

EXCESS PROPERTY DESCRIPTION

December 17, 2013

The Department of Finance and Administrative Services, as the Jurisdictional Department of this City owned property has identified the following information about this excess property.

Property Name: (FAS Portion of) Danny Woo Community Garden

Property Management Number: (PMA): 61

Property Location: 620 South Main Street

Legal Description: Lot 5, Block 43, Plat of Town of Seattle, commonly known as D.S Maynard's Plat of Seattle as recorded in Volume 1 of Plats, Page 23 Records of King County Washington, including the easterly 8 feet of the vacated alley.

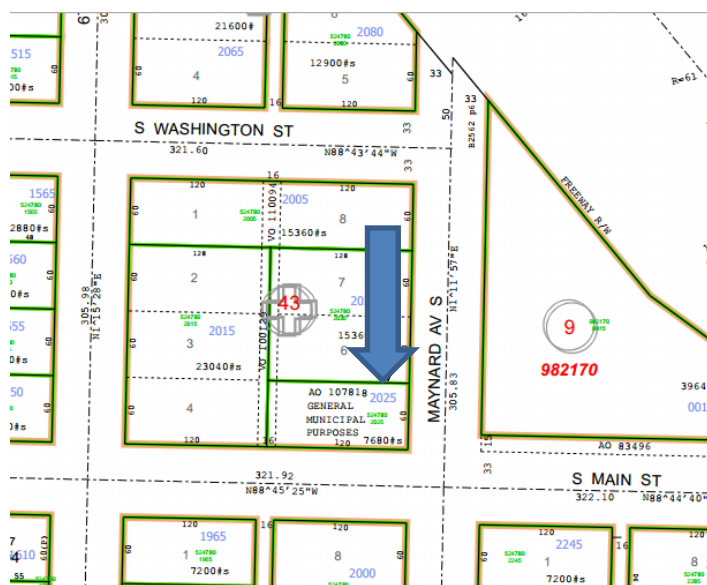
Tax parcel I. D. Number: 524780-2025

King County assessed value: \$7,600 (2013 King County Assessor Information)*

*Change to state law (RCW 84. 40.045 and 84.40.175) by the 2013 Legislature eliminated revaluation of government owned parcels.

Size: 7,600 square feet (King County Assessor)

Zoning: IDR 150, Contains steep slope areas, located in Urban Village and International Special Review District and Downtown Fire District.



Map :

History:

In May of 1939 the City of Seattle, paid Alice Schwartz \$3,093.26 to settle a judgment against the City of Seattle, and upon payment, Alice Schwartz delivered the property free of any claims to the City of Seattle. In June of 1939 the City council determined the property was not needed or useful for municipal purposes, and agreed to sell the property back to Alice Schwartz for \$2,250, with an agreement that City is released for "all claims or damages to said property on account of slides". In October of 1939, the City Council passed an ordinance abrogating the sale of the property to Alice Schwartz, as she did not want to purchase the property.

A 1964 appraisal indicates that the highest and best use of the property was for parking as the previous houses had been removed. The value of the land was determined to be \$3,360.

In 1969 the International District Improvement Associations was established with the provisos to encourage the development and improvement of that area known as the International District of Seattle. The founding article specifies that in the event of liquidation of the corporation, the net assets of the corporation would be distributed to the Model Cities program or another non-profit organization that have same purposes of the International District Improvement Association

In 1971 Daniel Woo petitioned the City Council to vacate a portion of the alley on the west side of the property. The City as the property owner adjacent to the alley received ownership of the adjacent half of the alley.

In 1978 the City of Seattle accepted the deed from the estate of Alice Schwartz for the property.

In 1979 the City Council supported efforts of the Seattle Chinatown International Development Association (SCIDPA) to increase community garden space in the international district.

