



DEDICATION OF RIGHT OF WAY OR EASEMENT

Last Revised 12/5/17

Planning for streets and utilities is a necessary part of developing property. Land owners provide the land needed for these facilities. When property is developed, the City of Seattle (City) may require owners to dedicate additional land for streets (right-of-way) or easements to meet City street and utility standards. This is accomplished through a dedication where the owner conveys certain rights to the City for the City's use of the land.

The Seattle Department of Construction and Inspection (SDCI) reviews and approves plans for land development and constructing buildings in the City of Seattle. The Seattle Department of Transportation (SDOT) Street Use Division reviews certain aspects of the plans for land development and constructing buildings, including transportation, sewage, and drainage. SDOT Real Property Services performs the environmental and title due diligence on dedications and prepares the deeds and easements for the dedications.

The Seattle Public Utilities Department (SPU) prepares sanitary sewer, storm drain, combined sewer, and water main easements when they are required in conjunction with any of the SPU's prepared easements. If the easement only involves SPU, submit the plan, application, legal description and title information directly to SPU. See the SPU publication, "Private Contract Water Main Projects," for special provisions.

PROCEDURES

SDOT's Real Property Services prepares the legal documents required for dedicating right-of-way. The property owner (applicant) should submit a letter of intent (www.seattle.gov/dpd/permits/forms/) as soon as possible so other City project approvals will not be delayed. Dedications are required to be complete before any development or construction permit is issued. The procedures are as follows:

1. The applicant shall provide a dedication letter of intent with a copy to the Street Use Project manager. The letter is addressed to the SDOT Street Improvement Permitting Section. This letter shall be signed by the legal property owner(s) and shall include the site address, legal description of the property, printed name of the owner(s), owner contact information, and name and contact information of any corporation or other entity that is acting on behalf of the owner.
2. The applicant shall also provide a copy of the plot plan for the project with each lot clearly shown and dimensioned. If a private contract plan is being reviewed for the project, a copy of the plan sheet showing the dedication area should be used instead of a plot plan.
3. The plan must show the property to be dedicated and if applicable, show easement boundaries, and give the dimensions and bearings of the boundaries of the portion of the parcel to be dedicated. The applicant's engineer or surveyor shall prepare, sign and stamp a legal description of the portion of property to be dedicated. A centerline description may be used for easements. See attached standard drawing DEF- 4000 for more information.

LEGAL DISCLAIMER: This Client Assistance Memo (CAM) should not be used as a substitute for codes and regulations. The applicant is responsible for compliance with all code and rule requirements, whether or not described in this CAM.

4. When an exception to full dedication is requested, the exception must be approved and granted by SDOT. The depth below and height above the surface are determined by public need. When there are aerial overhangs or undersurface reservations, for alleys the minimum requirement is 4 feet of cover between the surface and reserved vertical area and 26 feet from surface to the beginning of any aerial overhang. All elevations must be expressed as NAVD 88 Datum elevations and a local benchmark must be identified.
5. The SDOT Street Improvement Permitting Section will forward a request to SDOT Real Property Services for preparing documents (deed, easement, or both) with the plot plan or private contract plan sheet, and proposed legal description that is signed and stamped by a licensed surveyor.
6. The owner shall submit a letter of intent to dedicate (www.seattle.gov/dpd/permits/forms/), a title report less than 3 months old including copies of all documents listed in the schedule b, and all plat maps needed to proof the legal description. If the property is under corporate ownership a copy of the operating agreement or a corporate resolution with the name and title of the person authorized to sign for the corporation shall be provided.
7. Real Property Services identifies what encumbrances need to be cleared off the dedication area and sends request to owner to remove encumbrances from dedication area. Real Property Services prepares the documents and submits the proposed documents to the Law Department for approval. After the Law Department approves the documents, Real Property Services forwards the documents to the applicant.
8. The owner signs the document (deed, easement or both) and has the signature notarized. When all necessary signatures are gathered, the applicant returns the document(s) to Real Property Services for approval and recording with King County. **The owner is not to record the document(s).**
9. Real Property Services section notifies the SDOT Street Use Division or SDCI that the dedication is completed.

Access to Information

Client Assistance Memos are available online at: www.seattle.gov/transportation/document-library/client-assistance-memos. Paper copies of these documents are available at our Permit Services Counter located on the 23rd floor of the Seattle Municipal Tower at 700 5th Avenue in downtown Seattle; phone number (206) 684-5253.