L. Judd and Terri L. Judd on December 13, 2019, as Grantor, recorded under Skagit County Auditor's File Number 201912200044, a copy of which is included as Attachment 10, conveying approximately 4.3 acres located along Pressentin Creek to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said

property executed by the City Light Department on December 31, 2019, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 202001160091, a copy of which is included as Attachment 11, is hereby ratified in fulfillment of SRFB Grant, Project Number 16-1647A.

Section 7. The Statutory Warranty Deed executed by Shawn R. Marsall and Jennifer A. Marsall on July 27, 2018, as Grantors, recorded under Skagit County Auditor's File Number 201807310117, a copy of which is included as Attachment 12, conveying approximately 0.5 acres located near the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department.

Section 8. The Statutory Warranty Deed executed by Stephen D. McElfresh and Valerie Sue McElfresh on December 15, 2017, as Grantor, recorded under Skagit County Auditor's File Number 201801110039, a copy of which is included as Attachment 13, conveying approximately 5.5 acres located along the Suiattle River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on December 27, 2017, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201801110040, a copy of which is included as Attachment 14, is hereby ratified in fulfillment of SRFB Grant, Project Number 16-1647A.

Section 9. The Statutory Warranty Deed executed by Stephen D. McElfresh and Valerie Sue McElfresh on April 5, 2019, as Grantor, recorded under Skagit County Auditor's File Number 201904290089, a copy of which is included as Attachment 15, conveying approximately 10.9 acres located along the Suiattle River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on April 10, 2019, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 201904290090, a copy of which is included as Attachment 16, is hereby ratified in fulfillment of SRFB Grant, Project Number 16-1647A.

Section 10. The Statutory Warranty Deed executed by Stephen Metzler and Almudena De Llaguno on November 9, 2018, as Grantor, recorded under Skagit County Auditor's File Number 201811160098, a copy of which is included as Attachment 17, conveying approximately 61 acres located along the Skagit River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on March 31, 2021, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 202104090119, a copy of which is included as Attachment 18, is hereby ratified in fulfillment of SRFB Grants, Project Numbers 16-1647A, 16-2804, 18-2617, and 20-1326.

Section 11. The Statutory Warranty Deed executed by Gene R. Rasmussen on February 28, 2020, as Grantor, recorded under Skagit County Auditor's File Number 202002280114, a copy of which is included as Attachment 19, conveying approximately 3.5 acres located along the Cascade River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department, and pursuant to RCW 35.94.040 and after public hearing, the Deed of Right for said property executed by the City Light Department on February 11, 2020, as Grantor and State of Washington as Grantee, recorded under Skagit County Auditor's File Number 202002280116, a copy of which is included as Attachment 20, is hereby ratified in fulfillment of SRFB Grant, Project Number 16-1647A.

Section 12. The Statutory Warranty Deed executed by Riley Fogarty, Vice President and Authorized Agent of Ring Family Limited Partnership, and Monica Zuckett, Treasurer and Authorized Agent of Ring Family Limited Partnership, on December 23, 2020, as Grantor, recorded under Snohomish County Auditor's File Number 202012310107, a copy of which is included as Attachment 21, conveying approximately 133 acres located on the Sauk River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under the jurisdiction of the City Light Department.

Section 13. Any act consistent with the authority of this ordinance taken prior to its effective date is

ratified and confirmed.

Section 14. 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 _____, 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 1 - Statutory Warranty Deed for Beeson

Attachment 2 - Deed of Right to Use Land for Salmon Recovery Purposes for Beeson

Attachment 3 - Statutory Warranty Deed for Brecht

Attachment 4 - Deed of Right to Use Land for Salmon Recovery Purposes for Brecht

- Attachment 5 - Statutory Warranty Deed for Chen
- Attachment 6 - Deed of Right to Use Land for Salmon Recovery Purposes for Chen
- Attachment 7 - Statutory Warranty Deed for Crosson
- Attachment 8 - Statutory Warranty Deed for Fresonke
- Attachment 9 - Deed of Right to Use Land for Salmon Recovery Purposes for Fresonke
- Attachment 10 - Statutory Warranty Deed for Judd
- Attachment 11 - Deed of Right to Use Land for Salmon Recovery Purposes for Judd
- Attachment 12 - Statutory Warranty Deed for Marsall
- Attachment 13 - Statutory Warranty Deed for McElfresh
- Attachment 14 - Deed of Right to Use Land for Salmon Recovery Purposes for McElfresh
- Attachment 15 - Statutory Warranty Deed for McElfresh
- Attachment 16 - Deed of Right to Use Land for Salmon Recovery Purposes for McElfresh
- Attachment 17 - Statutory Warranty Deed for Marblemount
- Attachment 18 - Deed of Right to Use Land for Salmon Recovery Purposes for Marblemount
- Attachment 19 - Statutory Warranty Deed for Rasmussen
- Attachment 20 - Deed of Right to Use Land for Salmon Recovery Purposes for Rasmussen
- Attachment 21 - Statutory Warranty Deed for Ring