In 1980 a ten year lease with provision for an additional ten years was signed with the SCIDPA, which allowed a property management being performed as a subtenant under an agreement with InterIm CDA. Ordinance 108922 specified that SCIPDA provide public services to the City would be equal or greater than value of the fair market rental value of the lease. In 1980 the property was valued at \$46,000, with annual rate of return of 8% would result in rental rate of \$3,680 per year. In 1980 a review of the estimated costs of the benefits provided by the SCIPD was \$9,000 per year.

In 2003 Seattle Parks and Seattle Department of Transportation entered into agreements which allowed InterIm CDA to use Parks and SDOT property in support of the Danny Woo Community Garden.

In 2007 Interim received a grant from the City to improve the Parks and SDOT portions of Danny Woo Community Gardens. InterIm CDA worked with the University of Washington on a design build project that improved a portion of the FAS managed property. A revocable use permit from FAS to InterIm CDA was issued to allow this work to be done.

In 2013 InterIm CDA requested that FAS allow the construction of a community kitchen building on the site to support the education program of the garden. Interim is working with the University of Washington to design and build this project. FAS has not granted this permit.

List of Documents

5/23/1939: Fee simple title transfer from Alice Schwartz to The City of Seattle , Recording Number AF 3047070, VOL 1843 PG 651.

5/24/1939: Superior Court of the State of Washington for King County, Alice Schwartz vs. City of Seattle, Cause No. 304531: Judgment, Vol. 141 Pg. 278

6/22/1939: [Ord. 69285](#), An ordinance relating to and providing for the sale and conveyance to Alice Schwartz of Lot 5, Block 43, D. S. Maynard's Addition to Seattle, and providing the manner of payment therefor. Repealed by Ord. 69543

10/23/1939: [Ord. 69543](#), An ordinance relating to and abrogating the sale to Alice Schwartz of Lot 5, Block 43, D. S. Maynard's Addition, and repealing Ordinance No. 69285.

7/29/1971: Ord. [100129](#), An ordinance vacating the Alley in Block 43, Plat of the Town of Seattle, as laid out by D. S. Maynard, on petition of Daniel Woo, et al.

11/27/1978: [Ord. 107818](#), An Ordinance accepting a deed from Alice Schwartz, a widow, to Lot 5, Block 43, of D.S. Maynard's Addition, for General Municipal purposes.

3/21/1980: [Ord. 108922](#), AN ORDINANCE authorizing a lease of certain general municipal property it South Main Street and Maynard Avenue South to the Seattle Chinatown-International District Preservation and Development Authority for a terraced community garden and landscaping for public enjoyment.

7/15/2007; Revocable Use Permit to Interim Community Development Association to allow the placement of benches walls, and trellis.

Acquisition Deeds: 5/23/1939, Fee simple/Fee title Transfer, From Alice Schwartz to The City of Seattle , Recording Number AF 3047070, VOL 1843 PG 651.

Acquisition Fund Source: General Fund

Jurisdictional Department's estimated market value:

\$7,600, based upon the value of the land with deed covenant restricting use to open park space. This value is derived and is comparable to the value estimated by the King County Assessor's office of the privately held Woo family owned property that is adjacent. Please note that due to a change in the law (RCW 84. 40.045 and 84.40.175) by the 2013 Legislature eliminated revaluation of government owned parcels. The value of the land will be determined by an appraisal with considerations of restrictive covenants.

Destination of funds upon sale: A portion to the Facility Services Sub-fund for expenses relating to sale of property, with any remainder to be deposited in the General Fund.

Current easements, covenants and restrictions: Revocable Use Permit for use by InterIm CDA for community garden as open space.

Recommended easements, covenants and restrictions upon Transfer: FAS proposes that the property be transferred with Covenants on the Deed stipulating that the property will perpetual used for the support of the community garden, with a covenant requiring the preservation and maintenance of the property's steep slopes. The property will be subject to easements that will include any existing drainage or utilities that are located on the property.

Potential problems with property and possible measures to mitigate their recurrence:

Parcel contains steep slopes and is adjacent to slopes that have previously moved.

